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File: OZ-8579
Planner: Eric Lalande

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: ROSS OF LONDON HOLDINGS INC. 276 Highbury Avenue North, 281 & 285 Short Avenue and 1325 TRAFALGAR STREET PUBLIC PARTICIPATION MEETING ON APRIL 25, 2016

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Ross of London Holdings Inc. relating to the properties located at 276 Highbury Avenue North, 281 & 285 Short Avenue and 1325 Trafalgar Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2016 to amend the Official Plan to change the designation of the subject lands **FROM** Low Density Residential designation, **TO** Neighbourhood Commercial Node designation;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on May 3, 2016 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 Service Station (SS) Zone and Residential R1 (R1-6) Zone, **TO** a Neighbourhood Shopping Area Special Provision (NSA5(_)) Zone;
- (c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the Site Plan Approval process:
 - i) Primary pedestrian access be oriented towards the streets at the intersection of Highbury Avenue North and Trafalgar Street;
 - ii) Prioritize on-site pedestrian circulation to enhance circulation and safety;
 - iii) Landscaping and pedestrian connections be emphasized for on-site and public realm interactions;
 - iv) Snow storage area(s) are to be implemented in a manner that protects retained and off-site trees; and

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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"None"

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended action is to facilitate the redevelopment of the subject lands, specifically vacant brownfield lands, to accommodate commercial development in a manner that maintains a nodal form of development at this intersection. The proposed restaurant development is to be directed towards the intersection of Highbury Ave North and Trafalgar Street.

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RATIONALE

The recommended action is supported based on the following rationale:

- a) the recommended amendment is consistent with the Provincial Policy Statement, 2014;
- b) the recommended amendment conforms to the policies of the Official Plan;
- c) the recommended amendment is in keeping with the intent of the Zoning By-law;
- d) the proposed development enhances a nodal form of commercial development at this intersection;
- e) the proposed development is providing access and parking that meet the minimum Zoning By-law requirements, and minimizing traffic conflicts on-site and to the arterial roads;
- f) the proposed development orientation and siting is designed to minimize impacts to the adjacent residential area;
- g) the proposed drive-thru is being oriented and sited to minimize impacts towards the public realm and adjacent residential uses.

BACKGROUND

Date Application Accepted: January 6, 2016	Agent: Kirkness Consulting Inc.
<p>REQUESTED ACTION: Amend the Official Plan from a Low Density Residential designation to a Neighbourhood Commercial Node designation and to amend the Zoning By-law from Residential R1 (R1-6) and Service Station (SS) to a Neighbourhood Shopping Area Special Provision (NSA5(___)) with three special provisions, for setbacks and stacked parking requirements.</p>	

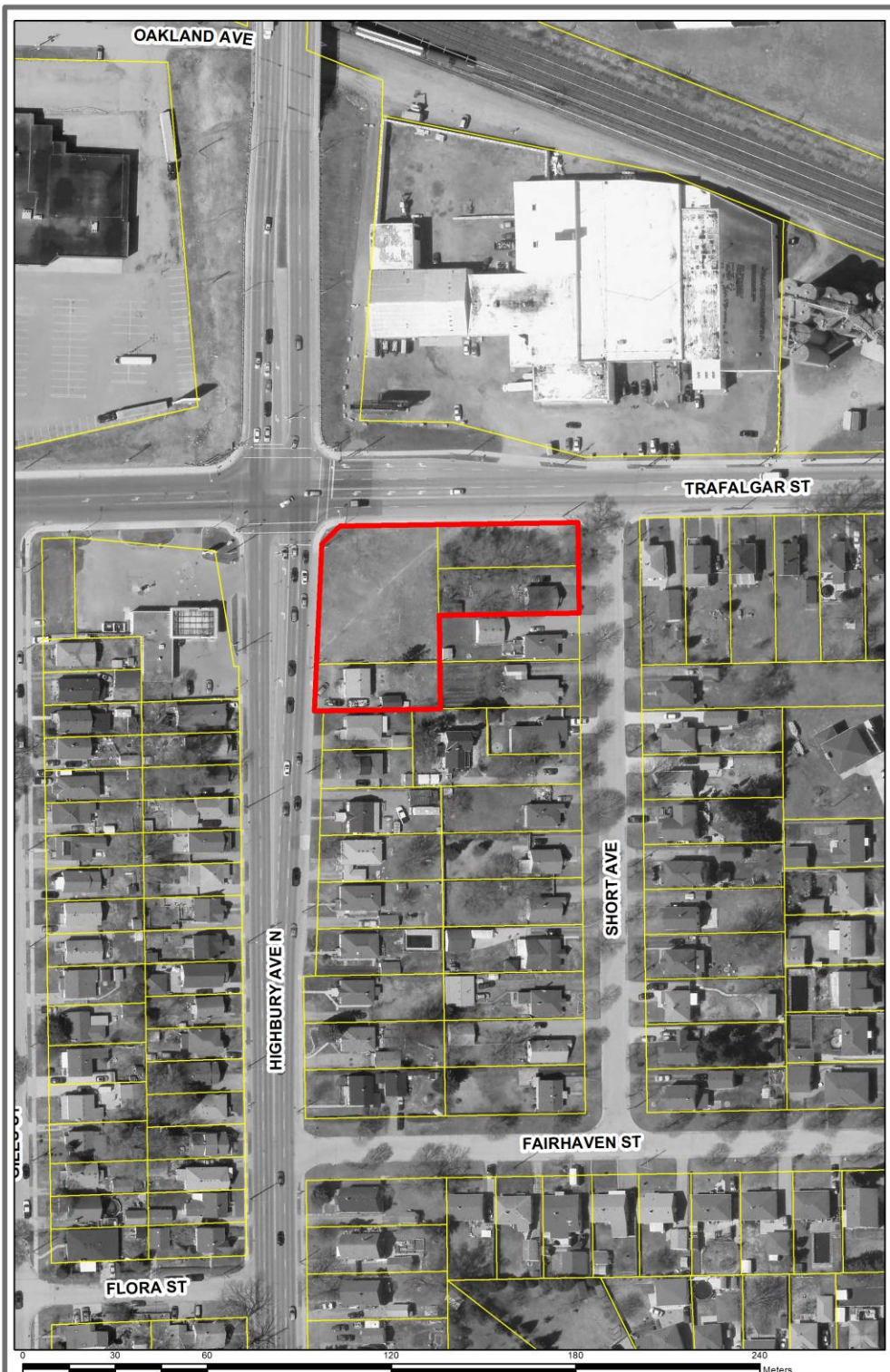
SITE CHARACTERISTICS:	
<ul style="list-style-type: none"> • Current Land Use <ul style="list-style-type: none"> • 276 Highbury Avenue North - Residential • 281 Short Avenue - Residential • 285 Short Avenue - Vacant • 1325 Trafalgar Street - Vacant • Frontage – 54.0m (177.1 ft) • Depth – 83.6m (274.3 ft) • Area – 3039.5m² (0.75 ac) • Shape - Irregular 	

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

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • Low Density Residential
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • Residential R1 (R1-6) and Service Station (SS)

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LOCATION MAP

Subject Site: 276 Highbury Ave, 281-285 Short Ave,
and 1325 Trafalgar St
Applicant: Ross of London Holdings Inc.
File Number : OZ-8579

Planner : EL
Created By : MB
Date : 2016/03/15
Scale : 1:1,500

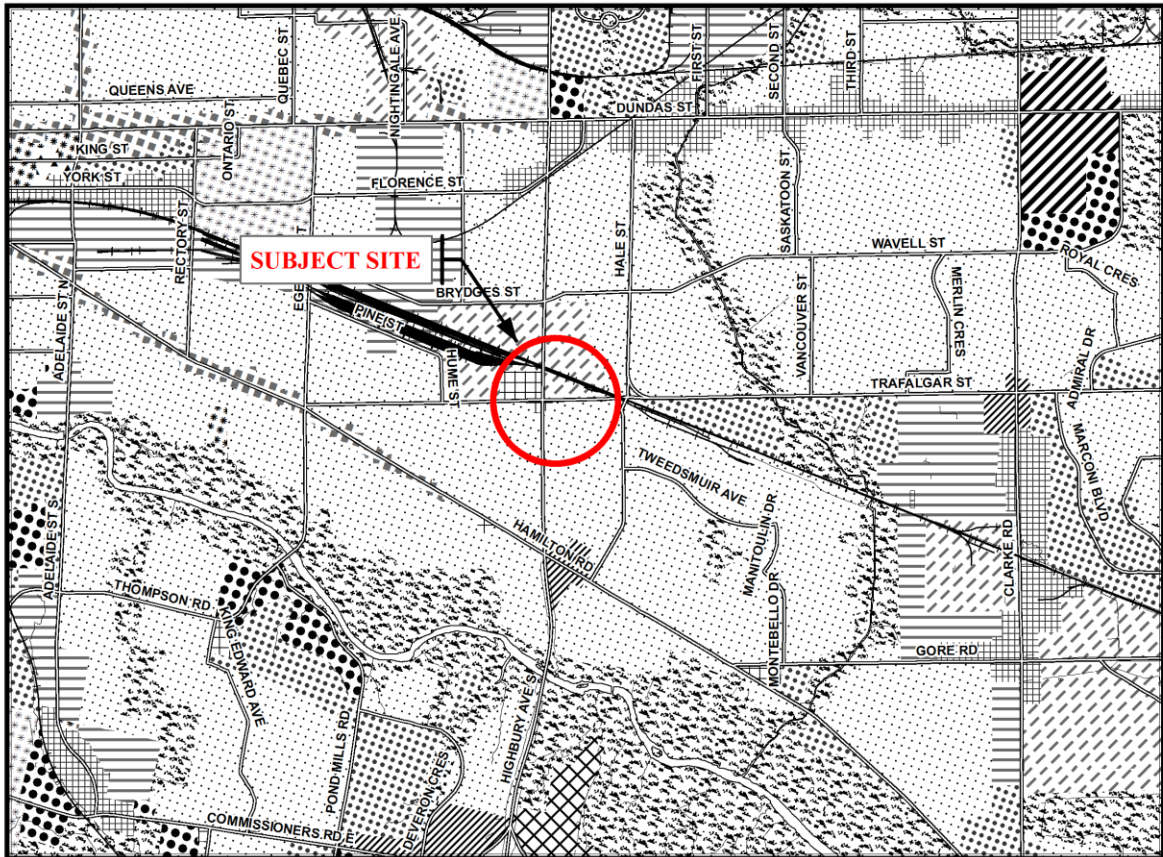
Legend

 Subject Site

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

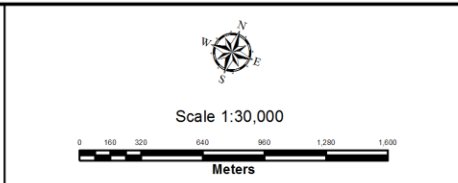


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Legend	
Downtown	Office/Residential
Wonderland Road Community Enterprise Corridor	Office Business Park
Enclosed Regional Commercial Node	General Industrial
New Format Regional Commercial Node	Light Industrial
Community Commercial Node	Regional Facility
Neighbourhood Commercial Node	Community Facility
Main Street Commercial Corridor	Open Space
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth
Multi-Family, Medium Density Residential	Rural Settlement
Low Density Residential	Environmental Review
Office Area	Agriculture
	Urban Growth Boundary

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services

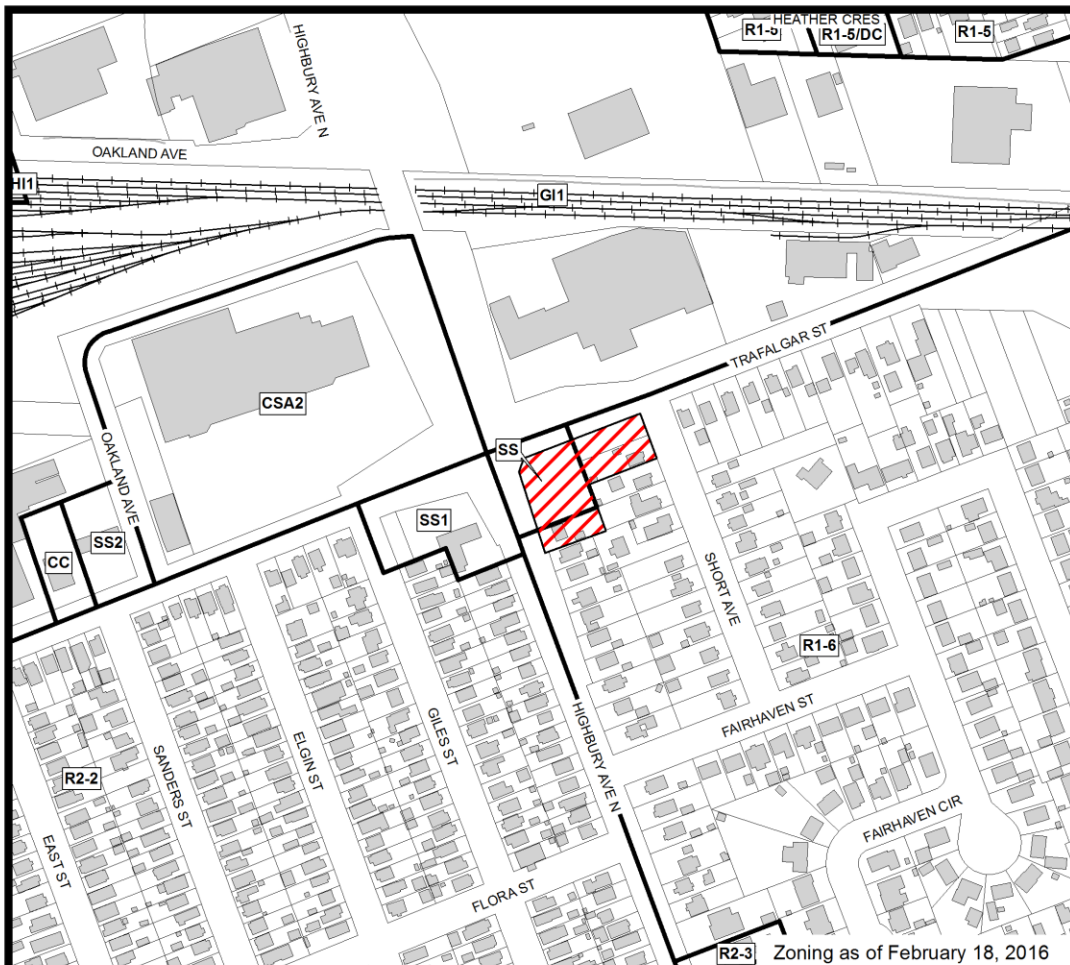


FILE NUMBER: OZ-8579
 PLANNER: EL
 TECHNICIAN: MB
 DATE: 2016/03/15

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolidated\excerpts\mxd_templates\scheduleA_b&w_8x11_with_SWAP.mxd

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: SS and R1-6

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

- | | |
|--|---|
| <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**



FILE NO:
OZ-8579 EL

MAP PREPARED:
2016/03/15 MB

1:3,500
0 15 30 60 90 120
Meters

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

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Transportation Engineering: *“Road Widening dedication of 18.0m from centerline required on Trafalgar Street. Road widening dedication of 18.0m from centre line required on Highbury Ave North. Access on Trafalgar Street to be located to the easterly limit of the site.”*

“Transportation has reviewed the concept provided and would be willing to consider a restricted right in only access off of Highbury Ave and a full access to Trafalgar Street would need to be located at the easterly limits of the site. The access details can be discussed further at site plan.”

“Short Avenue is scheduled for a speed and volume study this spring, in response to concerns Mr. Whalley contacted Transportation about in late October of last year. The speed and volume studies are the first step in reviewing a street to determine if operational traffic issues exist, the spring studies begin after Easter weekend and continue until the end of June weather accommodating. Due to the number of concerns received regarding traffic issues last year the study could not be completed as part of the 2015 fall program.”

Urban Forestry: *“The text on page 7 of the report refers to Tree Protection Fencing on trees 21, 31, and 38, however Figure 2 on page 6 indicates that tree 21 will be removed. The quality of the drawings makes it hard to comment on the soil volume or permeable area allowed surrounding tree 21, if it is indeed to be kept as the text implies The location of the Tree Protection Fencing needs to be shown on the drawings. Again, I cannot tell from the supplied drawings if this has happened. The location where snow will be piled should be taken into account as well, as piled snow accumulation and associated pollutants (including ice melting products) will impact tree health”*

Stormwater Engineering: “No Objections”

Wastewater and Drainage Engineering: “No Objections”

Upper Thames River Conservation Authority: “No Objections”

London Hydro: “No Objections”

Urban Design Peer Review Panel:

“1. Consider narrowing of drive aisle and curb cut along Trafalgar Road, removing dedicated left turning lane. This presents issues in terms of vehicular circulation adjacent to the intersection.

2. Consider opportunities to mitigate potential conflicts with drive-through and central parking spaces for both the 5 (staff) spaces and the 2 barrier free spaces that conflict with the drive-thru traffic.

3. Consider reducing surface parking to minimum City standards noting that 36 trees are being removed, there is the opportunity to retain additional trees and increased landscape areas.

4. The current site plan due to traffic access and circulation internally and due to the adjacent major corner of Trafalgar and Highbury appears to be creating more problems than it is solving.

5. In addition further consideration should be given to pedestrians given the vehicular centric design as the pedestrian circulation strategy currently creates a potential risk of pedestrians crossing the drive through entrance and exit lanes near the main door.

6. Consider relocating the main entry door facing Trafalgar Road or given the corner vestibule entrance, provide doors addressing both the surface parking area (east) and patio area (north) with a clear line of sight and access from Trafalgar Road.

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7. Simplify building elevations and material treatments that are in the same plane and explore opportunities to further articulate Highbury Avenue façade to mitigate blank wall effect of service areas and waste storage walls with further recesses where opportunity allows.”

PUBLIC LIAISON:	On January 27, 2016, Notice of Application was sent to 84 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 January 28, 2016. A “Possible Land Use Change” sign was also posted on the site.	3 replies were received
Nature of Liaison:		
The purpose and effect of this Official Plan and zoning change is to permit the redevelopment of existing dwellings to a restaurant, with a drive-thru facility.		
Responses: Concerns with increased traffic, noise and light pollution, odours, loss of amenity, strain on aging infrastructure.		

ANALYSIS

NATURE OF APPLICATION

The requested action is to amend the Official Plan from a Low Density Residential designation to a Neighbourhood Commercial Node designation and to amend the Zoning By-law from Residential R1 (R1-6) and Service Station (SS) to a Neighbourhood Shopping Area Special Provision (NSA5(___)). The proposed amendments are intended to facilitate the development of a restaurant, with drive-thru facilities.

The subject lands comprise of 4 parcels of land, known municipally as:

- 276 Highbury Avenue North;
- 281 Short Avenue;
- 285 Short Avenue; and
- 1325 Trafalgar Street.

As part of the application a conceptual plan was included as part of the application as shown further in this report. Site Plan Approval will be required for commercial development on the subject lands.

Agenda Item # Page #

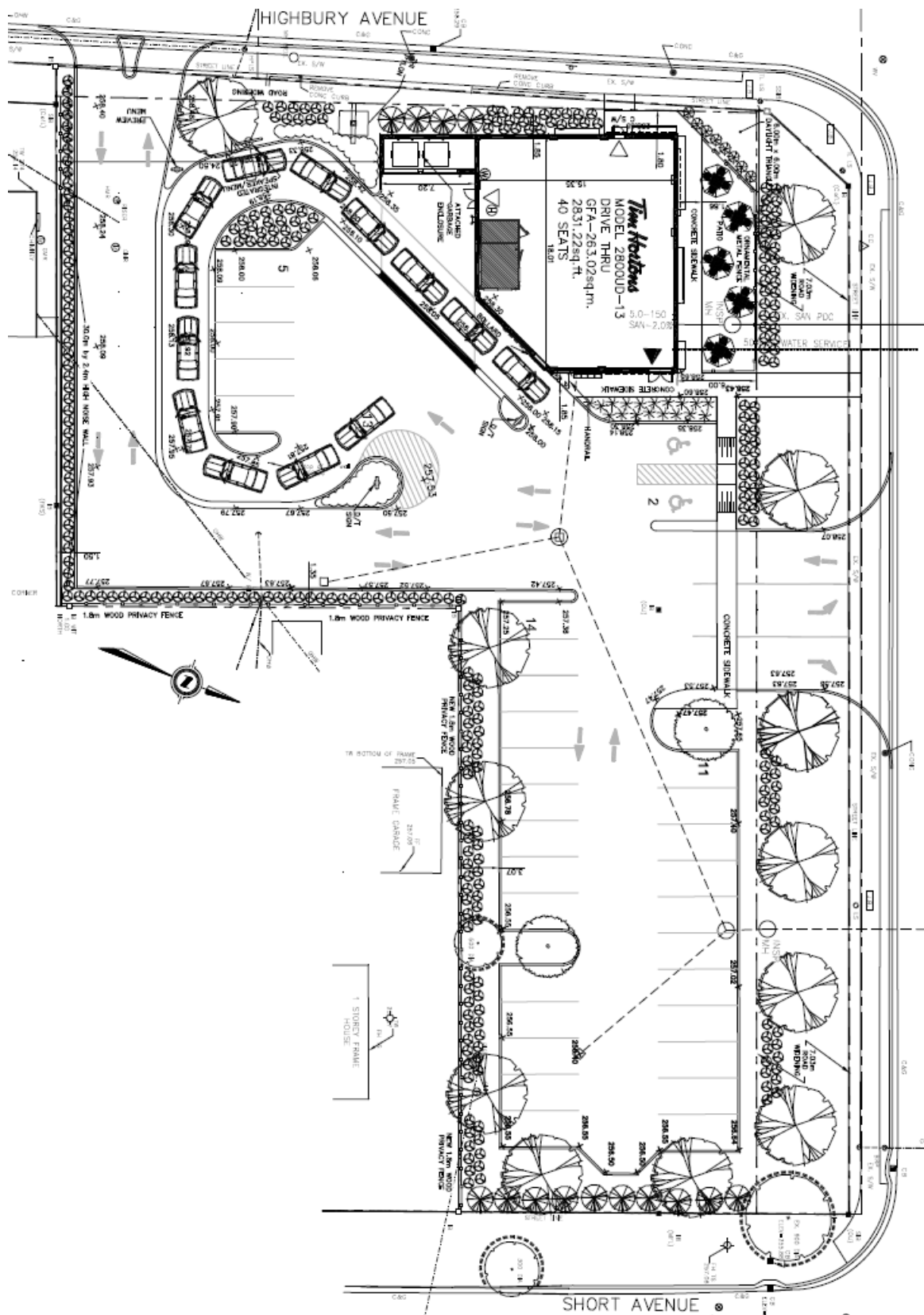
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Draft Conceptual Site Plan

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The requested amendment is seeking to change the residential **use** on the subject lands to accommodate a (commercial) restaurant. The subject lands are designated “Low Density Residential” in the Official Plan and the proposed development is requesting to amend this designation and to apply an implementing zone. The proposed **intensity** on the subject lands is intended to be consistent with the base Neighbourhood Shopping Area (NSA5) zone with special provisions to reduce the setbacks of front and exterior side yard depths to bring the building closer to the intersection of Highbury Avenue North and Trafalgar Street. Two residential lots were included as part of this application to ensure that adequate land is available to accommodate the proposed use. The proposed **form** of development is proposed to be sited and oriented towards the intersection and provides a scale and massing that is consistent with height and setbacks that are expected along Highbury Avenue North and Trafalgar Street as well as the abutting Low Density Residential dwellings.

USE

Provincial Policy Statement, 2014

The proposed commercial use is consistent with the **Provincial Policy Statement, 2014** objectives of accommodating a range and mix of uses to meet long term needs, promoting cost effective development patterns and fostering long term economic prosperity. Specifically:

Section 1.1.1 e) promotes “*cost-effective development patterns and standards to minimize land consumption and servicing costs.*” The proposed development is intended to redevelop two vacant lots, and redeveloping two single detached dwellings to ensure that sufficient land can be provided to support the proposed commercial use. The subject lands are to provide cost-effective development by utilizing existing services and minimize land consumption within the City.

Section 1.7.1 a) promotes “*opportunities for economic development and community investment-readiness.*” The subject lands, specifically two lots that have remained vacant for years and provide a significant opportunity for community investment and provide efficient land use in the area.

Section 1.7.1 e) promotes “*the redevelopment of brownfield sites*”. The subject lands were previously used as a service station and subsequently left vacant for several years. The proposed development is intended to revitalize this underutilized site located at the intersection of two arterial roads.

City of London’s Official Plan

The **Official Plan** provides further policy guidance for the use, function and change of designation of lands to a “Neighbourhood Commercial Node”:

Section 4.3.8.1. requires that “*Neighbourhood Commercial Nodes provide for the daily or weekly convenience shopping and service needs of nearby residents and, to a lesser extent, passing motorists. They should contain uses that are convenience-oriented and unlikely to draw customers from beyond the local area.*” The proposed development is intended to fulfill both a convenience shopping need to nearby residents as well as capture passing motorists. The proposed drive-thru and parking are intended to handle vehicular traffic, while the restaurant and patio is intended to improve the pedestrian relationship between the building and the street, and catering to nearby residents.

Section 4.3.8.2. “*Neighbourhood Commercial Nodes should be located; i) at the intersections of arterial roads, primary collector roads and secondary collector roads; ii) on sites close to pedestrian and bicycle pathways and transit services; iii) on a site(s) large enough to accommodate all buildings plus parking, loading facilities and measures to provide adequate buffering and setbacks from adjacent residential uses; and, iv) on sites with good pedestrian*

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access to the neighbourhood.” The proposed development is located at the intersection of two arterial roads, is on transit a major transit route is sufficiently sized to accommodate the use and is requesting setback reductions to improve urban design goals and minimize impacts to adjacent uses in conformity to the requirements of the Official Plan.

Section 4.3.8.3. permits “*small retail stores; food stores; pharmacies; convenience commercial uses; personal services; financial institutions; service-oriented office uses such as real estate, insurance and travel agencies; community facilities such as libraries or day care centres; professional and medical/dental offices; **small-scale restaurants**; commercial recreation establishments; and similar uses that draw customers from a neighbourhood-scale trade area.*” The requested amendment is intended to facilitate the construction of a small-scale restaurant that draws customers from a neighbourhood-scale trade area.

Section 4.3.10. specifically is intended to evaluate “**Applications to Add, Expand or Upgrade Commercial Nodes**”. As part of the review of this application the removal of Low Density Residential designation is being considered along with the criteria to expand the Neighbourhood Commercial Node.

Section 4.3.10.1. provides General Evaluation Criteria for the expansion of Neighbourhood Commercial node:

- i) *“compliance with the size, function, and form criteria of this Plan for the specific nodal area.”* The proposed development meets the size, function and form criteria of the plan, as discussed further in this report.
- ii) *“consideration of traffic impacts through the preparation of a traffic study which identifies and addresses the timing of proposed future road infrastructure improvements relative to the proposed expansion or new area and ensures that there is adequate capacity in the road system to accommodate new commercial development or expansion to existing nodes”.* Highbury Avenue North and Trafalgar Street are both listed as arterial roads that are expected to handle the anticipated level of vehicular traffic. The proposed development introduces a traffic generating use that requires accesses to both arterial roads. Locations of access and any restrictions are expected to be accommodated through the Site Plan Approval process, specifically to ensure the avoidance of conflicts with vehicular traffic movements of the intersection.
- iii) *“consideration of noise impacts on abutting sensitive land uses”.* A noise study was submitted as part of the application which provides recommendations for providing noise wall features along the southerly property line to mitigate impacts for residential uses. Additionally, the siting of the building provides for the greatest distance from the residential land uses without providing drive through aisles parallel to the public road allowance, balancing policies and urban design goals.
- iv) *“completion of a commercial justification report which addresses the availability of other designated lands to accommodate the uses proposed, the effect of the change in designation on the supply of commercial lands; and to determine the need for new commercial floor space in this area”.* The Planning Justification report included commercial justification rationale for this project. The proposed development of modest sized parcel is not anticipated to compromise or impact the viability of commercial (restaurant) uses in the area.
- v) *“submission of an overall design concept and design guidelines”.* The proposed application was reviewed by the Urban Design Peer Review Panel. The overall design and concept received comments related to site organization and conceptual building design. The proposal was generally met with positive responses with some suggested improvements implemented through the Site

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Plan Approval Process. Concerns related to the location of accesses and on-site vehicular movements are also to be addressed through the Site Plan Approval process.

- vi) *“consideration of design improvements contained in the Commercial Design Guidelines including enhanced street edge landscaping, street-oriented buildings, limited and joint access and pedestrian connections to the street and transit”.* The conceptual plan provides street-edge landscaping and street-oriented buildings, complemented by reduced building setbacks. Pedestrian and vehicular accesses are directed towards the arterial road along with buffering and separation for the residential land uses adjacent to the south. Additional landscaping considerations will also be implemented through the Site Plan Approval process.
- vii) *“conceptual site plan which identifies how the proposed expansion or new area relates to the existing node and surrounding areas with respect to land use, privacy, noise, signage, lighting, appropriate building height, location and height of parking areas and structure, the location and function of delivery routes and bays as well as site access and circulation including pedestrian and transit access and connections”.* The conceptual plan submitted illustrates how the development will mitigate impacts with existing residential development through the use of screening by landscaping, fencing, noise wall and parking areas, while siting the building in a location that enhances the pedestrian realm and is furthest from the existing residential and the closest to the intersection and the existing Neighbourhood Commercial Node.
- viii) *“the availability of municipal services to accommodate the proposed use”.* The proposed development can be supported by the existing services available for the site.

The Official Plan provides criteria for expansion of shopping areas across intersections:

- i) *“the ability to integrate the design, function and road characteristics of the proposed development with the existing Commercial Node.”* The subject lands are located at the intersection of two arterial roads. Highbury Avenue North experiences a high level of traffic. Currently the existing Neighbourhood Commercial Node comprises of single-storey commercial developments setback from Trafalgar Street. The proposed development will enhance the commercial node and is more in keeping with the intended design goals of a Neighbourhood Commercial Node. Further, accesses are to be controlled through the Site Plan Approval process to accommodate expected traffic and vehicular movements.
- ii) *“pedestrian accessibility and vehicular access across a road or intersection”.* The subject lands are located adjacent to a signalized intersection linking the existing Neighbourhood Commercial Node thereby providing appropriate and safe pedestrian access to the remainder of the Node. Additionally, orientation of pedestrian access towards the intersection facilitates this connection through the visual identification of linkages from across the intersection.
- iii) *“consideration of design improvements to integrate development across the intersection.”* The proposed development and Site Plan Approval process will ensure that orientation of access, connections, and pedestrian amenity areas are provided, with an emphasis towards the intersection.

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INTENSITY

Provincial Policy Statement, 2014

The **Provincial Policy Statement, 2014** supports providing effective and efficient use of land through its policy framework. Specifically:

Section 1.1.1.b) of the PPS promotes healthy communities by sustaining: *“an appropriate range and mix of uses to meet long-term needs”*. The requested amendment is seeking to enhance the range of uses within the existing Neighbourhood Commercial Node. The proposed commercial use will introduce a new use to the commercial node and support the area. The proposed use is further intended to replace an existing restaurant located along Highbury Avenue and maintain the long-term use along Highbury Avenue North while improving the mix in this area.

Section 1.1.3.2.a) of the PPS promotes *“densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; support active transportation; are transit-supportive, where transit is planned, exists or may be developed;”* The proposed development is intended to add a modest amount of commercial intensity to the current availability of uses in the area, while providing for efficient use of vacant land to accommodate the proposed commercial use. The subject lands are currently serviced by public infrastructure and transit services. The proposed development is intended to specifically utilize existing and available lands within the built up area to service the existing community.

Section 1.1.3.2.b) of the PPS encourages *“a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.”* The proposed development provides a range of uses not currently provided for within the Neighbourhood Commercial Node, but is compatible with the service station and grocery store uses that make up the node. The gross floor area of the proposed use is limited to the overall size of the existing node.

City of London’s Official Plan

The **Official Plan** provides policy direction specifically related to redevelopment and the compatibility of commercial development:

Section 4.3.8.5 states that *“commercial development within a Neighbourhood Commercial Node shall Scale normally range in size from 1,000 square metres to 13,000 square metres gross floor area.”* The proposed development proposes to add a commercial building of 240m². This building is in addition to the approximately 7000m² of commercial gross floor area within the existing Neighbourhood Commercial Node designation. The total GFA is within the intensity limits of what is expected for a Neighbourhood Commercial Node.

FORM

Provincial Policy Statement, 2014

The **Provincial Policy Statement, 2014** provides guidance relating to the form of development. Specifically:

Section 1.7.1c encourages *“enhancing the vitality and viability of downtowns and mainstreets”*. The intersection of Highbury Avenue North and Trafalgar Street operates as the intersection of major streets, and is intended to be a neighbourhood commercial destination. The proposed use will enhance the vitality and viability of the intersection by providing a broader range and mix of uses to enhance this intersection as a destination.

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Section 1.7.1.d) of the PPS encourages “a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character”. The proposed development is intended to construct a single storey commercial restaurant that maintains a scale that is consistent with the adjacent commercial and residential uses. The building’s siting and orientation are to be directed towards the intersection of Highbury Avenue North and Trafalgar Street to maximize the pedestrian realm at this intersection. The proposed development intends to relocate an existing restaurant in the area to a single-free standing building on a vacant lot.

City of London’s Official Plan

The **Official Plan** provides detail related to form based matters:

Section 4.3.8.4. sets out that buildings in “*Neighbourhood Commercial Nodes generally have a strip plaza focus with a combination of small free-standing structures along the street frontage should be developed to improve the design of the street edge, provide access to transit stops and reduce the visual impact of large open parking lots. The design, appearance and scale shall be in harmony with the surrounding residential area with adequate screening and buffering between uses. Parking areas should be carefully designed and shared parking areas should be accommodated where possible.*” The proposed development includes a structure sited and oriented towards the intersection of Highbury Avenue North and Trafalgar Street. Parking facilities are to be located behind the building the Trafalgar Street frontage. Landscaping and buffering will be required through the Site Plan Approval process, along with fencing and noise attenuation to minimize impacts. The requested amendment includes reduced setbacks to accommodate the siting of the building closer to the street to enhance the public realm and ensure that design matters matters such as parking and landscaping can be accommodated.

“*Neighbourhood Commercial Node designations should comprise lands that are in a nodal configuration. Extension of the designation shall be subject to the consideration of land use compatibility; vehicular access; pedestrian safety and priority; the integration of development in terms of design, appearance and pedestrian and vehicle maneuverability between or among sites; other Planning Impact Analysis criteria in Section 4.5. and Section 4.3.10. Comprehensive traffic studies and/or design studies may be required.*” The extension of the commercial uses maintains a nodal configuration centered on the intersection of two arterial roads. The extension of the designation is providing a compatible development in terms of scale, design and appearance. Further vehicular movement and access will be directed towards the arterial roads, while on-site pedestrian safety and priority will be promoted through site design and implemented through the Site Plan Approval process. The Urban Design Peer Review Panel provided comments that further provide guidance to desirable design considerations and are included in this report.

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CONCLUSION

The recommended action supports the requested amendment to facilitate the redevelopment of the subject lands to permit a restaurant use. The recommended amendment provides an opportunity for appropriate development that is compatible with the surrounding context and the redevelopment of a vacant brownfield site along a major arterial is desirable for the area. The change in designation is a limited expansion of the Neighbourhood Commercial Node which achieves compatible land uses centered and oriented towards the intersection of two arterial roads, which also is designed to minimize impacts on the adjacent residential area. The recommended action is consistent with the Provincial Policy Statement, Official Plan and the intent of the Zoning By-law.

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	

March 14, 2015

EL/el

“Attach”

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File: OZ-8579
Planner: Eric Lalande

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

<u>Telephone</u>	<u>Written</u>
N/A	Tosha Densky, 275 Short Avenue
	Lee Whalley 267 Short Avenue London, Ontario N5W1W3
	Nick Aikenhead

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**File: OZ-8579
Planner: Eric Lalande**

**Bibliography of Information and Materials
OZ-8579**

Request for Approval:

City of London Official Plan and Zoning By-law Amendment Application Form, completed by Ross of London Holdings Inc., December 22, 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.

EngPlus Ltd. *Urban Design Brief*, December 2015.

EngPlus Ltd. *Tree Identification and Retention Recommendation Report*, December 2015.

EngPlus Ltd. *Proposed Site Servicing Study & Stormwater Management Plan*, December 2015.

EngPlus Ltd. *Environmental Noise Analysis*, December 2015

Kirkness Consulting Inc. *Planning Justification Report*, December 2015.

Correspondence: (all located in City of London File No. OZ-8579 unless otherwise stated)

City of London -

Hodgins, K., City of London Urban Forestry via e-mail to E. Lalande, February 4, 2016.

Moore, R. City of London Wastewater and Drainage Engineer via e-mail to E. Lalande, February 12, 2016

Giesen, A, City of London Transportation Engineering via e-mail to E. Lalande, March , 2016.

Ridley, M., City of London Transportation Engineering via e-mail to E. Lalande, February 16, 2016.

Departments and Agencies -

Creighton C., UTRCA. via e-mail to E. Lalande. February 10, 2016

Other:

Site visit January 18, 2016 and photographs of the same date.

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**File: OZ-8579
Planner: Eric Lalande**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2016

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

A by-law to amend the Official Plan for the City of London, 1989 relating to 276 Highbury Avenue North, 281 & 285 Short Avenue and 1325 Trafalgar Street.

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 May 3, 2016.

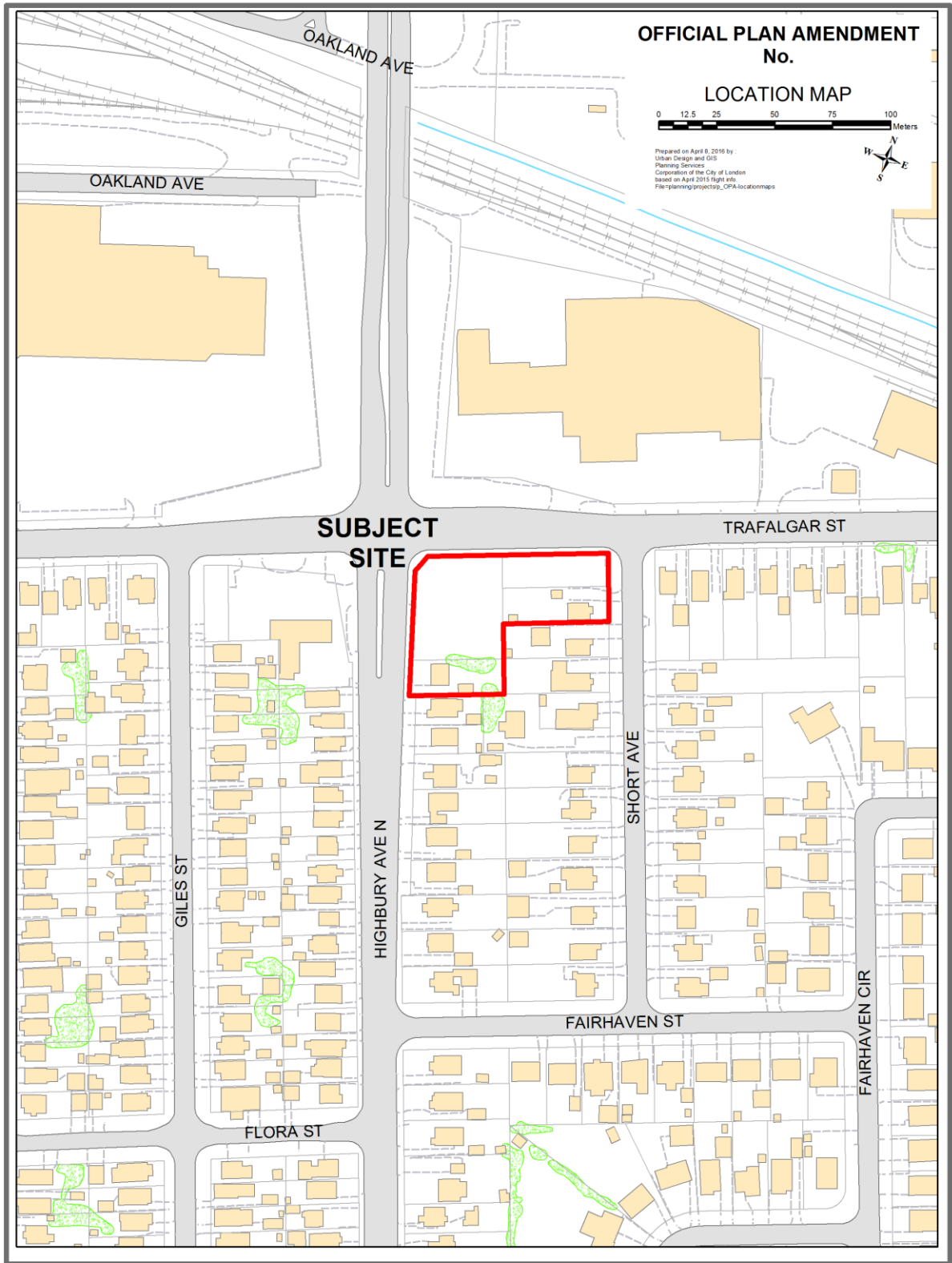
Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – May 3, 2016
Second Reading - May 3, 2016
Third Reading - May 3, 2016

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File: OZ-8579
Planner: Eric Lalonde



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File: OZ-8579
Planner: Eric Lalonde

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of certain lands described herein from Low Density Residential to Neighbourhood Commercial Node on Schedule “A”, Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 276 Highbury Avenue North, 281 & 285 Short Avenue and 1325 Trafalgar Street in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the *Provincial Policy Statement*, 2014, the policies of the Official Plan, by establishing a logical extension of the existing Neighbourhood Commercial Node, maintaining access and parking requirements to accommodate the proposed use to minimize impacts on the surrounding area. The related traffic impacts and orientating and siting of the proposed building is designed to minimize any impacts to existing residential area. The recommended amendment will facilitate a form of development to accommodate a drive-thru is being oriented and sited to minimize impacts towards the public realm and adjacent residential uses.

D. THE AMENDMENT

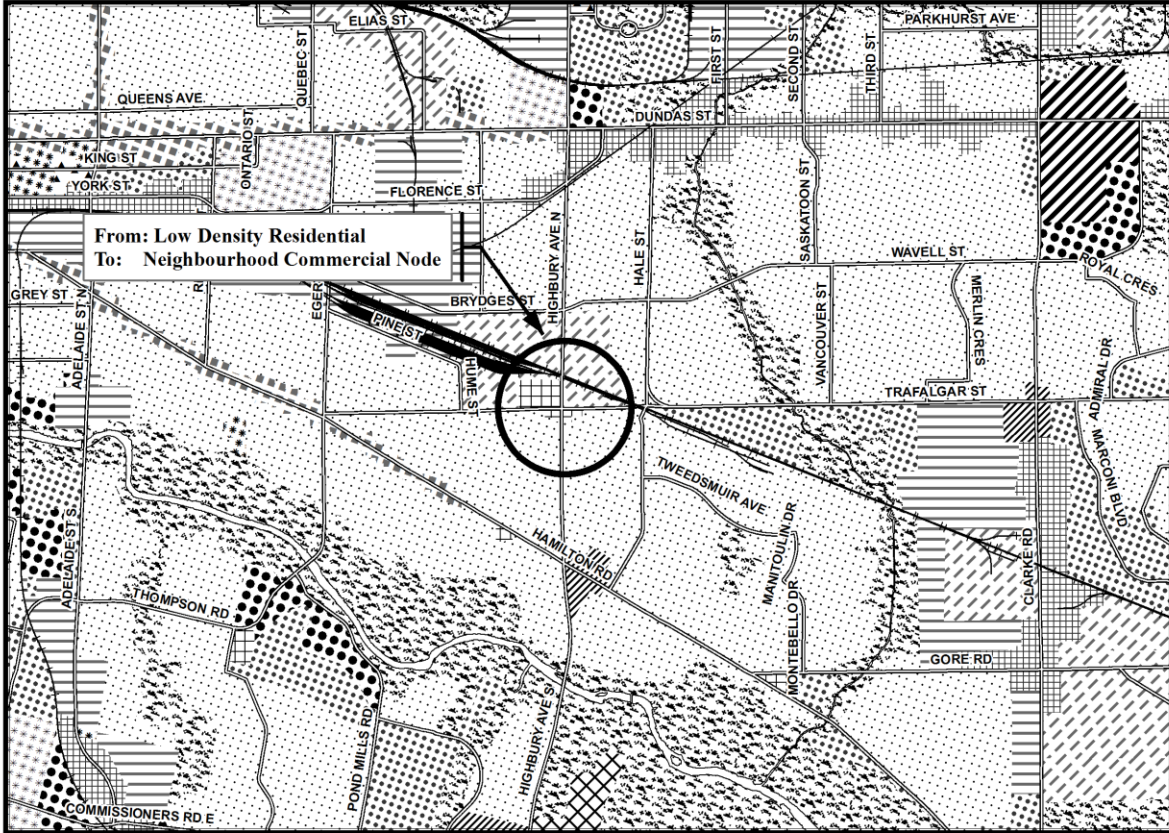
The Official Plan for the City of London is hereby amended as follows:

1. Schedule “A”, Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 276 Highbury Avenue North, 281 & 285 Short Avenue and 1325 Trafalgar Street in the City of London, as indicated on “Schedule 1” attached hereto from Low Density Residential to Neighbourhood Commercial Node.

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File: OZ-8579
Planner: Eric Lalonde

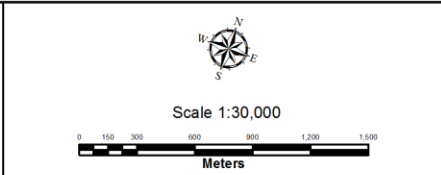
AMENDMENT NO:



Legend	
	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
	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

This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

**SCHEDULE 1
TO
OFFICIAL PLAN**
AMENDMENT NO. _____
PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8579
PLANNER: EL
TECHNICIAN: MB
DATE: 2016/03/15

PROJECT LOCATION: e:\planning\projects\p_officialplan\workconso\00\amendments\oz-8579\projects\ScheduleA.mxd

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File: OZ-8579
Planner: Eric Lalonde

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2016

By-law No. Z.-1-16_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 276 Highbury Avenue North, 281 & 285 Short Avenue and 1325 Trafalgar Street.

WHEREAS Ross of London Holdings Inc. has applied to rezone an area of land located at 276 Highbury Avenue North, 281 & 285 Short Avenue and 1325 Trafalgar Street, 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:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 276 Highbury Avenue North, 281 & 285 Short Avenue and 1325 Trafalgar Street, as shown on the attached map comprising part of Key Map No. A109, from a Service Station (SS) Zone and Residential R1 (R1-6) Zone to a Neighbourhood Shopping Area Special Provision (NSA5()) Zone.
- 2) Section Number 23.4 of the Neighbourhood Shopping Area (NSA) Zone is amended by adding the following Special Provision:
 -) NSA5() 276 Highbury Avenue North, 281-285 Short Avenue and 1325 Trafalgar Avenue
 - a) Regulations:
 - i) Front Yard Depth (minimum) 1.0 metre (3.3 feet)
 - ii) Front Yard Depth (maximum) 2.0 metre (6.6 feet)
 - iii) Exterior Side Yard Depth (minimum) 5.0 metres (16.4 feet)
 - iv) Exterior Side Yard Depth (maximum) 8.0 metres (26.2 feet)
 - v) Stacked Parking Spaces (minimum) 13 spaces

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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File: OZ-8579
Planner: Eric Lalande

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 3, 2016.

Matt Brown
Mayor

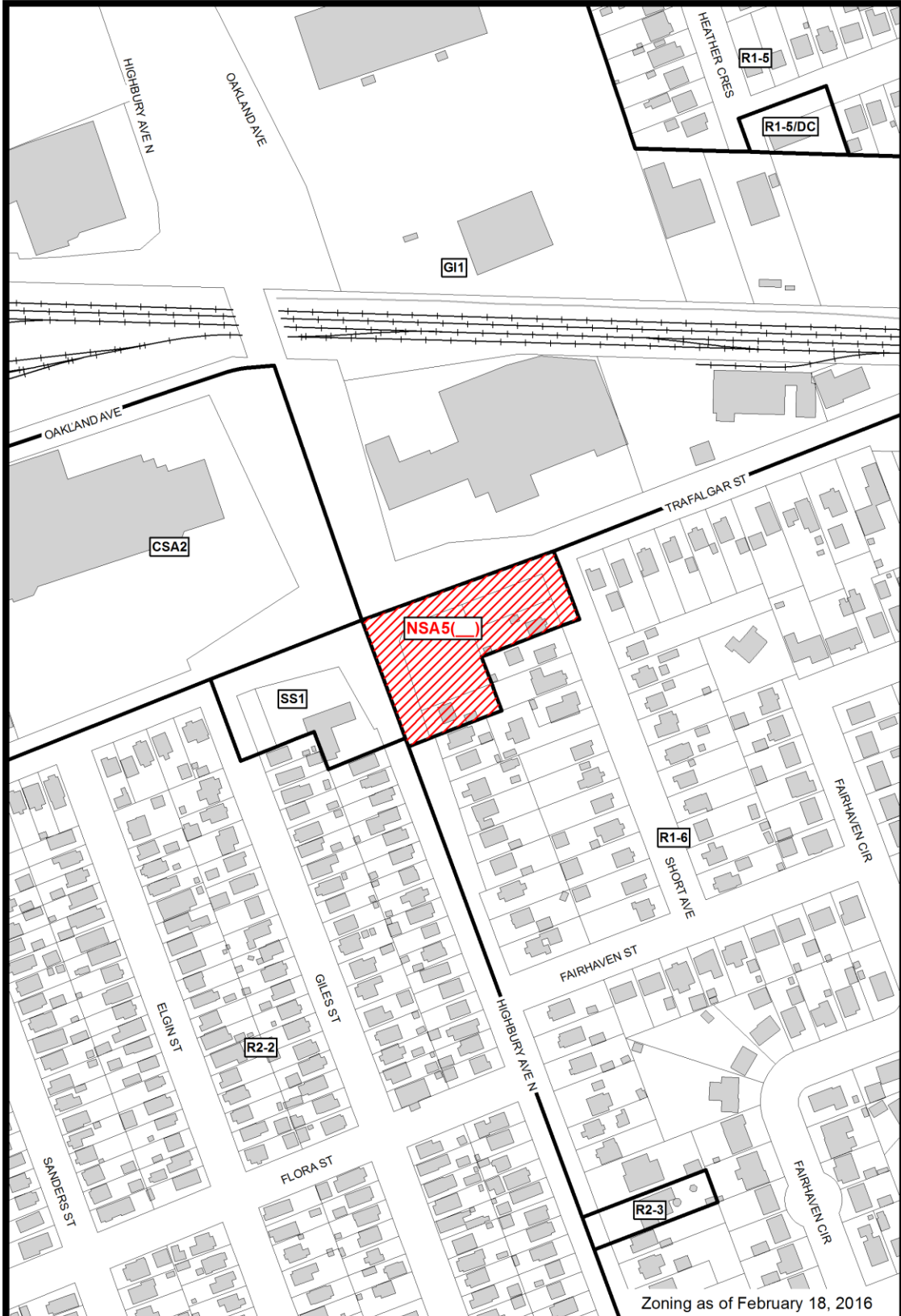
Catharine Saunders
City Clerk



First Reading - May 3, 2016
Second Reading - May 3, 2016
Third Reading - May 3, 2016

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File: OZ-8579
Planner: Eric Lalonde

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



<p>File Number: OZ-8579 Planner: EL Date Prepared: 2016/03/15 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters</p> 
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Geodatabase