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**TZ-8592**  
**B. Turcotte**

<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: AYERSWOOD DEVELOPMENT CORP. 195 DUNDAS STREET PUBLIC PARTICIPATION MEETING ON MAY 9, 2016</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Ayerswood Development Corp. relating to the property located at 195 Dundas Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 17, 2016 to amend Zoning By-law Z.-1, in conformity with the Official Plan, by extending the Temporary Use (T-54) Zone for a period not exceeding three (3) years.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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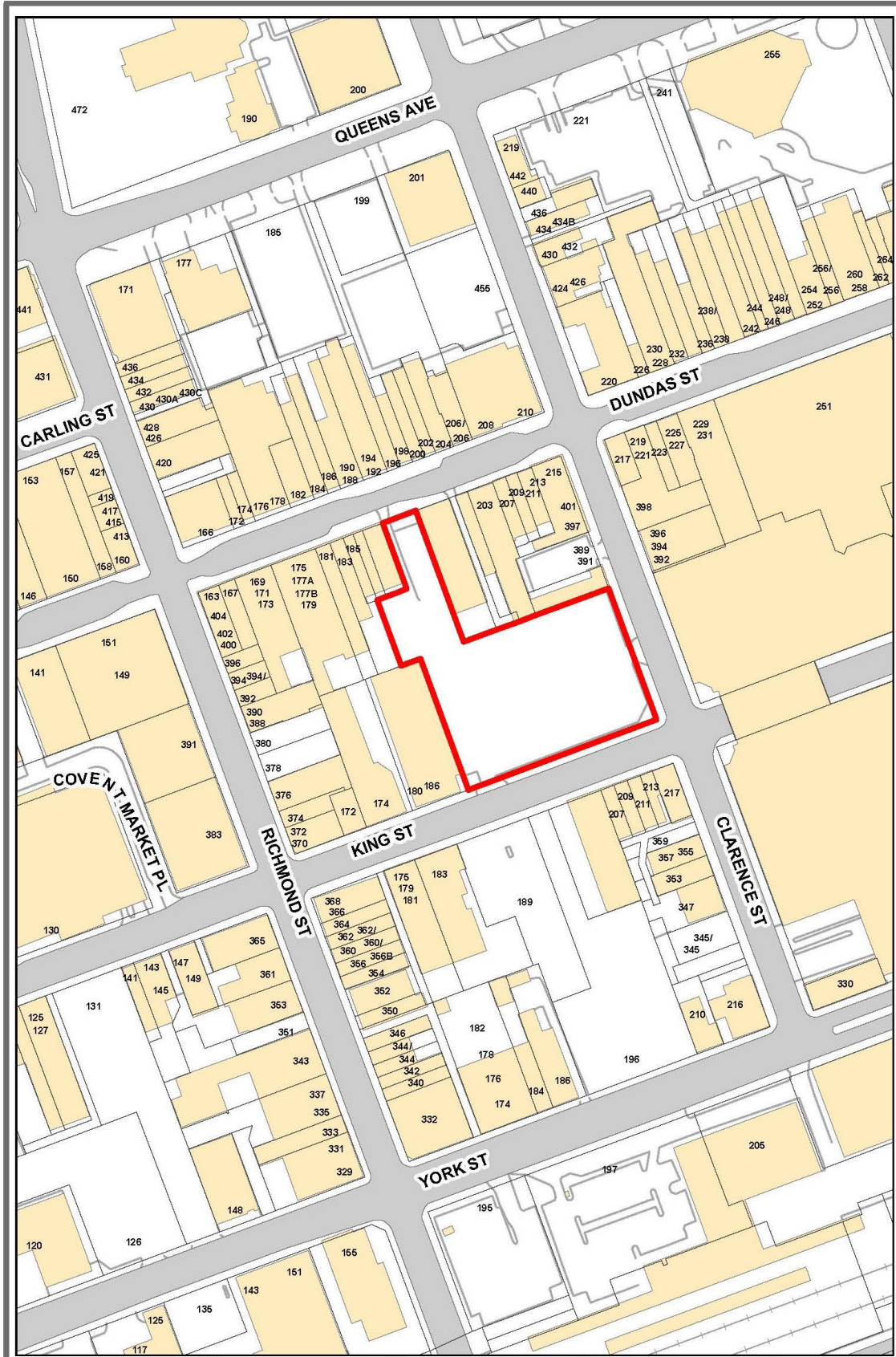
1. Report of the Managing Director, Planning and City Planner to the Planning and Environment Committee, November 26, 2012, recommending that the Temporary Use (T-54) Zone relating to the property located at 195 Dundas Street, which permits a surface commercial parking lot and a small landscaped area along the Dundas Street frontage, be extended for a period not exceeding three (3) years (TZ-8100);
2. Report of the General Manager of Planning and Development, to the Planning Committee, February 24, 2010, recommending the whole property be zoned to permit a commercial parking lot as a permitted use for a temporary period of three (3) years (TZ-7734);
3. Report of the General Manager of Planning and Development, to the Planning Committee in response to a Council direction, January 29, 2007, recommending the whole of the property be zoned to permit a commercial parking lot as a permitted use for a temporary period of three (3) years, noting that the applicant has agreed to develop a small landscaped area along the Dundas Street frontage (Z-7218); and,
4. Report of the General Manager of Planning and Development, to the Planning Committee, December 11, 2006, recommending a portion of the site be zoned to permit a commercial parking lot as a permitted use for a temporary period of three (3) years (Z-7218).;

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of the requested Zoning By-law amendment is to extend the existing Temporary Use (T-54) Zone to allow for the continuation of the existing surface commercial parking lot, and the small landscaped area along the Dundas Street frontage, on the subject lands for a period not to exceed three (3) years.

Two empty rectangular boxes for agenda item and page numbers.

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**LOCATION MAP**

Subject Site : 195 Dundas St  
Applicant: Ayerswood Development Corp  
File Number : TZ-8592

Planner : BT  
Created By : MB  
Date : 2016/02/16  
Scale : 1:2,000

**Legend**

 Subject Site

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



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<b>RATIONALE</b>
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1. The recommended extension to the Temporary Use (T-54) Zone is consistent with Section 1.5 of the *Provincial Policy Statement 2014*, which promotes healthy, livable and safe communities by planning for public streets, spaces and facilities that meet the needs of pedestrians, foster social interaction, and facilitate active participation and community connectivity;
2. The recommended extension to the Temporary Use (T-54) Zone is consistent with, and will serve to implement, the Temporary Use policies of the Official Plan as well as the policies contained in the *Our Move Forward Downtown Master Plan*;
3. The parking lot has existed for 17 years demonstrating over that time compatibility with the area and surrounding land uses; and,
4. A Temporary Use extension will provide time for the City to complete its Rapid Transit Environmental Assessment and allow the applicant to reconsider the long term development of this site in response to the proposed routes and infrastructure requirements.
5. A Temporary Use extension will provide time for the City to complete its Downtown Parking Strategy while maintaining the status quo until the results of the Parking Strategy are known.

<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> February 16, 2016	<b>Agent:</b> Zelinka Priamo on behalf of Ayerswood Development Corp.
<b>REQUESTED ACTION:</b> Possible change to Zoning By-law Z.-1 <b>FROM</b> a Holding Downtown Area Temporary Use (h·3·DA1·D350/T-54) Zone <b>TO</b> a Holding Downtown Area Temporary Use (h·3·DA1·D350/T-54) Zone to permit, in addition to the full range of uses in the Holding Downtown Area Temporary Use (h·3·DA1·D350/T-54) Zone, the continuation of the existing surface commercial parking lot on the subject lands for an additional three years.	

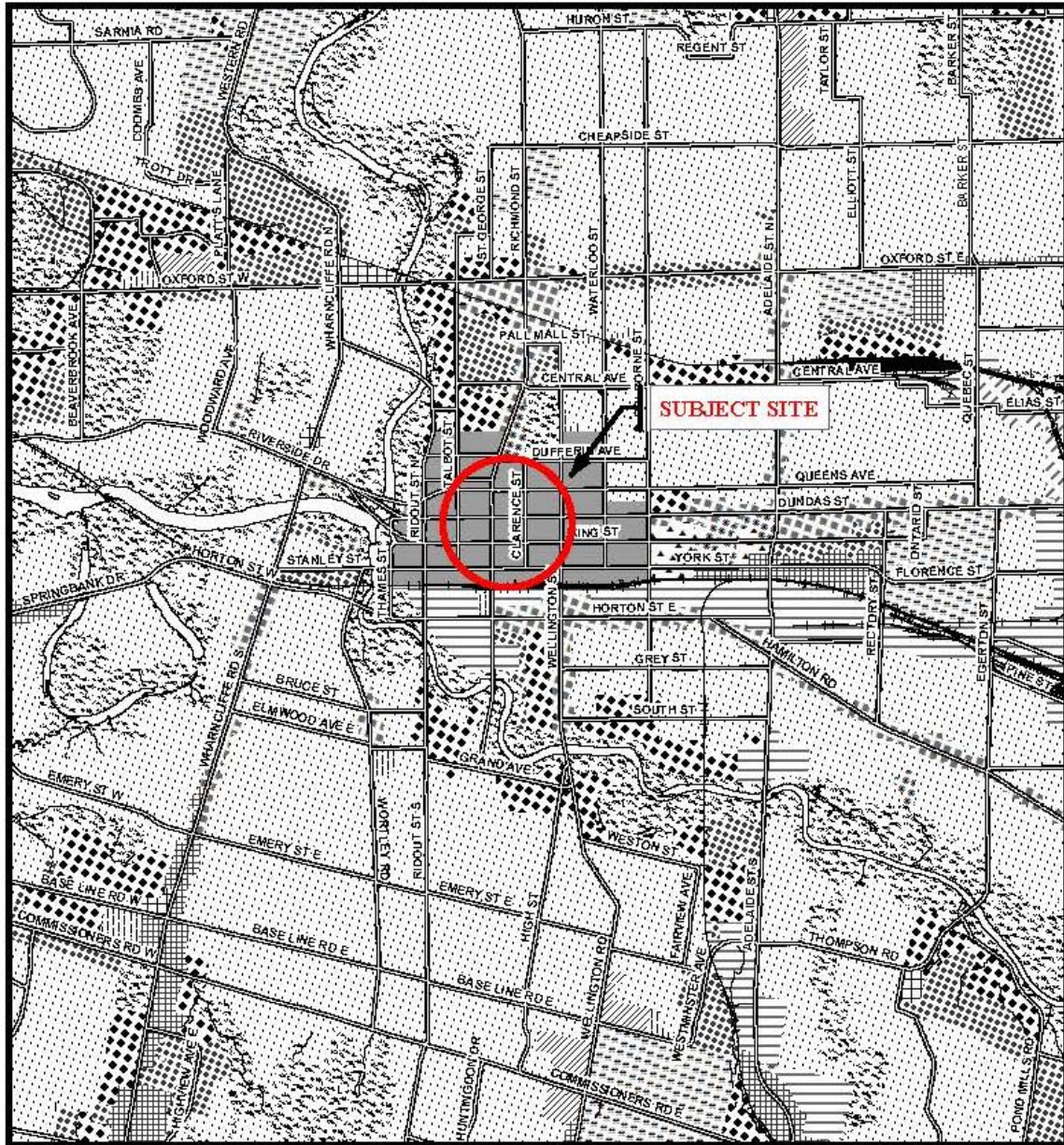
<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – irregular shaped temporary surface commercial parking lot</li> <li>• <b>Frontage</b> – 15 metres, <b>Depth</b> – 120 metres, <b>Area</b> – 0.65 hectares.</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> - retail and office uses</li> <li>• <b>South</b> - retail and office uses</li> <li>• <b>East</b> - shopping centre and office uses</li> <li>• <b>West</b> - residential, office and retail uses</li> </ul>

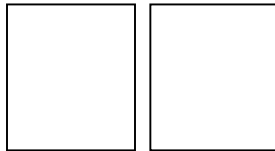
<b>OFFICIAL PLAN DESIGNATION – See Official Plan Map (DA)</b>
<b>EXISTING ZONING – See Zoning Map (h·DA1·D350/T-54)</b>

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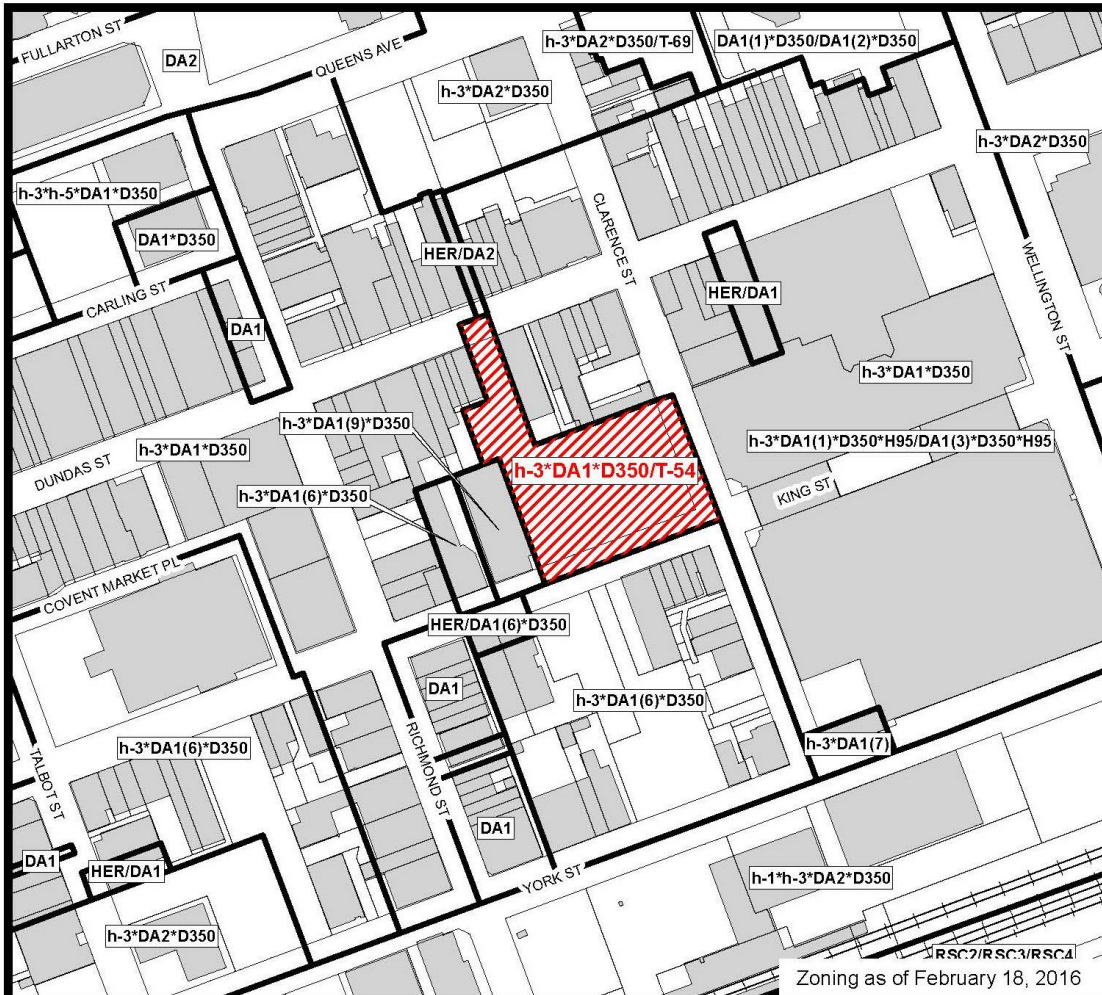
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<p><b>Legend</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #cccccc; border: 1px solid black; margin-right: 5px;"></span> Downtown</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #333333; border: 1px solid black; margin-right: 5px;"></span> Wonderland Road Community Enterprise Corridor</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></span> Enclosed Regional Commercial Node</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(-45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></span> New Format Regional Commercial Node</li> <li><span style="display: inline-block; 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width: 15px; height: 10px; background: radial-gradient(circle, black 1px, transparent 1px); background-size: 4px 4px; border: 1px solid black; margin-right: 5px;"></span> Multi-Family, High Density Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: radial-gradient(circle, black 1px, transparent 1px); background-size: 8px 8px; border: 1px solid black; margin-right: 5px;"></span> Multi-Family, Medium Density Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: radial-gradient(circle, black 1px, transparent 1px); background-size: 16px 16px; border: 1px solid black; margin-right: 5px;"></span> Low Density Residential</li> <li><span style="display: inline-block; width: 15px; height: 10px; background: repeating-linear-gradient(90deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></span> Office Area</li> </ul> </td> <td style="width: 50%; border: none; vertical-align: top;"> <ul style="list-style-type: none"> <li><span style="display: inline-block; 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<p style="text-align: center;"><b>CITY OF LONDON</b> Department of Planning and Development <b>OFFICIAL PLAN SCHEDULE A</b> - LANDUSE -</p> <p style="font-size: small;">PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p><b>FILE NUMBER:</b> TZ-8592</p> <p><b>PLANNER:</b> BT</p> <p><b>TECHNICIAN:</b> MB</p> <p><b>DATE:</b> 2016/03/30</p>	



TZ-8592  
B. Turcotte



Zoning as of February 18, 2016



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-3\*DA1\*D350/T-54**


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

- |   |                                   |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS            | RF - REGIONAL FACILITY            |
| R2 - SINGLE AND TWO UNIT DWELLINGS        | CF - COMMUNITY FACILITY           |
| R3 - SINGLE TO FOUR UNIT DWELLINGS        | NF - NEIGHBOURHOOD FACILITY       |
| R4 - STREET TOWNHOUSE                     | HER - HERITAGE                    |
| R5 - CLUSTER TOWNHOUSE                    | DC - DAY CARE                     |
| R6 - CLUSTER HOUSING ALL FORMS            |                                   |
| R7 - SENIOR'S HOUSING                     | OS - OPEN SPACE                   |
| R8 - MEDIUM DENSITY/LOW RISE APTS.        | CR - COMMERCIAL RECREATION        |
| R9 - MEDIUM TO HIGH DENSITY APTS.         | ER - ENVIRONMENTAL REVIEW         |
| R10 - HIGH DENSITY APARTMENTS             |                                   |
| R11 - LODGING HOUSE                       | OB - OFFICE BUSINESS PARK         |
| DA - DOWNTOWN AREA                        | LI - LIGHT INDUSTRIAL             |
| RSA - REGIONAL SHOPPING AREA              | GI - GENERAL INDUSTRIAL           |
| CSA - COMMUNITY SHOPPING AREA             | HI - HEAVY INDUSTRIAL             |
| NSA - NEIGHBOURHOOD SHOPPING AREA         | EX - RESOURCE EXTRACTIVE          |
| BDC - BUSINESS DISTRICT COMMERCIAL        | UR - URBAN RESERVE                |
| AC - ARTERIAL COMMERCIAL                  |                                   |
| HS - HIGHWAY SERVICE COMMERCIAL           | AG - AGRICULTURAL                 |
| RSC - RESTRICTED SERVICE COMMERCIAL       | AGC - AGRICULTURAL COMMERCIAL     |
| CC - CONVENIENCE COMMERCIAL               | RRC - RURAL SETTLEMENT COMMERCIAL |
| SS - AUTOMOBILE SERVICE STATION           | TGS - TEMPORARY GARDEN SUITE      |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | RT - RAIL TRANSPORTATION          |
| OR - OFFICE/RESIDENTIAL                   | "h" - HOLDING SYMBOL              |
| OC - OFFICE CONVERSION                    | "D" - DENSITY SYMBOL              |
| RO - RESTRICTED OFFICE                    | "H" - HEIGHT SYMBOL               |
| OF - OFFICE                               | "B" - BONUS SYMBOL                |
|   | "T" - TEMPORARY USE SYMBOL        |

**CITY OF LONDON**  
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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

**SCHEDULE A**



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

FILE NO:  
TZ-8592 BT

MAP PREPARED:  
2016/04/01 MB

1:3,000

0 15 30 60 90 120 Meters

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**PLANNING HISTORY**

**Council Resolutions Pertaining to Temporary Parking, 1995 - 2015:**

Since 1995 the City of London has regulated the creation of surface parking lots in the Downtown through a number of Council resolutions:

*On June 5, 1995, Municipal Council resolved:*

- 4. *That, on the recommendation of the Director of Planning and Development, the following actions be taken with respect to temporary parking lots in the downtown...*
  - a) *surface parking lots no longer be permitted as temporary uses in the downtown area where they involve the removal of existing buildings.....*
  - b) *no temporary parking lots be permitted on lots where buildings to be demolished are listed as Priority 1 or Priority 2 structures in the City of London Inventory of Heritage Resources;*
  - c) *new temporary parking lots on vacant land only be permitted through a zoning by-law amendment application for a temporary use and be subject to the site plan approval process;*
  - d) *procedures be reviewed and implemented to improve the aesthetics of existing surface parking lots in the Downtown; and,*
  - e) *the Civic Administration be directed to monitor parking requirements in the downtown area and to undertake a review of this policy on or before June 1998.”;*

*On November 16, 1998 Municipal Council resolved:*

- 4. *That, on the recommendation of the Commissioner of Planning and Development, the policy adopted by the Municipal Council on June 5, 1995 concerning temporary parking lots in the Downtown **BE REVISED** to add an additional clause which precludes commercial and accessory parking lots along Dundas Street and Richmond Street;*

*and, on September 15, 2015 Municipal Council resolved:*

- 15. *That the following actions be taken to assist with encouraging redevelopment of vacant lots in London’s downtown:*
  - a) *the Civic Administration **BE REQUESTED** to review and report back to a future meeting of the Planning and Environment Committee on the status of all commercial parking lots in the downtown to confirm that these properties are zoned appropriately to permit the use;*
  - b) *the Civic Administration **BE REQUESTED** to ensure that the policies contained within the Downtown Master Plan, Our Move Forward, that discourage the extension of temporary use by-laws for the establishment of commercial parking uses in the downtown, be considered during the evaluation of any new applications or applications for the extension of an existing temporary use by-law, for the creation of new commercial parking; and,*
  - c) *the Civic Administration **BE REQUESTED** to report back to a future meeting of the appropriate Committee as how best to expedite the creation and implementation of a downtown parking strategy.*

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In response to part “a)” of Municipal Council’s resolution of September 15, 2015, Planning staff have initiated a review of the existing commercial parking lots in the Downtown. A report outlining the findings of this review will be brought forward to the Planning and Environment Committee in the fourth quarter of 2016.

In response to part “b)” of Municipal Council’s resolution of September 15<sup>th</sup>, 2015, Ayerswood Development Corporation’s request to extend the existing Temporary Use Zone to allow for the continuation of an existing surface commercial parking lot has been reviewed within the policy framework of the *Downtown Master Plan, Our Move Forward*;

In response to part “c)” of Municipal Council’s resolution of September 15<sup>th</sup>, 2015, the Transportation Planning and Design Division comments, *“The Downtown Parking Strategy Study is underway and is expected to be completed by the early fall of 2016.”* The Transportation and Planning and Design Division, which is leading the Study, indicates that the extension of the Temporary Use zone for an additional three years will not have a direct impact on the study’s findings in the short term. The Transportation Planning and Design Division have further commented that, while not necessarily in favour of the extension of the temporary use of surface parking lots, it does not oppose the three year extension. The main intent of the parking strategy is to *“...develop an effective strategy for Downtown London to support businesses and development in the short term, while managing parking supply and demand in the longer term – all in support of the City’s urban design, economic, land use and transit use.”*

**195 Dundas Street (the Millennium Downtown Corp.) 1974 – 2013:**

The subject site was formally the location of a building constructed in 1974 as an enclosed and partially below grade shopping centre known at various times as the London Arcade, the London Mews and Smugglers Alley. In August of 1999, Municipal Council approved a zoning by-law amendment to permit the temporary use of the site as a surface commercial parking lot for a period not to exceed three (3) years. In conjunction with the Zoning By-law amendment, the applicant also obtained a demolition permit to demolish the shopping centre and site plan approval to construct and operate a surface commercial parking lot.

Municipal Council approved a three (3) year temporary use extension for the surface commercial parking lot in 2002. This temporary use extension subsequently lapsed in 2005.

In 2006, the owner of the property applied to reinstate the temporary use zone. In response to this request, Planning staff recommended the reinstatement of the temporary zone for the surface commercial parking lot on all of the subject lands save and except those lands fronting directly on Dundas Street. The purpose of the recommendation was to encourage the site to be redeveloped and integrated into the Dundas Street streetscape and to clearly reinforce a Council policy which did not support at-grade parking on Dundas Street (in the Downtown). Municipal Council referred the application back to Planning staff for further discussions with the applicant. Subsequent to these discussions, Municipal Council adopted a Zoning By-law amendment permitting a *“...surface commercial parking lot with a small landscaped area along the Dundas Street frontage for a temporary period not exceeding three (3) years beginning February 5, 2007.”*

The temporary use of the site for a *“... surface commercial parking lot with a small landscaped area along the Dundas Street frontage for a temporary period not exceeding three (3) years”* was, at the request of the property owner, extended by Municipal Council for an additional three (3) years on March 8, 2010 and again on March 8, 2013.

**195 Dundas Street (Ayerswood Development Corp.) 2015:**

In the fall of 2013 Ayerswood Development Corp. acquired 195 Dundas Street from the Millennium Downtown Corp.

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On June 11, 2015 Zelinka Priamo Ltd, on behalf of their client Ayerswood Development Corp., submitted a Zoning By-law Amendment application to provide for the redevelopment of the site. The development consisted of a mixed-use complex that would include three apartment buildings (of 19 storeys, 32 storeys and 35 storeys) and a five-storey (5) commercial office building. This application was subsequently withdrawn by the applicant pending the completion of the Environmental Assessment (EA) for the Rapid Transit initiative.

On February 17, 2016 an application from Ayerswood Development Corp. to "...extend the existing Temporary Use "(T-54)" Zone to allow for the continuation of the existing surface commercial parking lot use on the subject lands for three years through to the spring of 2019..." was accepted by the City.

The recommended approval of the Temporary Use Zone extension will provide time for the City to finalize its EA and Downtown Parking Study and the applicant to consider design alternatives in response to the proposed transit routes and infrastructure requirements. Staff have been advised by the applicant that an application for an amendment to the Zoning By-law will likely be submitted for the long-term development of these lands up[on the completion of the Rapid Transit EA.

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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**Transportation Planning and Design comment:**

Transportation Planning and Design comment:

- "a road widening dedication of 11.6 metres from centre line is required on Clarence Street;
- A road widening dedication of 10 metres from centre line is required on King Street;
- A 6 metre x 6 metre daylight triangle is required;
- King Street, Clarence Street and Dundas Street have been identified as potential rapid transit corridors in the ongoing Rapid Transit EA ad access from these streets may be restricted in the future;
- Transportation is seeking a holding provision for future additional road widening dedications as may be required in the ongoing Rapid Transit EA subject to the completion and approval of the Rapid Transit EA."

These comments (speaking to road dedications, daylight triangles, and access) are provided for the information of Council and the applicant and will be addressed through a future Site Plan Approval process.

**WADE comments:**

"WADE has no objection."

**UTRCA:**

"The UTRCA has no objection to this application."

<b>PUBLIC LIAISON:</b>	On February 24, 2016, a Notice of Application was sent to 121property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on February 25, 2016. A "Possible Land Use Change" sign was also posted on the site.	1 e-mail was received in response to the Notice of Application.
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<p><b>Nature of Liaison:</b> Possible change to Zoning By-law Z.-1 <b>FROM</b> a Holding Downtown Area Temporary Use (h•3•DA1•D350/T-54) Zone <b>TO</b> a Holding Downtown Area Temporary Use (h•3•DA1•D350/T-54) Zone to permit the continuation of the existing commercial parking lot use on the subject lands for an additional three (3) years.</p>
<p><b>Responses:</b> The e-mail response is noted on Attachment 1 to this report.</p>

<b>ANALYSIS</b>
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This section provides an overview of the key planning policies applicable to the proposed application, identifies issues raised as part of staff’s review, and forms the basis for the recommendations contained in this report.

**The Subject Site:**

The subject site is a 0.65 hectare (1.6 acre) parcel, centrally located in the Downtown. The site enjoys frontage on three streets: Dundas Street (a Primary Collector Street); Clarence Street (a Primary Collector Street); and, King Street (an Arterial).

The site has functioned as a surface commercial parking lot since 1999. As part of the 2007 Zoning By-law amendment application to re-establish the temporary surface parking lot use, a parkette was re-established along the Dundas Street frontage to soften the streetscape view. In addition to the small parkette, the site is flanked by twenty trees (along the King Street and Clarence Street frontages) of varying height that provide shade for pedestrians and further soften the look the parking lot. The parking lot itself is further delineated by entrance way features, aluminum fencing, and brick posts.

**The Nature of the Application:**

The applicant has requested an extension to the Temporary Use (T-54) Zone to allow for the continued operation of the surface commercial parking lot for an additional three (3) years.

**The Provincial Policy Statement (PPS), 2014:**

The *Provincial Policy Statement (PPS), 2014* provides policy direction that encourages the development of complete communities as well as the efficient use of land. The recommendation to extend the temporary zone will continue to provide for the full range of commercial, service and office uses (with residential uses permitted above the first floor as a maximum density of 350 units per hectare) which is Council’s long-term intent for the development of the lands, while providing for parking, and a small parkette along Dundas Street, in the short term. The provision of the small parkette (see Figure 1), flanking street trees (see Figure 2), and the mid-block pedestrian connector linking Dundas Street to King Street (see Figure 3) is consistent with the *Public Spaces, Recreation, Park, Trails and Open Space* policies of the *Provincial Policy Statement, 2014* in that these elements “... support healthy, active communities...” by planning for “...public streets that meet the needs of pedestrians, foster social interaction and facilitate community connectivity.”

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**Figure 1 – Dundas Street frontage**



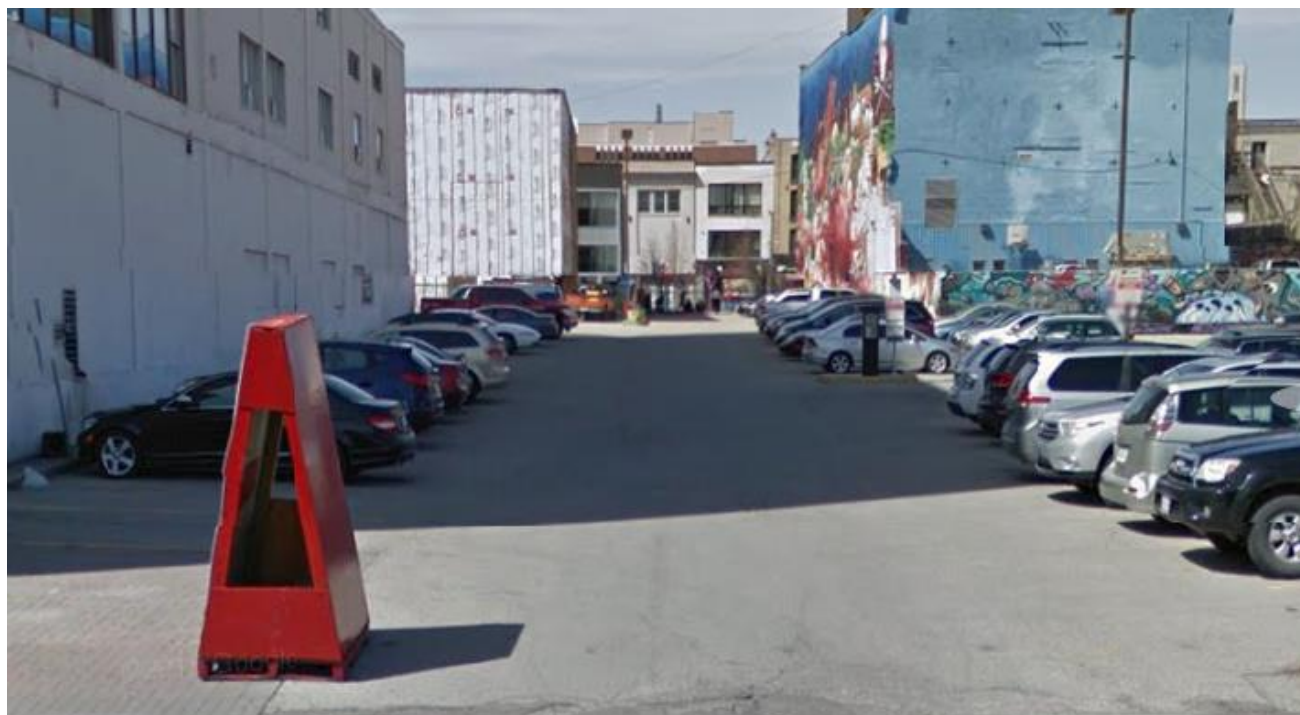
**Figure 2 – Flanking Street Tress (Clarence Street frontage)**



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**Figure 3 – A view of Dundas Street from King Street**



**The Official Plan:**

The Official Plan policies which designate the subject lands Downtown Area provide for a wide range of commercial, residential, institutional and entertainment uses in an intensive and multi-functional land use pattern. It is intended that the Downtown Area will develop and function as the primary business, administrative, institutional, entertainment and cultural centre for the City of London and its surrounding area. While the Official Plan also encourages the provision of adequate and well-located off-street parking facilities that are sufficient to meet the demand generated by existing and proposed land uses in the Downtown, it also discourages the creation of new surface level parking lots. It is noteworthy that this is an extension of an existing parking lot, not the creation of a new one.

The Official Plan also provides policy direction with regard to enabling provisions for temporary uses. Under Section 19.4.5 of the Official Plan, temporary use by-laws may be considered provided the general intent and purpose of the Official Plan is being maintained. In considering these temporary use by-laws (which may be passed for a period of no more than three (3) years), the policies of the Official Plan state that Council shall have regard for the following matters:

*“(a) the compatibility of the proposed use with surrounding land uses”*

The subject site has operated as a surface commercial parking lot since 1999. Over the years, the lot has attained a measure of compatibility with surrounding land uses. In addition to providing for the parking needs of the Downtown Area, the surface parking lot also provides for a direct pedestrian linkage connecting Dundas Street to King Street.

*“(b) any requirement for temporary buildings or structures in association with the proposed use;”*

The recommended three year extension to the Temporary Use (T-54) Zone does not require or propose any new temporary buildings or structures. Existing automated parking pay and display machines, lighting, fencing and landscaping elements, including the small

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landscaped area fronting Dundas Street, are to be maintained.

*“(c) any requirement for temporary connection to municipal services and facilities;”*

The recommended extension of the Temporary Use (T-54) Zone does not require any additional municipal services or utilities than what currently exist.

*“(d) the potential impact of the proposed use on transportation facilities and traffic in the immediate area;”*

The recommended extension of the Temporary Use (T-54) Zone will not have a negative impact on transportation facilities and traffic in the immediate area. As will be further demonstrated below in the Our Move Forward Downtown Plan, and the City of London SHIFT Rapid Transit Initiative, the site has been identified as priority site for redevelopment. Transit routes and supportive infrastructure have also been identified for the site. In light of the above, the City’s Transportation and Design Section have provided comments (noted above) in support of the City’s long-term plans for the redevelopment of the site. These comments (speaking to road dedications, daylight triangles, etc.) have been provided for the information of Council and the applicant and will be addressed through a future Site Plan approval process when the lands are developed. It is anticipated that an application for a Zoning By-law amendment to facilitate the long-term development of this site will be submitted pending the completion of the Rapid Transit EA.

*“(e) access requirements for the proposed use;”*

The existing accesses for the subject lands are to be maintained.

*“(f) parking required for the proposed use, and the ability to provide adequate parking on-site; and,”*

The recommended extension to the Temporary Use (T-54) Zone is for surface commercial parking purpose and a small parkette. There is no concern relating to the provision of adequate parking for the temporary use.

*“(g) the potential long-term use of the temporary use.”*

In 1999 the commercial mall that existed on the site was demolished to provide for a temporary commercial surface parking lot. The Temporary Use (T-54) Zone, which provided for the parking lot use, has been extended (and modified to provide for the small parkette) on a number of occasions since 1999.

Once a surface commercial parking lot has been established it may become more difficult to redevelop because of the revenue that may be generated through its operation. Ayerswood Development Corp. acquired the subject site in the fall of 2013. This is the first time that the present owner has made a request to extend the Temporary Use (T-54) Zone. Since acquiring the subject site, the Ayerswood Development Corp. has submitted a Zoning By-law amendment application to provide for a mixed-use development including office, commercial and residential uses. In support of their Zoning By-law amendment application, the developer was required to prepare a number of background studies including:

- a Planning Justification Report;
- An Urban Design Brief;
- a Transportation Impact Study;
- a Heritage Impact Assessment;

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- a Noise Study;
- a Wind Study;
- a Shadow Study; and,
- a Servicing Strategy Study.

These studies, requested by the City of London in support of the requirements of a complete application, were prepared by the applicant and submitted for review. Notwithstanding the fact that the application was subsequently withdrawn pending the completion of the City’s Rapid Transit Environmental Assessment, staff are satisfied, given the actions of the present land owner, that extending the Temporary Use (T-54) Zone for an additional three (3) years will not adversely impact the timely redevelopment of the site in the future.

The request to extend the Temporary Use (T-54) Zone for an additional three (3) years would serve to implement the Temporary Use By-law policies of Section 19.4.5 of the Official Plan.

**The Our Move Forward Downtown Plan:**

On April 14, 2014 Municipal Council adopted the ‘Our Move Forward Downtown Plan’ as a Guideline Document to the Official Plan. According to Section 19.2.2 of the Official Plan, guideline documents “...provide detailed direction for the implementation of Official Plan policies.” Section 19.2.2. of the Official Plan continues stating that “...depending on the nature of the guideline document, they will provide specific direction for the preparation and review of development proposals, the identification of conditions to development approval, or the planning of improvements to public services and facilities...”.

The Our Move Forward Downtown Plan was the result of a number of background studies or parallel projects including: the Downtown Master Plan Background Study (June 2010); the Downtown Design Manual; the Downtown Heritage Conservation District Plan (Council approved in April 2012); the Downtown London Parking Study; the Smart Moves Transportation Master Plan (2013) and the City of London Cultural Prosperity Plan (2013).

Of particular relevance to the current request to extend the Temporary Use (T-54) Zone for an additional three (3) years, the Our Move Forward Downtown Plan states the following:

- the Via Train Station, located immediately south of the subject site at the corner of Clarence Street and York Street, is identified as an “*Activity Generator*”;
- The subject site is identified as a “*redevelopment opportunity site*”. The Plan notes that “...*Surface lots, in particular, present ideal locations for redevelopment, as there is little site work needed before new construction can begin. There is no net loss of the parking anticipated in the redevelopment of these parking lots, as parking can be regained by incorporating underground parking and structured parking into the design of the new development.*”;
- the subject site is identified as a “*Mid-block connection opportunity that would enhance the existing pedestrian experience by linking Dundas Street to King Street*”;
- Dundas Street, King Street and Clarence Street are identified in the Plan as “*Transit Routes*”. The Plan also identifies a “*Transit stop*” immediately adjacent to the subject site along Clarence Street. These identified “*service upgrades*” are currently being reviewed the City’s Rapid Transit Environmental Assessment that is currently underway;
- The Plan also identifies Clarence Street, from Dufferin Avenue to the CN Rail tracks south of Horton Street, as one of nine “*Transformational Projects*” for the core. This Transformation

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Project will serve to provide a “connector”, linking the SoHo area to the Downtown via Clarence Street. In the Plan, Clarence Street is envisioned as an enhanced pedestrian environment featuring widened sidewalks and tree plantings.

The Our Move Forward Downtown Plan recognizes the long-term development opportunities offered by the subject site. Extending the Temporary Use (T-54) Zone for an additional three (3) years will have no impact on the long-term redevelopment of the site.

**The Recommended Zoning By-law**

The recommended zoning by-law amendment to extend the use of the subject site for a surface commercial parking lot with a small landscaped area fronting Dundas Street is recommended for a period not to exceed three (3) years.

<b>CONCLUSION</b>
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The recommended Zoning By-law amendment is consistent with the policies of the Provincial Policy Statement (2014), the City of London Official Plan, and the Our Move Forward Downtown Master Plan. Over the past 17 years of its existence, the parking lot has attained a measure of compatibility with the area and surrounding land uses. The present owner of the property has demonstrated a desire to see the parking lot redevelop. Pending the completion of the City’s Rapid Transit Environmental Assessment (which will serve to further inform future discussions between the property owner and the City of London), the extension of the Temporary Use (T-54) Zone will continue to provide core area parking opportunities. The Temporary Use (T-54) Zone will also facilitate those mid-block pedestrian connections envisioned in the Our Move Forward Downtown Master Plan.

<b>REPAIRED BY:</b>	<b>SUBMITTED BY:</b>
<b>BRIAN TURCOTTE SENIOR PLANNER, CURRENT PLANNING</b>	<b>MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

April 4, 2016

/BT

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

<u>Telephone</u>	<u>Written (e-mail)</u>
	Nancy and John Fyfe-Miller

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**B. Turcotte**

**Bibliography of Information and Materials**  
**TZ-8592**

**Request for Approval:**

City of London Zoning Amendment Application Form, completed by Zelinka Priamo, January 15, 2016

**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

**Correspondence: (all located in City of London File No. TZ-8592 unless otherwise stated)**

**Departments and Agencies - (all located in City of London File No. TZ-8592 unless otherwise stated)**

**Other:**

Site Visits - February and April, 2016.



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**Attachment 1**

Good morning Brian

Thank you for the notice for 195 Dundas Street.

It is unfortunate that that the ability for this property to be developed cannot proceed with a meeting of the minds. That being said, we would not appose this amendment for a period not to exceed three years.

Our hopes would be that in that time period, an agreement of all parties would lead to the successful development of this location.

All the best,  
Nancy and John Fyfe-Millar

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**Appendix "A"**

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 195 Dundas Street.

WHEREAS Ayerswood Development Corp. has applied to extend the Temporary Use (T-54) Zone as it applies to lands located at 195 Dundas Street for a period not to exceed three (3) years;

AND WHEREAS the Municipal Council of the Corporation of the City of London, by By-law No. Z.-1-071608 approved the Temporary Use for 195 Dundas Street for a period not exceeding three (3) years beginning February 5, 2007;

AND WHEREAS the Municipal Council of the Corporation of the City of London, by By-law No. Z.-1-101917 approved the Temporary Use for 195 Dundas Street for a period not exceeding three (3) years beginning March 8, 2010;

AND WHEREAS the Municipal Council of the Corporation of the City of London, by By-law No. Z.-1-132156 approved the Temporary Use for 195 Dundas Street for a period not exceeding three (3) years beginning March 8, 2013;

AND WHEREAS the Municipal Council of the Corporation of the City of London deems it advisable to extend the Temporary Use for the said property for a period not exceeding three (3) years;

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 50.2.(54) of the Temporary Use (T) Zone is amended by adding the following subsection for the property known municipally as 195 Dundas Street

54) T-54

This Temporary Use is hereby extended for an additional three (3) years beginning May 17, 2016.

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

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

PASSED in Open Council on May 17, 2016.

Matt Brown  
Mayor

Agenda Item # Page #

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Catharine Saunders  
City Clerk

First Reading - May 17, 2016  
Second Reading – May 17, 2016  
Third Reading - May 17, 2016