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Z-8573
Sonia Wise

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: DINEEN CONSTRUCTION CORPORATION 4425 WELLINGTON ROAD SOUTH PUBLIC PARTICIPATION MEETING ON AUGUST 22, 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 Dineen Construction Corporation relating to the property located at 4425 Wellington Road South:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 30, 2016 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Community Shopping Area (CSA4) Zone, **TO** an Associated Shopping Area Special Provision (ASA2(_)) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan approval process:
 - i) Orient the principal entrance of the primary building to the sidewalk along Wellington Road South;
 - ii) Encourage large caliper trees to be planted within the 10m landscaped area;
 - iii) Encourage the use of planting technologies which provide long-term and sustainable growth of the trees in the landscaped area;
 - iv) Utilize landscaping or decorative paving to reduce the visual expanse of large parking areas; and
 - v) Design the interior of the site to provide pedestrian connections from the public right-of-way through the site/parking area to prioritize pedestrian movement.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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O-7609 – Adoption of Southwest Area Secondary Plan – April 29, 2014

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the application is to permit the redevelopment of the site for a range of commercial uses.

RATIONALE

1. The proposed amendment is consistent with the Provincial Policy Statement 2014;
2. The proposed amendment is consistent with the policies of the Southwest Area Secondary Plan Policies, New Format Regional Commercial Node designation and broader Official Plan policies;
3. The proposed commercial uses are appropriate for the node and revitalize an

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Z-8573
Sonia Wise

- underutilized commercial site; and
- The development form will achieve the Southwest Area Secondary Plan design objectives through the use of special provisions.

BACKGROUND

Date Application Accepted: December 23, 2015	Agent: Zelinka Priamo Ltd.
<p>REQUESTED ACTION: Change Zoning By-law Z.-1 from a Community Shopping Area (CSA4) Zone to an Associated Shopping Area Special Provision (ASA1/ASA2(_)/ASA3/ASA4) Zone to permit a wide range of retail, personal service, community facility, automotive and office with special provisions to add the Home Auto Supply Stores and Automobile Supply Store uses, and to allow a reduction of parking from 276 spaces required, to 271 spaces provided, and a reduced landscaped open space from 15% required, to 12.5% provided.</p>	

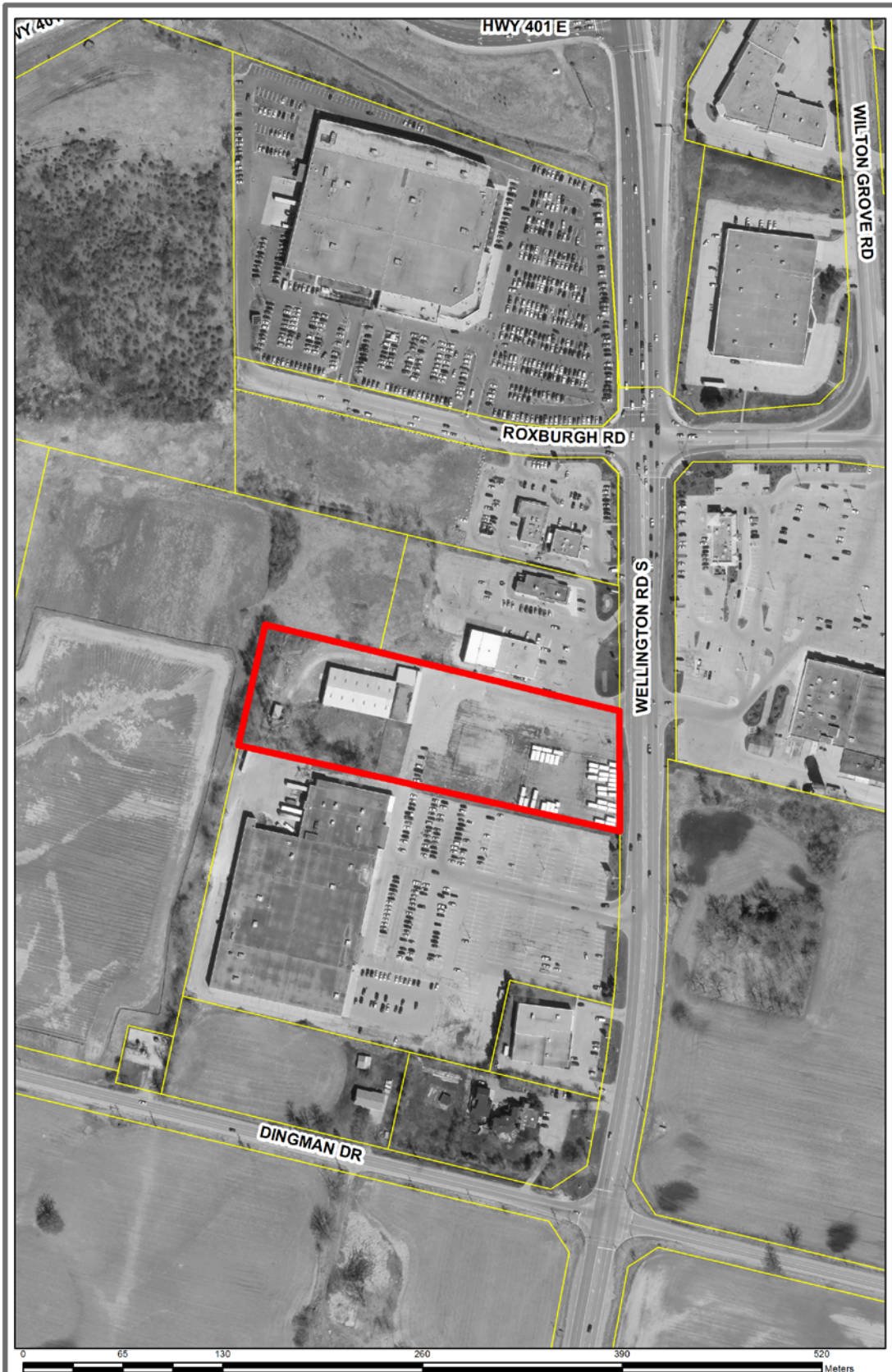
<p>SITE CHARACTERISTICS:</p> <ul style="list-style-type: none"> • Current Land Use – Commercial • Frontage – 78m • Depth – 247m • Area – 1.92ha • Shape - Rectangular
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<p>SURROUNDING LAND USES:</p> <ul style="list-style-type: none"> • North - Commercial • South - Commercial • East - Commercial • West - Vacant/Future Commercial

<p>SOUTHWEST AREA SECONDARY PLAN DESIGNATION: (refer to SWASP Map)</p> <ul style="list-style-type: none"> • Wellington Road/Highway 401 Neighbourhood
<p>OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)</p> <ul style="list-style-type: none"> • New Format Regional Commercial Node
<p>EXISTING ZONING: (refer to Zoning Map)</p> <ul style="list-style-type: none"> • Community Shopping Area (CSA4)

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Z-8573
Sonia Wise



LOCATION MAP

Subject Site: 4425 Wellington Rd S
 Applicant: Dineen Construction Corp.
 File Number : Z-8573

Planner : SW
 Created By : MB
 Date : 2016/03/30
 Scale : 1:3,000

Legend

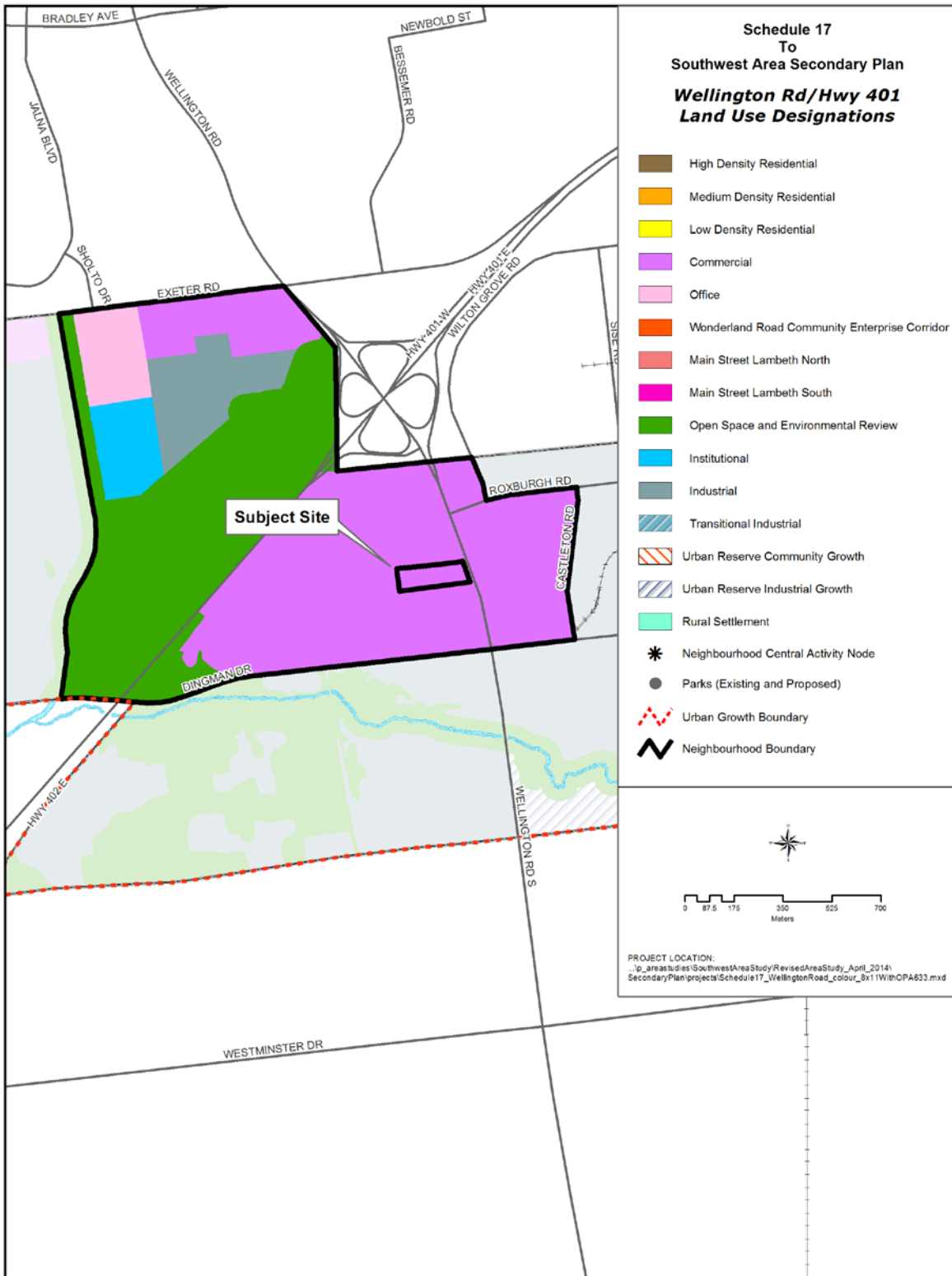
Subject Site

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



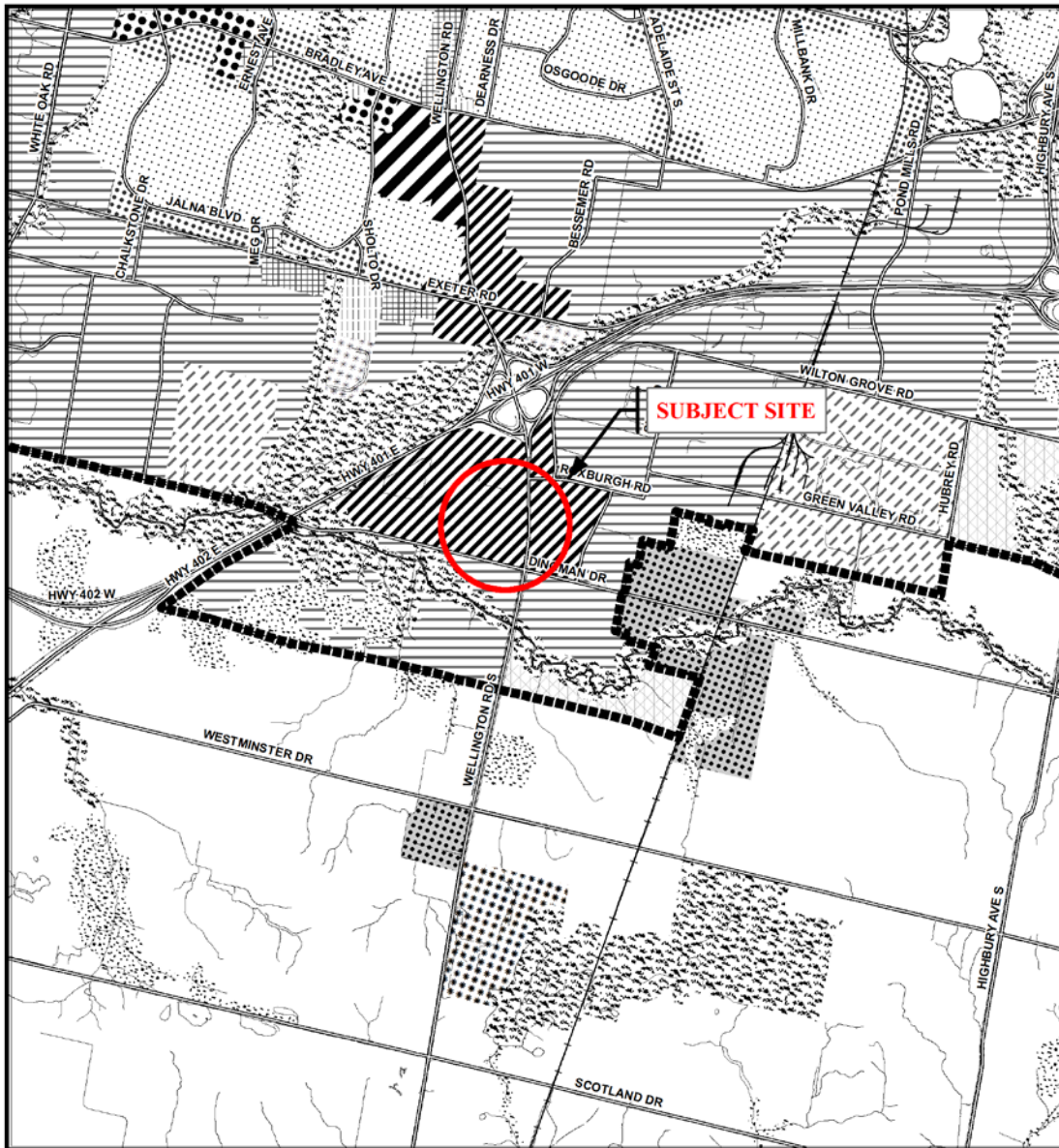
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Z-8573
Sonia Wise



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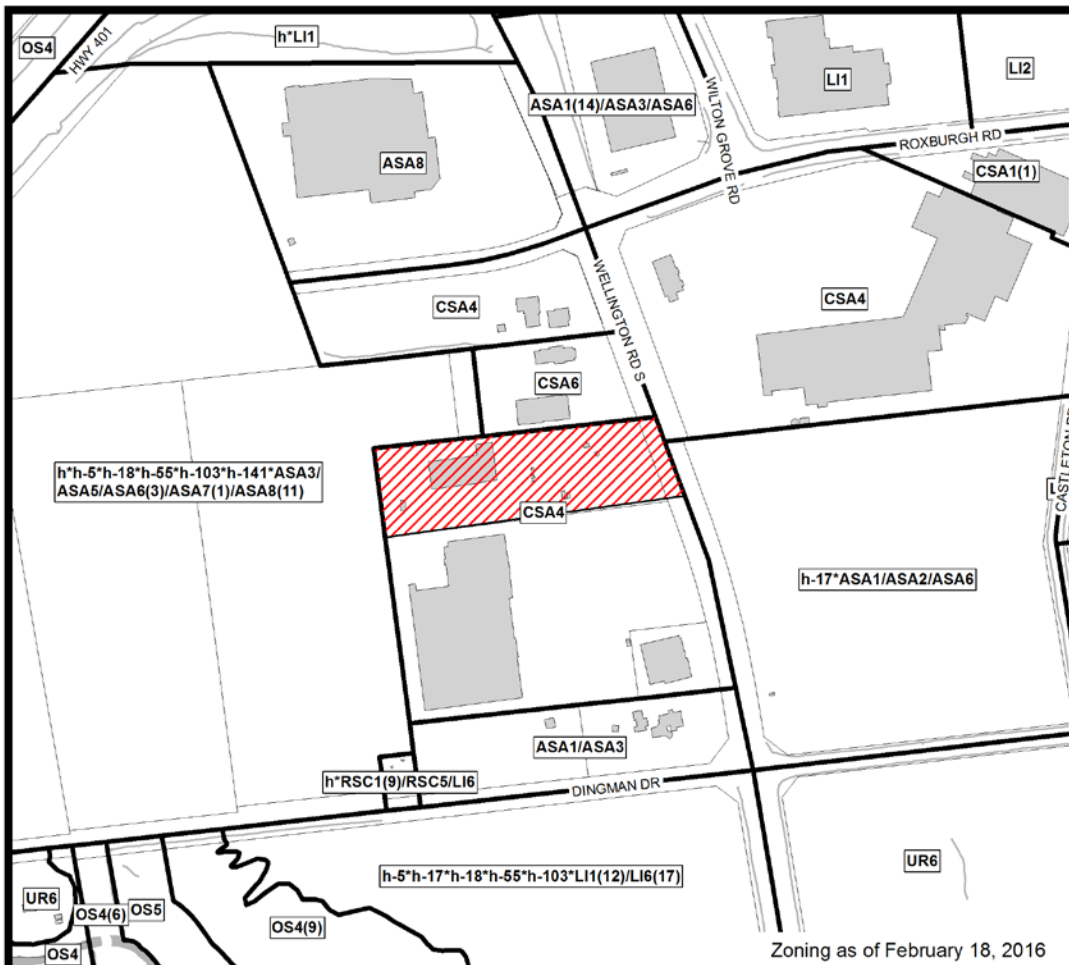
Z-8573
Sonia Wise



<p>Legend</p> <ul style="list-style-type: none"> Downtown Wonderland Road Community Enterprise Corridor Enclosed Regional Commercial Node New Format Regional Commercial Node Community Commercial Node Neighbourhood Commercial Node Main Street Commercial Corridor Auto-Oriented Commercial Corridor Multi-Family, High Density Residential Multi-Family, Medium Density Residential Low Density Residential Office Area Office/Residential Office Business Park General Industrial Light Industrial Regional Facility Community Facility Open Space Urban Reserve - Community Growth Urban Reserve - Industrial Growth Rural Settlement Environmental Review Agriculture Urban Growth Boundary 		
<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8573</p> <p>PLANNER: SW</p> <p>TECHNICIAN: MB</p> <p>DATE: 2016/03/30</p>

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Z-8573
Sonia Wise



Zoning as of February 18, 2016

COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: CSA4

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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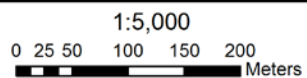
CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:
Z-8573 SW

MAP PREPARED:
2016/03/30 MB



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

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Z-8573
Sonia Wise

PLANNING HISTORY

Subject Site

The site is located on the west side of Wellington Road South, north of Dingman Drive and south and east of the Highway 401. There is a frontage of 78m onto Wellington Road South, and a total lot area of 1.92ha. The site is currently developed and located within an existing commercial node. There is presently one building located towards the west property boundary at the rear of the site which was used previously as a Home Hardware. The building is now vacant and intended to be demolished to facilitate the requested redevelopment.



Figure 1: Existing Building (Site visit Jan, 2016)

Minor Variance A.126/15

A minor variance application A.126/15 was lodged in 2015 which requested an increase to the gross floor area permitted by the existing Community Shopping Area (CSA) Zone. The requested amendment was to permit an increase from 2,420m² to 5,520m², which was objected to by a neighbouring property owner. The full request of the application was not permitted; however the applicant was approved for a minor addition of gross floor area up to 2,850m², to facilitate one phase of the intended site plan. The full request of 5,520m² of gross floor area requires an amendment to the zoning by-law.

Proposal

The proposal is to construct two, one-storey buildings with a total gross floor area of 5,236.7m² with approximately four units in one building and three units in the other. The buildings will be used for wide range of commercial, retail and office uses.



Figure 2: Conceptual Elevation

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

UDPRP – April 2015: From Site Plan Pre-Consultation Requirement, based on initial design

1.0 Urban Design Context

1.1 The multi-tenant, commercial building complex proposed is common to suburban commercial/industrial areas. It is designed more for the convenience of vehicle access/egress and parking than pedestrians.

- **The development scheme is supported generally.**

2.0 Site Planning

2.1 The parking in front of the building and the associated east driveway detracts from the quality of the site plan. While the east driveway would function as a fire route as noted, that specific function is unnecessary given the proximity of the street and the north and south driveways.

2.1.1 It is recommended that the southeast portion of the parking between the building and the street be eliminated. Consider redesigning the remaining parking to simplify and rationalize the layout and reduce excess parking lot surface.

2.2 The pedestrian connection from Wellington Road to the building complex should be reconsidered given that pedestrians from the north would want to enter the site once the main driveway has been crossed. Similarly, pedestrians from the south would want to enter the site once the south driveway was crossed. The recommended changes to the front parking will allow for better pedestrian connections.

2.3 Maintaining the elevation of the sidewalk connecting the two buildings across the central parking area is recommended.

2.4 Permeable asphalt is recommended generally and for the parking spaces minimally.

3.0 Building Architecture

3.1 Canopies at building entrances would relieve the lack of façade relief and contribute to the quality of the pedestrian and customer experience.

3.2 The proposed architecture of the second phase building suggests two entrances when four units are proposed. That may be confusing for tenants and customers and detract from a business' identity.

3.3 Some animation of the facades facing the central parking block is recommended for visual interest especially given the final two building configuration. Glazing, entrances, sidewalk access and a landscaped parking area are recommended.

4.0 Landscape Design

4.1 The 3 metre walkway at the buildings is a positive feature. Consider treating the walkway as a linear planting area. That means the paving is supported by structural soil that creates a greater area for tree roots. Trees could be planted away from the building and grates could be used for water infiltration and to protect the tree while allowing for pedestrian movement and snow clearing that would otherwise be compromised by an exposed planting bed.

4.2 Further to recommendation 2.1.1, no parking between the front building and the street will allow for the creation of a functional and attractive building forecourt. Such a space will serve as a necessary social space for business owners, employees and clients and could also serve as display space on occasion.

This UDPRP review is based on City planning and urban design policy, the submitted brief and noted presentation. It is intended to inform the ongoing planning and design process and represents support of the proposed development with the elimination of the parking between the building and street.

Transportation Planning and Design – January 26, 2016:

- TIA will need to account for Pen-Equity development
- Analysis of V/C, Delay, and Queuing required

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Z-8573
Sonia Wise

- The TIA comments do not take into account any further comments the MTO may have and may require further revisions.

Transportation Planning & Design – July 5, 2016:

Transportation has also reviewed and accepted the TIA, as part of the site plan and in keeping with the TIA recommendations Transportation will be looking for external works drawings for the construction/painting of a left turn lane to serve both accesses.

Detailed comments will be made at site plan review.

Urban Design – January 28, 2016:

Planning Services has reviewed the above noted site plan documents and provide the following comments consistent with the Official Plan and applicable by-laws and guidelines:

- In accordance with the SWASP (20.5.3.9 iii b), remove the row of parking and the drive aisle located in the front yard and locate the building closer to the street in order to define the street edge and contribute to an active street frontage.
- Parkland dedication has not been collected for the subject lands. Consistent with the regulations of the Ontario Planning Act, the applicant shall provide cash-in-lieu of parkland equal to 2% of the value of the property assessed on the day before the day of issuance of a building permit for the site. An appraisal undertaken by an Accredited Appraiser (AACI) is to be submitted to DS for review and the value of payment is to be included as a condition of site plan approval.
- There are some significant trees around the site and it would be beneficial to increase the amount of green space in the areas of the larger trees, reducing the construction impacts. This could probably be done through reduced parking areas.
- Urban Forestry is requesting that the developer register all trees being planted with the Million Tree website or seek to register them on their behalf. It is a free service that only takes a few minutes and can be found at www.milliontrees.ca. There would be recognition for the developer on this site and they would be contributing to the Million Tree Challenge of which the City of London is a partner in along with ReForest London.

Waste Water and Drainage – January 29, 2016: No comment

Ministry of Transportation – July 5, 2016

I can advise that we have no further concerns about this TIS, and all previous issues regarding the TIS and traffic generated from this development have been addressed.

MTO notes however, that the city may wish to investigate the need for geometric improvements on Wellington Road to improve projected traffic operations to/from the site, and MTO requests involvement in any studies, etc... which may be undertaken for this purpose.

PUBLIC LIAISON:	On January 13, 2016, Notice of Application was sent to 7 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 14, 2016. A “Possible Land Use Change” sign was also posted on the site.	1 reply was received
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Z-8573
Sonia Wise

Nature of Liaison: Change Zoning By-law Z.-1 from a Community Shopping Area (CSA4) Zone which permits a range of commercial and retail uses which serve the needs of the community or a number of communities located within convenient walking and/or driving distance, with a maximum gross floor area of 20,000m² for all properties within the zone, to an Associated Shopping Area Special Provision (ASA1/ASA2(_)/ASA3/ASA4) Zone which permits a wide range of retail, personal service, community facility, automotive and office with special provisions to add the Home Auto Supply Stores and Automobile Supply Store uses, and to allow a reduction of parking from 276 spaces required, to 271 spaces provided, and a reduced landscaped open space from 15% required, to 12.5% provided.

Responses: Request to be kept informed and for more information.

ANALYSIS

Provincial Policy Statement (PPS) 2014

The PPS requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses, and opportunities for a diversified economic base to meet long term needs (1.3.1 PPS). The proposed use of the site will support additional businesses and employment opportunities in an established commercial node. The PPS identifies settlement areas to be the focus of growth and development, and for their vitality and regeneration to be promoted (1.1.3.1). The site is within an existing settlement area and the proposal will provide a redevelopment of the under-utilized site.

The PPS requires that employment areas and associated infrastructure are to be preserved for current and future uses (1.3.2.1), and that employment areas located in proximity to major goods movement facilities and corridors are to be protected (1.3.2.3). The proposed redevelopment has nearly direct access to Highway 401 and maintains the existing employment function of the site, while supporting the future viability of the area.

Land use patterns within settlement areas shall be based on a mix of land uses and densities which efficiently use land and resources (1.1.3.2 a) 1)). The proposed commercial development will effectively utilize the existing municipal infrastructure and provides complementary commercial uses. The PPS further promotes a compact form and structure of nodes and corridors to support energy conservation and climate change adaptation through land use and development patterns (1.8.1 a)). The proposal is to redevelop a site within an existing node with proximate access to a major transportation corridor.

The PPS encourages a sense of place by promoting well-designed built form and cultural planning (1.7.1 d)). The site is located in a prominent position in proximity to Highway 401 and the proposed built form will improve the gateway aesthetics of the site location and commercial nature of the area. The PPS also supports opportunities for economic development and community investment-readiness, which is consistent with the enhanced ability of the subject site to attract businesses (1.7 PPS).

Southwest Area Secondary Plan (SWASP)

The site is within the boundary of the Southwest Area Secondary Plan (SWASP) which came into effect on April 29, 2014. The Southwest Area Secondary Plan was the result of a City-led process to guide the long-term management of growth for one of the City's last and largest reserves of land. The secondary plan provides vision, principles and policies to develop the Southwest Planning Area as a vibrant community, and recognize it as a significant gateway into the City. The plan further identifies various neighbourhoods as a basis for the focused review of planning applications to be used in conjunction with other Official Plan policies.

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**Z-8573
Sonia Wise**

Official Plan

The New Format Regional Commercial Node (NFRCN) designation is regarded as a major activity centre due to its large size and wide range of uses. NFRCNs generally serve the travelling public, and are typically located at the intersection of arterial roads occupying the various quadrants to create the node.

Use

Southwest Area Secondary Plan (SWASP)

The subject site is located within the Wellington Road/Highway 401 Neighbourhood where the intention for the lands is to continue to provide a range and mix of commercial and office uses, and to support and enhance the employment lands (20.5.15 i). There are a broad range of uses permitted in this neighbourhood, including those identified in the New Format Regional Commercial Node, Auto-oriented Commercial Corridor, Office Area, Regional Facility, and Light Industrial designations of the Official Plan (20.5.15 iii).

Official Plan

New Format Regional Commercial Nodes are intended to provide a broad range of commercial uses which meet specialized service and comparison shopping needs. In accordance with 4.3.6.3, the permitted uses in the NFRCN designation include all types of large and small-scale retail outlets including building supply, home improvement and furnishing stores, a limited range of automotive services, service-oriented office uses, and professional offices. The proposed uses are complementary to the properties directly abutting the site to the north and south as well as to nearby existing and future development.

The proposal is for a range of commercial, retail and office uses which are permitted through the requested Associated Shopping Area Zone, including 'home and auto supply stores' and 'auto supply stores' which are permitted through the 'retail store use'. The proposed redevelopment will enhance the overall commercial nature of the node and will broaden the commercial variety on site.

Intensity

Southwest Area Secondary Plan

The Southwest Area Secondary Plan directs consideration for Built Form and Intensity to the Urban Design objectives of the relevant Land Use designation in the Official Plan (20.5.15 iv)), which is the New Format Regional Commercial Node.

Official Plan

The NFRCN designation normally permits commercial development with a range from 35,000m² to 130,000m² of total gross floor area, and the subject node has approximately 60,000m² of existing gross floor area. Consistent with section 4.3.6.4, the intention is to redevelop a site within the existing designation with 5,236.7m² of gross floor area which is within the intended range for the designation and facilitates revitalization in the node. NFRCN designations are normally restricted to the existing zoned gross floor area, and expansions proposed are subject to a zoning by-law amendment. No expansion to the NFRCN node is proposed, though the change in zone will allow for additional gross floor area than the current permissions in the Community Shopping Area (CSA4) Zone.

Parking and Transportation

The proposed 5,236.7m² of gross floor area generates the need for 262 parking spaces based on the shopping centre parking rate of 1/20m². The shopping centre rate is applied to lands with

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Z-8573
Sonia Wise

four or more individual businesses including restaurants up to 30% of the gross floor area but does not include theatres. The proposal is providing a total of 264 parking spaces which meets and exceeds the minimum requirement by two spaces. The minimum number of barrier free parking spaces is two spaces plus 2% of the total required parking which equates to eight accessible parking spaces. There are a total of 10 accessible parking spaces provided as per the conceptual site plan. There are a total of 19 bicycle parking spaces required based on 7% of the total number of vehicle parking spaces which has been met and exceeded with the provision of 20 bicycle parking spaces.

The site has direct access to Wellington Road South and proximate access to Highway 401. A Traffic Impact Assessment and addendum has been accepted by the Ministry of Transportation and City staff that the traffic generated by the site will be supported by the existing arterial road and transportation network.

There are currently no sidewalks along Wellington Road South on either side of the road in this location though the site plan approval process will provide plans for a future sidewalk location and connections. The site has access to transit and is located within 200m of bus route #30.

Form

Southwest Area Secondary Plan

Gateway Location

The general policies of SWASP recognize that this area is the first contact that visitors arriving from Highways 401 and 402 will have with the City of London, and contain provisions to ensure that this gateway location showcases the city and creates a sense of civic pride (20.5.3.9). The arterial roads and transit corridors contained within the Southwest Plan Area are high capacity roads which serve as both a major entry way into the planning area, and the rest of the city. The intention is to achieve a balance between their transportation function as well as their ability to act as socially vibrant public spaces. These streets will have the highest form of design treatment including wide sidewalks, special tree and feature planting, paving, lighting and signage design (20.5.3.9. ii).

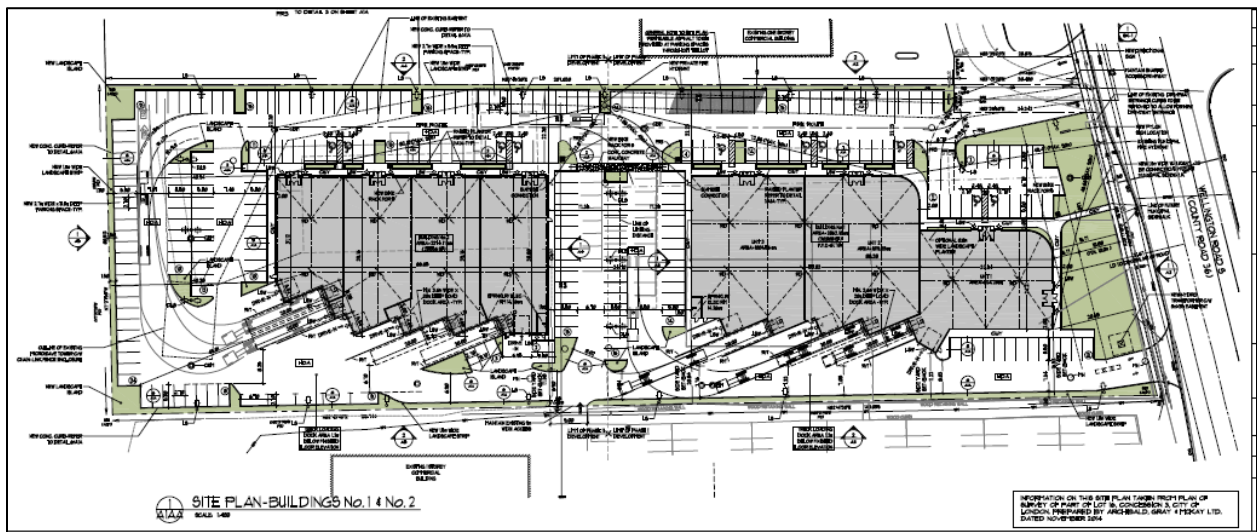


Figure 3: Conceptual Site Plan

Sites with frontages along Wellington Road and Highway 401 shall include a minimum 10m landscaped area with significant tree planting to enhance the gateway function of the “Forest City” image (20.5.15.v b)). The subject site is within the Wellington Road/Highway 401 Neighbourhood with direct frontage on Wellington Road South and has provided the 10m landscaped buffer on the conceptual site plan, which will also be reflected through a special provision to the zone.

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**Z-8573
Sonia Wise**

Furthermore, large stock tree-planting for development adjacent to arterial roads is encouraged, as is the use of planting technologies that provide for long term and sustainable growth (20.5.3.6. iii e)). Landscaped areas and planting on the municipal right-of-way and on private sites should be maximized to reduce the urban heat-island effect, improve air quality, moderate sun and wind and improve ground water recharge (20.5.3.2. ii)). Large stock tree-planting and planting technologies will be encouraged features through the site plan approval process at the time when the comprehensive site landscaping plan is reviewed.

Commercial Buildings and Site Plan

Policies for 'Buildings and Site Plans' are addressed in section 20.5.3.9 of SWASP which "are general policies that apply to the entire study area". Commercial development is encouraged to be in a main street format where retail and service commercial uses are oriented to the street to create a pleasant, pedestrian shopping environment, whether in stand-alone stores or in the ground floor of mixed-use buildings (20.5.3.9.iii b)). The principal public entrance of a building is required to provide direct access onto the public sidewalk, and "no parking, driveways, lanes or aisles shall be permitted between the buildings and public sidewalks" (20.5.3.9 iii) b)). This policy is consistent with and builds on the Urban Design Objectives for All Commercial Designations in the Official Plan which "discourage large front yard surface parking areas" (4.2.2. iv)). In such a case where the SWASP policies are more detailed or provide alternative direction than the Official Plan, the SWASP policies prevail (20.5.1.2). In this instance, the Official Plan Policies discourage front yard parking, and the SWASP policies prohibit front yard parking or drive aisles.

The conceptual site plan provided for this Zoning Amendment Application shows no parking spaces, drive aisles and driveways located between the building and public sidewalk which is compliant with the SWASP policies. A special provision will be incorporated into the site specific zoning to address these design items at the time of site plan approval.

Parking and Loading

Off-street parking areas shall be designed to reduce their visual impact on both the adjoining streetscape and on people using the site and or facility by the appropriate use and location of screening (20.5.3.9. iii) b) g)). Parking lots for commercial developments are to be located at the side or rear of the main building, and appropriate buffering shall be provided between parking areas and 'back-of-building' functions such as loading/receiving areas and garbage/storage areas and adjacent land uses. The loading areas will be segregated from the general parking areas to minimize potential conflicts. These items as well as the consideration for garbage storage and enclosures will be addressed through the Site Plan Approval Process.

Landscaping or decorative paving is to be used to reduce the visual expanse of large parking areas. The interior of the site is to be designed to give pedestrian connections from the public right-of-way priority through the site/parking field, while enhancing the pedestrian environment and ensuring the site is easily navigable. The consideration of landscaping, decorative paving and pedestrian connectivity through the site shall be further refined at the time of Site Plan Approval.

Official Plan

The SWASP policies for 'Built Form and Intensity' refer back to the Urban Design Objectives of the relevant official plan designation, which is the NFRCN designation.

New Format Regional Commercial Nodes typically have a 'big-box' form of development, and free-standing structures along the street frontage are encouraged. There are two separate buildings proposed for the site, which both accommodate several individual units. One building is proposed to be situated towards the east of the site along the frontage of Wellington Road South to address and define the street edge, and the second building is towards the west or

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Z-8573
Sonia Wise

rear of the site divided by parking and drive aisles. The buildings have a similar height to the adjacent properties and are consistent with the commercial form and character of the immediate area.

The vehicular access for the site is located towards the north of the property and is shared as a mutual driveway with the property towards the north, 4397 & 4407 Wellington Road South. Utilizing a joint access from an arterial road is desirable to minimize the number of individual entrances to higher-order streets. Additionally, there is a common internal access with the property to the south at 4425 Wellington Road South which provides for coordinated vehicle circulation without requiring exiting and entering from Wellington Road South.

Zoning By-law Amendment

The requested amendment to the Zoning By-law is to an Associated Shopping Area Special Provision (ASA1/ASA2(_)/ASA3/ASA4) Zone. The Associated Shopping Area zone variations would provide for a broad range of commercial uses, and the requested special provision requires a 10m landscaped open space setback along the Wellington Road South frontage and prohibits parking spaces, driving aisles and turning lanes to be located between the main building and the sidewalk.

The recommendation is to zone the site Associated Shopping Area Special Provision (ASA2(_)) to apply the special provisions to the site as well as to allow the requested uses in the Associated Shopping Area ASA1/ASA3/ASA4 zone variations.

Remnant Community Shopping Area (CSA) Zone

The subject lands are currently zoned Community Shopping Area (CSA4) Zone. The CSA4 zone permits a maximum Gross Floor Area (GFA) of 20,000m² which is distributed proportionately based on lot size for all properties within the zone rather than specified by individual sites. In this instance, five (5) other adjacent properties are zoned CSA4 and share the allocation of 20,000m² of GFA. The subject lands represent approximately 12% of the total land within the zone. Proportionally, this equates to the subject lands having an allocated maximum GFA of 2,420m², out of the available 20,000m². The proposed zoning amendment will remove land from the Community Shopping Area (CSA4) Zone, and create two separate CSA4 'pockets' instead of the existing one contiguous zoned area.

The impact will be a doubling of the available gross floor area as the maximum gross floor area will be applied to the zone boundary which equates to two pockets with 20,000m² each, whereas previously it was one area with 20,000m² maximum. In the case of the subject node, the majority of the properties within the CSA4 zone already exceed the allocated gross floor area, and the removal of 4425 Wellington Road South will bring the remaining sites into better conformity with the existing zoning regulations without significantly altering the amount of gross floor area or commercial expansion within the node.

London Plan

The London Plan was approved by Council on June 23, 2016 and will provide the future framework for planning and development in the City of London upon adoption and endorsement by the Province of Ontario.

The London Plan place type for 4425 Wellington Road South is 'Shopping Area' which is intended to provide a wide range of retail, service, business, recreational, social and educational uses. Shopping Areas are to service the immediate area and provide a walkable focal point, though in some cases, these centres may be very large and serve a much broader population, and may not be directly tied to an individual neighbourhood or community.

Furthermore, the London Plan recognizes secondary plans such as the Southwest Area Secondary Plan form part of the London Plan. The parent policies of the London Plan will be

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Z-8573
Sonia Wise

read together and in conjunction with the Secondary Plan, though if there is a conflict or inconsistency between the parent policies of the London Plan and the Secondary Plan, the Secondary Plan policies will prevail (paragraph 1558, London Plan).

The range of uses, intensity and form proposed for the redevelopment of the subject site is generally consistent with the intended function of the Shopping Area Place Type, and consistent with the policies of SWASP.

CONCLUSION

The proposed zoning amendment conforms to the relevant provincial and municipal policies and will revitalize an existing commercial site. The range of commercial uses proposed will contribute positively to the node and strengthen the appearance and function of the general area. The design of the site will showcase the gateway location into the city through the use of enhanced landscaping and building location.

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

May
/sw

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Z-8573
Sonia Wise

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

<u>Telephone</u>	<u>Written</u>
Basil Livingston	Labreche Patterson and Associates (received via the minor variance application process)

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Z-8573
Sonia Wise

Received through Minor Variance Application A.126/15



Labreche Patterson & Associates Inc.

Professional Planners, Development Consultants, Project Managers

Via Email: lpompili@london.ca

Our File: P-857-15.

August 27, 2015

Lou Pompili, Manager of Development Planning
London City Hall
300 Dufferin Avenue
PO Box 5035
London, ON.
N6A 4L9

Dear Mr. Pompili:

**Re: Minor Variance Application No. A.126/15 and Pending Site Plan Application
4425 Wellington Road South, London, ON.**

As you are aware the above noted Minor Variance Application was considered by the Committee of Adjustment at its meeting on August 10, 2015 and we attended that meeting and provided written submission comments to the committee as well as verbally at this meeting. It was a pleasure to meet with you briefly just before this committee meeting to discuss this application. As you are also aware, we represent Nesan Holdings Ltd. who are the owners of lands municipally addressed as 4397 and 4407 Wellington Road South. These lands are directly abutting on the north side of the subject lands to the above noted Minor Variance Application.

We met with Mr. Harry Froussios, applicant for application A.126/15 also just prior to the committee meeting on this matter to outline our concerns with the initial application and potential negative effects of the extend of the variances being requested. Mr. Froussios requested the application be revised at the committee to reduce the amount of floor area proposed from 5520sq.m. to 2850sq.m. This reduction in floor area also resulted in no further need to seek a variance to the required parking as requested in the original application. Attached for ease of reference is a copy of the Committee of Adjustment decision on this revised application. This revised application accommodates the intended "Phase 1" of the proposed site re-development which we understand the land owner/developer would like to achieve in terms of site redevelopment and intended tenant requirements known at this time.

As described in our previous letter on this matter, given that there is a shared access between our client's lands and the subject lands along with directly abutting parking areas for both properties, the properties are intrinsically tied to some extent. In this regard, we had requested the committee of adjustment to add a note to their considerations of the minor variance approval that we be notified of a "formal" Site Plan Application being submitted for the now proposed 2850sq.m (30,678sq.ft.) new building on the subject lands. This request relates specifically to the shared access. In this regard and as stated in our previous letter, it is our wish that the proposed building in the Phase 1 development of the site (see second attachment hereto) be set back further into the site to allow a double row of parking in front of the proposed new building. This would keep existing conditions along Wellington Road as well as keep operational characteristics similar to what exists today with the shared access

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Z-8573
Sonia Wise

2

and parking areas directly abutting the shared access. Providing a double row of parking at the front of the proposed new building would provide a more open and free flow of traffic at and around the shared access in keeping with how it operates currently. If this was not possible for unknown reasons at this time, then at the very least we would want to ensure that the proposed new building is not moved even closer to Wellington Road South, then what is shown on the second attachment hereto also attached to the Committee of Adjustment, Minor Variance Application. If the building was moved even closer to the street than what is shown on the attached through the pending Site Plan Application process, then that would negatively affect current operational characteristics of the shared access including traffic movement to our clients lands as well as their future development rights and objectives which would not be acceptable.

Thank you again for your consideration and in advance of notifying us when a formal Site Plan Application is submitted to facilitate the now proposed 2850sq.m (30,678sq.ft.) building on the subject lands.

Yours truly,
Labreche Patterson & Associates Inc.,



Victor Labreche, MCIP, RPP
Senior Principal

Attach.

Cc: (all via e-mail)
Basil Livingston, Nesan Holdings Ltd.
Eric Conway, Site Plan Approval Officer, City of London
Michael Pease, Planner II, City of London
Peter Sikic, Secretary-Treasurer, London CofA
Harry Froussios, Zelinka Priamo Ltd.
Gino Natale, Natale Architect Inc.

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Z-8573
Sonia Wise

Bibliography of Information and Materials
Z-8573

Request for Approval:

City of London Zoning Amendment Application Form, completed by Harry Froussios, December 23, 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. Southwest Area Secondary Plan. 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.

F.R. Berry & Associated. Transportation Impact Assessment. December, 2015.

Zelinka Priamo Ltd. *Planning Justification Report*, December 1, 2015.

Zelinka Priamo Ltd. *Urban Design Brief*, March 31, 2015.

City of London. Staff Report A.126/15. 2015.

Correspondence: (all located in City of London File No. Z-8573 unless otherwise stated)

City of London -

Smolarek, J., City of London Urban Design. Memo to E. Conway. January 28, 2016.

Page, B. City of London Environmental & Parks Planning. Email to S. Wise. January 20, 2016.

Giesen, A., City of London Transportation Planning and Design. Various emails to S. Wise. January 26, 2016.

Abushehada, I., City of London Development Services – Engineering. Memo to S. Wise. February 8, 2016.

Conway, E., City of London Development Services – Planning. Various emails with S. Wise. February 8, 2016.

UDPRP. Memo for Site Plan Consultation. April 15, 2015.

Departments and Agencies -

Bezzina, J., London Hydro. Memo to S. Wise. January 15, 2016.

Lucente, J. Ministry of Transportation. Various emails with S.Wise. January – July, 2016.

Other:

Site visit January 13, 2016

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**Z-8573
Sonia Wise**

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 4425
Wellington Road South.

WHEREAS Dineen Construction Corporation has applied to rezone an area of
land located at 4425 Wellington Road South, as shown on the map attached to this by-law, as
set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands
located at 4425 Wellington Road South, as shown on the attached map comprising part of
Key Map No. A111, from a Community Shopping Area (CSA4) Zone to an Associated
Shopping Area Special Provision (ASA2(_)) Zone.
- 2) Section Number (24.4) of the Associated Shopping Area (ASA2) Zone is amended by
adding the following Special Provision:

- ASA2() 4425 Wellington Road South
 - a) Permitted Uses
 - i) Those uses permitted in the ASA1/ASA2/ASA3/ASA4 Zones
 - b) Regulations
 - i) Front Yard Landscaped Open Space Setback 10m (33ft)
(minimum)
 - ii) No parking spaces, driving aisles, or driveways permitted
between the main building and the sidewalk

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 August 30, 2016.

Matt Brown
Mayor

Agenda Item # Page #

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Z-8573
Sonia Wise

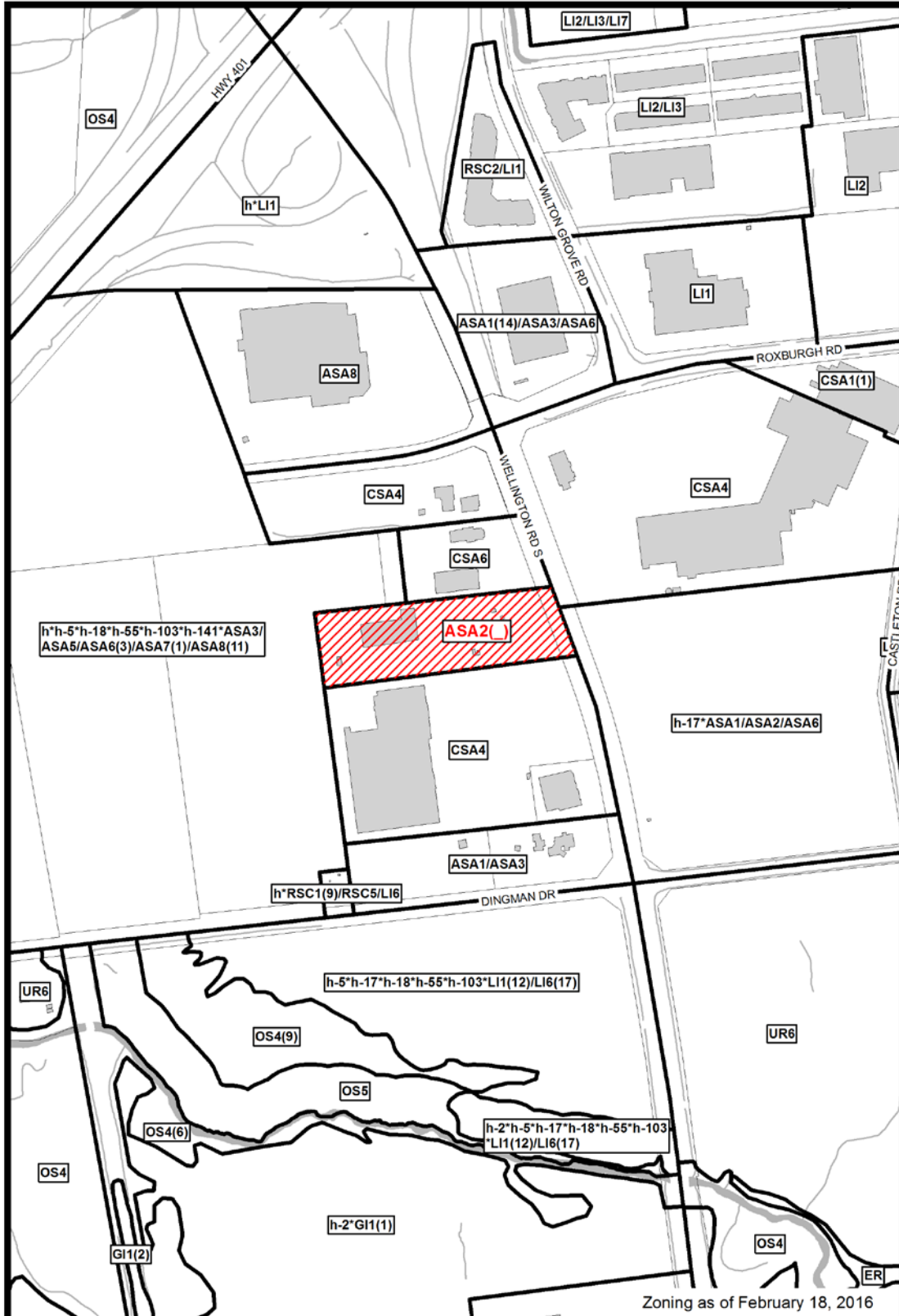
Catharine Saunders
City Clerk


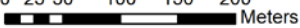

First Reading - August 30, 2016
Second Reading - August 30, 2016
Third Reading - August 30, 2016

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Z-8573
Sonia Wise

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



<p>File Number: Z-8573 Planner: SW Date Prepared: 2015/03/30 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:5,000</p> <p>0 25 50 100 150 200  Meters</p> <p></p>
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Geodatabase