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File: Z-8495
Planner: Eric Lalande

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| TO: | CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE |
| FROM: | JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER |
| SUBJECT: | APPLICATION BY: CANADIAN MENTAL HEALTH ASSOCIATION MIDDLESEX 648 HURON STREET PUBLIC PARTICIPATION MEETING ON SEPTEMBER 21, 2015 |

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| RECOMMENDATION |
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That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Canadian Mental Health Association Middlesex relating to the property located at 648 Huron Street the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 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 Restricted Office (RO1) Zone, **TO** a Restricted Office Special Provision (RO1()) Zone;

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| PREVIOUS REPORTS PERTINENT TO THIS MATTER |
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"None"

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| PURPOSE AND EFFECT OF RECOMMENDED ACTION |
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The purpose and effect of the recommended action is to amend the Zoning by-law to add emergency care establishments to the list of permitted uses, and recognize existing interior side yard setbacks, landscaped open space, and existing parking spaces.

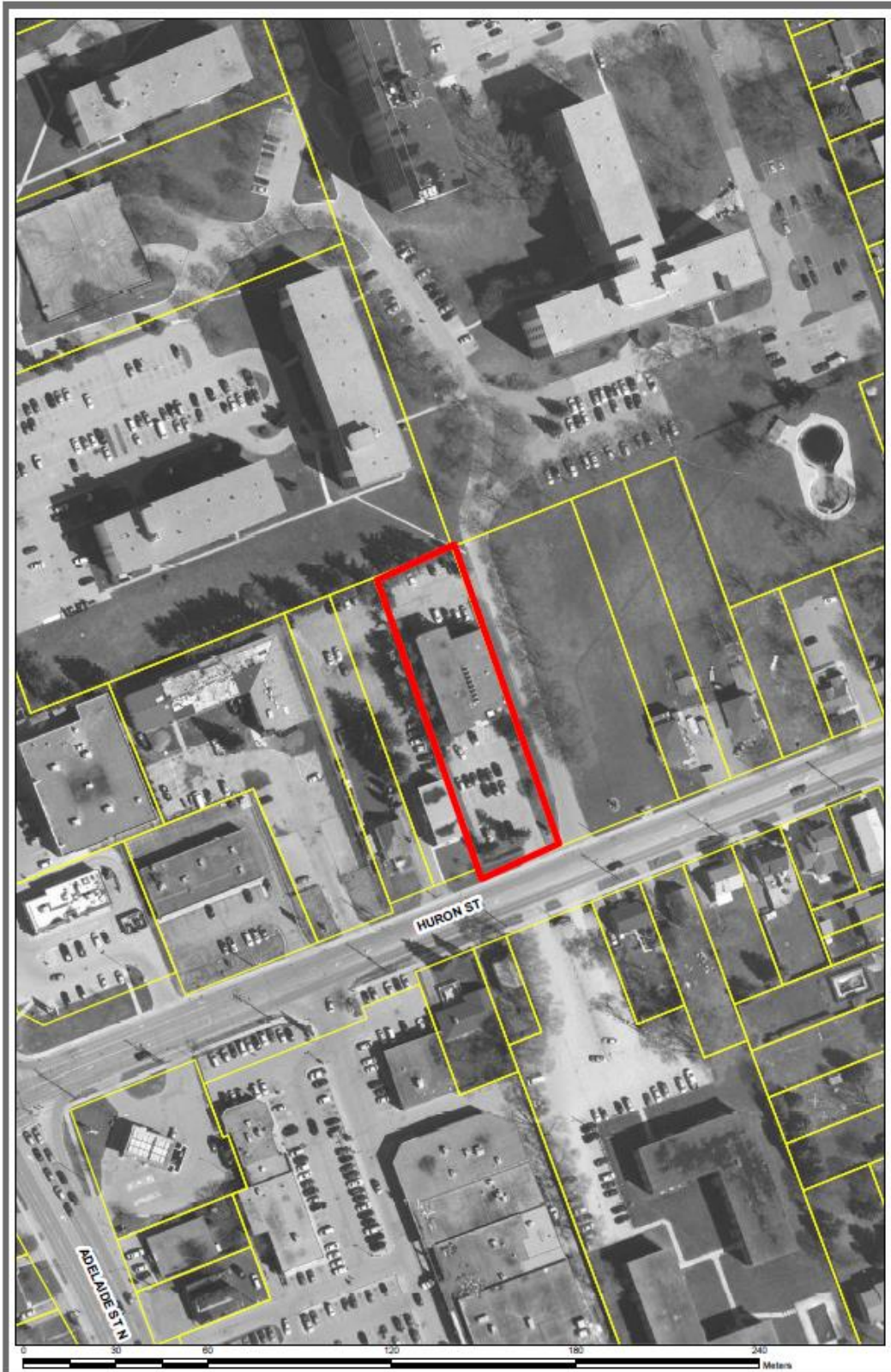
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| RATIONALE |
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The proposed amendment, based on the rationale contained in this report:

1. is consistent with the Provincial Policy Statement, 2014;
2. conforms to the general intent of the Official Plan;
3. conforms to the general intent of the Zoning By-law;
4. will add a compatible additional use that broadens the range and flexibility of the existing related office uses on site.

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LOCATION MAP

Subject Site : 648 Huron Street
Applicant: Canadian Mental Health Association
File Number : Z-8495

Planner : EL
Created By : TT
Date : 2015/08/20
Scale : 1:1,500

Legend

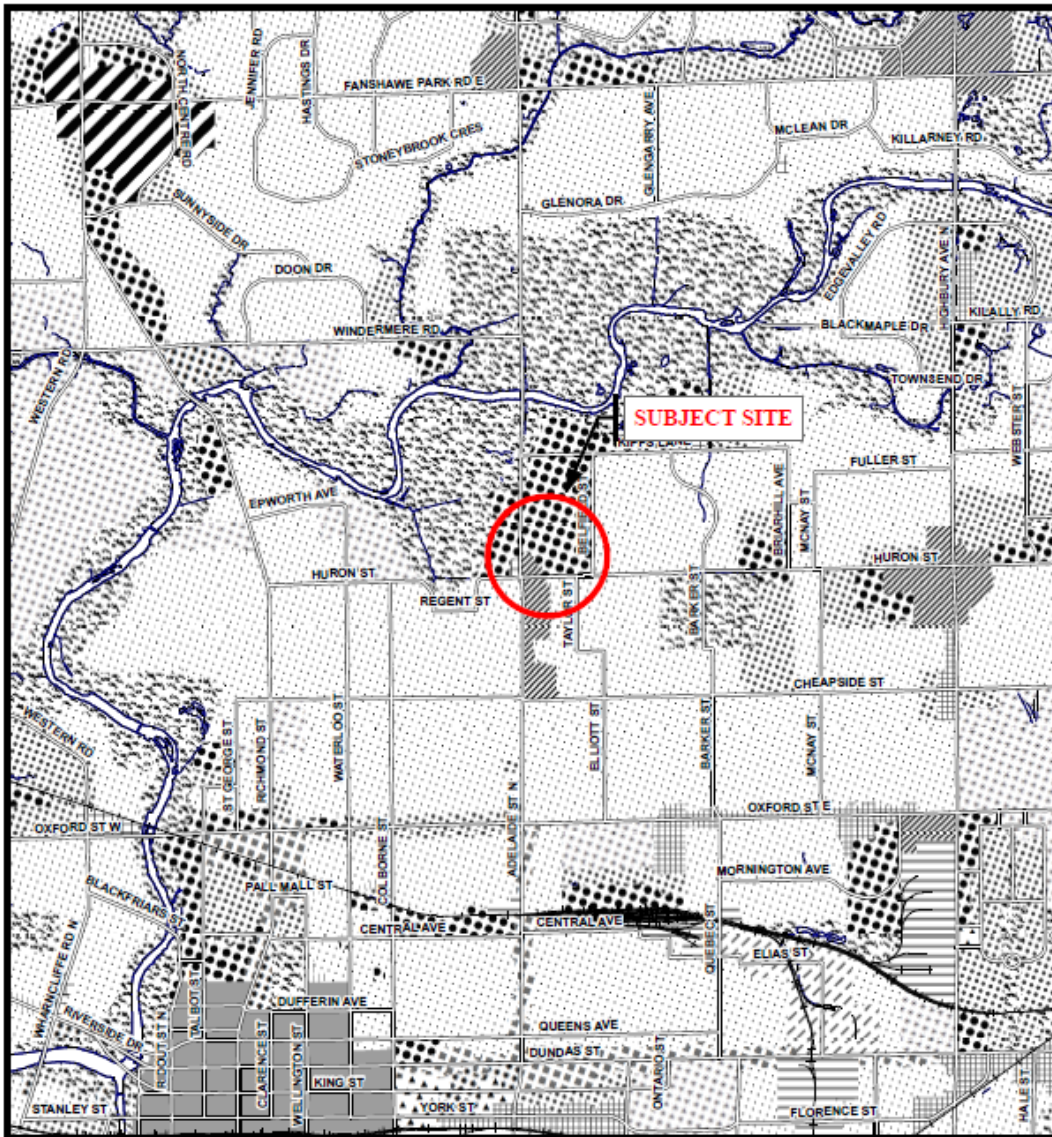
 Subject Site

Prepared by : Graphics & Information Services , Planning Division
Corporation of the City of London
File-planning/projects/p_locationmaps/NO/Ds



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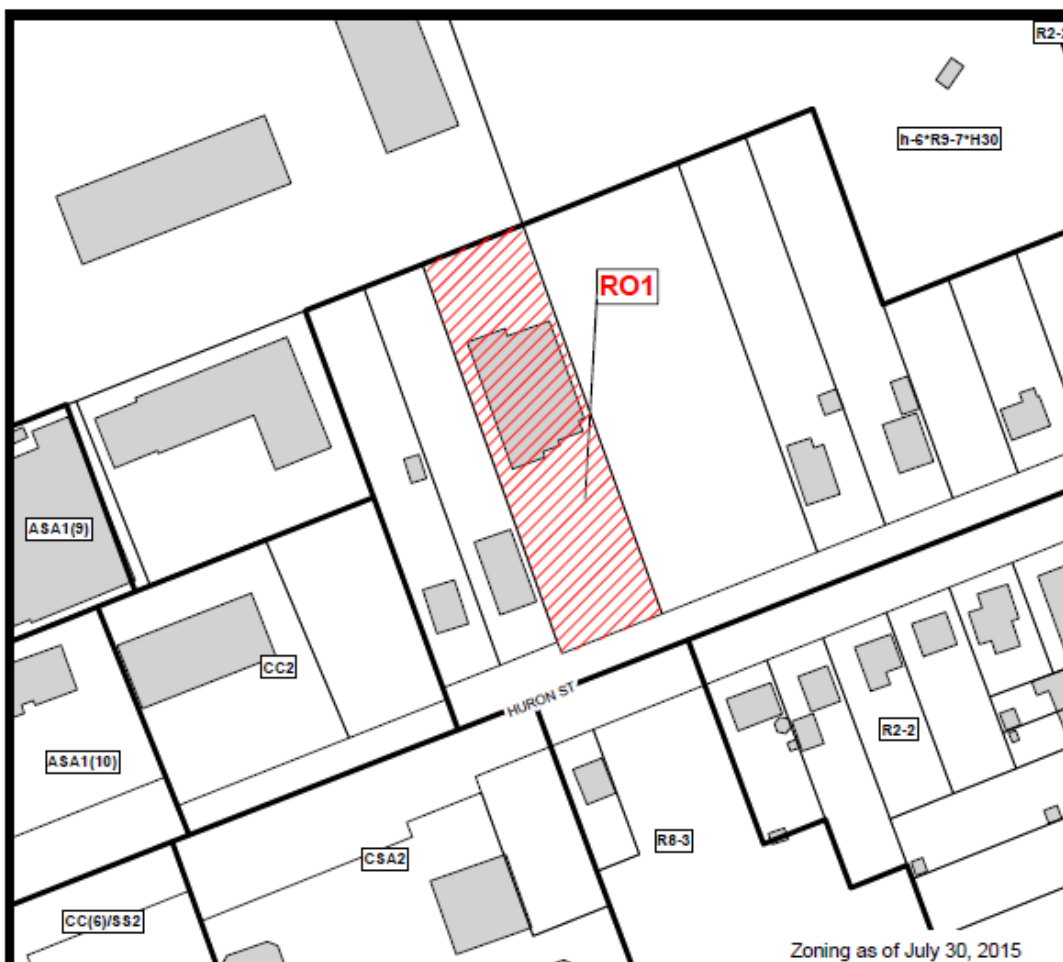


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| <p>Legend</p> <ul style="list-style-type: none"> Downtown Wonderland Road Community Enterprise Corridor Enclosed Regional Commercial Node New Format Regional Commercial Node Community Commercial Node Neighbourhood Commercial Node Main Street Commercial 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 OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p> | <p>Scale 1:30,000</p> <p>Meters</p> | <p>FILE NUMBER: Z-8495 PLANNER: EL TECHNICIAN: TT DATE: 2015/08/20</p> |

PROJECT LOCATION: e:\planning\projects\p_official\plan\work\consolid\00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: RO1

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

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| FILE NO: Z-8495 | EL |
| MAP PREPARED: 2015/08/20 | TT |
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| 0 5 10 20 30 40 Meters | |

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| BACKGROUND |
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| Date Application Accepted: May 28, 2015 | Agent: Matthew Campbell, Zelinka/Priamo Ltd. |
| REQUESTED ACTION: To amend the Zoning By-law to permit an emergency care establishment and recognize existing sideyard setbacks, parking supply, and landscaped open space. | |

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| SITE CHARACTERISTICS: |
| <ul style="list-style-type: none"> • Current Land Use - Office • Frontage – 27 m (89 ft) • Depth – 104 m (341 ft) • Area – 0.28 ha (0.7 ac) • Shape - Rectangular |

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

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| OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map) |
| <ul style="list-style-type: none"> • Multi-Family, High Density Residential |
| EXISTING ZONING: (refer to Zoning Map) |
| <ul style="list-style-type: none"> • Restricted Office (RO1) Zone |

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| SIGNIFICANT DEPARTMENT/AGENCY COMMENTS |
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Wastewater and Drainage Engineering: “No Objections”

Transportation Engineering: “Transportation has reviewed the traffic statement with respect to parking availability for the subject site. Please be advised that Transportation has no further comments and agrees to the statement conclusions.”

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| PUBLIC LIAISON: | On June 19,2015, Notice of Application was sent to 30 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 June 25, 2015. A “Possible Land Use Change” sign was also posted on the site. | 1 replies were received |
| <p>Nature of Liaison: The purpose and effect of the requested Zoning By-law amendment is to permit an emergency care establishment within the existing building, and to recognize the current regulations related to side yard setbacks, parking requirements and landscape open space on the subject lands. An emergency care establishment is defined in the zoning by-law as an institutional use that provides a means of immediate, temporary accommodation and assistance for a short-term period, generally less than six weeks for the majority of the residents. “Emergency Care Establishments” are distinct from “group homes” in that the former has a shorter length of stay, and that their capacity usually exceeds eight residents (excluding staff or the receiving family).</p> | | |
| <p>Responses:</p> <ul style="list-style-type: none"> • Concerns regarding Traffic, entrance and exiting • Supports the use, but concerns with intensity of the use in addition to the existing uses on-site. | | |

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| ANALYSIS |
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NATURE OF APPLICATION

The requested amendment submitted by the Canadian Mental Health Association Middlesex seeks to add a “Crisis Stabilization Space” within the existing building.

The “Crisis Stabilization Space” is proposed to operate 24 / 7 with a maximum of 10 beds. The space is to be supervised and have restricted access. This use is to provide short-term support for individuals experiencing mental health and/or addiction treatment crises that benefit from professional care in a monitored environment. The proposed use is defined as an “emergency care establishment” within the City’s Zoning By-law and is proposed to occupy 464 m² of the second floor of the existing office building and operate as part of the range of services offered by CMHA Middlesex at this location. Temporary stays are operationally limited to 3 days as an alternative to hospitalization, and patients are not restricted to stay once admitted. The CMHA Middlesex currently operates a similar facility at 36 Frank Street in London, for comparative operational purposes.

The application is seeking to amend the Zoning By-law to add emergency care establishment to the list of permitted uses, while recognizing existing zoning deficiencies related to interior side yard setback, landscaped open space and parking.

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View of the existing building from Huron Street.

USE

The proposed emergency care establishment is intended to be integrated into the existing office building. The proposed use allocates 464 m² of existing floor space to the new use. The emergency care establishment use would provide approximately 10 bed space for individuals requiring assistance and will operate as a function of the Canadian Mental Health Associations range of services, who occupy the main floor of the subject lands.

The Provincial Policy Statement, 2014 (PPS) provides policy direction on matters of provincial interest related to land use planning and development requiring approval authorities to make land use planning decisions to be consistent with its policies. The PPS provides for a range and mix of institutional uses to meet long-term needs (PPS, Section 1.1.1.b & 1.3.1.a) and the requested amendment is consistent with these policies in its proposed conversion of interior office space to add supportive “Crisis Stabilization Space” that expands the range of services beyond the existing office uses. Additionally, the proposed use will offer temporary relief and secure temporary housing options for those in need, contributing to the range and access of housing (Section 1.4).

The subject lands are designated “Multi-Family High Density Residential”, and permit a range of uses that are primarily residential in nature. The designation further supports small-scale office uses, as a secondary permitted use, and specifically permits emergency care establishment uses. The proposed use is to be considered in concert with the CMHA offices uses currently occupying the existing building, and requires a special provision to include the additional permitted use.

With regards to land use compatibility, the proposed emergency care establishment is contemplated within the High Density Residential designation and is specifically listed as a primary permitted use (Official Plan, Section 3.4.1.). An emergency care establishment offers housing to individuals from the community in need of special accommodations for a temporary and short term stay, and is defined by the Zoning By-law Z.-1 to mean “*an institutional use that provides a means of immediate, temporary accommodation and assistance for a short-term*”

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period, generally less than six weeks for the majority of the residents. "Emergency care establishments" are distinct from "group homes" in that the former has a shorter length of stay, and that their capacity usually exceeds eight residents (excluding staff or the receiving family)."

The proposed use is consistent with the Provincial Policy Statement, 2014, and conforms to the residential policies Official Plan, for long term use of the subject lands.

INTENSITY

The existing building consists of a 2-storey office building; where the second floor (464 m²) is intended to be converted from medical office space to the proposed emergency care establishment. The proposed space would provide up to 10 beds for temporary stays of up to 3 days. The change of use provides a similar intensity in terms of space and intensity, but alters the type of activity on site. An emergency care establishment will see a maximum number of patients and family members attend the site for a few days at a time, which may result in less impacts that a clinic or medical/dental space that would have patients visiting for appointments throughout the day. This results in potentially less individuals arriving but with longer stays while at the location.

Emergency care establishments are defined to have generally more than 8 beds and may permit temporary housing up to six weeks. The proposed development anticipates stays of no more than 3 days, far below what is contemplated by the by-law, and the proposed 10 beds is in keeping with the intent of the Zoning By-law for this type of use. A comparable operation would be permitted in a building approximately half the size of what is currently proposed under other zones that permit emergency care establishment uses. Overall, intensity of the proposed use is considered appropriate and anticipated that operational management will mitigate any potential impacts created by the change of use.

Parking Spaces

As part of the proposed change of use, the standard for the amount of required parking spaces is recalculated to reflect the expected level of vehicles as part of the overall use of the subject lands. The subject lands currently provide 37 parking to support the existing office uses. As part of the proposed change in use 68 spaces would be required under the current zoning standards. In response to the anticipated requirements and the existing nature of available spaces, a transportation analysis was provided by F.R. Berry & Associates. The analysis indicates that the existing number of parking spaces is adequate to support the proposed use. Transportation staff has reviewed the analysis and agrees with the determinations and recommendations put forth.

The subject lands are anticipated to support the level of intensity introduced by the proposed emergency care establishment.

FORM

The existing building is a 2 story brick office building. Access to the building is provided at the front and rear of the property and connecting to two separate parking areas. Both areas are accessed via adjacent entrances to Huron Street with the rear access utilizing a mutual driveway with an abutting property to the north. It should be noted no external changes are proposed as part of the development contemplated by the application.

The subject lands operate as an office use which is adjacent and contiguous to the commercial node at Adelaide Street North and Huron Street. The existing building is of similar scale to adjacent building forms; it is located along an arterial road (Huron Street) and is buffered by adjacent commercial uses and amenity areas (Official Plan, Section 3.3.2).

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Landscaped Open Space

The property currently provides 27% landscaped open space as indicated on the application, whereas 30% coverage is required. The existing level of open space coverage has achieved an acceptable measure of compatibility with the current use and abutting uses. Furthermore, an increase in the amount of landscaped open space coverage would further reduce the existing number of parking spaces. The difference in open space requirement would equal approximately 4 parking spaces on the site, which are essential to service the use at an already, and appropriately, reduced rate.

Staff is satisfied that recognizing the existing reduction in the landscaped open space provisions will not negatively impact the overall functionality of the subject lands or greatly reduce the amenity area from the current standards.

Interior Side Yard Depth

The existing building, as constructed, is situated within the required side yard depth of the Restricted Office Zone. The requested amendment is seeking to reduce the side yard depth from the required 2.4 m to existing 1.9 m depth. While the proposed development is limited to internal changes on the second floor with no exterior changes, the by-law seeks to recognize the deficiency.



View of the existing building looking southeasterly.

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| CONCLUSION |
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The proposed development has identified that the proposed use is contemplated by the Official Plan as a secondary permitted use, provides professional and independent review to support the reduced parking standards to accommodate the change in use, and addresses outstanding matters related to the building siting and landscaping deficiencies. The diversification of uses provides broader services to the community adjacent to an accessible commercial node within the community.

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Staff has reviewed the application based upon relevant policies and has highlighted specific issues within this report to be considered as part of its planning recommendation. As such, Staff supports the recommended action contained in this report to permit the added use and recognizing existing deficiencies on the subject lands.

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

August 24, 2015

EL/el

"Attach"

Y:\Shared\implemen\DEVELOPMENT APPS\2015 Applications 8451 to\8495Z - 648 Huron St. (G.Barret)\OPA-ZBL Amendment Report - 648 Huron Street.docx

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File: Z-8495
Planner: Eric Lalande

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

| <u>Telephone</u> | <u>Written</u> |
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| | David Dimitrie 412-1128 Adelaide St. N. London, ON N5Y 2N7 |
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File: Z-8495
Planner: Eric Lalande

**Bibliography of Information and Materials
Z-8495**

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Canadian Mental Health Association Middlesex, and submitted on March 12, 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 Consultants Limited. *Planning Justification Report*, March 11, 2015

F.R. Berry & Associates, *Letter Parking Availability, 628 Huron Street*, May 21, 2015

Correspondence: (all located in City of London File No. Z-8495 unless otherwise stated)

City of London -

Moore, R. Wastewater and Drainage Engineering. Email to G. Barrett, July 30, 2015

Karidas, T. Site Plan Approval, Development Services, Email to B. Turcotte, March 20, 2015

Elmadhoon, Maged, Transportation Planning & Design, Email to M. Tomazincic, May 28, 2015

Departments and Agencies -

Creighton C., UTRCA. Letter to G. Barrett. July 9, 2015

Other:

Site visit August 21, 2015.

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**File: Z-8495
Planner: Eric Lalande**

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 648
Huron Street.

WHEREAS Canadian Mental Health Association Middlesex has applied to
rezone an area of land located at 648 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 648 Huron Street, as shown on the attached map comprising part of Key Map
No. A103, from a Restricted Office (RO1) Zone to a Restricted Office Special Provision
(RO1()) Zone.
- 2) Section Number 18.4 of the Restricted Office (RO1) Zone is amended by adding the
following Special Provision:
 -) RO1() 648 Huron Street
 - a) Additional Permitted Uses:
 - i) Emergency Care Establishment, associated with a
permitted Office Use.
 - b) Regulations:
 - i) East Interior Side Yard Depth 1.9 metres (6.23 feet)
(minimum)
 - ii) Landscaped Open Space (%) 27 (minimum)
 - iii) Parking Spaces 37 (minimum)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of
convenience only and the metric measure governs in case of any discrepancy between the two
measures.

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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 September 28, 2015.

Matt Brown
Mayor

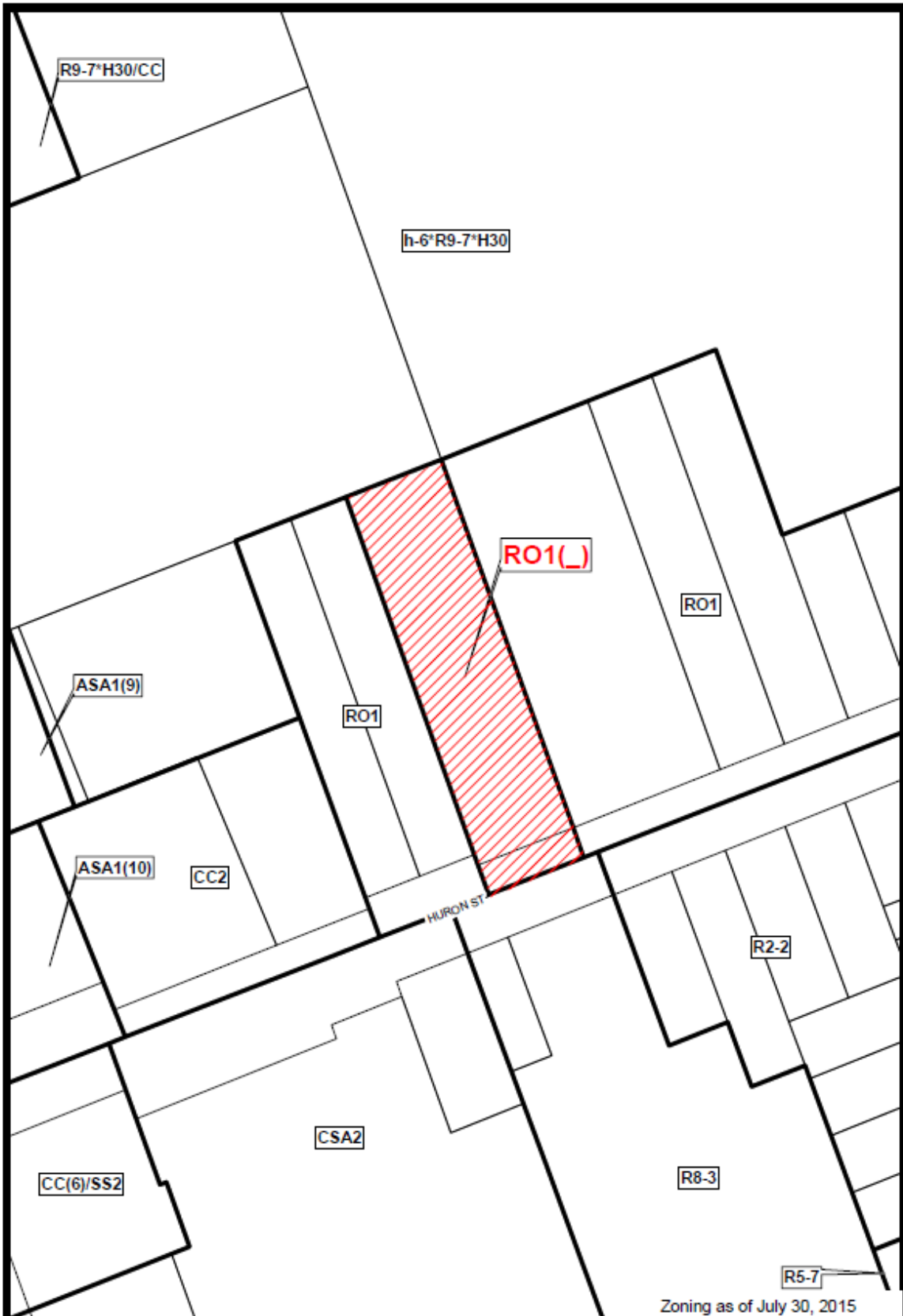
Catharine Saunders
City Clerk

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


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File: Z-8495
Planner: Eric Lalonde

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



File Number: Z-8495
Planner: EL
Date Prepared: 2015/08/20
Technician: TT
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

