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File: OZ-7955
Planner: M. Tomazincic

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR, LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: BRESCIA UNIVERSITY COLLEGE 1285 WESTERN ROAD (SOUTHWEST PORTION) PUBLIC PARTICIPATION MEETING ON MONDAY, MARCH 26, 2012 @ NOT TO BE HEARD BEFORE 4:30P.M.

RECOMMENDATION

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Brescia University College relating to the southwest portion of the property municipally known as 1285 Western Road on the lands immediately to the west of Brescia Lane, south of Ramsay Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 10, 2012 to amend the Official Plan to change the designation of the subject lands **FROM** a Low Density Residential designation, **TO** a Regional Facility designation to permit a limited range of institutional type uses that are directly or indirectly related to the operations of Brescia University College; and,
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on April 10, 2012 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the northern portion of the subject lands **FROM** a Residential R1 (R1-10) Zone which permits single detached dwellings **TO** a Holding Regional Facility Special Provision (h-()-RF()) Zone to permit: Adult secondary schools; Ancillary residential and/or hostels and accommodations, together with permitted uses in this zone; Churches; Commercial parking structures and/or lots; Commercial schools; Community colleges; Day care centres; Elementary schools; Emergency care establishments; Hospitals; Institutional uses; Libraries; Nursing homes; Private schools; Recreational buildings; Secondary schools; and, Universities with a minimum west interior side yard depth of 6.0 metres subject to a holding provision to ensure the orderly development of the lands and that development takes a form compatible with the adjacent land uses. An agreement shall be entered into with the City of London specifying the necessary works required for the development of the subject lands, based on the submission of the following studies: lot grading plan, storm water servicing plan, landscape plan, and a site plan, as well as the requirement for sufficient securities to cover the works identified in these plans to be provided to the satisfaction of The City of London.
- (c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - vehicular ingress and egress access limited to Brescia Lane;
 - tree preservation
 - existing row of mature cedars on the west side of the subject lands be retained and enhanced by planting an additional row of cedars within the 6.0 metre west interior side yard
 - appropriate drainage patterns;
 - full cut-off lighting to reduce glare to the adjacent residential properties

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

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Request to amend the Zoning By-law over only the northern portion **FROM** Residential R1 (R1-10) **TO** Regional Facility Special Provision (RF(_))

Request to amend the Official Plan over the entire site **FROM** Low Density Residential **TO** Regional Facility

LOCATION MAP

Subject Site: 1285 Western Rd
 Applicant: Brescia University College
 File Number: OZ-7955
 Planner: Michael Tomazincic
 Created By: Michael Tomazincic
 Date: 2012-03-01
 Scale: 1:2500

LEGEND

- Subject Site
- Parks
- Assessment Parcels
- Buildings
- Address Numbers

Corporation of the City of London
 Prepared By: Planning, Environmental



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PURPOSE AND EFFECT OF RECOMMENDED ACTION

The proposed amendment is to permit the relocation of the existing parking lot, currently located on the north side of Ramsay Road, to the subject site and to recognize the existing Physical Plant, Administration Offices, and ESL School Administration Offices as conforming land uses.

RATIONALE

1. The recommended amendments are consistent with the policies of the *Provincial Policy Statement, 2005*
2. The recommended amendments are consistent with the Regional Facility policies of the Official Plan.
3. The recommended amendments are consistent with the general purposes of the Regional Facility Zone
4. The recommended amendments are consistent with the Great Near-Campus Neighbourhoods Strategy
5. The recommended amendments are intended to bring into conformity uses that are an ancillary part to the applicant's operations
6. The recommended Zoning By-law amendment will require the applicant to proceed with an administrative site plan approval process which is intended to mitigate impacts onto abutting residential lands

BACKGROUND

Date Application Accepted: 10 August 2011	Agent: Dan Young (Stantec Consulting)
<p>REQUESTED ACTION: Possible amendment to the Official Plan by amending Schedule A – Land Use – FROM Low Density Residential TO Regional Facility.</p> <p>Possible amendment to the Zoning By-law Z.-1 FROM a Residential R1 (R1-10) Zone which permits one Single Detached dwelling TO a Regional Facility Special Provision (RF(_)) Zone on only the northern portion of the subject lands to permit the following uses: Adult secondary schools; Churches; Commercial parking structures and/or lots; Commercial schools; Community colleges; Day care centres; Elementary schools; Emergency care establishments; Hospitals; Institutional uses; Libraries; Nursing homes; Private schools; Recreational buildings; Secondary schools; Ancillary residential and/or hostels and accommodations, together with permitted uses in this zone; and Universities.</p>	

<p>SITE CHARACTERISTICS:</p> <ul style="list-style-type: none"> • Current Land Use – Physical Plant, Administration Offices, and ESL School Administration Offices for Brescia University • Frontage – Approximately 72.6 metres (238.2 feet) • Depth – Approximately 295.8 metres (970.4 feet) • Area – Approximately 2.15 hectares (5.3 acres) • Shape – Rectangular

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SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – Brescia University College • South – Single Detached Dwellings • East – Brescia University College • West – Single Detached Dwellings

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map on page 5)
LOW DENSITY RESIDENTIAL – SCHEDULE A (LAND USE) – The primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of the Official Plan and provided they do not exceed a density of 30 units per hectare.
EXISTING ZONING: (refer to Zoning Map on page 6)
RESIDENTIAL R1 (R1-10) ZONE – The R1 Zone is the most restrictive residential zone, and provides for and regulates single detached dwellings. The variations which comprise the zone are differentiated on the basis of site requirements in order to provide for a range of lot sizes and dwelling styles. Zone variations R1-10 and R1-11 deal with larger estate lot developments.

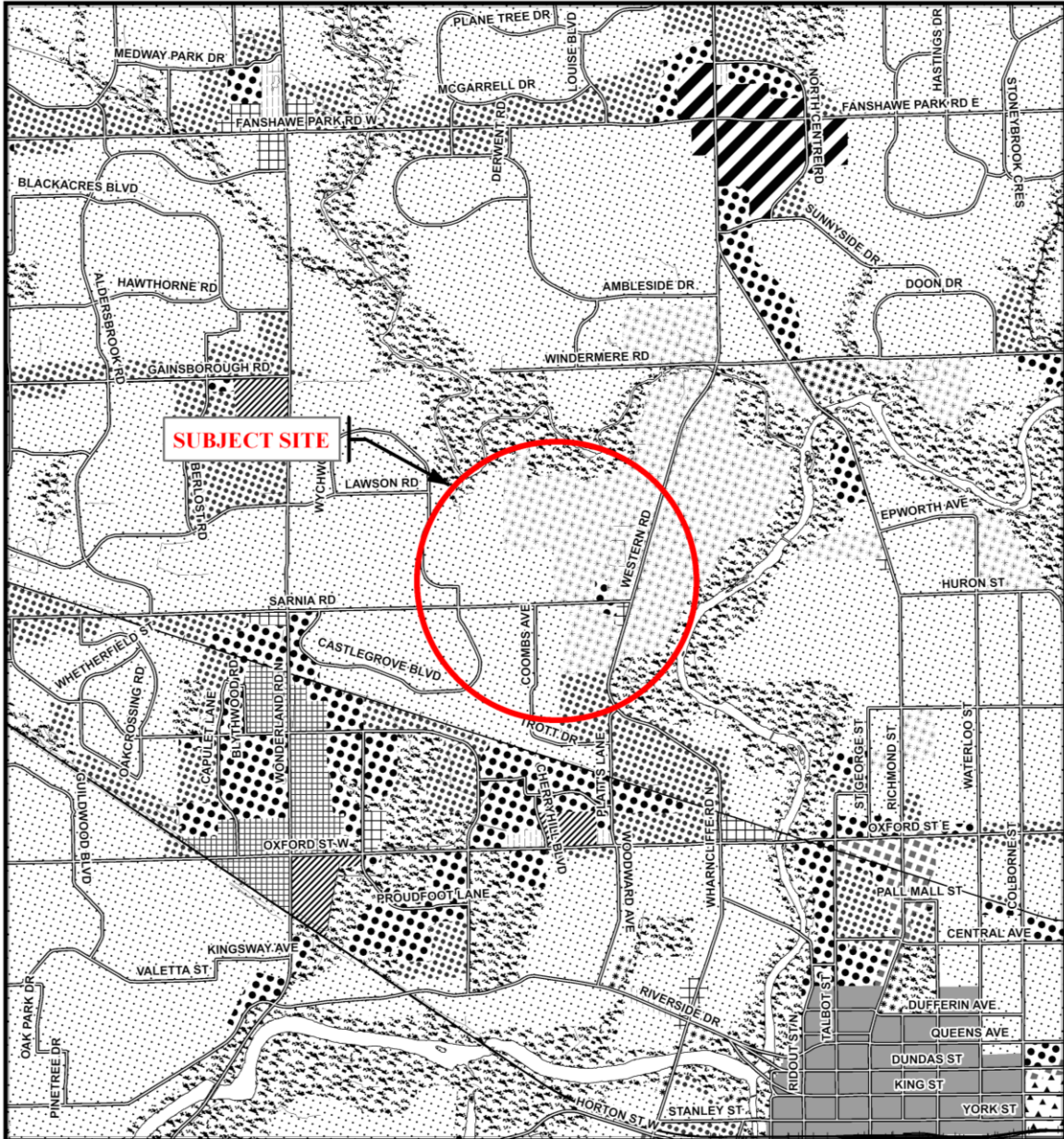
PLANNING HISTORY

On July 8, 2011, Brescia University College (applicant) applied for Site Plan Approval for the development of a student residence and dining pavilion on lands on the north side of Ramsay Road, immediately across the street from the subject lands, which had previously been used for surface parking. The development of a student residence is consistent with intent of the Great Near-Campus Neighbourhoods Strategy which encourages Western University Canada, its affiliated colleges, and Fanshawe College to construct residence facilities to accommodate its student population.

Given that the development of the proposed student residence and dining pavilion would result in the elimination of parking spaces, on August 10, 2011, an application was submitted for the subject lands to amend the Official Plan and Zoning By-law from Low Density Residential uses to Regional Facility uses. During the course of public circulation, Planning Staff received comments from concerned neighbours about the proposed amendments. As a result of the neighbourhood concerns, the applicant hosted a community meeting on October 12, 2011, to discuss the requested amendments with members of the community and to listen to public comments/concerns.

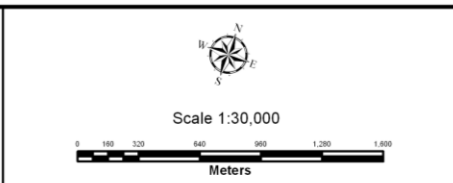
As result of the public input, the applicants modified their application on February 21, 2012 such that the requested Zoning By-law amendment would only apply to the northern portion of the subject lands and include a limited range of proposed uses. The requested Official Plan amendment was not modified with the applicant choosing to continue to request that the entire subject site be re-designated from Low Density Residential to Regional Facility.

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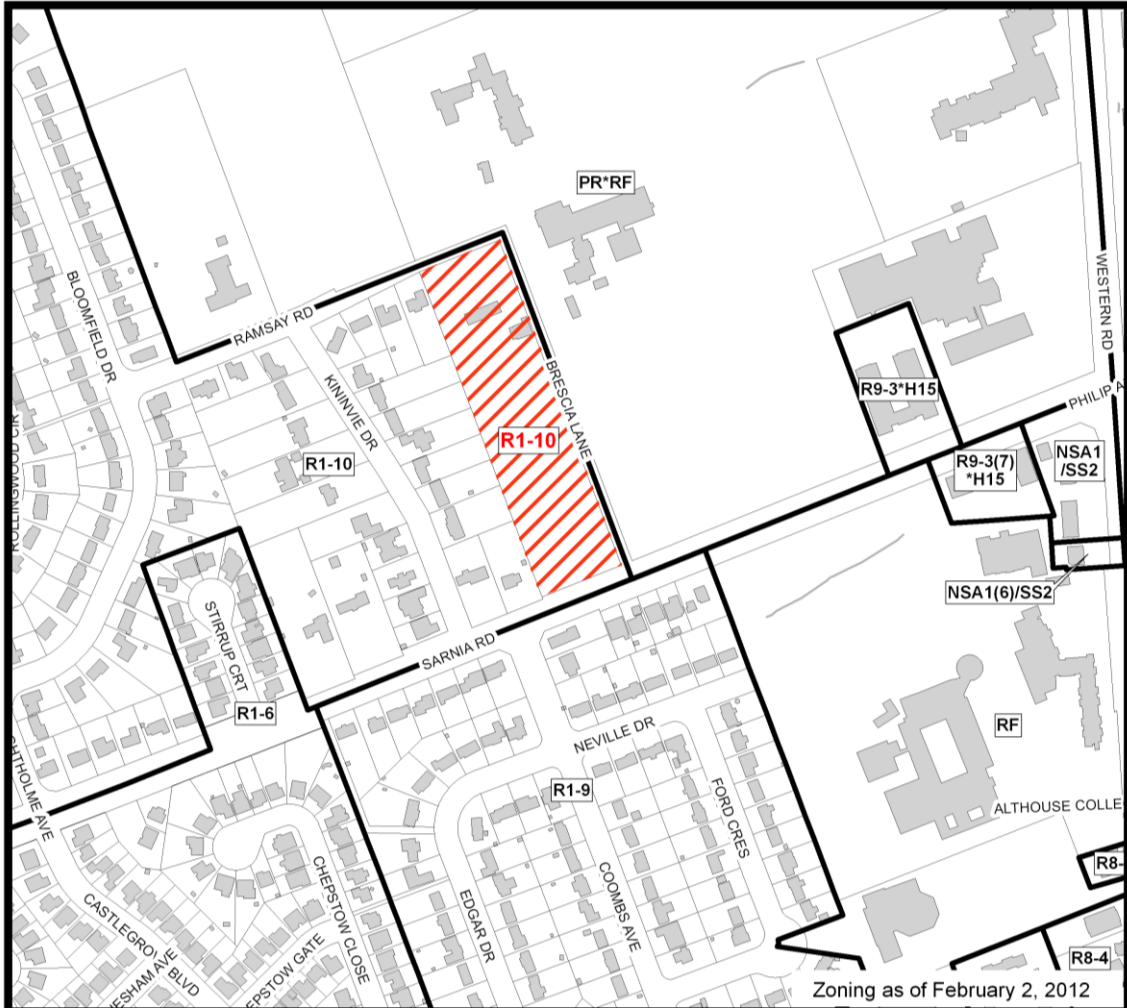
Legend	
	Downtown Area
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	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

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



FILE NUMBER: OZ-7955
PLANNER: MT
TECHNICIAN: CK
DATE: 2012/03/29

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R1-10

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

- 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

- 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

2) ANNEXED AREA APEALED AREAS

CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:
OZ-7955 MT

MAP PREPARED:
2012/03/06 CK

1:5,000
0 25 50 100 150 200
Meters

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

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Urban Forestry
No comments

London Hydro
No objection

Stormwater Management Unit
Known flooding concerns have been addressed by property owners on Kininvie Drive. Therefore the following comments are:

1. *The applicant shall provide a Storm/Drainage and SWM servicing report which shall include Major and Minor storm flow route analysis. This report should also indicate that the Storm/Drainage/SWM servicing for this development.*
2. *Upgrading current tile ("big-o") located at southern portion of the subject property to accommodate natural flows from Kininvie Drive is recommended to address flooding concerns on Kinivie Drive*

Wastewater & Drainage Engineering Division
Wastewater Engineering of Wastewater and Drainage Engineering has no comment with regard to this proposed Re-zoning and Official Plan amendment.

Upper Thames River Conservation Authority (UTRCA)
The subject property is not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act

AREA OF VULNERABILITY	VULNERABILITY SCORE	THREATS & CIRCUMSTANCES
<i>Highly Vulnerable Aquifer (HVA)</i>	<i>6</i>	<i>Moderate & Low Threats</i>
<i>Significant Groundwater Recharge Area (SGRA)</i>	<i>4</i>	<i>No Threats</i>
	<i>6</i>	<i>Moderate & Low Threats</i>

NOTE: At this time, certain activities on this property may be considered Moderate or Low threats to drinking water

*Provincial Policy Statement (PPS, 2005)
Section 2.2.1 requires that:
"Planning Authorities shall protect, improve or restore the quality and quantity of water by: d) implementing necessary restrictions on development and site alteration to:*

- 1. protect all municipal drinking water supplies and designated vulnerable areas; and*
- 2. protect, improve or restore vulnerable surface and ground water features, and their hydrological functions"*

*In Section 2.2.2 that:
"Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored."*

Municipalities must be consistent with the Provincial Policy Statement when making decisions on land use planning and development. This information is provided for the City's consideration in moving forward on this application.

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Transportation Planning & Design Division

Transportation has reviewed the proposed Official Plan and Z-1 Zoning By-law amendment OZ-7955 and have no comment regarding the application. Traffic engineering including access and road widening needs will be discussed in greater detail during site plan review.

Engineering Review Division

The City of London’s Engineering Review Division (ER) offers the following comment with respect to this aforementioned for the Official Plan and Zoning By-Law amendment as it applies to southwest portion of 1285 Western Road:

- *There has been known flooding located at this site, therefore ER request that applicant provide a detail design showing adequate stormwater measures for the runoff of the proposed parking lot and surrounding area all to the satisfaction of the City’s Engineering. In conjunction, ER suggests that the appropriate holding provision should also be applied to this application in response to this concerns.*

Furthermore, the intensification/relocation of the existing parking lot warrants the need for the redevelopment to proceed through the site plan approval process to address many developmental concerns such as; increased vehicle traffic, access, increased in impervious area as it relates to stormwater management, grading, etc.. It is ER recommendation that the application proceed thought the site plan process.

The above comments, among other engineering and transportation issues, will be addressed in greater detail when/if these lands come in for site plan approval.

PUBLIC LIAISON:	<p>On August 26, 2011, Notice of Application was sent to 49 property owners in the surrounding area. Notice of Application was also published in the “Living in the City” section of the London Free Press on Saturday, August 27, 2011. On March 2, 2012, a Revised Notice of Application was sent to 48 property owners in the surrounding area. A Revised Notice of Application was also published in the “Living in the City” section of the London Free Press on Saturday, March 3, 2012. Notice of Public Meeting was sent to 48 property owners in the surrounding area. Notice of Public Meeting was published in the “Living in the City” section of the London Free Press on Saturday, March 10, 2012.</p>	<p>12 Responses and 1 Petition expressing concern with the <u>ORIGINAL</u> application were received</p> <p>2 Responses expressing general agreement with the <u>REVISED</u> application were received</p>
<p>Nature of Liaison: Possible amendment to the Official Plan by amending Schedule A – Land Use – FROM Low Density Residential TO Regional Facility.</p> <p>Possible amendment to the Zoning By-law Z.-1 FROM a Residential R1 (R1-10) Zone which permits one Single Detached dwelling TO a Regional Facility Special Provision (RF(_)) Zone on only the northern portion of the subject lands to permit the following uses: Adult secondary schools; Churches; Commercial parking structures and/or lots; Commercial schools; Community colleges; Day care centres; Elementary schools; Emergency care establishments; Hospitals; Institutional uses; Libraries; Nursing homes; Private schools; Recreational buildings; Secondary schools; Ancillary residential and/or hostels and accommodations, together with permitted uses in this zone; and Universities.</p>		

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Responses: ORIGINAL APPLICATION

12 Responses and 1 petition signed by 108 individuals citing the following concerns:

- Increase in stormwater run-off due to use of impervious materials
- Increase in Noise from cars/people/snowplowing
- Devaluation of properties
- Destabilization of existing neighbourhood
- Brescia has other options for the location of this parking area
- Increase in traffic on local streets
- Lack of directly connection to Sarnia Road (Arterial Road)
- Loss of vegetation/Loss of tranquillity
- Concern about the wide range of uses requested
- Pre-zoning the site for wide range of uses will nullify the need for future public consultation
- Development of these lands were not identified in Brescia's Master Plan
- Lack of buffering/impact mitigation between proposed use and existing residential
- Brescia Lane forms a logical boundary between the residential uses and Regional Facility

Responses: REVISED APPLICATION

2 responses in agreement with the revised application

- Community association will not opposed the revised application based on the modified requests and clarifications provided to the community association
- Revised application addresses concerns expressed by the neighbours
- Revised application will provide opportunity for input by neighbours to protect the viability of the abutting residential area while allowing Brescia to pursue development goals
- Neighbours are relying on the administrative Site Plan Review process to deal with specific concerns

ANALYSIS

Subject Lands

The subject lands are located on the west side of Brescia Lane, between Sarnia Road and Ramsay Road, at the south-western edge Brescia University College. Sarnia Road is classified as an arterial road carrying an average of 22,000 vehicles per day. Brescia Lane and Ramsay Road are classified as local streets.

The land use to the north and east of the subject lands comprise the Brescia University College campus. To the south and west of the subject lands are single detached dwellings. To the north and east of the subject lands is the Brescia University College main campus (see Figure 1).

The subject lands have been under the ownership of Brescia University College and the Ursuline Sisters since 1961. These lands currently contain a physical plant and administrative offices for the College as well as a converted home – Mary Manor House – that currently houses additional administrative offices. The subject lands are not zoned to permit these uses which are recognized as legal non-conforming land uses.

Nature of the Application

The applicants have requested an amendment to the Official Plan and Zoning By-law to change the use from one that permits Low Density Residential uses to one that permits Regional Facility uses. The purposes of the amendments are:

- to designate and zone the subject lands consistently with the remainder of the Brescia University College campus surrounding the subject lands to the north and east;

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Figure 1 – Aerial photo of the subject lands with surrounding context

- to recognize the current legal non-conforming physical plant and administrative offices under the Zoning By-law; and,
- to permit the relocation of the existing parking lot, currently located on the north side of Ramsay Road, to the subject site (see Figure 2) to facilitate the development of a student residence and dining pavilion, consistent with the goals of the Great Near-Campus Neighbourhoods Strategy, on lands to the north (see Figure 3).

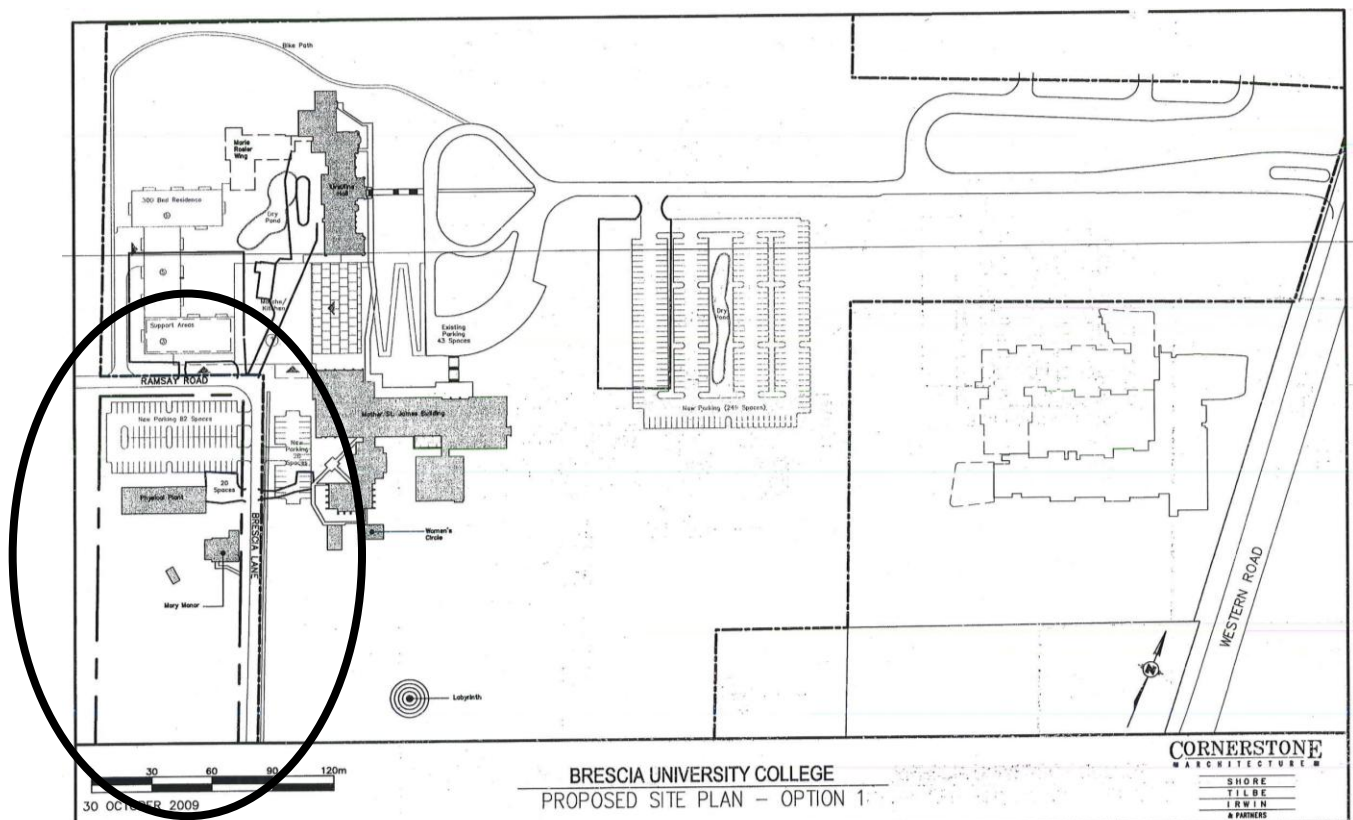


Figure 2 – Conceptual Site Plan of Brescia University College with the subject lands encircled

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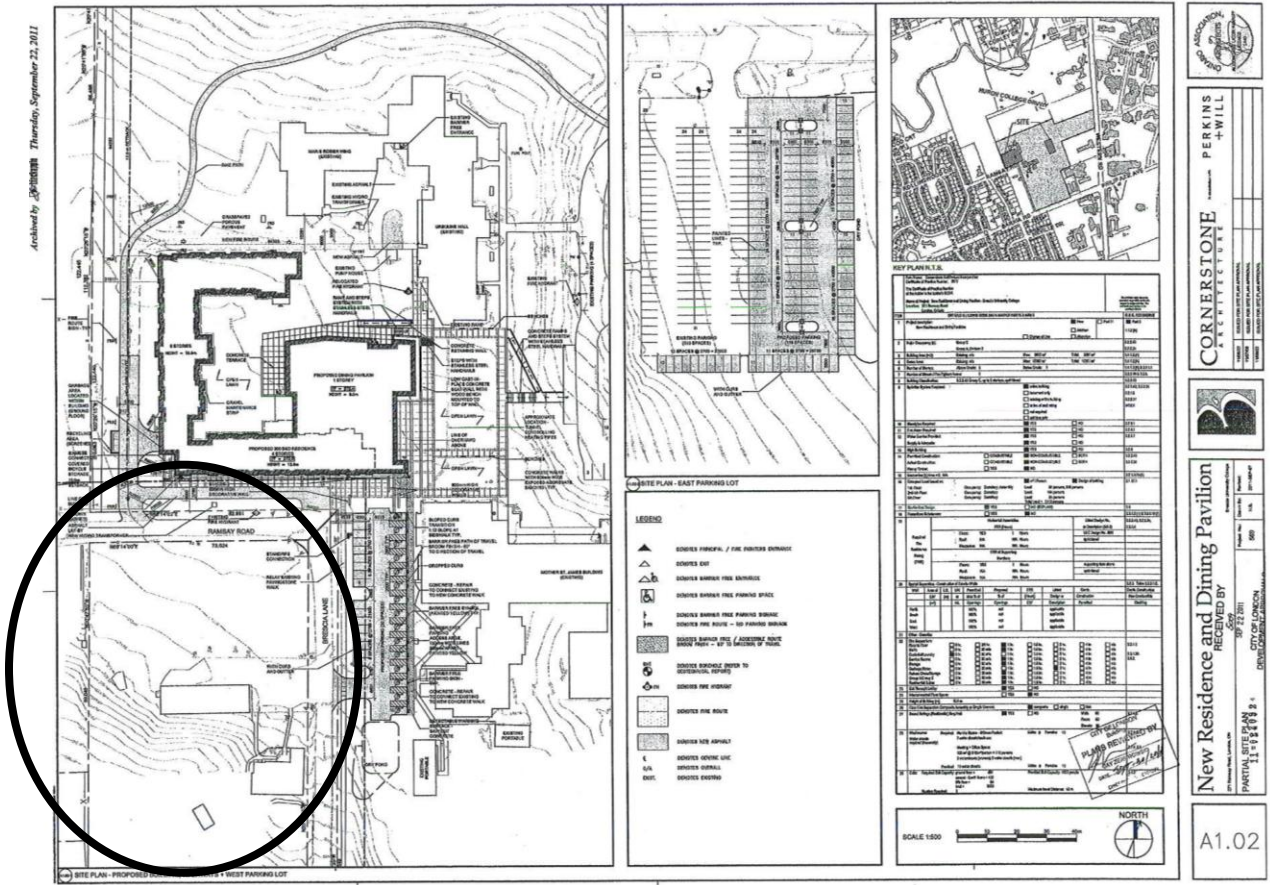


Figure 3 – Site Plan Application depicting the development of a Student Residence and Dining Pavilion with the subject lands encircled

Provincial Policy Statement

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. As it relates to this application, the PPS provides some direction to this matter.

One of the primary policies of the Province as expressed in the PPS is the efficient use of lands within urban areas. Policy 1.1.1 of the PPS includes policies that are intended to sustain healthy, liveable and safe communities by such means as, “*accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space uses to meet long-term needs*”.

The subject lands are currently designated Low Density Residential and are of suitable size and depth to accommodate a proposal for residential intensification. The requested amendment is to change the designation to Regional Facility in order to allow Brescia University College to have in place appropriate land use permissions that allow it to respond quickly to changing circumstances and/or funding opportunities. The above provincial policy lends support to maintaining the current designation. It also supports a change in land use. Therefore further analysis is required.

As it relates to employment lands, the Provincial Policy Statement encourages the protection of such lands as exemplified in policy 1.3 (Employment Areas) which states that planning authorities shall promote economic competitiveness by, “*providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs*”.

The recommended amendment to amend the Official Plan and Zoning By-law to facilitate the flexibility Brescia requires to adapt to enrolment fluctuations, funding opportunities, and student

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programming needs is consistent with the policies of the PPS which require planning authorities to provide an appropriate mix and range of institutional uses to meet long-term needs.

Official Plan Policies

The Official Plan contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

Low Density Residential Policies

The subject lands are currently zoned Low Density Residential in the Official Plan. The primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of this Plan and provided they do not exceed a density of 30 units per hectare.

The subject lands are a suitable size and depth to accommodate residential intensification. Theoretically, the subject lands may be subdivided into 13 single detached residential lots under the current zoning which permits single detached dwellings to be constructed with a minimum lot frontage of 22 metres and a minimum lot area of 925m².

Under the current designation, the subject lands may be able to accommodate additional residential intensity with an amendment to the Zoning By-law up to a maximum density of 30 units per hectare. However, given that the subject lands have been owned by Brescia University College since 1961 and recognizing that Brescia has been using these lands for ancillary purposes as legal non-conforming land uses for an extended period of time as well as the fact that Brescia has recently identified these lands as being of importance to future institutional needs, warrants a re-evaluation of the current land use designation in favour of one that allows Brescia to consolidate the use of these lands with those of their main campus immediately to the north and east.

Furthermore, given the proximity of the subject lands to the Brescia University College campus, the development of low density residential forms of housing on the subject lands would be contrary to the intent of the Great Near-Campus Neighbourhoods Strategy.

Great Near-Campus Neighbourhoods Strategy

Through extensive consultation with the public, students and administration of the University of Western Ontario and Fanshawe College, Police Services, Fire Department, Landlords, and various departments within the City of London, the preferred forms of residential intensification within areas near the Western University Canada and Fanshawe College have been identified as higher density forms of multi-unit housing, such as mid-rise and high-rise apartment buildings, located in the appropriate designations that accommodate on-site, professional management.

In general, the Great Near-Campus Neighbourhoods Strategy, consistent with public consultation, promotes intensification in the form of medium and large scale apartment buildings, in areas designated Multi-Family, Medium Density or Multi-Family, High Density Residential, located along transportation nodes or corridors, and which are professionally managed. The existing Low Density Residential designation which facilitates residential intensification in the form of single detached, semi-detached, duplex dwellings, or multiple attached dwellings such as row houses or cluster houses, are not consistent with the goals of the Great Near-Campus Neighbourhoods Strategy.

Regional Facilities

The Regional Facilities designation is primarily intended to provide for large institutional type facilities which serve a regional function. They serve areas which extend beyond municipal boundaries, and attract large numbers of people on a regular basis. These facilities, by reason

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of their size, normally comprise major employment and activity centres in the City. Permitted uses include: hospitals; universities; community colleges; major recreational facilities; and, cultural facilities, among others.

In terms of location, the Official Plan requires all lands designated Regional Facilities to be located on, and have access to, an arterial or primary collector road. The subject lands do have frontage onto an arterial road (Sarnia Road) however, the area proposed to be rezoned as part of this application is situated on the northern portion of the subject lands therefore it is not proposed to access Sarnia Road at this time. However, the applicant is proposing that access to and from the subject lands be directly from Brescia Lane, a public local street, in an effort to prevent cut-through traffic through the interior of the Low Density Residential neighbourhood to the west.

As seen in Figure 1, Brescia Lane is surrounded by lands owned by Brescia University College and is currently used to access the western portion of the campus, including the parking lot which is proposed to be relocated to the subject lands. Given that the requested amendments are intended to relocate a parking lot that is already accessed by Brescia Lane, the requested change in land use is not anticipated to introduce any new impacts onto Brescia Lane. Furthermore, if these requested amendments are approved, Brescia Lane will effectively act a public street within a university campus given that lands on the east side of Brescia Lane are currently designated and zoned for Regional Facility uses and owned by the applicant.

In terms of parking, the Official Plan encourages Regional Facilities to provide adequate on-site parking according to standards contained in the Zoning By-law and encourages compatibility with surrounding land uses by such means as adequate screening from the street and from adjacent residential areas by appropriate landscaping, fences, or other means. The applicant has agreed to undertake an administrative site plan approval process to ensure that adequate screening is provided.

Planning Impact Analysis

A Planning Impact Analysis is used to evaluate applications for an Official Plan amendment and/or zone change, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding land uses. The criteria to be evaluated include:

- *Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area*

The proposed uses can be compatible with the surrounding land uses and impacts may be mitigated based on site design. The current proposal to relocate an existing surface parking lot to the northern portion of the subject site is not anticipated to have an impact on the surrounding properties based on Brescia University College's intent to provide a 6 metre wide landscaped buffer along the western property line abutting a low density residential area and their willingness to proceed with an administrative site plan approval process which will address lighting issues and enhanced landscaping is intended to mitigate impacts onto abutting properties. Furthermore, given that the southern portion of the subject lands is intended to maintain its existing residential zoning, any future institutional development of that portion of the subject lands will require a public participation process the compatibility of future proposals can be addressed at that time.

- *The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use*

The conceptual site plan illustrated in Figure 2 demonstrates that the subject site is of suitable size and depth to accommodate the intensity of the proposed use

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- *The supply of vacant land or vacant buildings in the area which is designated and/or zoned for the proposed uses*

The Brescia University College campus does contain a significant supply of land which is designated for the proposed use. However, there are challenges with developing the vacant lands due to the sloping topography and much of the area has been identified in Brescia's Master Plan for the development of other institutional uses in the future.

- *The potential traffic generated by the proposed change, considering the most intense land uses that could be permitted by such a change, and the likely impact of this additional traffic on City streets, pedestrian and vehicular safety, and on surrounding properties*

The requested amendment is intended to relocate a parking lot that exists immediately north of the subject lands onto the subject lands. It is not anticipated to create any additional impacts on City streets, pedestrian and vehicular safety, and on surrounding properties given that the use currently exists and the requested amendment does not intend on expanding the intensity of the use.

- *Impacts of the proposed change on the transportation system including transit*

There are no impacts anticipated on the transportation system given the intent of the application is to relocate an existing use across the street.

- *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses*

There are no new buildings proposed at this time.

- *The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;*

Brescia University College has expressed their intent to have traffic directed to and from Brescia Lane to prevent cut-through traffic through the interior of the low density residential neighbourhood to the west. Furthermore, they have volunteered to undertake an administrative site plan approval process where their proposed access will be vetted by Transportation Staff.

Zoning By-law

The Zoning By-law is a comprehensive document used to implement the policies of the Official Plan by regulating the use of land, the intensity of the permitted use, and the built form. This is achieved by applying various zones to all lands within the City of London which identify a list of permitted uses and regulations that frame the context within which development can occur. Collectively, the permitted uses and regulations assess the ability of a site to accommodate a development proposal. It is important to note that all three criteria of use, intensity, and form must be considered and deemed to be appropriate prior to the approval of any development proposal.

Section 31.1 – General Purpose of the RF Zone – describes the rationale behind the Regional Facility zone variations. This zone provides for and regulates large institutional type facilities which serve a regional function. These uses are primarily large scale, attracting large numbers of people on a regular basis, and may create impacts on adjacent land uses. The recognition of special regional facilities and provision of secondary uses in the Regional Facility (RF) Zone are dealt with through a number of zone variations and special provisions.

In response to the concerns received through the public participation process, the applicant has modified their application to request a special provision zone which removes some of the permitted uses listed in the RF zone variation. The following table outlines the uses permitted in

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File: OZ-7955
Planner: M. Tomazincic

the standard RF zone variation that have been requested by applicant and those that have been removed by way of a special zoning provision as part of this requested amendment:

Regional Facility (RF) uses requested	Regional Facility (RF) uses removed
• Adult secondary schools	
• Ancillary residential and/or hostels and accommodations, together with permitted uses in this zone	
• Churches	
• Commercial parking structures and/or lots	
• Commercial schools	
• Community colleges	
• Day care centres	
• Elementary schools	
• Emergency care establishments	
	• Group homes, type 2
• Hospitals	
• Institutional uses	
• Libraries	
• Nursing homes	
• Private schools	
• Recreational buildings	
• Secondary schools	
	• Stadia
	• Supervised residences
• Universities	

The special zoning provision recommended as part of this application will also include a requirement for a 6 metre landscaped buffer along the western perimeter of the subject site. This requirement was also the result of the public consultation process and the applicant has volunteered to provide it in an effort to mitigate any potential undesirable impacts onto the abutting residential dwellings.

The recommendation also includes a holding provision which will require the applicant to undertake an administrative site plan approval process. Although the applicant has volunteered to apply for site plan approval, the practice of applying a holding provision is consistent with previous Council decisions to amend the Zoning By-law where an applicant volunteered to apply for site plan approval.

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File: OZ-7955
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CONCLUSION

The subject lands have been owned by Brescia University College since 1961 and are currently used for ancillary purposes. The recommended amendment allows Brescia to consolidate the use of these lands with those of their main campus immediately to the north and east.

Given the impacts of residential intensification in Low Density Residential areas in proximity to the university and affiliated colleges, the current Low Density Residential designation and Residential R1 zoning warrants a re-evaluation for alternative land uses.

Given the size of the parcel and its ability to accommodate institutional uses as well as the proximity of the subject lands to Brescia University College a change in land use to permit institutional uses is appropriate. Brescia has also committed to undertaking an administrative site plan approval process intended to mitigate any potential undesirable impacts onto abutting residential lands.

Lastly, the amendment to the Zoning By-law is only recommended for the northern portion of the subject lands. The southern portion of the subject lands are intended to remain Residential R1 with the intention of requiring a public participation process for any future application on those lands. Therefore, Brescia and abutting community can continue to work together as future development proposals are presented.

Agenda Item # Page #

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File: OZ-7955
Planner: M. Tomazincic

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

March 12, 2012
MT/mt

Y:\Shared\implemen\DEVELOPMENT APPS\2011 Applications 7854 to \7955-OZ – 1285 Western Road (MT) \OZ-7955 – Final Report to PEC

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**File: OZ-7955
Planner: M. Tomazincic**

Responses to Public Liaison Letter and Publication in “Living in the City”

<u>Telephone</u>	<u>Written</u>
Susan Marth 538 Kininvie Drive	
Mardelle Bishop 282 Ramsay Road	Mardelle Bishop 282 Ramsay Road
	Arthur Jutan 300 Ramsay Road
	Donald & Nina Leitch 543 Kininvie Drive
Cathy Spina 41 Bloomfield Drive	
	Christine Graham 278 Ramsay Road
	Ruth Rowland 555 Kininvie Drive
	Sandy Levin President – Orchard Park/Sherwood Forest 59 Longbow Road
	Richard Holt 20 Bloomfield Drive
	Stephanie & David Jones 562 Leyton Crescent
	Adriaan Mak & Carolyn Rowland 555 Kininvie Drive
Stuart Borden 251 Wychwood Park	

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File: OZ-7955
Planner: M. Tomazincic

Appendix "A"

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

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

A by-law to amend the Official Plan for the City of London, 1989 relating to the southwest portion of the property municipally known as 1285 Western Road on the lands immediately to the west of Brescia Lane, south of Ramsay Road.

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 April 10, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – April 10, 2012
Second Reading – April 10, 2012
Third Reading – April 10, 2012

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**File: OZ-7955
Planner: M. Tomazincic**

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 Regional Facility 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 the southwest portion of the property municipally known as 1285 Western Road on the lands immediately to the west of Brescia Lane, south of Ramsay Road in the City of London.

C. BASIS OF THE AMENDMENT

The applicant has owned the subject lands since 1961 and recognizing that Brescia has been using these lands for ancillary purposes as legal non-conforming land uses for an extended period of time as well as the fact that Brescia has recently identified these lands as being of importance to future institutional needs, warrants a re-evaluation of the current land use designation in favour of one that allows Brescia to consolidate the use of these lands with those of their main campus immediately to the north and east.

Given the proximity of the subject lands to Brescia University College and the impacts that the current Low Density Residential designation may create in this near-campus community should these lands be developed for Low Density Residential purposes, an amendment to a Regional Facility designation is appropriate.

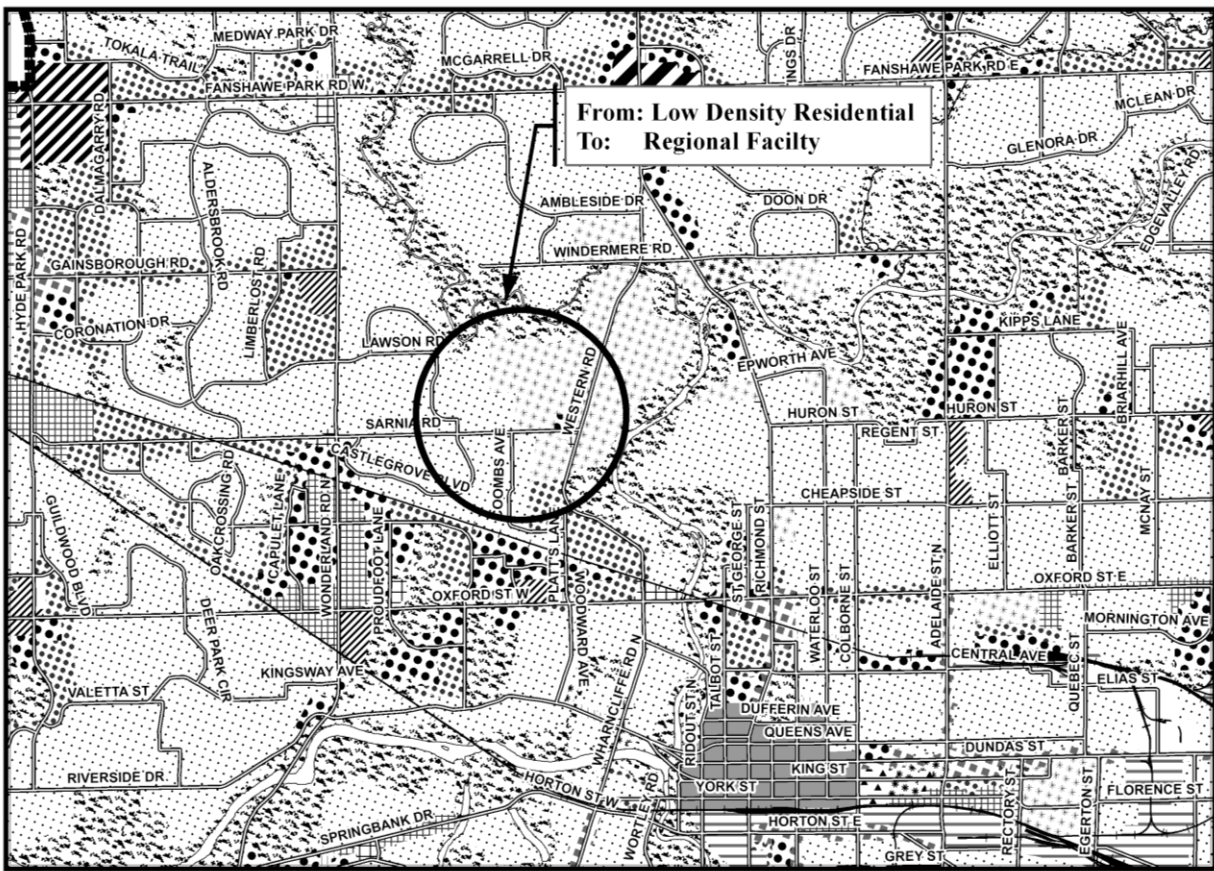
D. THE AMENDMENT

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

Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at the southwest portion of the property municipally known as 1285 Western Road on the lands immediately to the west of Brescia Lane, south of Ramsay Road in the City of London, as indicated on "Schedule 1" attached hereto from Low Density Residential to Regional Facility.

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File: OZ-7955
Planner: M. Tomazincic

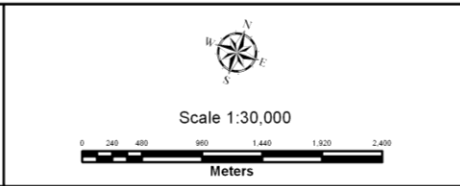


Legend

Downtown Area	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
Office/Residential	Urban Growth Boundary

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-7955
PLANNER: MT
TECHNICIAN: CK
DATE: 2012/03/06

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid\00\amendments\?????mxd\scheduleA_NEW_b&w_8x11.mxd

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**File: OZ-7955
Planner: M. Tomazincic**

Appendix "B"

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at the southwest portion of the property municipally known as 1285 Western Road on the lands immediately to the west of Brescia Lane, south of Ramsay Road.

WHEREAS Brescia University College has applied to rezone an area of land located at the southwest portion of the property municipally known as 1285 Western Road on the lands immediately to the west of Brescia Lane, south of Ramsay Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to lands located at the southwest portion of the property municipally known as 1285 Western Road on the lands immediately to the west of Brescia Lane, south of Ramsay Road, as shown on the attached map comprising part of Key Map No. 3, from a Residential R1 (R1-10) Zone to a Holding Regional Facility Special Provision (h-()•RF () Zone.

1) Section Number 3.8 of the Holding "h" Zones to By-law No. Z.-1 is amended by adding the following new holding provision:

2) _) h-() Purpose: To ensure the orderly development of the lands and that development takes a form compatible with the adjacent land uses. An agreement shall be entered into with the City of London specifying the necessary works required for the development of the subject lands, based on the submission of the following studies: lot grading plan, storm water servicing plan, landscape plan, and a site plan, as well as the requirement for sufficient securities to cover the works identified in these plans to be provided to the satisfaction of The City of London.

Permitted Interim Uses: Existing uses

2) Section Number 31.4 of the Regional Facility Zone to By-law No. Z.-1 is amended by adding the following new Special Provision:

_) RF() The southwest portion of the property municipally known as 1285 Western Road on the lands immediately to the west of Brescia Lane, south of Ramsay Road

- a) Permitted Uses
 - i) Adult secondary schools;
 - ii) Churches;
 - iii) Commercial parking structures and/or lots;
 - iv) Commercial schools;
 - v) Community colleges;
 - vi) Day care centres;
 - vii) Elementary schools;
 - viii) Emergency care establishments;
 - ix) Hospitals;
 - x) Institutional uses;

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**File: OZ-7955
Planner: M. Tomazincic**

- xi) Libraries;
- xii) Nursing homes;
- xiii) Private schools;
- xiv) Recreational buildings;
- xv) Secondary schools;
- xvi) Ancillary residential and/or hostels and accommodations, together with permitted uses in this zone; and,
- xvii) Universities

b) Regulations

- i) West Interior Side Yard Depth 6.0 metres (19.7 feet)
- ii) No part of any required west interior side yard shall be used for any purpose other than landscaped open space.

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 April 10, 2012.

Joe Fontana
Mayor

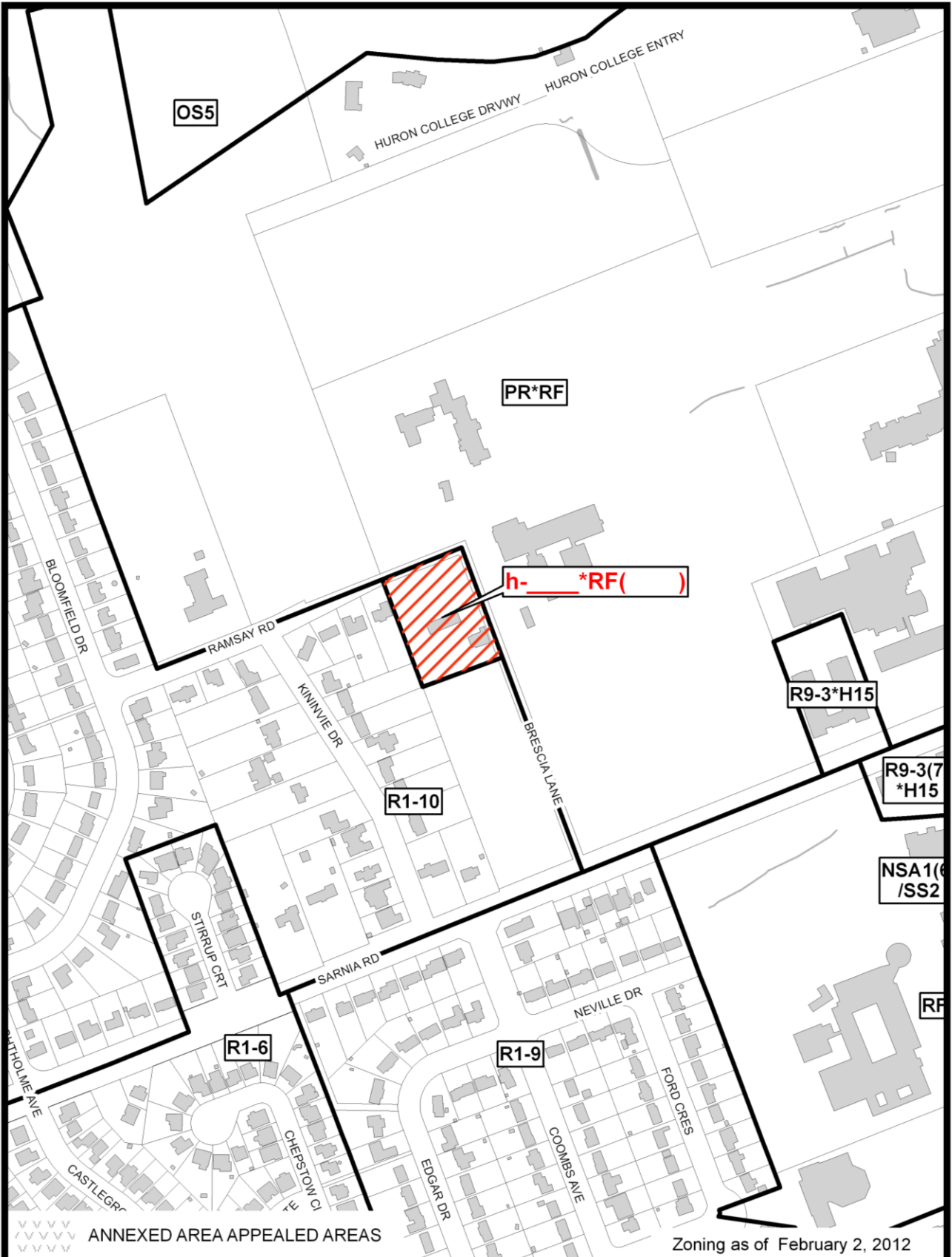
Catharine Saunders
City Clerk

First Reading – April 10, 2012
Second Reading – April 10, 2012
Third Reading – April 10, 2012

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File: OZ-7955
Planner: M. Tomazincic

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



File Number: OZ-7955
 Planner: MT
 Date Prepared: 2012/03/06
 Technician: CK
 By-Law No: Z.-1-

SUBJECT SITE 

1:4,500

0 20 40 80 120 160 Meters



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File: OZ-7955
Planner: M. Tomazincic

Bibliography of Information and Materials
OZ-7955

Request for Approval:

City of London Zoning By-law Application Form, completed by Stantec Consulting Ltd. (Authorized Agents).

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Cornerstone Architecture. Conceptual Site Plan

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Correspondence: (located in City of London File No. OZ-7988 unless otherwise stated)
Orchard Park Sherwood Forest Ratepayers Association

Levin, Sandy. President – Sherwood Forest Orchard Park – E-mail to M. Tomazincic. 29 August 2011

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Stantec Consulting Ltd.

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Agency Review and Public Responses: (located in City of London File No. OZ-7955 unless otherwise stated)

Urban Forestry

Postma, R. Forestry Technologist. E-mail to M. Tomazincic. 29 August 2011

London Hydro

Dalrymple D. London Hydro. Reply Sheet for City of London Applications. 12 September 2011

Stormwater Management Unit

Galloway A. Engineering Technologist. E-mail to M. Tomazincic. 16 September 2011

Upper Thames River Conservation Authority (UTRCA)

Creighton C., Land Use Planner. Letter to M. Tomazincic. 30 September 2011

Creighton C., Land Use Planner. Letter to M. Tomazincic. 7 March 2012

Transportation Planning & Design Division

Couvillon A., Senior Transportation Technologist. E-mail to M. Tomazincic. 3 October 2011

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File: OZ-7955
Planner: M. Tomazincic

Engineering Review Division

Abushehada, I., Acting Division Manager. Memo to M. Tomazincic. 18 October 2011

Public Responses

Written

Mardelle Bishop, 282 Ramsay Road
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Ruth Rowland, 555 Kininvie Drive
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Richard Holt, 20 Bloomfield Road
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Carolyn Rowland & Adriaan Mak, 555 Kininvie Drive

Telephone

Susan Marth, 539 Kininvie Drive
Mardelle Bishop, 282 Ramsay Road
Cathy Spina, 41 Bloomfield Road
Stuart Borden, 251 Wychwood Park

Petition

Signed by 108 individuals