

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: BALASKA MEDICINE PROFESSIONAL CORPORATION 551 KNIGHTS HILL ROAD PUBLIC PARTICIPATION MEETING ON NOVEMBER 28, 2016

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Balaska Medicine Professional Corporation relating to the property located at 551 Knights Hill Road the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 6, 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 Convenience Commercial (CC) Zone, **TO** a Convenience Commercial Special Provision (CC1(_)) Zone.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

“None”

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to permit medical/dental offices within the existing building (376m²) and a potential reduction in parking will be considered.

RATIONALE

1. The recommended Zoning By-law amendment is consistent with the Provincial Policy Statement 2014, which promotes healthy, liveable and safe communities by accommodating an appropriate range and mix of uses.
2. The recommended amendment is consistent with the Official Plan related to existing Convenience Commercial uses located in residential designations.
3. The recommended zone facilitates increased usability of the subject site by accommodating additional uses that are appropriate and compatible with the surrounding area, providing an increased opportunity to effectively utilize the existing building.
4. The recommended amendment is not anticipated to create any new negative impacts beyond those that could have previously occurred with the previous uses permitted on the subject site.

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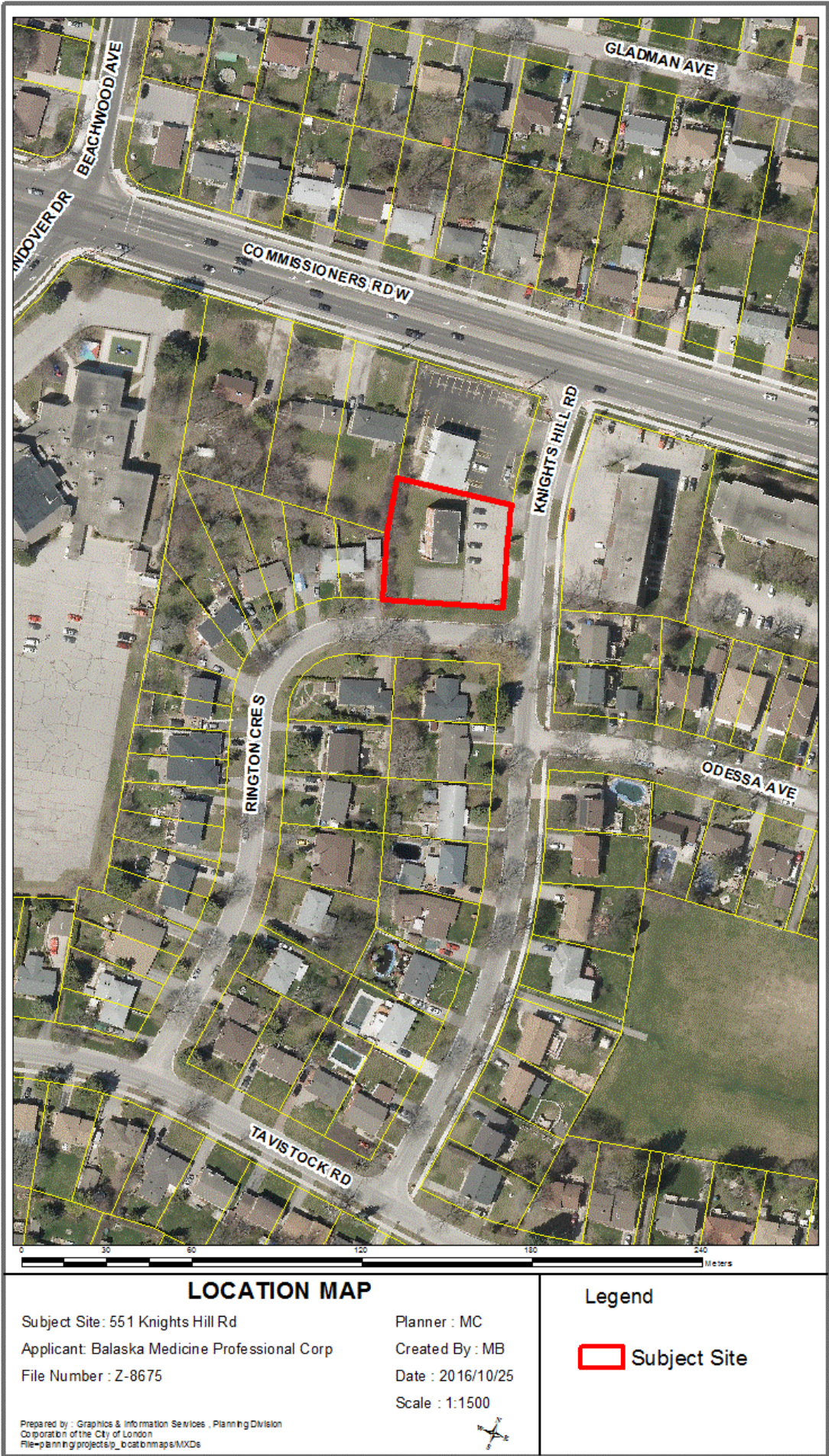
BACKGROUND

Date Application Accepted: August 28, 2016	Agent: Matt Campbell (Zelinka Priamo Ltd.)
REQUESTED ACTION: Possible change to Zoning By-law Z.-1 FROM a Convenience Commercial (CC) Zone TO a Convenience Commercial Special Provision (CC1(__)) Zone	

SITE CHARACTERISTICS:
<ul style="list-style-type: none">• Current Land Use – Commercial Building• Depth – 42.5m (140ft)• Area – 0.1671ha (1671m2)• Shape – Rectangular

SURROUNDING LAND USES:
<ul style="list-style-type: none">• North - Commercial/Office/Residential• South - Low Density Residential• East - Low and Medium Density Residential/ Small Scale Commercial• West - Low Density Residential / Commercial

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none">• Multi-Family, Medium Density Residential
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none">• Convenience Commercial (CC)



PLANNING HISTORY

“None”

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

City of London Transportation Planning & Design

- Transportation has no comments to offer concerning the re-zoning application for 551 Knights Hill Road.

UTRCA

- The UTRCA has no objections to this application.

PUBLIC LIAISON:	On August 31, 2016, Notice of Application was sent to 75 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 September 1, 2016. A “Possible Land Use Change” sign was also posted on the site.	1 reply was received
Nature of Liaison: The purpose and effect of this zoning change is to permit medical/dental offices within the existing building (376m ²) and a potential reduction in parking will be considered. Possible change to Zoning By-law Z.-1 FROM a Convenience Commercial (CC) Zone TO a Convenience Commercial Special Provision (CC1(__)) Zone		
Response: - Seeking confirmation that a methadone dispensary/clinic, needle exchange or injection site, marijuana dispensary, and the sale of marijuana would not be permitted on the site.		

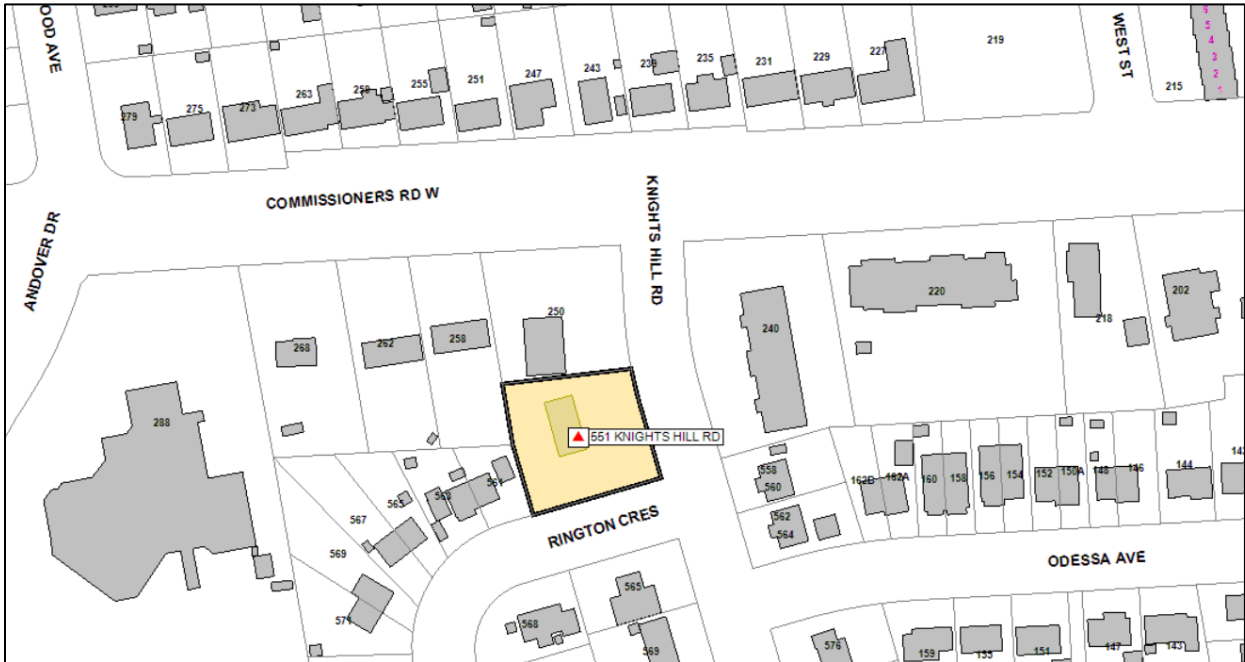
ANALYSIS

Subject Site

The subject site is located one property south of Commissioners Road West on Knights Hill Road. There is an existing 2.5 storey building which is currently used for personal service and commercial uses. To the north of the site is a similar building that has recently gone through renovations and functions as a dental office. Commissioners Road West is lined with residential uses ranging from single detached dwellings and apartments with several office conversions as well. To the west are single detached dwellings with a commercial node located at the entrance of the community at Andover Drive and Commissioners Road West. To the south and east of the subject site are low density residential uses mainly made up of single detached dwellings.

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Nature of Application

The application is to provide for a medical/dental office use on the subject site which would be located within the existing building (376m²) while maintaining the existing level of parking. The application recognizes the site is already zoned for convenience commercial uses and has applied for a different Convenience Commercial zone variation that would permit the medical/dental office use along with dwelling units in conjunction with any other permitted use.

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. Section 1.1 *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term

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needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs and encourages settlement areas to be the main focus of growth and development.

This recommended amendment ensures that additional growth is accommodated within a settlement area and increases the vitality of the site and surrounding area by contributing to the mix of uses on the site. The proposed additional uses can efficiently use the existing infrastructure and public service facilities in place while requiring no additional land consumption or servicing costs. The proposal will effectively reuse the existing building which will help support and contribute to a healthy and livable community.

Section 1.3 *Employment* of the PPS requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses, and providing opportunities for a diversified economic base. The additional uses being recommended through the zoning amendment will allow the subject site the ability to offer an appropriate mix and range of employment uses and allow the subject site the opportunity to diversify its economic base. The amendment also achieves the goal of Section 1.7 *Long-Term Economic Prosperity* in the PPS which supports opportunities for economic development and community investment-readiness. The amendment increases the ability of the subject site to attract businesses thereby supporting the long term prosperity of the area.

Official Plan

Use

The Official Plan identifies that the *“preferred location for convenience commercial uses and service stations is within the various Commercial land use designations. However, they are also permitted in the Multi-Family, Medium Density Residential designation, by Official Plan amendment and zone change subject to the criteria in policy 3.6.5. of this Plan.”* [3.6.5]

The Multi-Family, Medium Density Residential designation recognizes existing convenience commercial and service station uses which meet the locational and land use compatibility criteria established in policy 3.6.5. The location of those existing Convenience Commercial uses and Service Stations that are recognized by the Plan and are shown on Appendix 1, Convenience Commercial and Service Stations [3.6.5 i), ii)c), iii), iv)a)]. The subject site is one of those locations which has been recognized as a Convenience Commercial use in a residential designation as the use existed on the date of adoption of this Plan, and is recognized as a legal use. The existing development also meets the required function outlined in the Official Plan as the building is designed to function at a neighbourhood scale while providing services to surrounding residential areas and the travelling public. Additionally, the proposed uses are considered compatible with surrounding land uses and are not anticipated to have a serious adverse impact on the traffic-carrying capacity of roads in the area.

The Official Plan also limits uses within the Convenience Commercial zones based on the size of the subject site to help with compatibility issues. Convenience commercial sites that are under 500m² in size are permitted a reduced range of uses while those in excess of 500m² are permitted the full range of uses permitted in the CC zone variations. The subject site is over the 500m² existing at approximately 1671m² permitting the wider range of uses [3.6.5 ii)a)] proposed as part of the current rezoning application.

Appendix 1 to the City of London Official Plan - Convenience Commercial and Service Stations



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Intensity

The subject site has previously accommodated with individual commercial tenants, personal service establishment uses and vacant space. The most restrictive parking requirement applied to facilitate the existing uses was 1 space per 10m² for personal service establishments and the other uses existed at a parking rate of 1 space per 15m². The proposed medical/dental office would be the least restrictive of the permitted uses at a rate of 1 space per 20m² as it considered a converted medical/dental office. The resulting parking requirement if the proposed use were to occupy the whole of the building would be a parking requirement of 19 spaces. The site currently provides for 17 parking spaces and has not encountered any parking constraints with the current mix of uses on the site. Staff is recommending that a reduction in parking be permitted which recognizes the existing parking configuration as appropriate. Any future redevelopment of the site would be required to conform to the Zoning By-law and its parking standards. If a proposal exceeded the requirements because of an increase in intensity it would require a subsequent application under the Planning Act.

The applicant has requested that a medical/dental office use be permitted within the whole of the existing building which has a total gross floor area of 376m². The CC zone only permits "Other uses" such as medical/dental offices a total gross floor area of 300m². Staff is recommending that the proposed use be able to exceed the total gross floor area of 300m² and be permitted within the whole of the existing building. Any future purpose built medical/dental office on the site however would be required to conform to the Zoning By-law requirement as the parking rate for a purpose built medical dental office is 1per 15m² which would increase the required parking and potentially restrict the size of the building envelope.

Form

The existing building form consists of a 2.5-storey building situated on the rear portion of the site in keeping with the abutting building with a similar form. The proposed recommendation will have no change on the existing form and the applicant has identified a desire to do exterior upgrades to the building to make it more attractive, similar to the building directly north (see image below).



The existing form is in keeping with section 3.6.5 v) (Form of Development) of the Official Plan

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as the building can function as a stand-alone use or accommodate a mix of small scale uses. The limited size of the building and parking area will ensure that its scale will not result in the creation of a large free standing commercial use that should be located in other commercial designations. The scale of the existing development is also appropriate as it has proven to be compatible within the surrounding land uses and community and there is no reason that a medical/dental office use cannot function at this scale of development while maintaining its compatibility. The Official Plan also notes that the scale of development should not exceed 1000m² which the current structure does not. The current building exists at a size of 376m² and the CC zone limits lot coverage to 30%. Given the size of the subject site, a new building could be constructed with a maximum building size at one-storey of 501m² and at two storeys would still be consistent with the 1000m² maximum. Parking requirements however would limit the ability of the site to create a building of that size ensuring future compatibility within the community.

Zoning

The recommended zone will permit two additional uses on the site which include medical/dental offices, which has been identified as the main use on the site, and dwelling units as long as one of the other additional permitted uses is being used on the site. Staff is supportive of the dwelling unit as it provides a potential mixed use building on the site with residential units. This would also reduce parking requirements and intensity of uses on the site. Staff is also supportive of the plan to re-use the existing building for a medical/dental offices in the entirety of the building at 376m². This provides the opportunity to fully utilize the existing infrastructure on the site and maintain an existing level of compatibility in the community. The recommended By-law will allow the increased GFA to be permitted within the existing structure and recognize the existing 17 parking spaces where 19 are required but will require any new building to conform to the existing zone regulations as greater restrictions are imposed on purpose-built medical/dental office buildings.

London Plan Analysis

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 approval by the Province of Ontario.

The London Plan identifies 551 Knights Hill Road as a 'Neighbourhood' place type with frontage onto a neighbourhood street (Knights Hill Road). The permitted uses for this site would range from single detached, semi-detached, duplex, converted dwellings (max 2 units), secondary suites, home occupations and group homes at a height ranging from 1 to 2.5 storeys. In this instance the subject site would not permit a medical/dental office however the existing 2.5 storeys would be permitted. A minimum street classification to permit a standalone medical/dental office would be the intersection of a Civic Boulevard/Urban Thoroughfare and another Civic Boulevard/Urban Thoroughfare. Medical/Dental Office uses would also be permitted in a mixed use building at the intersection of two Neighbourhood Connectors or greater.

CONCLUSION

The recommended amendment is consistent with the Provincial Policy Statement 2014, which promotes healthy, livable and safe communities by accommodating an appropriate range and mix of uses. It is also consistent with the Official Plan related to existing Convenience Commercial uses located in residential designations. The recommended zone facilitates increased usability of the subject site by accommodating additional uses that are appropriate and compatible with the surrounding area, providing an increased opportunity to effectively utilize the existing building and on-site parking is capable of supporting the requested uses without resulting in any negative impacts onto abutting uses.

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

October 27, 2016
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Responses to Public Liaison Letter and Publication in “The Londoner”

<u>Written</u>
Donald and Shirley Cornell per CORNELL PROPERTIES 220 Commissioners Road West

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Bibliography of Information and Materials
Z-8675

Request for Approval:
City of London Zoning By-law Amendment Application Form, completed by Zelinka Priamo Ltd. on behalf of Balaska Medicine Professional Corporation, August 4, 2016.

Reference Documents:
Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, 2014.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

Zelinka Priamo. *Planning Justification Report*, July 29, 2016.

Correspondence: (all located in City of London File No. Z-8675. unless otherwise stated)

City of London -

Lambert B., City of London Development Services. Memo. September 22, 2016.

Geisen A., City of London Transportation. Email. September 6, 2016.

Departments and Agencies -

Creighton C., UTRCA. Letter to M. Corby. September 20, 2016.

Other:
Site visit November 7, 2016 and photographs of the same date.

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. Z.-1-17_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 551
Knights Hill Road.

WHEREAS Balaska Medicine Professional Corporation applied to rezone an
area of land located at 551 Knights Hill Road, 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 551 Knights Hill Road, as shown on the attached map comprising part of Key
Map No. A.107, from a Convenience Commercial (CC) Zone to a Convenience
Commercial Special Provision (CC1()) Zone.
- 2) Section Number 29.4 of the Convenience Commercial Zone (CC1) Zone is amended by
adding the following Special Provision:
-) CC1() 551 Knights Hill Road
- a) Regulation[s]
- i) Medical/Dental Office In Existing Building
- ii) Medical/Dental Office As Existing
Parking

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 December 6, 2016.

Matt Brown
Mayor

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Catharine Saunders
City Clerk

First Reading - December 6, 2016
Second Reading - December 6, 2016
Third Reading - December 6, 2016

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

