

Planner: Graham Bailey

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: KIM NGUYEN 1448 ADELAIDE STREET NORTH PUBLIC PARTICIPATION MEETING ON DECEMBER 12, 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 Kim Nguyen relating to the property located at 1448 Adelaide Street North:

- (a) The proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 17, 2017 to amend the Official Plan to change the designation of the subject lands **FROM** a Low Density Residential designation, **TO** a Multi-Family, Medium Density Residential designation and to amend the Official Plan **BY ADDING** a policy to section 10.1.3 Policies for Specific Areas;
- (b) The proposed by-law <u>attached</u> hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on January 17, 2017 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 subject property **FROM** a Residential R2/Office Conversion (R2-2/OC2) Zone **TO** a Residential R2/Office Conversion Special Provision (R2-2/OC5(_)) Zone;

PREVIOUS REPORTS PERTINENT TO THIS MATTER

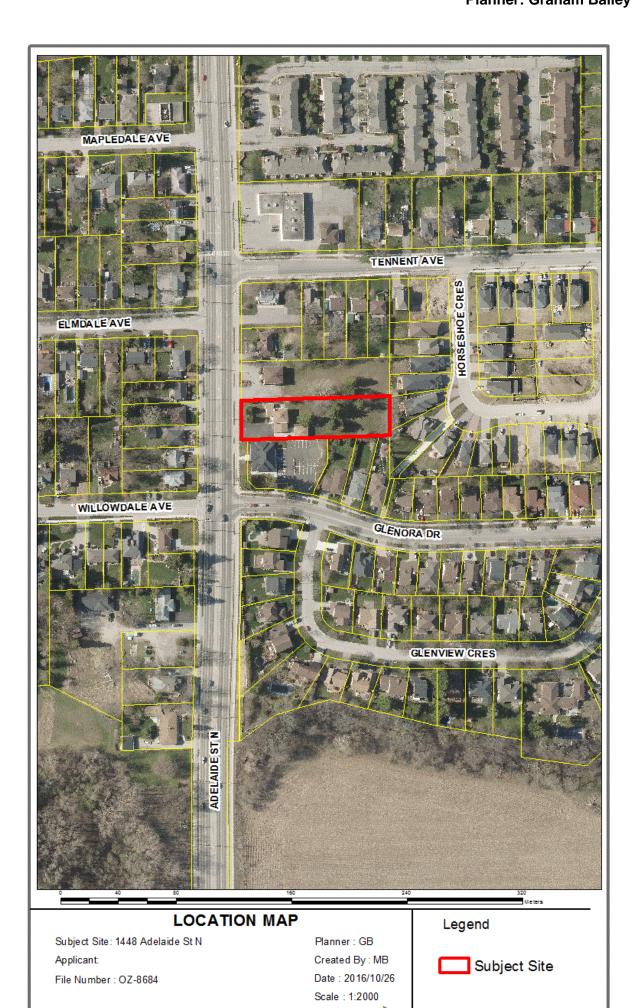
None

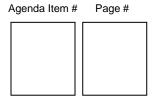
PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended Official Plan Amendments and Zoning By-law Amendment is to permit the conversion of the single detached dwelling to a personal service establishment (hairdresser/beautician/spa services). Other permitted uses include dwelling units, medical/dental offices, and offices.

Agenda Item # Page #

OZ-8684 Planner: Graham Bailey





Planner: Graham Bailey

RATIONALE

- 1. The recommended Official Plan Amendment and Zoning By-law Amendments are consistent with the Provincial Policy Statement, 2014;
- 2. The recommended amendment is consistent with, and will serve to implement, the Multi-Family, Medium Density Residential policies of the Official Plan;
- 3. The recommended amendment is consistent with, and will service to implement, the Chapter 10 policies of the Official Plan;
- 4. The recommended amendment is consistent with the Official Plan Policies for Office Conversions:
- 5. The existing built form and proposed on-site parking is capable of supporting the personal service establishment use while limiting negative impacts on abutting uses.

BACKGROUND

Date Application Accepted: September 12,

Agent: Alan R. Patton, Patton Cormier Ferreira, Lawyers

2016

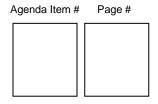
REQUESTED ACTION: Change Official Plan to add a site-specific policy under Chapter 10 – Policies for Specific Areas to allow for a personal service establishment in the existing building.

Change Official Plan from a Low Density Residential designation to a Multi-Family, Medium Density Residential designation.

Change Zoning By-law Z.-1 from a Residential R2/Office Conversion (R2-2/OC2) Zone which permits low density residential development and professional and service offices in an existing building together with at least one dwelling unit to a Residential R2/Office Conversion Special Provision (R2-2/OC5(_)) Zone to permit low density residential development, medical/dental offices and offices in existing buildings with a special provision to add a personal service establishment in the existing building, with special provisions to allow for a reduction in parking from 37 parking spaces to 25 parking spaces, the permission to provide front yard parking spaces, the permission to locate the rear yard parking area closer to the side lot line than required, and to provide a driveway leading to the parking area less than 6.7 metres in width.

SITE CHARACTERISTICS:

- Current Land Use Single detached dwelling (vacant)
- Frontage 26.97 m (88.50 ft.)
- **Depth** 102.68 m (336.88 ft.)
- Area 2,769.28 m² (29,813.88 ft.²)
- Shape Rectangular



SURROUNDING LAND USES:

- North Office conversions
- South Purpose-built medical/dental office building
- East Single detached dwellings
- West Single detached dwellings

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)

Low Density Residential

The primary permitted uses in the Low Density Residential designation include single detached, semi-detached and duplex dwellings. Where determined to be appropriate, office conversions may be permitted as secondary permitted uses.

EXISTING ZONING: (refer to Zoning Map)

Residential R2 (R2-2) and Office Conversion 2 (OC2)

The Residential R2 (R2-2) Zone permits single detached, semi-detached; duplex and converted dwelling (with a maximum of 2 dwelling units).

The Office Conversion 2 (OC2) Zone permits professional offices and service offices in existing buildings together with at least one dwelling unit.

PLANNING HISTORY

Subject Site

On December 8, 1980, a minor variance application to permit a detached garage with an overall height of 4.27 m in place of 3.66 m as permitted by the Zoning By-law was granted.

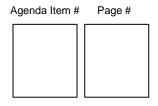
On October 1, 1990, under the previous Zoning By-law, Council approved a requested amendment (Z-4239) to the C.P. By-law to change the zoning from a Special Residential (SR-6) Zone to a Low Coverage Commercial (SC2-) Zone to permit converted dwellings (maximum two units) duplex dwellings, offices in existing buildings, semi-detached dwellings and single detached dwellings.

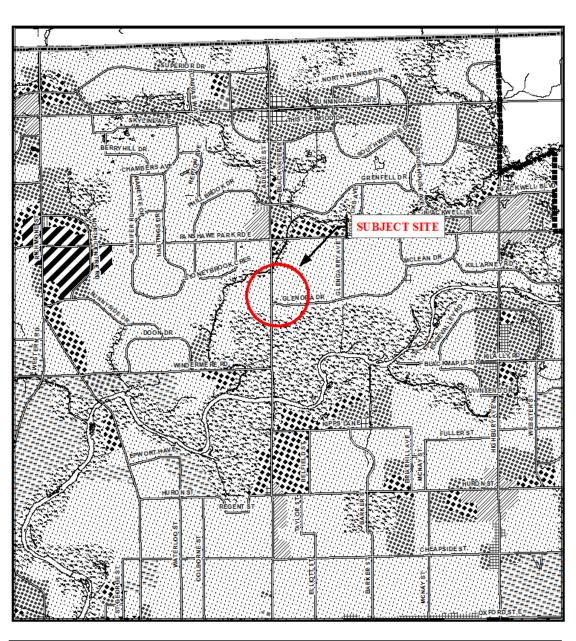
1444 Adelaide Street North (Adjacent Property - South)

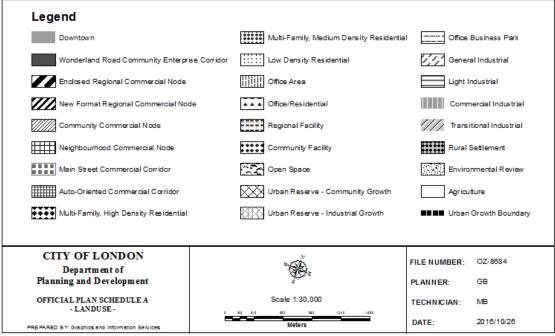
The Official Plan and Zoning By-law amendments required to permit the dental office adjacent to the subject lands were approved by Municipal Council in 2014. The Official Plan Amendment changed the designation of the land from a Low Density Residential designation to a Multi-Family, Medium Density Residential designation. The Zoning By-law Amendment changed the zoning from a Residential R2-2 Zone to a Restricted Office Special Provision RO1(9) Zone. The Special Provision addressed the reduced front yard setback of the purpose-built dental office.

1454-1456 Adelaide Street North (Adjacent Property - North)

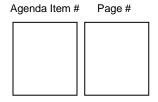
The property was rezoned in 1985 to permit offices and medical/dental offices within existing structures. The property was rezoned in 1993, at the time the Z-1 Zoning By-law came into effect to R2-2/OC4 (which excludes medical/dental offices within existing buildings). In 2003, the property was rezoned to R2-2/OC5, to recognize the current medical/dental use of the property.

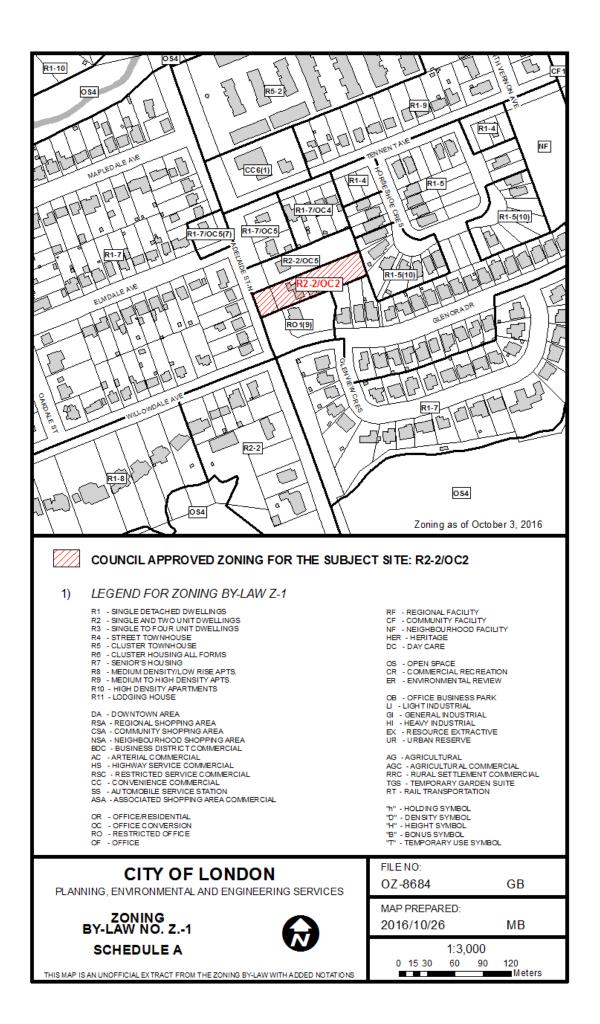


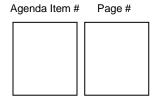




 $PROJECT\ LOCATION: e. `lplanning' projects \ p.official plan \ work consolo 0 \ 'excerpts' mod_templates \ schedule A_b\&w_8x14_with_SWAP. model and the projects \ p.official plan \ work consolo 0 \ 'excerpts' model \ p.official plan \ work consolo 0 \ 'excerpts' model \ p.official plan \ work consolo 0 \ 'excerpts' model \ p.official \ p.o$







Planner: Graham Bailey

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Transportation Planning and Design

- Road widening dedication of 24.0m from centre line required along Adelaide Street North;
- Details concerning access design will be dealt with through the site plan process.

Stormwater Engineering

The Stormwater Engineering staff have no objection to the above-noted application. Please ensure the applicant is informed about the need to address/consider, among other, the following SWM requirements/concerns during the development application stage (e.g. site plan building permit, etc.):

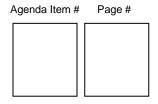
- As per the attached As-Con 16686, 1448 Adelaide Street North was provided with a 150mm storm PDC to the existing 375mm storm sewer. Changes in the "C" value required to accommodate the proposed re-development (i.e. hard surfaces and 25 parking spots), will trigger the need for hydraulic calculations (storm sewer capacity analysis) to demonstrate the capacity of the 375mm storm pipe and downstream system is not exceeded and that on-site SWM controls will be design to the satisfaction of the City Engineer.
- The design and construction of SWM servicing works for the subject land shall be in accordance with:
 - The SWM criteria and targets for the Stoney Creek Subwatershed;
 - Any as-constructed information and any accepted report or development agreement for the area (e.g. as-constructed sheet 16686, etc.);
 - The City Design Requirements for on-site SWM controls which may include but not be limited to quantity/quality and erosion controls, and
 - The City's Waste Discharge and Drainage By-Laws; the Ministry of the Environment Planning & Design Manual; as well as all applicable Acts, Policies, Guidelines, Standards and Requirements of all approval agencies.
- The design of the SWM servicing work shall include but not be limited to such aspects as requirements for Oil/Grit separator for the proposed parking area, on-site SWM controls design, possible implementation of SWM Best Management Practices (e.g. Low impact Development "LID" features), grading and drainage design (minor, and major flows), storm drainage conveyance from external areas (including any associated easements), hydrological conditions, etc.
- The applicant and his consultant shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.
- Additional SWM related comments may be required and provided upon future review of this site through the development application stage.

Please note that this response has been made without input from the Water Engineering Division.

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.

Wastewater and Drainage Engineering No comment.

<u>Upper Thames River Conversation Authority</u> No objections to this application.



Canada Post
No comments

French Public School Board

No comments.

PUBLIC LIAISON:

On September 21, 2016, Notice of Application was sent to 99 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 22, 2016. A "Possible Land Use Change" sign was also posted on the site.

Five replies were received

Nature of Liaison: Change Official Plan to add a site-specific policy under Chapter 10 - Policies for Specific Areas to allow for a personal service establishment in the existing building.

Change Official Plan from a Low Density Residential designation to a Multi-Family, Medium Density Residential designation.

Change Zoning By-law Z.-1 from a Residential R2/Office Conversion (R2-2/OC2) Zone which permits low density residential development and professional and service offices in an existing building together with at least one dwelling unit to a Residential R2/Office Conversion Special Provision (R2-2/OC5(_)) Zone to permit low density residential development, medical/dental offices and offices in existing buildings with a special provision to add a personal service establishment in the existing building, with special provisions to allow for a reduction in parking from 37 parking spaces to 25 parking spaces, the permission to provide front yard parking spaces, the permission to locate the rear yard parking area closer to the side lot line than required, and to provide a driveway leading to the parking area less than 6.7 metres in width.

Responses:

- Four general inquiries into the nature of the application with no follow up comments;
- One letter objecting to the application based on the rear yard parking area and the access to the rear yard parking being less than 6.7 metres in width.

ANALYSIS

Subject Site

The subject site is located at 1448 Adelaide Street North which is between Glenora Drive and Tennent Avenue on the east side of the street.

The property contains an existing single detached dwelling with a detached garage. The property is adjacent to a purpose-built dental office at 1444 Adelaide Street North and a dental office in a converted dwelling at 1454-1456 Adelaide Street North. Access to the site is available from Adelaide Street North. The property is fully serviced with municipal works.

Adelaide Street North is classified as an Arterial Road and identified as a transit and 24 hour truck route. Adelaide Street North has an average annual daily traffic volume of 25,000 vehicles at this location.

Figure 1 – Photograph of subject site from Adelaide Street North

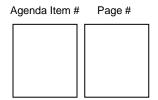


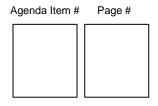


Figure 2 – Photograph of subject site from Glenora Drive (beyond fence)



Nature of the Application

The Official Plan and Zoning By-law amendments are seeking to permit a personal service



Planner: Graham Bailey

establishment in the existing building without a residential unit. The applicant is proposing to rezone the site from an Office Conversion zone that requires a residential unit to an Office Conversion zone which permits additional uses without a residential unit.

Special provisions to the Zoning By-law are being sought to permit the personal service establishment as a use in the existing building, as well as special provisions for front yard parking, a reduction in the number of total required parking spaces from 37 to 25, the permission to locate the rear yard parking area closer to the side lot line than required, and to provide a driveway leading to the parking area less than 6.7 metres in width.

Provincial Policy Statement (PPS), 2014

The Provincial Policy Statement, 2014 provides policy direction on matters of provincial interest related to land use planning and development. Policy 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns encourages healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other uses to meet long-term needs. Further, the PPS promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. This application allows for an appropriate conversion at an intensity that is compatible with surrounding land uses.

Policy 1.1.3 encourages growth and development to be focused in the settlement areas, and their vitality and regeneration promoted. This application allows for the conversation of an existing dwelling in the settlement area and promotes an efficient use of existing land as it requires no additional land consumption and will use existing services.

Policy 1.7 Long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness, as well as maintain and, where possible, enhancing the vitality and viability of mainstreets. The recommended amendments would allow the property to contribute to the long-term economic prosperity of the local community and city and contribute to maintaining and enhancing the vitality and viability of Adelaide Street North.

Official Plan Policies

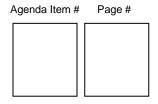
The Official Plan for the City of London contains City Council's objectives and policies to guide the short-term and long-term physical development of all lands within the boundary of the municipality. The Official Plan policies are considered necessary to promote orderly urban growth and compatibility 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.

Multi-Family, Medium Density Residential (3.3)

One of the recommended Official Plan amendments is to change the designation of the subject site from Low Density Residential to Multi-Family, Medium Density Residential. The primary permitted uses in the Multi-Family, Medium Density Residential designation include row houses, cluster houses, low-rise apartment buildings, rooming and boarding houses, emergency care facilities, converted dwellings, and small-scale nursing homes, rest homes and homes for the aged. Single-detached, semi-detached and duplex dwellings may also be permitted.

The Multi-Family, Medium Density Residential designation also permits secondary uses that are considered to be integral to, or compatible with medium density residential development including office conversions according to the provisions of Section 3.6 (discussed in further detail later on). Preferred Locations for Multi-Family, Medium Density Residential (3.3.2)

Official Plan Policy 3.3.2 (Location) identifies the preferred locations for the Multi-Family Medium Density Residential designation including lands in close proximity to Shopping Areas, Commercial



Districts, designated Open Space areas or Regional Facilities; lands adjacent to a Multi-Family, High Density Residential designation; and lands abutting an arterial, primary collector or secondary collector street.

The subject site is located on an arterial road and is located approximately 215 metres from a designated Open Space area. The adjacent property at 1444 Adelaide Street North is also designated Multi-Family, Medium Density Residential.

Consideration for designated lands for Multi-Family, Medium Density Residential will also take into account surrounding land uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area.

The recommended office conversion will maintain the existing dwelling with no proposed exterior alterations, other than the demolition of the detached garage. The height, scale, and setbacks of the dwelling will not change as part of this recommended amendment.

The surrounding area contains existing office conversions to the north, a purpose-built one-storey dental office to the south, and low-rise, low density residential uses to the east and west. The recommended office conversion will continue to fit in with the character of the surrounding area. Further, adequate screening of the rear-yard parking area will be addressed during the site plan process to reduce any adverse impacts on the residential properties to the south and east and the office conversion to the north.

Additionally, the Official Plan policies require that adequate municipal services can be provided to accommodate the needs of the development. The City's Environmental and Engineering and Services Department have no objection to the application, however Stormwater Engineering staff did note stormwater management requirements/concerns are to be addressed during the development application stage / site plan process.

The Official Plan policies also require that traffic to and from the location should not have a significant impact on stable, low density residential areas. The City's Transportation Engineering Section did not identify any impacts on the traffic on Adelaide Street North from this development. No traffic concerns were raised by the local residents. The Transportation Engineering Section noted that the details concerning access design will be dealt with through the site plan process. The subject site is also within walking distance of numerous transit stops.

Lastly, the Official Plan policies require that the site or area be of suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low density residential uses. The conceptual site plan submitted by the applicant (Figure 3 below) maintains adequate buffering measures through landscaping and setbacks to protect the adjacent low density residential uses. The subject site is of a sufficient size to accommodate the requested office conversion use and provide buffering measures to the adjacent properties.

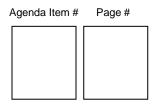
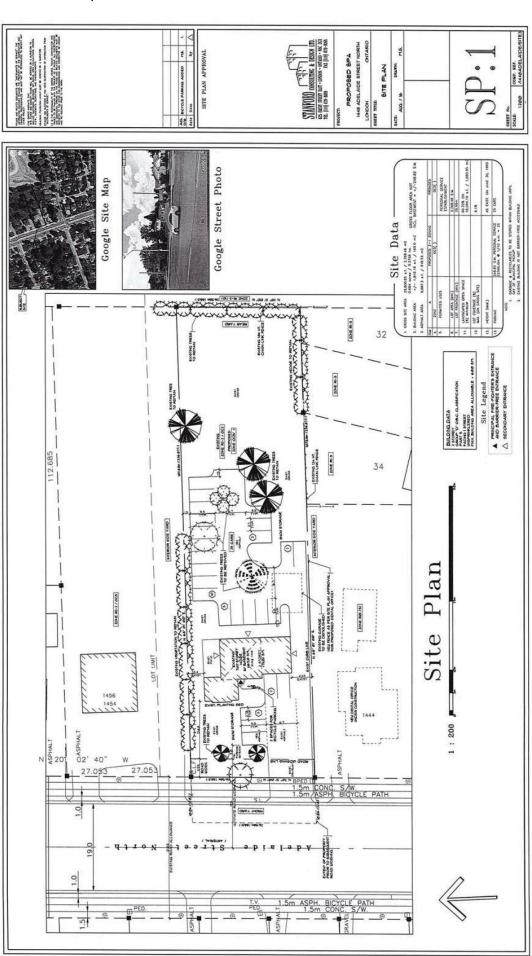
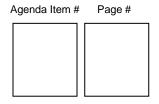


Figure 3 – Conceptual Site Plan





Planner: Graham Bailey

Scale of Development (3.3.3)

The Official Plan policies state that development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of development.

Normally height limitations will not exceed four storeys and density will not exceed an approximate net density of 75 units per hectare (30 units per acre). The requested office conversion use will retain the existing building's height and as a result will not adversely affect the surrounding land uses.

Is the Multi-Family, Medium Density Residential designation appropriate for the subject lands?

In summary, the proposal is supportive of the *Provincial Policy Statement, 2014*. The application promotes the efficient use of existing land as it requires no additional land consumption and will use existing services, as well as the recommended amendments would allow the property to contribute to maintaining and enhancing the vitality and viability of this segment of Adelaide Street North.

Further, the proposal meets the intent of the location, compatibility, servicing, traffic, and buffering criteria of the Official Plan for the designation of lands for Multi-Family, Medium Density Residential.

As a result, the Multi-Family, Medium Density Residential designation of the subject lands is appropriate and recommended.

Office Conversions (3.6.9)

The Official Plan defines an office conversion as the total or partial conversion of a residential building for office use. Office conversions may involve minor additions to the existing building where these facilitate the use of the building for offices. Retention of the general form and character of the building converted for office use will be required. In this instance, the requested office conversion will not involve any additions to the building and will retain the form and character of the existing dwelling.

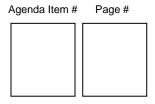
The Official Plan identifies preferred locations in the city where office conversion may be permitted (3.6.9 ii); however consideration may also be given to office conversions in other residential areas that are located on arterial roads which have lost some of their residential amenity (3.6.9 iii). In this case, the subject site is not listed within the preferred locations. As a result, the proposal for an office conversion outside of identified areas is evaluation on the basis of the following criteria:

Whether the site is a desirable location for office conversions.

The subject site is already zoned for an office conversion with a residential unit. Therefore, the recommended amendment does not represent the introduction of a new office conversion use where none currently exist. The requested rezoning will remove the requirement for the residential unit and a special provision is requested to permit a personal service establishment. The subject site is a desirable location because currently the site is a residential dwelling sandwiched between a purpose-built dental office to the south and a dental office in a converted dwelling to the north. Appropriate screening from the residential uses can be achieved through the site plan process.

The potential impact of the proposed conversion(s) on the surrounding neighbourhood.

- The surrounding neighbourhood already contains numerous office conversions, a purpose-built dental office, a commercial plaza, and low density residential dwellings. Access to the site is limited to Adelaide Street North and should not lead to adverse traffic impacts. No exterior additions to the existing dwelling are being considered. The surrounding properties will be buffered from the rear yard parking area through landscaping and fencing.



Planner: Graham Bailey

Location on an arterial road that sustains significant traffic volumes.

- The subject site is located on Adelaide Street North, which is an arterial road with an average annual daily traffic volume of 25,000 vehicles at this location.

Potential impact of the office conversion(s) on traffic movement.

- Details concerning access design will be dealt with through the site plan process. It is unlikely that the office conversion will have an impact on the traffic on Adelaide Street North.

Proximity to commercial land uses, or existing office conversions.

- As previously mentioned, the subject site is adjacent to other office conversions and a purpose-built office. Further, the subject site is approximately 120 metres from a commercial plaza.

General condition of residential buildings in the immediate surrounding area.

- The surrounding single-detached dwellings on the west side of Adelaide Street North and along Glenora Drive and Tennent Avenue are well maintained and in good condition ensuring the long-term viability for residential uses in the area will be maintained. The majority of dwellings on the east side of Adelaide Street North between Glenora Drive and Tennent Avenue are office conversions or are zoned for office conversion.

Ability of existing municipal services and infrastructure to accommodate the proposed conversion(s).

 The City's Environmental and Engineering and Services Department have no objection to the application, however Stormwater Engineering staff did note stormwater management requirements/concerns are to be addressed during the development application stage / site plan process.

Planning Impact Analysis according to the provisions of Section 3.7.

- The proposed office conversion has also been reviewed through the Planning Impact Analysis according to Section 3.7 and has been evaluated on the basis of criteria relevant to the proposed change. Through reviewing the application the proposed office conversion meets the relevant criteria of Section 3.7 based on the analysis provided in this report.

The Official Plan states that all office conversion proposals will require site plan approval (3.6.9 iv) which will be evaluation on the basis of the following criteria:

Whether provisions have been made for landscaping, privacy screening or any other appropriate measures necessary to protect the amenity of adjacent residential properties.

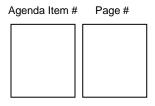
- The conceptual Site Plans provided by the applicant indicates that some existing trees and landscaping will be retained in the front and rear yard to help protect the amenity of the adjacent residential properties. Further, landscaping and privacy screening may be required during the site plan process;

Whether the residential appearance of the existing building is maintained and the external evidence of the office use is minimized. Minor additions that are compatible with the external design and appearance of the existing building may be permitted, where necessary, to facilitate the use of the building for office purposes.

- No exterior changes to the existing building are proposed;
- The external evidence of the use will be minimized through parking in the rear yard.

The use of common driveways and parking areas to serve adjacent office conversions shall be encouraged. Where access is proposed to be provided through a side yard to a local street an assessment will be made on the possible negative impacts on adjacent residential uses, and whether access would be more appropriately directed to the main street.

The existing office conversion to the north does not have a rear yard parking area from which joint access and shared facilities can be accommodated. The adjacent building to



Planner: Graham Bailey

the south is not an office conversion but a purpose-built office with a parking area that is accessed through the side yard to a local street. While the existing access to Adelaide Street North is appropriate for the subject site, in the future, if additional office conversions or development occurs along this segment of Adelaide Street North, a common rear yard parking area may be compatible;

Whether provision is made for the on-site maneuverability of vehicles so that egress from the site does not require vehicle reversals onto the street.

- The proposed site plan provides for the ability for vehicles to maneuver through the parking area in a manner that does not require reversing onto the street.

Conformity with all other applicable provisions of the City's Site Plan Control By-law.

- This will be determined during the site plan process.

Based on the policy analysis above, the subject site is an appropriate location for an office conversion in an existing building without the requirement for at least one residential unit.

Chapter 10 – Policies for Specific Areas

The intent of the Chapter 10 (Policies for Specific Areas) is to permit uses that would otherwise not be permitted by the general land use policies of the Official Plan. Chapter 10 states notwithstanding the other land use policies contained in Section II of this Plan, policies for Specific Areas may be applied where the application of existing policies would not accurately reflect the intent of Council with respect to the future use of the land.

Chapter 10 provides criteria which are used to evaluate the appropriateness of the request for a special policy. The adoption of Policies for Specific Areas may be considered where one or more of four conditions apply. As it relates to this application the following condition applies:

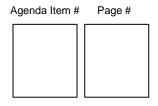
- The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.

The proposed change to permit a personal service establishment is site specific. The requested Multi-Family, Medium Density Residential designation permits Office Conversions as a secondary use. The subject site is appropriate for Office Conversions based on the analysis provided in this report including the existing land use context to the north and south of the subject site which is non-residential and the subject site is large enough to accommodate the personal service establishment use and mitigate any adverse impacts. However, Office Conversions are for 'office' uses which are distinguished from 'commercial' uses. A personal service establishment is a commercial use and as a result is not permitted in an Office Conversion zone. Therefore, to permit a personal service establishment in the existing building in an Office Conversion zone requires a Chapter 10 Official Plan amendment. Examples of personal service establishments in an Office Conversion zone has been facilitated by way of Chapter 10 Official Plan Amendments where appropriate in previous situations such as 123 Wortley Road and 550 Southdale Road East.

An OC5 zone applied to the property at 123 Wortley Road north of Askin Avenue permits a personal service establishment. Similar to the subject site, 550 Wortley Road is adjacent to other office conversion uses with low-rise residential uses across the street and to the rear of the property. A second example exists at 550 Southdale Road East, west of Easy Street where a personal service establishment was permitted in an OC4 zone adjacent to residential dwellings.

The requested personal service establishment is a compatible use to the adjacent dental offices and will introduce a new service for the local community while maintaining the residential amenity and character of the existing building.

Lastly, by considering the personal service establishment use through the application of a Special Policy instead of a re-designation to a commercial Official Plan designation, it limits the potential for additional land uses which have not been thoroughly evaluated through this application which



Planner: Graham Bailey

could result in negative impacts to the surrounding residential neighbourhood.

Zoning By-law

The applicant has applied for the Office Conversion (OC5) zone which permits dwelling units, medical/dental offices and offices in existing buildings. A special provision is required to permit the personal service establishment use. The OC5 zone removes the existing requirement for including at least one residential dwelling unit in the building and also provides for medical/dental offices. The three properties to the north of the subject site already have the OC5 zone and the property to the south is a purpose-built dental office within a Restricted Office zone. Based on the adjacent zoning and land uses, amending the existing zoning from an OC2 zone to the OC5 zone to remove the requirement for at least one residential dwelling unit and adding medical/dental offices in the building is appropriate.

The applicant is also seeking one special provision relating to parking:

- A reduction in the number of required parking spaces from 37 to 25.

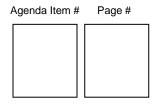
Staff have identified and recommended the following additional special provisions:

- The permission to locate the rear yard parking area closer to the side lot line than required;
 and
- To provide a driveway leading to the parking area less than 6.7 metres in width.

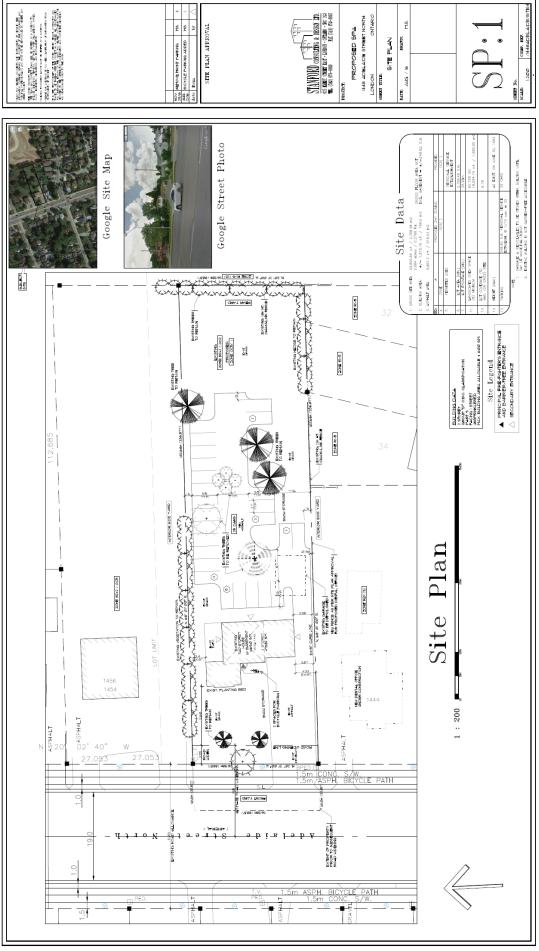
Although not specifically included in the requested amendment, Staff observed that the conceptual site plan (Figure 3 on page 12) depicted five front yard parking spaces. In consultation with the applicant's agent, Staff recommended the removal of the front yard parking as to preserve the residential amenity and character of the subject site and to allow for all the parking to be accommodated in the rear of the property away from the street. A revised conceptual site plan (Figure 4 on page 17) with no front yard parking and 25 parking spaces in the rear yard parking area was submitted.

Section 4.19 4) c) (a) of Zoning By-law No. Z.-1 states that for Rear Yard Parking Areas in a Residential R2 zone *no part of any rear yard parking area shall be located closer than 3.0 metres* (9.8 feet) from the rear lot line and 3.0 metres (9.8 feet) from any one side lot line... On the conceptual site plan, the rear yard parking area is located closer than 3.0 metres (9.8 feet) from both side lot lines, therefore, a special provision is required to grant relief from this requirement of the Zoning By-law. This requirement of the Zoning By-law exists to help provide buffering from adjacent sensitive uses where they exist and also to ensure adequate snow storage during winter. On the subject site the adjacent lands are office uses as opposed to sensitive residential uses, buffering can be achieved through landscaping and privacy fencing and snow storage can be directed towards the rear of the parking area. While the subject site may be able to meet the requirement by elongating the parking area towards the sensitive uses to the east, expanding the parking area further into the rear yard to remove the need for this special provision may result in the loss of trees and buffering from adjacent residential uses. As a result, the special provision to locate the rear yard parking area closer to the side lot lines than required is appropriate to allow for the consolidation of parking near the building and to protect sensitive land uses.

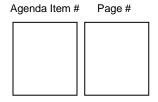
Lastly, a special provision is required to provide a driveway leading to the parking area less than 6.7 metres in width. This special provision is required to recognize the width of the existing driveway. The driveway to the rear yard cannot be expanded without altering the existing building. The site plan process will address access to the rear yard parking area. Therefore, a special provision to recognize that the existing driveway is less than 6.7 metres in width is appropriate. Figure 4 – Revised Conceptual Site Plan



OZ-8684 Planner: Graham Bailey



London Plan Analysis



Planner: Graham Bailey

Adopted by Municipal Council on June 23, 2016, the London Plan sets new goals and priorities to shape the growth, preservation, and evolution of London over the next 20 years. At this moment, the London Plan is being reviewed by the Province of Ontario.

1448 Adelaide Street North is within the Neighbourhoods Place Type and has frontage on a Civic Boulevard. Permitted uses in this location include single detached, semi-detached, duplex, converted dwellings, townhouses, secondary suites, home occupations, group homes, triplex, small-scale community facilities, stacked townhouses, fourplexes, low-rise apartments, emergency care establishments, rooming houses, and supervised correctional residences.

Policy 931 defines office conversions as the conversion of all or a portion of a residential building to office uses. Office conversions, retaining one or more residential units, may be permitted where mixed-use buildings are allowed or without a residential unit where stand-alone offices are permitted according to Table 10. Office conversions may also be permitted subject to the Specific Policies for the Neighbourhoods Place Type section.

In this instance the London Plan would not permit a stand-alone office as 1448 Adelaide Street North is not located at an intersection. In the Neighbourhoods Place Type, the minimum street classifications to permit a stand-alone office (i.e. office conversion without a residential unit) is the intersection of a Civic Boulevard/Urban Thoroughfare and a Civic Boulevard/Urban Thoroughfare.

CONCLUSION

The request to amend the Official Plan to provide for a Multi-Family, Medium Density Residential designation on the subject site has been shown to be consistent with the Provincial Policy Statement, 2014 and the City of London Official Plan including the policies for Office Conversions. Further, the request to amend the Official Plan to add a special policy in Chapter 10 to permit a personal service establishment in the Multi-Family, Medium Density Residential designation within an office conversion use has been shown to be appropriate as it limits any adverse impacts on the surrounding neighbourhood had a commercial land use designation been sought.

The recommended zone allows the use of the site for a personal service establishment while maintaining the existing single detached dwelling built form which will help to maintain the residential amenity and character of the subject site and neighbourhood. Also, providing for parking in the rear yard with landscaping and buffering will reduce the impact on the adjacent properties.

Agenda Item #	Page #

PREPARED BY:	SUBMITTED BY:	
GRAHAM BAILEY, MCIP, RPP	MICHAEL TOMAZINCIC, MCIP, RPP	
URBAN REGENERATION	MANAGER, CURRENT PLANNING	
RECOMMENDED BY:		
JOHN M. FLEMING, MCIP, RPP		
MANAGING DIRECTOR, PLANNING AND CITY PLANNER		

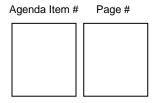
November 8, 2016

GB/gb
Y:\Shared\implemen\DEVELOPMENT APPS\2016 Applications 8573 to\8684OZ - 1448 Adelaide St N (GB)\PEC Report OZ-8684.docx

Agenda Item #	Page #

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	<u>Written</u>
Joan Warden	Jessie & Paul Kubik (email)
1478 Adelaide Street North	1111 Glenora Drive
A. Goldschlager	Andrea Richter (email)
N/A	N/A
	Gerald Brahm 1456 Adelaide Street North



Gerald Brahm 1456 Adelaide St. N London, ON N5X 1J9

The City of London Planning Services P.O. Box 5035 London, ON N6A 4L9

Attention: Graham Bailey

Re: OZ-8684

1448 Adelaide St. N., London

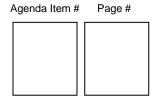
Dear Sir:

I object to the Zoning Application by Kim Nguyen on the following basis:

- 1. Having the rear parking area closer to the side lot than required
- Parking in the rear which will have a detrimental effect on the neighboring residential houses, 1111, 1115, and 1119 Glenora Drive.
- 3. As a professional engineer, I consider a driveway leading to the rear parking area that is less than 6.7 meters quite questionable to unacceptable.

Sincerely,
Gerald Brahm

CITY OF LONDON PLANNING SERVICES		
RECEIVED SEP	9 0 2016	
FILE NO REPERRED TO SUBSEQUENT REFERRALS IN FOR ACTION FOR INFORMATION IN FOR REPORT	D FILE D B F. G OTHER	



Planner: Graham Bailey

Bibliography of Information and Materials OZ-8684

Request for Approval:

City of London Official Plan and Zoning By-law Amendment Application Form, completed by Alan R. Patton, Patton Cormier Ferreira, Lawyers on behalf of Kim Nguyen, September 12, 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.

Patton Cormier Ferreira, Lawyers. Planning Justification Letter (revised), August 22, 2016.

Stanford Consulting and Design Ltd. Proposed Site Plan, August, 2016.

Correspondence: (all located in City of London File No. OZ-8684 unless otherwise stated)

City of London -

Giesen A., City of London Transportation Planning & Design. E-mail to G. Bailey. September 27, 2016.

Elmadhoon M., City of London Transportation Planning & Design. Various e-mails with G. Bailey. October 20, 2016.

Moore R., City of London Wastewater and Drainage Division. E-mail to G. Bailey. October 7, 2007.

Lambert B., City of London Development Services. Memo to G. Bailey. October 17, 2016.

Departments and Agencies -

Creighton C., UTRCA. Letter to G. Bailey. October 11, 2016.

Vergeer, K., Canada Post. Email to G. Bailey. September 30, 2016.

Lacoursiere V. The Conseil scolaire Viamonde (French public school board). Email to G. Bailey. October 4, 2016.

Other:

Site visit November 4, 2016 and photographs of the same date.

Agenda Item #	Page #

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 1448 Adelaide Street North.

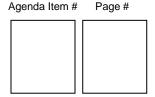
The Municipal Council of The Corporation of the City of London enacts as follows:

- 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 January 17, 2017.

Matt Brown Mayor

Catharine Saunders City Clerk



AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. <u>PURPOSE OF THIS AMENDMENT</u>

The purpose of this Amendment is:

- 1. To change the designation of certain lands described herein from Low Density Residential to Multi-Family, Medium Density Residential on Schedule "A", Land Use, to the Official Plan for the City of London.
- 2. To add a policy in Section 10.1.3 of the Official Plan for the City of London to permit a personal service establishment in the Multi-Family, Medium Density Residential designation.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 1448 Adelaide Street North in the City of London.

C. <u>BASIS OF THE AMENDMENT</u>

The recommended amendment is supportive of the Provincial Policy Statement by promoting the efficient use of existing land and services and by contributing to the long-term economic prosperity, vitality, and viability of the surrounding neighbourhood.

The Official Plan criteria for establishing a Multi-Family, Medium Density Residential designation including location, compatibility, servicing, traffic, and buffering are met. The subject site is located on an arterial road, within walking distance of an identified Open Space area, fully serviced, and located along a public transit route. The evaluation of the proposal took into consideration the surrounding land uses and the potential impact the proposal may have on the neighbourhood. It has been demonstrated that the proposal is compatible and fits within the existing surrounding neighbourhood.

The Chapter 10 – Policies for Specific Areas criteria for permitting the personal service establishment in the Multi-Family, Medium Density Residential designation are met. By considering the personal service establishment use through a Chapter 10 amendment instead of through an amendment to a commercial land use designation limits the potential for additional land uses which have not been thoroughly evaluated.

D. <u>THE AMENDMENT</u>

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

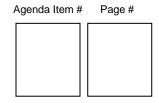
- Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 1448 Adelaide Street North in the City of London, as indicated on "Schedule 1" attached hereto from Low Density Residential to Multi-Family, Medium Density Residential.
- 2. Section 10 Policies for Specific Areas of the Official Plan for the City of London is hereby amended by adding the following:

10.1.3 Specific Areas:

1448 Adelaide Street North

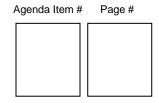
Agenda Item #	Page #

_) In the Multi-Family, Medium Density Residential designation at 1448 Adelaide Street North, in addition to the uses permitted in the Multi-Family, Medium Density Residential designation, a personal service establishment may also be permitted within the existing building.

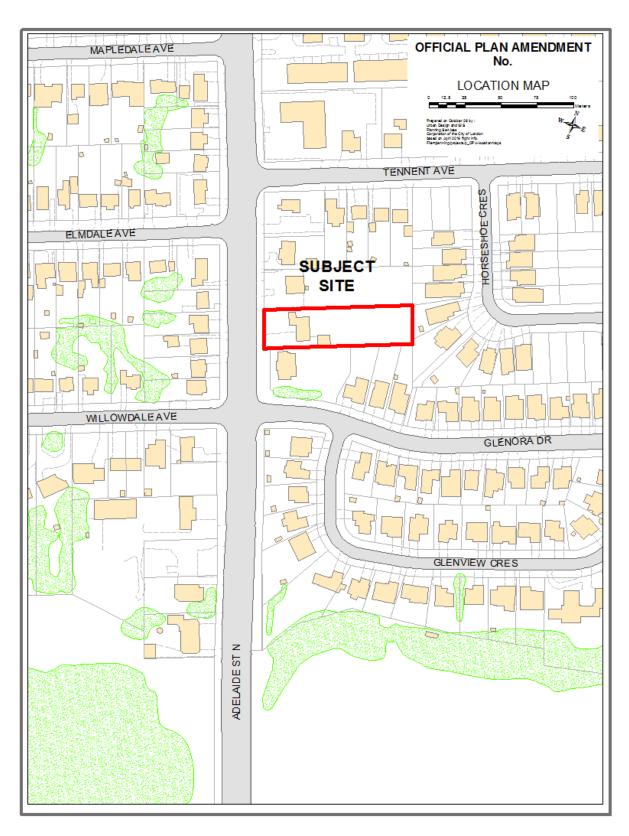


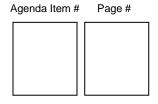
AMENDMENT NO: From: Low Density Residential Multi-Family, Medium Density Residential Legend Downtown Multi-Family, Medium Density Residential Office Business Park Wonderland Road Community Enterprise Corridor Low Density Residential General Industrial Enclosed Regional Commercial Node Office Area Light Industrial Office/Residential New Format Regional Commercial Node Commercial Industrial Regional Facility Community Commercial Node /// Transitional Industrial Community Facility Rural Settlement Neighbourhood Commercial Node Main Street Commercial Corridor Open Space Environmental Review Auto-Oriented Commercial Corridor Urban Reserve - Community Growth Agriculture Urban Reserve - Industrial Growth Multi-Family, High Density Residential ■■■ Urban Growth Boundary This is an excerpt from the Planning Division's work of Schedule A to the City of London Official Plan, with added notations. SCHEDULE 1 FILE NUMBER: OZ-8684 TO PLANNER: GB OFFICIAL PLAN Scale 1:30,000 TECHNICIAN: MB AMENDMENT NO. 2016/10/26 PREPARED BY: Graphics and Information Services

 $PROJECT\ LOCATION: e.\planning\projects\projects\projec$



OZ-8684 Planner: Graham Bailey





Appendix "B"

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 1448 Adelaide Street North.

WHEREAS Kim Nguyen has applied to rezone an area of land located at 1448 Adelaide Street North, 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:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1448 Adelaide Street North, as shown on the attached map comprising part of Key Map No. A103, from a Residential R2/Office Conversion (R2-2/OC2) Zone to a Residential R2/Office Conversion Special Provision (R2-2/OC5(_)) Zone.
- 2) Section Number 17.4 of the Office Conversion (OC5) Zone is amended by adding the following Special Provision:
 - OC5() 1448 Adelaide Street North
 - a) Additional Permitted Use
 - i) Personal service establishment within the existing building.
 - b) Regulations
 - i) Parking 25 spaces (minimum)
 - ii) Rear yard parking area 0.4 metre (1.31 feet) setback from south lot line (minimum)
 - iii) Rear yard parking area 1.5 metres (4.92 feet) setback from north lot line (minimum)
 - iv) Driveway width for 3.5 metres (11.48 feet) access to rear yard parking area (minimum)

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.

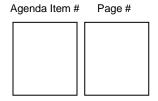
PASSED in Open Council on January 17, 2017.

Agenda Item #	Page #	#

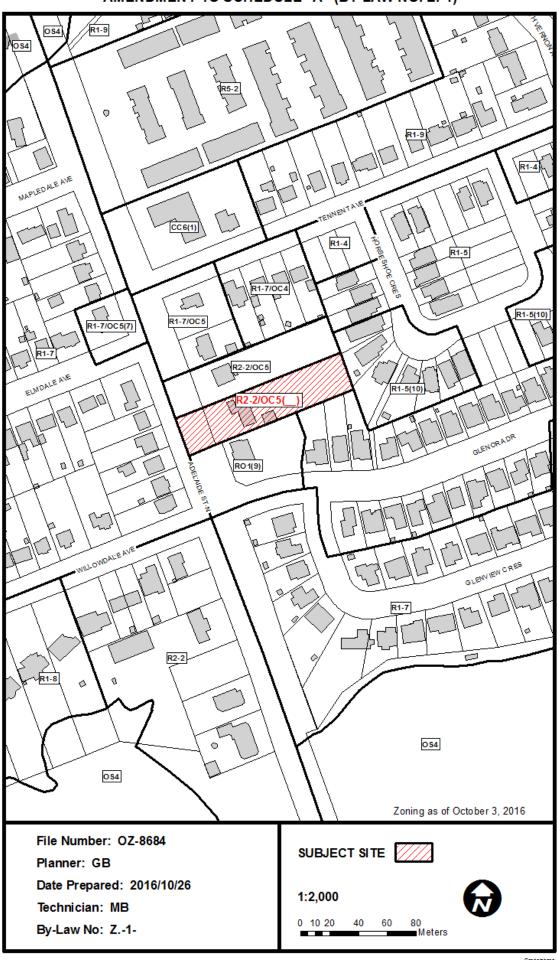
Matt Brown Mayor

Catharine Saunders City Clerk

First Reading – January 17, 2017 Second Reading – January 17, 2017 Third Reading – January 17, 2017



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



Geodalabase