

--	--

File: O-8680  
Planner: L. Maitland

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: OLD OAK PROPERTIES INC. PUBLIC PARTICIPATION MEETING ON NOVEMBER 28, 2016

<b>RECOMMENDATION</b>
-----------------------

- 1) That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Old Oak Properties Inc. relating to the lands located within the Southwest Area Secondary Plan:
- (a) the request **TO DELETE** the portion of Section 20.5.3.9(iii)(g) which states “*for all office and apartment building development, parking shall be located underground in a structure integrated into the building;*” **BE REFUSED** at the Municipal Council meeting on December 6, 2016 for the following reasons:
    - i. The requested amendment is not consistent with Section 1.1.3.2, 1.1.3.4 and 1.7.1 of the Provincial Policy Statement which promote the efficient use of land and resources through compact form and quality public realm;
    - ii. The requested amendment would remove policies for the Southwest Area that are otherwise not provided for through the Official Plan thereby removing all guidance on this matter;
    - iii. The requested amendment is not consistent with 20.5.1.3 of the Southwest Area Secondary Plan which provide for compact form and efficient use of land;
    - iv. The requested amendment is not consistent with policies 273 and 275 of the council approved London Plan; and,
  - (b) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 6, 2016 to amend the Official Plan to amend the Southwest Area Secondary Plan **BY REPLACING** the policy within 20.5.3.9.(iii)(g) which refers to “for all office and apartment building development, parking,” with the policy provided in Appendix “A”

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
--

May 30, 2016 – London Psychiatric Hospital Lands & South West Area Secondary Plans - PPM

June 24, 2015 – Planning and Environment Committee – London Psychiatric Hospital Lands & Southwest Area Secondary Plans – Information Report.

July 22, 2014 – Report on the outcome of the Southwest Area Secondary Plan hearing at the Ontario Municipal Board.

October 15, 2012 – Public Participation Meeting before Planning and Environment Committee to adopt the Southwest Area Secondary Plan.

--	--

**File: O-8680**  
**Planner: L. Maitland**

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
---

The recommendation serves to refuse an Official Plan amendment application that seeks to delete a policy regarding parking in association with office and apartment buildings.

The purpose and effect of the recommended Official Plan amendment is to amend the Southwest Area Secondary Plan policy which requires the provision of underground structured parking in association with all office and apartment building development to permit a broader range of parking arrangements in association with these uses and guiding the placement of parking.

<b>RATIONALE</b>
------------------

The recommended action is supported based on the following rationale:

- a) the recommended amendment is consistent with the Provincial Policy Statement, 2014;
- b) the recommended amendment conforms to the policies of the Official Plan and The London Plan;
- c) the requested amendment would have the effect of leaving the Southwest Area Plan without urban design policies regarding parking in conjunction with office and apartment buildings and is therefore inappropriate; whereas,
- d) the recommended amendment provides urban design policies regarding parking in conjunction with office and apartment buildings which allows for development supported under the Southwest Area Secondary Plan.

<b>BACKGROUND</b>
-------------------

<b>Date Application Accepted:</b> September 2, 2016	<b>Agent:</b> Michelle Doornbosch, Zelinka Priamo
<b>REQUESTED ACTION:</b> Delete the following policy from policy 20.5.3.9.(iii)(g) of the Southwest Area Secondary Plan: <i>“for all office and apartment building development, parking shall be located underground in a structure integrated into the building.”</i>	

<b>PLANNING HISTORY</b>
-------------------------

The Southwest Area Secondary Plan was approved in October of 2012. The Secondary Plan was appealed to the Ontario Municipal Board, following a hearing the Board issued its notice of decision April 29, 2014. In May of 2016 additional amendments were made to the secondary plan to account for the upcoming adoption of The London Plan.

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
---

**Cycling Advisory Committee:** the Civic Administration BE ADVISED that the CAC opposes the amendment outlined in the application by Old Oak Properties Inc. relating to the property located within the Southwest Area Secondary Plan as it makes an environment that is less conducive to cycling, increases the risk to cyclists and the CAC recommends that underground parking for cyclists be a requirement.

Agenda Item #	Page #

File: O-8680  
Planner: L. Maitland

**Agricultural Advisory Committee:** the Civic Administration BE ADVISED that the AAC expressed opposition to the Official Plan Amendment proposed in the Notice dated September 7, 2016, from L. Maitland, Planner I, with respect to an application submitted by Old Oak Properties Inc., relating to the Southwest Area Secondary Plan for the following reasons:

- i) the Southwest Area Secondary Plan is large enough as it currently stands;
- ii) surface parking lots negatively impact water health and water runoff;
- iii) there is nothing to stop water runoff into Dingman Creek thereby polluting water quality;
- iv) a blanket repealing of the Policy is preferred so that applications can be reviewed on a case by case basis;
- v) the larger footprint of the building, with a surface parking lot, will impact surrounding agricultural land, including the shadowing from the building; and,
- vi) the potential increase of urban sprawl to the detriment of agricultural land;

**Wastewater and Drainage Engineering:** WADE has no comment.

**Development and Compliance Services:** We received no engineering concerns from the Wastewater, Stormwater, and Water Divisions. We did not receive comment from the Transportation Division.

**Upper Thames River Conservation Authority:** The UTRCA has no objections to this application.

**Conseil Scolaire Viamonde:** The Conseil scolaire Viamonde (French public school board) has no comments regarding file O-8680.

<b>PUBLIC LIAISON:</b>	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on September 8, 2016.	0 replies were received
<b>Nature of Liaison:</b> The purpose and effect of this Official Plan amendment is to delete a policy that requires all parking for office and apartment buildings located within the Southwest Area to be provided underground. Possible amendment to the Southwest Area Secondary Plan by <b>DELETING</b> the following policy from policy 20.5.3.9.(iii)(g), “for all office and apartment building development, parking shall be located underground in a structure integrated into the building”. In the alternative, the City may apply additional policy guidance with respect to the location and requirement for the construction of structured and underground parking.		
<b>Responses:</b> none received.		

ANALYSIS

NATURE OF THE APPLICATION

The application requests that the general policy in Section 20.5.3.9 iii), specifically the portion which directs parking in relation to apartment and office buildings be deleted. The current policy reads: “for all office and apartment building development, parking shall be located underground in a structure integrated into the building”.

The effect of deleting this policy would leave the Southwest Area Secondary Plan without specific urban design guidance regarding the location of parking for office and apartment building development.

Agenda Item #	Page #

File: O-8680  
Planner: L. Maitland

### PROVINCIAL POLICY

The Provincial Policy Statement, 2014 (PPS) provides guidance for land use planning in the province of Ontario. Section 1.1.3.2 of the PPS directs municipalities that: “Land use patterns within *settlement areas* shall be based on: ... efficiently use land and resources; ... support *active transportation*; [and] are *transit-supportive*, densities and a mix of land uses which where transit is planned, exists or may be developed.” Together this policy encourages compact form which is more positively achieved when parking is structured above or below grade rather than spread across the surface of a lot. The Cycling Advisory Committee in their comments echoed this point noting that surface parking fields are not conducive to the provision of active transportation.

The PPS also speaks specifically to compact form. In policy 1.1.3.4 the PPS directs that: “Appropriate development standards should be promoted which facilitate *intensification, redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.” Compact form is not achieved through surface parking and the need for policy to direct parking underground or in structures is supported. The Agricultural Advisory Committee’s comments speak to both halves of the PPS policy quote noting that a lack of compact form risks agricultural land and that increases in impermeable cover, such as paved surface parking fields, negatively affect “water health and water runoff”.

The PPS in 1.7.1 speaks to pedestrian-friendly streetscapes stating in d) that “encouraging a sense of place, by promoting well-designed built form” supports long-term prosperity. The recommended amendment restricts the protrusion of surface and above ground parking to enforce a well-designed built form in c9omformtiy with the policies of the PPS.

Provincial policy is not supportive of the large surface parking fields that would be required to service larger office and apartment buildings which may result if the requested amendment to delete a portion of policy 20.5.3.9(iii)g) is approved.

### OFFICIAL PLAN

The Official Plan currently has Urban Design policies in Chapter 11 which speak to general principles to be reflected in the design of new developments throughout the city. Section 11.1.1 of the Urban Design chapter provides policy on parking relevant in the consideration of the proposal.

*Parking and Loading xiii) Parking and loading facilities and driveways should be located and designed to facilitate maneuverability on site, between adjacent sites where appropriate, and to reduce the traffic flow disruption resulting from turning movements to and from the property.*

The policy, though relevant, is general and does not offer specific guidance for office and apartment buildings placement of parking areas on-site, or the form of parking. For this reason additional policy was developed through the creation of the Southwest Area Secondary Plan to provide additional policy on the design and type of parking preferred. As stated in 20.5.1.2 of the Southwest Area Secondary Plan, outlining the Secondary Plan’s purpose, the Secondary Plan “provides a greater level of detail than the general policies in the City Official Plan. The Official Plan relies on the Southwest Area Secondary Plan to provide more specific guidance on parking in relation to office and apartment building development and this is recognized in the Secondary Plan’s statement of purpose. Given the lack of specific policy direction in the Official Plan, the removal of the Secondary Plan policy directing parking in relation to office and apartment building development would be inappropriate and leave this area of the City without specific guidance on this matter.

### THE LONDON PLAN

Under the London Plan the City Design section has parking policies directing the appropriate form for parking in association with a given land use/building type. Policy 275 provides general

--	--

File: O-8680  
Planner: L. Maitland

guidance for the types of buildings referenced in the SWAP policy in question. The policy reads “Parking should be located underground for large buildings, such as high-rise residential buildings, office buildings, and mixed-use buildings.” This policy directs parking underground for large buildings but does not provide guidance for smaller scale office and apartment building development, referenced in the relevant SWAP policy, where structured parking may be the appropriate method to meet parking requirements.

The London Plan does provide guidance on structured parking as well. Policy 273 states that: *“Parking structures will be integrated into the design of buildings to ensure the public realm is not negatively affected. Structured parking will be screened.”* This policy can offer additional guidance for the development of policy for structured, but not exclusively underground, parking within the Southwest Area Secondary Plan area but is not specific to office and apartment building uses. Notable is the direction that parking structures are integrated through building design and screening is provided.

The London Plan encourages parking to locate underground in association with large scale buildings and that structured parking is done in an integrated manner for all types of uses.

#### SOUTHWEST AREA SECONDARY PLAN

The Southwest Area Secondary Plan is in place to provide additional policy guidance to guide development within the study area beyond that provided in the Official Plan. Its stated objectives include, under 20.5.1.4 ii):

- b) Ensure that housing developments and designs achieve compact residential development;*
- c) Achieve an urban form which makes effective use of land, services, community facilities and related infrastructure;*

and under 20.5.1.4 v):

- f) Ensure the use of housing densities and efficient development patterns that minimize land consumption and servicing costs.*

Together these objectives aim to achieve compact form and efficient land use as directed through the PPS 2014. Policies, or the removal of policies, which counter these stated objectives would not be appropriate for the Secondary Plan.

The Southwest Area Secondary Plan relies on 20.5.3.9 iii) Buildings and Site Design to address parking concerns and ensure parking is located and designed appropriately in accordance with the development with which parking is associated. The parking policies are provided below in their entirety (the portion considered for deletion is bolded).

- g) 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:*
  - screening of the parking lot at the public right-of-way through the use of features such as low fences, walls and landscaping and in a manner which reflects the safe community design policies of this Section;*
  - locating the parking lot, within commercial or mixed-use developments, to the side or rear of the main building and permitting no or only minimal parking in front of the main building. Where large-format retail stores are proposed, design alternatives that contribute to the creation of a vibrant and active streetscape, may include, but not be limited to, locating large-format retail structures in the interior or at the rear of commercial or mixed-use development blocks with smaller stores and buildings oriented to the surrounding public rights-of-way to create a strong street presence. Alternatively, the frontage of the large-format retail store facing the public right- of-way should be lined with smaller stores with entrances oriented to*

--	--

File: O-8680  
Planner: L. Maitland

- the streetscape. Parking areas will be integrated with development associated with large-format retail stores, in a manner designed to contribute to the objective of a vibrant and active streetscape;*
- *for all commercial, office, mixed-use and apartment building development proposals, 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;*
  - ***for all office and apartment building development, parking shall be located underground in a structure integrated into the building;***
  - *the use of landscaping or decorative paving to reduce the visual expanse of large parking areas;*
  - *joint access to parking lots on adjoining properties where feasible;*
  - *provision of pedestrian walkways adjacent to stores, between building clusters, and to provide pedestrian access to transit stops, public sidewalks and adjacent developments. These walkways may need to cross parking lots to provide the required access;*
  - *the interior of the site 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.*

Without the bolded policy, the remaining Secondary Plan policies and policies of the Official Plan do not provide for the support of compact form and efficient land use that structured and underground parking provide. The London Plan, which is Council approved, indicates that underground parking for larger scale development and screened and structured parking for other scales is desired however, the applicable Secondary Plan policies above would prevail. Deleting the bolded policy would result in no parking guidance for office and apartment building development, in contravention of the aims of the London Plan and the objectives of the Southwest Area Secondary Plan, which given their scale, can have some of the largest parking requirements.

It is therefore recommended that the requested amendment be refused.

#### RECOMMENDED AMENDMENT

Although deletion of the policy would be inappropriate, a modification of the policy should be considered. A modification could be more conducive to the development of lands within the Southwest Area Secondary Plan. The policy as written, requires underground parking in a structure rather than allowing for both underground *and* structured parking, effectively limiting parking options to simply underground parking. The policy, as written, requires underground parking for all office and apartment building development within the Southwest Area Secondary Plan area, including small-scale offices and low-rise apartment buildings, as no distinction is made regarding scale. The feasibility of underground parking with small-scale office and apartment building development is limited.

The following new policy language is therefore proposed:

- *For office and apartment building development, underground or structured parking is encouraged. The majority of parking should be located underground or in a structure integrated into the building. Surface parking may be permitted in the rear yard or interior side yard. Surface and/or structured parking will be required to provide design measures to mitigate views of the parking fields or structures from the public realm and in consideration of adjacent land uses. On a corner lot, surface or structured parking at grade or above within the rear yard should not project beyond the building wall adjacent to any street.*

The recommended new policy encourages development that is compact in form and efficiently utilizes land. While providing flexibility in its implementation:

- It permits both structured and underground parking while directing parking locations to

Agenda Item #	Page #

**File: O-8680**  
**Planner: L. Maitland**

promote good urban design and mitigate the visual impacts of parking on neighbours.

- It allows for situations where a limited amount of surface parking is permitted, including smaller scale office and apartment buildings or as guest and accessible parking spaces.
- It provides policy to direct parking design and promotes the goals endorsed through the London Plan.
- It supports quality pedestrian environments by facilitating the creation of street walls.

<p><b>CONCLUSION</b></p>
--------------------------

The recommended policy provides for compact form and efficient use of land in accordance with the Provincial Policy Statement, 2014. The recommended policy provides guidance for office and apartment building development in accordance with the direction provided through the council approved The London Plan. The recommended policy directs parking into structures or underground and limits the amount of potential surface parking. The recommended policy provides for appropriate development in the context of the Southwest Area Secondary Plan.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>LEIF MAITLAND, PLANNER I, LONG RANGE PLANNING AND RESEARCH</b>	<b>MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

November 18, 2016  
LM  
Appendix “A” – Official Plan Amendment

Agenda Item #	Page #

File: O-8680  
Planner: L. Maitland

**Bibliography of Information and Materials  
O-8680**

**Request for Approval:**  
City of London Official Plan Amendment Application Form, completed by Matthew Campbell, August 8, 2016.

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

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

City of London. *The London Plan*, June 23, 2016, as endorsed by council.

**Correspondence: (all located in City of London File No. O-8680 unless otherwise stated)**

**Departments and Agencies: (all located in City of London File No. O-8680 unless otherwise stated)**



--	--

**File: O-8680**  
**Planner: L. Maitland**

**Appendix "A"**

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

By-law No. C.P.-1284-\_\_\_\_\_

A by-law to amend the Official Plan for the  
City of London, 1989 relating to the  
Southwest Area Secondary Plan.

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 December 6, 2016.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

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

--	--

**File: O-8680**  
**Planner: L. Maitland**

**AMENDMENT NO.**  
  
**to the**  
  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

**A.      PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to modify a policy in Section 20.5.3.9(g)(iii) of the Southwest Area Secondary Plan for the City of London to provide guidance for parking in association with office and apartment building development.

**B.      LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located within the Southwest Area Secondary Plan in the City of London.

**C.      BASIS OF THE AMENDMENT**

The amendment is intended to direct parking in association with office and apartment building development. The amendment provides for parking arrangements which promote efficient land use and compact form. The amendment provides more detailing policy in the Southwest Area Secondary Plan than otherwise provided for in the Official Plan.

**D.      THE AMENDMENT**

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

1. Section 20.5.3.9(iii)(g) of the Southwest Area Secondary Plan for the City of London is amended by replacing the fourth bullet with the following new policy:

- For office and apartment building development, underground or structured parking is encouraged. The majority of parking should be located underground or in a structure integrated into the building. Surface parking may be permitted in the rear yard or interior side yard. Surface and/or structured parking will be required to provide design measures to mitigate views of the parking fields or structures from the public realm and in consideration of adjacent land uses. On a corner lot, surface or structured parking at grade or above within the rear yard should not project beyond the building wall adjacent to any street.