

PLANNING JUSTIFICATION **REPORT**

OFFICIAL PLAN AMENDMENT AND
ZONING BY-LAW AMENDMENT APPLICATIONS

1310 Adelaide Street North
London

Date:

October 2016

Prepared for:

York Developments London Inc.

Prepared by:

MacNaughton Hermesen Britton Clarkson Planning Limited (MHBC)

630 Colborne Street, Suite 202

London ON N6B 2V2

T: 519 858 2797 x223

F: 519 858 2920

Our File: 1094'R'

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1.0

INTRODUCTION

1.1 Overview

MHBC has been retained by York Developments London Inc. (York Developments) to assist with applications to amend the City of London Official Plan (Official Plan) and the City of London Zoning By-Law Z-1 (Zoning By-Law). The proposed amendments would modify the planning permissions for lands comprised of 1310 Adelaide Street North and an abutting, unaddressed property. The subject lands (Site) measure approximately 1.3 ha (3.2 ac) in area and are situated at the southeast corner of the Adelaide Street North/Windermere Road intersection.

The Site currently contains two vacant structures, three small outbuildings, tennis courts and parking facilities associated with the former GoodLife Fitness centre. York Developments is proposing to redevelop these lands for a multi-unit commercial plaza supporting locally-oriented retail, personal service and small-scale office uses. Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) applications will be submitted to the City of London to help facilitate project development.

The planning merits of this proposal are evaluated in detail within this Report and summarized below:

- The subject lands form part of a cluster of recreational and service commercial uses that is oriented to the Adelaide Street North/Windermere Road intersection and supported by a range of public and private services;
- The Site is well suited for the proposed land use in terms of its location adjacent to the arterial road system; its proximity to established residential communities, transit services and pathway systems; and its physical characteristics;
- The redevelopment plan optimizes the use of this site for commercial purposes given its unique setting, existing development constraints and Upper Thames River Conservation Authority (UTRCA) policies respecting replacement structures and parking spaces in floodways;
- The project encourages the diversification of commercial uses at the Adelaide Street North/Windermere Road intersection, thereby strengthening the overall vitality and functionality of this development area;

- The proposed amendments to the Official Plan and Zoning By-law would allow for a limited range of neighbourhood scale retail, personal service and office uses on the Site to support demand for these activities generated from surrounding neighbourhoods and the travelling public. The project would also provide for additional professional, administrative and retail employment opportunities in this development area;
- The small-scale commercial and office uses intended for the proposed multi-unit plaza are compatible with, and complimentary to, adjacent commercial and recreational activities; and
- The massing, orientation and articulation of the commercial plaza are designed (1) to be sensitive to the established neighbourhood character and (2) to integrate effectively into the existing development context.

1.2 Report Framework

This Planning Justification Report has been prepared for submission to the City of London in support of the OPA/ZBA applications and includes the following primary components:

- An introduction and general description of the subject lands, surrounding uses and existing conditions to provide an understanding of the locational context;
- A summary of the concept plan prepared for the Site, including an overview of the core design elements associated with the development proposal;
- A review of the planning permissions applicable to the subject lands; and
- An assessment of the proposal relative to the existing framework of applicable planning policies and development regulations.

As part of this planning analysis, the following documents were reviewed:

- Provincial Policy Statement;
- City of London Official Plan;
- Draft City of London Official Plan ('The London Plan');
- City of London Zoning By-law Z-1; and
- UTRCA, Environmental Planning Policy Manual.

In addition to a detailed review of these documents, an analysis of the subject lands and the surrounding land uses was also conducted as part of the evaluation.

1.3 Planning Applications

Our analysis has confirmed that the following applications are required to implement this redevelopment project:

Table 1.0 – Required Planning Applications

Application	Approval Authority
Official Plan Amendment (to apply a 'Specific Area' to the subject lands to permit the proposed development in the context of the 'Open Space' designation)	City of London
Zone Change Amendment (to change the zoning applied to the lands to a site-specific 'Open Space (OS4)' Zone to permit the intended commercial uses subject to floodproofing requirements))	City of London
Application for Development (to allow for replacement structures on flood plain lands consistent with the UTRCA Environmental Planning Policy Manual)	UTRCA
Site Plan Amendment (future application)	City of London

A 'Pre-Application Consultation' meeting was held on February 9, 2016 to review the submission requirements for the development concept. As set out in the associated (draft) 'Record of Pre-Application Consultation', the following plans and reports are required in support of the OPA/ZBA applications:

- Commentary regarding existing Gross Floor Area (GFA) and proposed floodproofing measures;
- Planning Justification Report;
- Urban Design Brief;
- Conceptual Site Plan;
- Zoning Data Sheets (development site and remnant lands);
- Storm Sewer Capacity Review; and
- UTRCA correspondence regarding the planning approvals process and compliance of proposal with redevelopment policies.

The required materials are enclosed with the OPA/ZBA applications submitted for this proposal.

The Record of Consultation also states that prior to application submission, UTRCA approval for this proposal is required respecting the allowable (replacement) commercial space and parking spaces. Pursuant to UTRCA letters to the City of London, dated July 22, 2016 and September 14, 2016, and related discussions, it has agreed that the OPA/ZBA planning applications will be submitted prior to receipt of UTRCA approval. Following adoption of the proposed OPA/ZBA applications, the UTRCA Hearing Board will consider an 'Application for Development' concerning permissions for replacement GFA and parking spaces.

2.0

SITE LOCATION AND SURROUNDING LAND USES

2.1 Site Description

The subject lands are comprised of the property addressed as 1310 Adelaide Street North and an abutting, unaddressed parcel. These contiguous lands are situated at the southeast corner of the Adelaide Street North/Windermere Road intersection. For the purposes of this proposal, the two properties constitute a single development site.

The Site is rectangular in shape and has approximately 91.4 m (300.0 ft) of frontage along Adelaide Street North and approximately 143.0 m (469.2 ft) of flankage along Windermere Road. Collectively, the two parcels measure approximately 1.29 ha (3.18 ac) in area and are generally described as Part of Lot 12, Concession 3 (London).

The development site currently contains a vacant residence and gym facility, tennis courts and parking associated with the former GoodLife Fitness centre (the tennis courts are currently operated by the City of London). Parking areas and recreational facilities previously associated with this complex extend across the property limits onto lands owned by the UTRCA. Additionally, the Site and all surrounding lands are located within the UTRCA Regulation Limit.

For the purposes of this Report, 'Building #1' refers to the vacant dwelling on the parcel addressed as 1310 Adelaide Street North; 'Building #2' refers to the vacant gym facility on the unnumbered property. These two buildings and three small outbuildings of the premises provide a total gross floor area (GFA) of approximately 982 m² (10,570 ft²), excluding the Building #1 basement area.

Figure 1 illustrates the location of the subject lands and the existing development context.

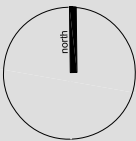
2.2 Surrounding Land Uses

The Site forms part of the City's 'Stoneybrook' planning district which is located in the northeast quadrant of London. This planning district encompasses approximately 467 ha (1153 ac) and is bounded by Fanshawe Park Road East to the north, Highbury Avenue and the Thames River to the east, the Thames River to the south, and generally Stoney Creek and Stoneybrook Crescent to the west.



Figure 1
Location Map

 SUBJECT LANDS



The subject lands are situated near the southern boundary of the planning district in an established, mixed-use development area located in the vicinity of the Adelaide Street North/Windermere Road intersection. Collectively, this area contains a variety of land uses, including low, medium and high density residential development, community-oriented commercial activities, institutional uses, recreational facilities and open space associated with the Thames River corridor.

Lands in the immediate vicinity of the Site are developed for commercial activities, commercial recreational uses and active recreational uses that are generally oriented to the street intersection. In our opinion, this cluster of uses services the surrounding mixed-use development area, as well as the travelling public.

Additionally, with respect to connectivity:

- The Adelaide Street North sidewalk system extends along the frontage of the Site. Sidewalks are also provided along both sides of Windermere Road west of the intersection;
- The lands are located in close proximity to the Thames Valley Parkway (TVP) trail network and other public pathway systems. These trail systems are accessible from the aforementioned sidewalks;
- The Site is serviced by several London Transit Commission (LTC) bus routes operating along the Adelaide Street North and Windermere Road corridors; and
- The City of London is conducting a Municipal Class Environmental Assessment (Class EA) to evaluate options for completing an existing gap in the north branch of the TVP between Richmond Street to Adelaide Street North. As stated in the Class EA 'Notice of Completion' issued August 11, 2016, the preferred pathway alignment includes new multi-use pathways along the Windermere Road and Adelaide Street North corridors adjacent to the Site.

The following table identifies the land uses surrounding the Site.

Table 2.0 – Surrounding Land Uses

Relative Location	Existing Land Uses
TO THE NORTH:	Windermere Road corridor, restaurant ('Waltzing Weasel'), commercial recreation complex ('Tin Cup' golf complex), agriculture
TO THE EAST:	Baseball fields ('Stoneybrook Recreation Field'), Thames River corridor, Kilally Valley Park, medium density residential development
TO THE SOUTH:	Baseball fields, Thames River corridor, medium and high density residential
TO THE WEST:	Adelaide Street North corridor, recreational facilities ('Windermere Fields'), woodlands; low density residential development

Adjacent to the subject lands, the Adelaide Street North corridor integrates four through traffic lanes, as well as a northbound left turn lane and a southbound merge lane. The Windermere Road corridor provides two through traffic lanes and a southbound left turn lane at this location. Pursuant to Schedule 'C' (Transportation Corridors) of the Official Plan, Adelaide Street North is classified as an

'arterial' road; Windermere Road is designated as a 'local' road east of the intersection and an arterial road west of the intersection.

According to the transportation network classification prescribed in Section 18.2.2. of the Official Plan, arterial roads are designed to serve high volumes of intra-urban traffic with controlled or limited property access. Local roads are designed to provide private property access and connect neighbourhood destinations.

3.0

DESCRIPTION OF THE PROPOSAL

3.1 Design Objectives

York Developments is proposing to redevelop the subject lands for a multi-unit commercial plaza designed to accommodate locally-oriented retail, personal service and small-scale office uses (e.g., medical/dental offices, professional offices, restaurants, retail stores). The redevelopment plan outlined below was designed with regard to comments received from City and UTRCA staff during preliminary discussions respecting the Site.

The following design objectives were noted through these initial discussions:

- The subject lands and surrounding properties are situated on flood plain lands associated with the Thames River corridor. Given the location and characteristics of the Site, an appropriate form of redevelopment could be contemplated for this vacant commercial property;
- Consistent with the UTRCA Environmental Planning Policy Manual, the building footprint(s) and parking spaces integrated into the redevelopment proposal should not exceed existing conditions (i.e., the project should be predicated on a 'net-zero' GFA and parking stall basis);
- The replacement structure(s) should be positioned towards street frontages to improve access in flood events and to reduce the flood risk relative to the existing buildings;
- Buildings will be required to have a floor slab above the 250-year flood elevation;
- Building construction will be in a form without basements; and
- The redevelopment proposal should identify existing trees and attempt to preserve trees of interest.

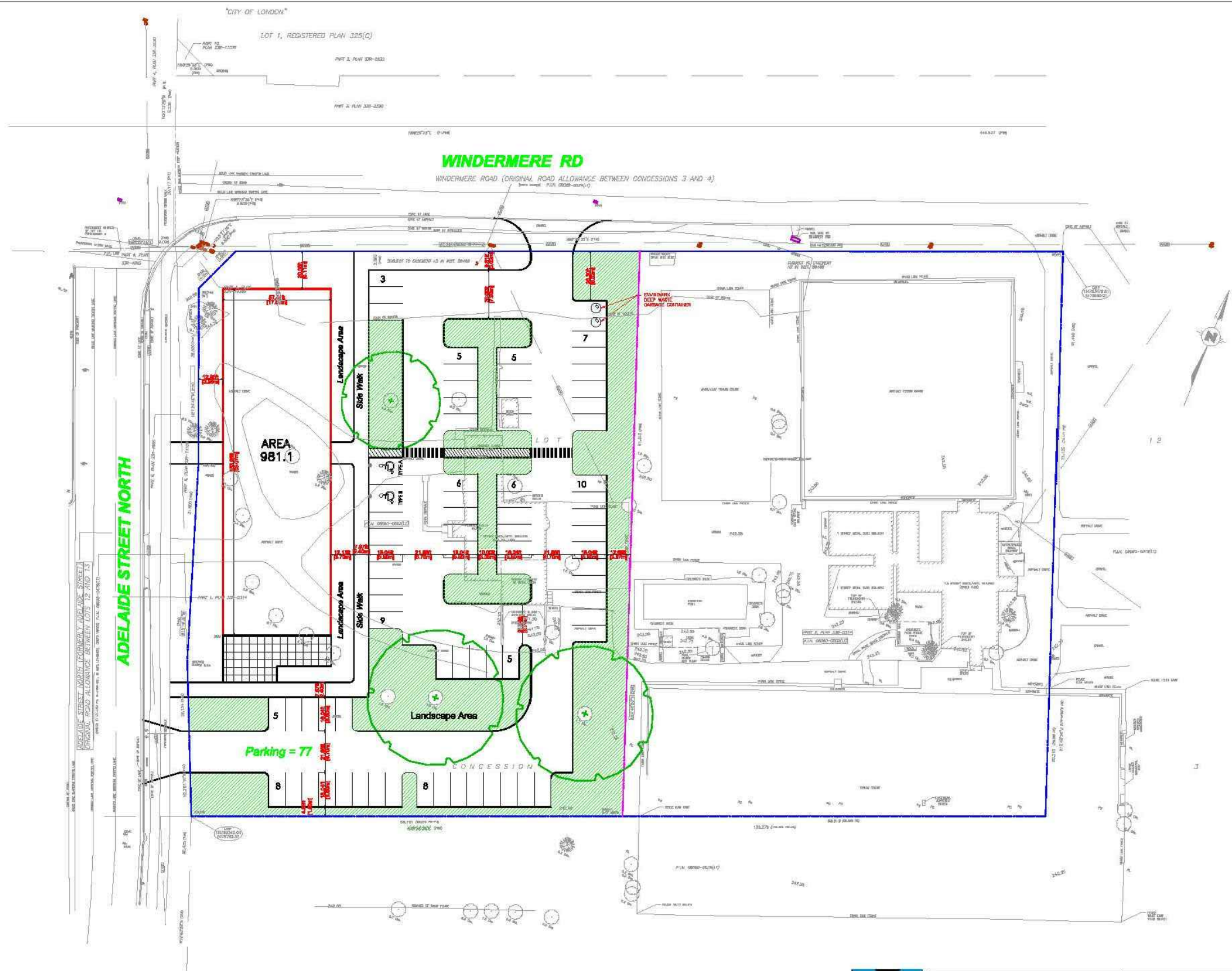
3.2 Concept Plan

A conceptual site plan (**Figure 2**) has been prepared with regard to these design objectives and to optimize the Site for commercial purposes. The project design has also been developed with consideration for commentary on the proposal provided by City of London staff in correspondence dated April 10, 2015 (e.g., floodproofing requirements, tree preservation, 'replaceable' GFA and parking permissions). **Figure 3** provides an architectural rendering illustrating the form and street orientation of the planned commercial plaza.

The following sets out the primary components of the redevelopment proposal:

- A one storey, multiple-unit commercial building positioned at the street intersection and providing a total GFA of approximately 982 m² (10,570 ft²). The building placement promotes a pedestrian orientation and a defined street edge, and helps to screen the internal parking area from Adelaide Street North;
- Enhanced building design and landscaping elements, including floodproofing measures to achieve UTRCA requirements;
- An internal sidewalk network supporting connectivity between the street frontages, the proposed building, patio/amenity areas, the parking field and adjacent recreational areas;
- Two points of vehicular access. Right-in/right-out access would be provided to Adelaide Street North near the southern limit of the Site; full movement ingress/egress would be provided to Windermere Road near the eastern limit of the Site;
- At-grade parking facilities providing 77 vehicular stalls, as well as bicycle parking spaces; and
- Removal of Buildings #1 and #2 and all structures/facilities associated with the former GoodLife Fitness centre within the Site limits.

It is important to note that the concept plan encompasses the 1310 Adelaide Street North parcel and a portion of the unnumbered property to the east. It is anticipated that the balance of the unnumbered property conveyed to the City of London for public use. The City may require removal of all structures in these surplus lands to support the net-zero GFA objective discussed in Section 3.1. of this Report. Further, in conjunction with this project, York Developments intends to restore a gravel portion of the adjacent parking lot.



DRAWN BY : S.M	DATE : Sept 13. 2016
SCALE : n/a	DRAWING TITLE : Overlay Topo Site Plan
JOB TITLE : 1310 Adelaide St N, London	DWG NUMBER : OPT 03

FIGURE 2



Figure 3
Architectural Rendering

3.3 Overview of Planning Merits

The Proposal Summary prepared by MHBC for the redevelopment plan, dated March 2016, provides an overview of the key planning merits for this proposal:

- The subject lands are situated at an arterial road intersection that currently supports a limited range of commercial development (Windermere Road west of Adelaide Street North is a designated arterial road);
- The Site is well-suited for commercial purposes considering its arterial road frontage, its proximity to existing residential, commercial and recreational uses, and its connectivity to sidewalks, pathways and public transit;
- The two existing structures proposed for demolition on the Site are not designated on the City's Inventory of Heritage Resources;
- The conceptual site plan optimizes the redevelopment potential of this property given its unique setting and development constraints; and
- A high standard of architectural/urban design will be employed for this project. Design elements integrated into the proposed commercial structure will also be compatible with the existing development context and appropriate for the subject lands.

4.0

PLANNING ANALYSIS

The OPA/ZBA applications must be assessed in terms of applicable planning policies set out by the Province and City of London. The following section outlines how the proposal addresses relevant policies from the Provincial Policy Statement, the City of London Official Plan and the City's draft Official Plan ('The London Plan').

4.1 Provincial Policy Statement

4.1.1 Overview

The Provincial Policy Statement (PPS) sets the policy foundation for regulating the development and use of land. The 2014 PPS was issued under the authority of Section 3 of the Planning Act and came into effect on April 30, 2014, without transitional provisions. Accordingly, the 2014 PPS applies to all applications, matters or proceedings commenced on or after the effective date.

Section 3(5) of the Planning Act requires that all decisions affecting planning matters "shall be consistent with" policy statements issued under the Act. In conjunction with project planning, MHBC conducted a detailed review of the concept plan relative to the policies of the PPS. Based upon this analysis, it is our opinion that specific policies in Section 1.0 (Building Strong Healthy Communities) and Section 3.0 (Protecting Public Health and Safety) are particularly relevant to this proposal. Commentary on these policies is provided in the following section of this Report.

4.1.2 Building Strong Healthy Communities

The PPS provides a vision for land use planning in Ontario that focuses growth within settlement areas, and encourages an efficient use of land, resources, and public investment in infrastructure. To support this vision, the PPS defines a number of policies to promote strong, liveable, healthy and resilient communities. These policies are set out in Section 1.0, and address such matters as efficient development and land use patterns, coordination, employment areas, housing, public spaces/open space, infrastructure and public service facilities, long-term economic prosperity, and energy and air quality.

Given the nature and scale of the proposed redevelopment plan, in our opinion, the following policies contained within Section 1.1 (Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns) and Section 1.3 (Employment) have particular relevance to the revised development proposal:

1. Policy 1.1.1 prescribes a series of measures that support healthy, liveable and sustainable communities. The following measures are directly applicable to this proposal:
 - Policy a) promotes efficient development and land use patterns which sustain the financial well-being of the City of London and the Province; and
 - Policy c) prescribes that development and land use patterns which may cause environmental or public health and safety concerns should be avoided.
2. Policy 1.3.1 requires planning authorities to promote economic development and competitiveness through a variety of policy initiatives. The following initiatives have applicability to this proposal:
 - Policy a) directs that an appropriate mix and range of employment uses are provided to meet long-term needs; and
 - Policy c) encourages compact and mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

With respect to Policy 1.1.1, the concept plan represents an efficient, compact development form that promotes the redevelopment of serviced lands within the City's Urban Growth Boundary designated and zoned to permit commercial recreational uses. The Site is well-suited for the intended use considering: its frontage along an arterial road; its proximity to medium and high density housing forms; commercial and recreational uses; and its connectivity to TVP and LTC bus service. Additionally, redevelopment of these lands will contribute to the long term financial well-being of the Province of Ontario and the City of London in the form of increased property tax assessment and employment opportunities. Economic benefits will also be derived from construction of the project and the ongoing operation of the commercial use. Furthermore, provided the planned floodproofing measures are implemented, the project should not result in environmental or public health and safety concerns.

In relation to Policy 1.3.1, this proposal would allow for a limited range of neighbourhood scale retail, personal service and office uses on the Site to: support demand for these activities generated from the surrounding community and the travelling public; to optimize existing servicing infrastructure; to support public service facilities and public transit; and to provide for additional professional, administrative and retail employment opportunities to help the City meet its long-term employment targets. The small-scale commercial and office uses planned for this Site are also compatible with, and complimentary to, adjacent commercial and recreational activities.

Taking these matters into consideration, it is our opinion that the proposal satisfies the referenced policies of Section 1.0.

4.1.3 Protecting Public Health and Safety

The vision defined in the PPS acknowledges that the long-term prosperity, environmental health and social well-being of Ontario depends, in part, on reducing the potential public cost and risk associated with natural or human-made hazards. Accordingly, Section 3.0 of the PPS states a number of policies

designed to direct development away from natural and human-made hazards where there is an unacceptable risk (1) to public health or safety or (2) of property damage.

As discussed, the Site is located within the designated flood plain of the Thames River. In our opinion, five policies prescribed within Section 3.1 (Natural Hazards) are germane to the revised development proposal:

1. Policy 3.1.1 b) generally directs development to areas outside of hazardous lands adjacent to river, stream and small inland lake systems impacted by flooding hazards.
2. Policy 3.1.2 c) states that development and site alteration shall not be permitted within areas rendered inaccessible to people and vehicles during flood events, unless it has been demonstrated that the site has safe access appropriate for the nature of the development and the flooding hazard.
3. Policy 3.1.2 d) prescribes that development and site alteration shall not be permitted within a floodway regardless of whether the area of inundation contains high points not subject to flooding.
4. Policy 3.1.6 defines that notwithstanding Policy 3.1.2 d), *"Where the two zone concept for flood plains is applied, development and site alteration may be permitted in the flood fringe, subject to appropriate floodproofing to the flooding hazard elevation or another flooding hazard standard approved by the Minister of Natural Resources"*.
5. Policy 3.1.7 states that further to Policy 3.1.6, development and site alteration may be permitted in those portions of hazardous lands, *"... where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:*
 - a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;*
 - b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;*
 - c) new hazards are not created and existing hazards are not aggravated; and*
 - d) no adverse environmental impacts will result."*

The policy structure set out in Section 3.1 provides direction regarding development and site alteration within lands prone to flooding pursuant to the applicable definitions set out in Section 6.0 of the PPS. In this respect, the PPS directs that such activities be carried out within the defined flood fringe of a 'two-zone' flood plain concept (floodway-flood fringe) where applicable and where appropriate floodproofing and public safety measures are implemented.

This proposal involves development and site alteration on lands situated within the 'one-zone' flood plain concept (flood plain) and developed for residential and commercial purposes. Notwithstanding that a two-zone concept has not been specifically delineated along the Thames River at this location, the redevelopment proposal has been designed to expressly satisfy the intent of Policy 3.1.7 and more broadly the referenced policies of Section 3.1. Furthermore, Section 4.2.2 (Riverine Flooding Hazard Policies) of UTRCA Environmental Planning Policy Manual includes policies allowing for replacement

structures in floodways. As described in Subsection 6, replacement structures may be permitted provided these structures and associated services comply with specific floodproofing requirements.

The following elements have been integrated into the redevelopment plan to ensure this project satisfies the replacement structure policies set out in Section 4.2.2.(6) of the Environment Planning Policy Manual, as well as related UTRCA policies. These measures have been reviewed by UTRCA staff during the course of project planning and are supported by staff in principle.

- Site and Building Floodproofing. The proposed commercial building will be built above the 250 year flood elevation (243.6m) and will not have a basement. All proposed accessible parking spaces will also be above the 100 year flood elevation (243.3 m). Further, earthworks may be undertaken to raise the entire parking lot above the 100 year flood elevation.
- Replacement GFA and Parking. The commercial space integrated into the concept plan is in keeping with the existing GFA integrated into the two main buildings and outbuildings on the Site (982 m²). The 77 vehicular parking spaces integrated into the proposed parking area is also in keeping with the number of stalls identified in the parking field on the unnumbered property (68 spaces) and the former GoodLife Fitness centre (nine spaces). Accordingly, the proposed commercial plaza would not increase the intensity of the Site in relation to total development space and parking allocation.
- Site Layout and Accessibility. The proposed building would be positioned along the Adelaide Street North and Windermere Road frontages with an internal sidewalk network supporting connectivity between the street frontages, the proposed building, patio/amenity areas, the parking lot and adjacent recreational areas. As such, the building is ideally located for access by emergency servicing vehicles and pedestrians, and would be highly visible from the street. This project would also remove the existing dwelling at 1310 Adelaide Street North, thereby addressing the public safety risk associated with a residential use in a designated floodway.
- Demolition Sensitivity. Every reasonable effort will be made to preserve existing trees and vegetation in the redevelopment of the site. Given the previous uses of the existing buildings (a residence and gym) no special site remediation measures are anticipated; however, the dismantling and removal of building materials will be done in a manner that ensures minimal environmental impact, and protection of human health and safety. Contractors will be expected to follow all relevant Ontario Building Code (OBC), Ministry of Environment and Climate Change (MOECC), and Technical Standards and Safety Authority (TSSA) guidelines where applicable. Further, where feasible, demolished building material will be recycled and reused.

With implementation of these measures, the intended use of this Site should not (1) result in any new risks to public safety posed by flood events or (2) aggravate any existing flood risks. It is therefore our opinion that this redevelopment proposal demonstrates consistency with the intent of Section 3.1 of the PPS.

4.1.4 Conclusion

In light of these considerations and our evaluation of the broader PPS relative to this proposal, it is our opinion that the redevelopment plan is consistent with this policy statement.

4.2 City of London Official Plan

4.2.1 Framework

The City of London carried out a comprehensive five year update of its Official Plan during the period 2006 to 2009. This review process concluded with the approval of OPA 438 by the Minister of Municipal Affairs and Housing, with modifications, on December 17, 2009.

Chapter 1 (Introduction) of the Official Plan provides overarching policies prescribing the purpose, planning horizon and structure of this policy document. Most notably, Section 1.2. defines the purpose of the Official Plan, stating that, *'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'*. It is also stated in this Section that policies defined within the Official Plan provide direction on a range of planning considerations, such as growth management, urban form, urban design and public consultation, in order to promote the physical development of a healthy, sustainable community.

4.2.2 Existing Designation (Schedule 'A')

The subject lands are designated 'Open Space' on Schedule 'A' (Land Use) of the Official Plan (refer to **Figure 4**). This designation is applied to lands which are to be maintained as park space or in a natural state. Chapter 8 (Open Space Land Use Designations) provides policies describing the intent, function and permitted uses of this designation. In this respect, Section 8A (Open Space Land Use Designation) describes the general characteristics of lands in this designation:

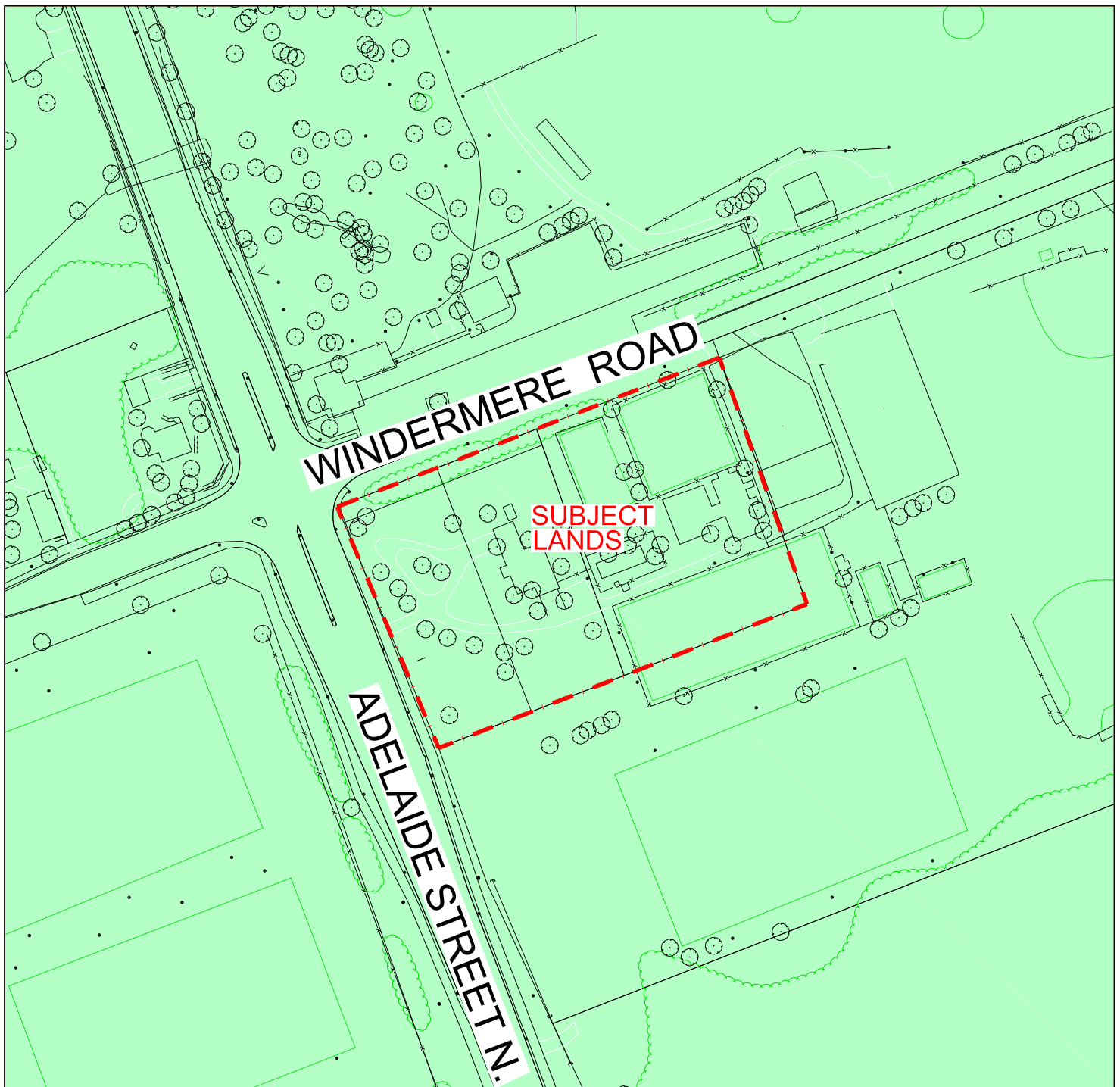
"These lands include public and private open space, flood plain lands, lands susceptible to erosion and unstable slopes and natural heritage areas which have been recognized by Council as having city-wide, regional, or provincial significance. It is the intent of the Plan to conserve such areas and, where appropriate ..."

Section 8A.2.2. of the Official Plan prescribes that the permitted uses in the Open Space designation are generally limited to parks, cemeteries, golf courses, agriculture, conservation, public utilities, municipal services and recreational and community facilities.

The intent of this proposal is to redevelop the Site for a multi-unit commercial plaza integrating retail/service commercial uses and/or small-scale offices. This proposal is not contemplated within the standard land use permissions of the 'Open Space' designation; therefore an OPA will be required to permit project development.

4.2.3 Existing Designations (Schedules 'B1' and 'B2')

Pursuant to Schedule 'B1' (Natural Heritage Features), there are no natural heritage features located within the subject lands. The Site does form part of a 'Big Picture Meta-Core and Meta-Corridor' system. These features are represented conceptually on Schedule B1, and are not components of the 'Natural Heritage System' defined in the Official Plan.



LEGEND


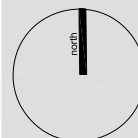
 OPEN SPACE

Figure 4
Existing
Official Plan
Designation
Schedule 'A'
Land Use

 **SUBJECT LANDS**



Schedule 'B2' (Natural Resources and Hazards) delineates that lands in the vicinity of the Adelaide Street North/Windermere Road intersection are located within the defined flood plain of the Thames River. Subsection 8A.2.2. i) of the Official Plan outlines that where flood plain lands are included in the 'Open Space' designation, policies concerning development and use restrictions within flood plain lands take precedence. The associated policies are set out in Chapter 15 ('Environmental Policies') of the Official Plan.

The preamble to Section 15.6 describes that the 'Regulatory Flood Standard' for the Thames watershed is based on the 1937 'Observed Flood Event' (representing the equivalent of the 1:250 year return flow occurrence). Further, the development parameters for flood plain lands are described as follows:

- *The policies of this Section of the Plan regulate flood plain lands by restricting permitted uses located in the flood plain. The policies are structured around a "one-zone concept" based on the regulatory flood standard. ...*
- *In some areas the flood plain is divided into two zones: the floodway, where no development will be permitted; and the flood fringe, where a limited amount of development will be permitted subject to appropriate floodproofing measures.*

As discussed, a one-zone flood plain concept applies to the development site and adjacent lands. Section 15.6.2. iii) of the Official Plan states that development in flood plains is restricted to flood/erosion control structures, facilities that must locate near watercourses and essential public services.

Notwithstanding that a two-zone concept has not been specifically applied to this development area, the layout of this redevelopment has been designed to be consistent with the two-zone concept policies set out in Section 15.6.3. of the Official Plan. Specifically, as noted in Section 15.6.3 v) b), development is permitted in flood fringe areas subject to compliance with floodproofing and access requirements and receipt of UTRCA approval. As discussed in Section 4.1.3 of this Report, a series of measures are incorporated into the redevelopment plan to fully satisfy these prerequisites; measures that are supported, in principle, by UTRCA staff. Accordingly, in our opinion, this proposal is in keeping with the intent of Section 15.6. to allow for limited, conditional development within the flood plain in areas where flood risks can be effectively mitigated.

4.2.4 Proposed Designation (Schedule 'A')

(a) Specific Area Framework

A review of Official Plan policy was conducted to assess the most appropriate land use designation to facilitate implementation of the redevelopment plan. In light of the location of the Site within flood plain lands and comments provided by City staff, it is proposed that the 'Open Space' designation be retained on this parcel subject to a special policy framework.

Given the context of the Official Plan, it is proposed that a new 'Specific Area (SA)' be established for these lands pursuant to the direction set out in Chapter 10 of the Official Plan. Section 10.1.1. states that the purpose of SAs is to apply site-specific policies, '*...where the application of existing policies would not accurately reflect the intent of Council with respect to the future use of the land*'.

Section 10.1.1. also sets out four criteria for adoption of SA polices noting that at least one must apply to the proposal. Given the foregoing discussion, in our opinion the following condition is applicable to this proposal:

- ii) *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.*

(b) Proposed Development Permissions

The proposed SA would prescribe site-specific permissions reflecting the intended use, location, form and scale of the concept plan in the context of the Open Space designation. To implement all aspects of the redevelopment proposal described in Sections 3.1 and 3.2 of this Report, it is proposed that the commercial and office permissions of the 'Neighbourhood Commercial Node' designation of the Official Plan be integrated into the SA to provide adequate flexibility for the long-term viability of the plaza. Permitted uses in this designation are generally limited to a variety of convenience commercial uses, service-oriented uses, professional and medical/dental offices, small-scale restaurants and similar uses that draw customers from a neighbourhood-scale trade area.

(c) Proposed Specific Area Policy

It is our opinion that the following Specific Provision under Section 10.1.3. of the Official Plan would be appropriately implement this redevelopment plan.

1310 Adelaide Street North and Adjacent Unnumbered Parcel

x__) *In the Open Space Designation at 1310 Adelaide Street North and the adjacent unnumbered parcel, in addition to the uses permitted in the Open Space designation, small retail stores; food stores; pharmacies; convenience commercial uses; personal services; financial institutions; service-oriented office uses such as real estate, insurance and travel agencies; community facilities such as libraries or day care centres; professional and medical/dental offices; small-scale restaurants; commercial recreation establishments; and similar uses that draw customers from a neighbourhood-scale trade area may be permitted in a multi-unit plaza format.*

(c) Related Official Plan Policies

Chapter 4 (Commercial Land Use Designations) and Chapter 11 (Urban Design Principles) of the Official Plan contain policies particularly germane to this application; with specific provisions related to land use permissions in 'Neighbourhood Commercial Nodes' set out in Section 4.3.8. The following discussion (1) summarizes the core policies of the Official Plan relating to this designation and (2) evaluates the merits of this application relative to this policy framework.

4.2.5 Chapter 4 – Commercial Development

(a) General Objectives

Section 4.2.1. provides the following policy goals and objectives for all commercial land use designations within the City of London:

- i) *Promote the orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers;*

The intent of this proposal is to develop a commercial plaza on the Site that will attract locally-oriented business opportunities to help broaden the range of commercial and office activities available within the Stoneybrook planning district. The intended uses (retail/commercial activities, small-scale offices) are compatible with, and complimentary to, the mix of residential, commercial and recreational uses in the general vicinity of the Site Adelaide Street North/Windermere Road intersection. Further, it is anticipated that the intended uses will be similar in intensity to the commercial activities located immediately north of the Site.

Given these considerations, applying land use permissions from the 'Neighbourhood Commercial Node' designation would facilitate the orderly distribution of local commercial activities and small-scale office to help satisfy the demands of area residents and the travelling public.

- ii) *Minimize the impact of commercial development on adjacent land uses and on the traffic-carrying capacity of adjacent roads;*

The subject lands are located on a rectangular parcel with frontage on Adelaide Street North, an arterial road having four lanes for through traffic at this location, and Windermere Road, a local road incorporating two traffic lanes for through traffic at this location. Additionally, recreational uses about the east and south interfaces of the Site and commercial uses (restaurant, golf complex) are situated at the northeast corner of the Adelaide Street North intersection.

The concept plan for the commercial plaza has been designed to address the referenced Official Plan objective. In particular, the positioning and form of the building provides sufficient buffering from existing recreational uses and is compatible with adjacent commercial uses and the surrounding development context. The access arrangement has also been designed to minimize impacts to the capacity of the existing street network.

- iii) *Provide sufficient land at appropriate locations to meet the need for new commercial development; and,*

The proposed multi-unit plaza would provide a total of 982 m² (10,570 ft²) of commercial space to replace the GFA encompassed by the existing residence, gym and outbuildings. The commercial and office-related uses intended for the plaza will be consistent with the permissions of the 'Neighbourhood Commercial Node' and will help to meet market demands.

- iv) *Encourage intensification and redevelopment in existing commercial areas within the built-up area of the City to meet commercial needs, to make better use of existing City infrastructure and to strengthen the vitality of these areas.*

The proposed OPA would establish an SA on the Site that would permit a limited range of retail/service commercial uses and offices on lands that have historically been used for commercial recreational purposes. In review, the redevelopment plan is consistent with the stated objective of this policy as it serves to optimize this serviced site for commercial purposes subject to prescribed floodproofing requirements. Further, the proposal encourages the diversification of service commercial uses at the Adelaide Street North/Windermere Road intersection.

(b) Urban Design Guidelines

Section 4.2.2. provides overall urban design objectives for all commercial designations within London. The policy notes that all commercial development shall:

- i) Promote an aesthetically pleasing form of commercial development that conforms to the City's Commercial Urban Design Guidelines and any area specific guidelines;*

The Urban Design Brief prepared in support of the OPA/ZBA applications demonstrates how the proposal addresses existing urban design guidelines.

- ii) Maintain, where possible, the cultural heritage value or interest of listed buildings in the commercial designations and ensure, through application of the Commercial Urban Design Guidelines, that new development is complementary to the form of existing development;*

In accordance with Sections 13.2. and 13.3 of the Official Plan, a preliminary review of policies relating to heritage preservation and Heritage Conservation Districts (HCDs) was conducted as part of project planning. It was noted that the subject lands are not situated in an HCD; however 1324 Adelaide Street North ('The Waltzing Weasel') is listed as a 'Priority 3' site on the City's Heritage Building Inventory. According to the registry, buildings with this designation may merit designation as part of a HCD rather than as individual designations.

Notwithstanding that an HCD is not in effect in this development area, the concept plan has been designed in a manner that complements the built form and character of 1324 Adelaide Street North.

- iii) Encourage commercial development located along arterial roads, which serve as major entryways into the City, to meet a higher design standard through the site plan approval process and through the application of the Commercial Urban Design Guidelines; and,*

The building form will be positioned adjacent to the intersection of Adelaide Street North (a designated arterial road) and Windermere Road (an arterial road west of the intersection). As demonstrated on Figures 2 and 3, the plaza layout promotes a high standard of urban design that supports a defined street edge, is pedestrian oriented and is compatible with the existing development context.

- iv) Discourage large, front yard surface parking areas; encourage street-oriented development; introduce a higher standard of landscaping; incorporate accessible pedestrian connections to transit facilities, to adjacent neighbouring residential areas and within large commercial developments; require joint access and the co-ordination of internal and external traffic movements.*

Commentary provided in this Report demonstrates that the matters discussed in Subsection iv) have been contemplated in the concept plan. These issues will be further evaluated through the Site Plan Approval process and refinements to these design elements will be implemented, where appropriate.

(c) Planned Function and Permitted Uses: Neighbourhood Commercial Node

Section 4.3.8. provides the policy goals and objectives for the development of lands designated as 'Neighbourhood Commercial Node'. Section 4.3.8.1. describes the planned function for this commercial designation:

Neighbourhood Commercial Nodes are intended to provide for the daily or weekly convenience shopping and service needs of nearby residents and, to a lesser extent, passing motorists. They should contain uses that are convenience-oriented and unlikely to draw customers from beyond the local area.

To support this planned function, Section 4.3.8.3. prescribes a series of permitted uses for 'Neighbourhood Commercial Nodes' including:

... small retail stores; food stores; pharmacies; convenience commercial uses; personal services; financial institutions; service-oriented office uses such as real estate, insurance and travel agencies; community facilities such as libraries or day care centres; professional and medical/dental offices; small-scale restaurants; commercial recreation establishments; and similar uses that draw customers from a neighbourhood-scale trade area. ...

Planning permissions applying to the subject lands allow for a limited range of recreational commercial activities within the existing buildings. A key objective of the redevelopment plan is to expand the retail/service commercial and office permissions to better serve the needs of nearby residents and the travelling public. This objective is consistent with the planned function of 'Neighbourhood Commercial Nodes'. Therefore, in our opinion, the commercial and office permissions of this designation would be appropriate for this Site and should be integrated into the SA provisions.

(d) Location Policies: Neighbourhood Commercial Node

Section 4.4.2.5. provides policy direction regarding the preferred location for 'Neighbourhood Commercial Nodes', stating that these nodes should be located at the following sites:

- i. at the intersections of arterial roads, primary collector roads and secondary collector roads;*
- ii. on sites close to pedestrian and bicycle pathways and transit services;*
- iii. on a site(s) large enough to accommodate all buildings plus parking, loading facilities and measures to provide adequate buffering and setbacks from adjacent residential uses; and,*
- iv. on sites with good pedestrian access to the neighbourhood.*

In our opinion, the following considerations demonstrate that the proposal achieves the defined locational criteria:

- The subject lands are situated along Adelaide Street North; one of the City's major north-south arterial roads and Windermere Road; which is classified as an arterial road immediately west of the intersection;
- The property is accessible by the City's pedestrian/bicycle trail system extending along the Thames River corridor and LTC bus routes operating along the Adelaide Street North and Windermere Road corridors;
- The concept plan can accommodate the planned buildings, parking facilities and landscaping features, as well as the required floodproofing measures; and
- There is excellent pedestrian connectivity between the Site and nearby residential areas via existing sidewalks and pathway systems.

(e) Built Form Policies: Neighbourhood Commercial Node

Section 4.3.8.4. provides general policy statements that guide the development form in neighbourhood commercial areas. The following provisions have particular relevance to this proposal and, in our opinion, have been addressed in the project design:

- *Neighbourhood Commercial Nodes generally have a strip plaza focus with a combination of small free-standing uses or small uses in a plaza format but can be applied to a collection of small stores intended to serve the surrounding neighbourhood.*
- *Free-standing structures along the street frontage should be developed to improve the design of the street edge, provide access to transit stops and reduce the visual impact of large open parking lots.*
- *The design, appearance and scale shall be in harmony with the surrounding residential area with adequate screening and buffering between uses.*
- *Parking areas should be carefully designed ...*

4.2.6 Chapter 11 – Urban Design Objectives

Chapter 11 of the Official Plan provides direction for matters related to the visual character, aesthetics, and compatibility of land use, and to the qualitative aspects of development. The Urban Design Brief prepared in support of the OPA/ZBA application illustrates that the development has consideration for the design direction and principles set out in this Chapter.

4.2.7 Conclusion

Based upon the foregoing, in our opinion the proposal to apply a SA to the Site integrating the retail, personal service and office use permissions of the 'Neighbourhood Commercial Node' is consistent with the principles and policy direction of the Official Plan. In particular, implementation of this proposal will optimize the redevelopment potential of this property for commercial purposes given its unique setting and development constraints. The intended use of the Site would also compliment the surrounding development context and support the urban design objectives set out in the Official Plan.

4.3 City of London Draft Official Plan

The City of London initiated the 'ReThink London' initiative in May 2012 to develop a new Official Plan. In May 2016, City staff released the third draft of the new Official Plan ('The London Plan'). City Council has adopted this final draft document as the new City of London Official Plan on June 23, 2016. The London Plan has subsequently been submitted to the Ministry of Municipal Affairs and Housing for approval.

Under the Council-approval draft Official Plan, the subject lands are within the **'Green Space'** place type on the land use schedule ('Map 1'). Generally, this Place Type permits parks, private green space such as cemeteries and golf courses, agriculture, urban gardens and recreational and community facilities. These permissions are similar to the existing permissions of the 'Open Space' designation. Additionally, Policies 1427 to 1433 of the draft Official Plan address development in flood plain lands. This policy structure is largely consistent with the existing Official Plan as discussed in Section 4.2.3 of the Report.

Additionally, within the draft Official Plan the 'Neighbourhood Commercial Node' designation has been replaced by the 'Shopping Area' place type. Policy 877 specifies the permitted uses in this new place type, including the types of retail, service and office uses intended for the Site. Moreover, the redevelopment plan is in keeping with both (1) the 'Intensity' and 'Form' provisions for this place type set out in Policies 878 and 879 and (2) the urban design policies detailed in the 'City Design' section of the draft Official Plan.

Based upon the foregoing, in our opinion the components of the proposed SA discussed in Section 4.2.4 c) of this Report would be consistent with policy structure of both the 'Green Space' and 'Shopping Area' place types. It is also our opinion that this redevelopment plan is in keeping with the broader policy direction and principles of the draft Official Plan.

Consistent with current City of London practices, if the proposed SA is adopted by way an OPA to the existing Official Plan, the draft Official Plan should be amended to include this site-specific policy.

5.0

ZONING BY-LAW ANALYSIS

5.1 Current Zoning

Figure 5 illustrates that the Site is currently zoned '**Open Space Special Provision (OS4(2))**' pursuant to Zoning By-law No. Z-1. Section 36.1 of the Zoning By-law states that the parent OS4 Zone is applied to areas that have physical and/or environmental constraints to development (e.g., lands prone to flooding/erosion). Permissions in the site-specific OS4(2) Zone Variation are limited to commercial recreation establishments in existing buildings. Accordingly, a Zoning By-law Amendment will be required to allow retail/service commercial uses and small-scale offices on the Site.

5.2 Proposed Zoning

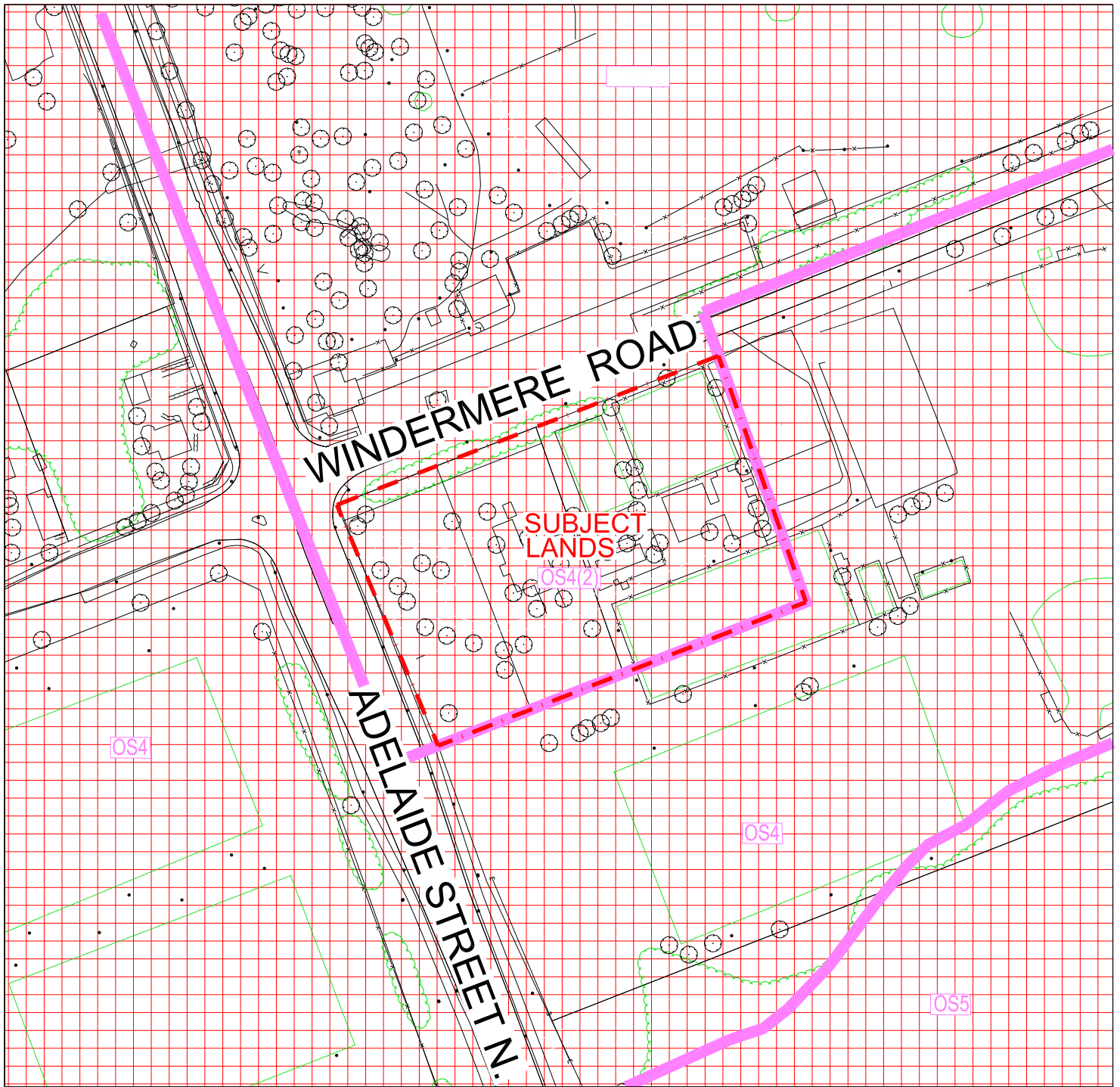
5.2.1 OS4 Zone Variation

An analysis of Zoning By-law Z-1 was conducted to identify a zone that could implement the intended uses, scale, positioning and layout of this project. As an outcome of this review, in our opinion, an OS4 Zone Variation is the appropriate mechanism to accommodate the planned commercial plaza in the context of the Zoning By-law.

The special provisions of the proposed '**Open Space OS4()**' Zone would expressly implement the concept plan described in Section 3.2 of this Report (and illustrated in Figure 2). Additionally, floodproofing measures would be incorporated into the proposed zone structure to address UTRCA regulatory requirements for development within flood plain lands. Recognizing that a portion of the unnumbered property is expected to be conveyed to the City for conservation and recreational purposes, it is proposed that this remnant parcel be rezoned OS4.

5.2.2 Permitted Uses

It is proposed that the permissions of the 'Neighbourhood Shopping Area (NSA1)' Zone Variation be applied to support the commercial and office uses intended for the Site. This zone permits a limited range of neighbourhood-scale retail, personal service and office uses.

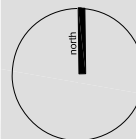


ZONING LEGEND

- ZONE LIMIT
- OS4 OPEN SPACE OS4 ZONE
- CONSERVATION AUTHORITY REGULATED AREAS

Figure 5
Existing Zoning

SUBJECT LANDS



5.2.3 Development Regulations

Table 3.0 compares the development site and the remnant lands with several applicable OS4 development regulations.

Table 3.0 - Selected Zoning Regulations (OS4 Zone and General Provisions)

Regulation	Required	Provided (Development Site)	Provided (Remnant Lands)
Lot Area (min.)	4,000 m ²	6,446 m ²	6,262 m ²
Lot Frontage (min.)	15.0 m	65.3 m	68.4 m
Building Setbacks (min.)			
Front Yard	6.0 m	6.1 m	n/a
Interior Side Yard	6.0 m	47.9 m	n/a
Exterior Side Yard	8.0 m	3.9 m	n/a
Rear Yard	7.0 m	29.2 m	n/a
Building Height (max.)	12.0 m	One storey (<12.0 m)	n/a
Landscaped Open Space (min.)	20%	40.4 %	n/a
Lot Coverage (max.)	10%	15.2%	n/a
Off-Street Parking (min.)*	75 stalls	77 spaces	n/a
Bicycle Parking (min.)*	6 spaces	8 spaces	n/a

* Assumes project site would be developed as a 'shopping centre' pursuant to the Zoning By-law definition.

As illustrated, the proposed building scale and site layout of the concept plan meet most applicable OS4 regulations; however site-specific development regulations are required to address the following matters:

1. Permit a reduction in the exterior yard setback to 3.5 m (11.5 ft) to allow the proposed building to be positioned in close proximity to the Windermere Road frontage. This arrangement promotes a defined street edge and a pedestrian orientation; consistent with contemporary urban design objectives. Positioning the building adjacent to the Adelaide Street North/Windermere Road improves site ingress/egress in flood events; and
2. Permit a maximum lot coverage of 15.5% to support a more compact redevelopment form and the efficient use of land, infrastructure and public services.

5.2.4 Special Provision

Based upon the foregoing and the permissions defined for the proposed SA, it is our opinion that the following special provision to the OS4 Zone Variation would appropriately implement this redevelopment plan on 1310 Adelaide Street North and a portion of the adjacent unnumbered property.

OS4()

a) Permitted Uses:

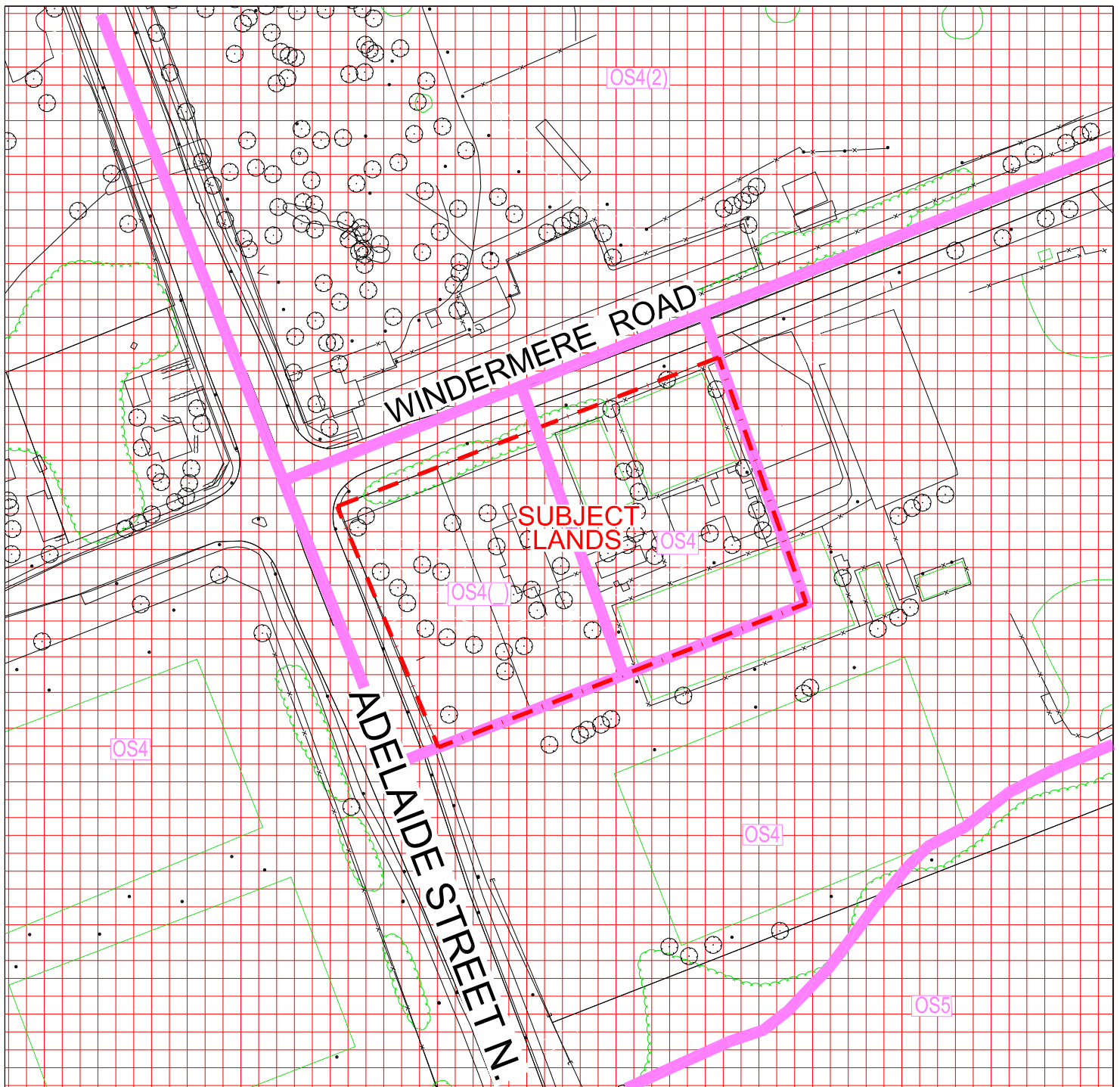
- i. Bake shops*
- ii. Catalogue stores*
- iii. Clinics*
- iv. Convenience service establishments*
- v. Day care centres*
- vi. Duplicating shops*
- vii. Financial institutions*
- viii. Food stores*
- ix. Libraries*
- x. Medical/dental offices*
- xi. Offices*
- xii. Personal service establishments*
- xiii. Restaurants*
- xiv. Retail stores*
- xv. Service and repair establishments*
- xvi. Studios*
- xvii. Video rental establishments*
- xviii. Brewing on Premises Establishment*
- xix. Any use permitted in the OS4 Zone Variation*

b) Regulations:

- i) Exterior Side Yard Depth (minimum): 3.5 metres*
- ii) Lot Coverage (maximum): 15.5%*
- iii) Parking Spaces (maximum): 77 Spaces*
- iv) Floor Slab Elevation (minimum): 243.6 metres (250-year flood elevation)*

5.3 Summary

It is proposed that the existing OS4(2) Zone applying to the subject lands be amended to (1) a new, site-specific 'Open Space (OS4())' Zone applicable to the development site and (2) the OS4 Zone applicable to the remnant lands (refer to **Figure 6**). The proposed Zone Variation would: accommodate the proposed plaza; allow for a broad range of locally-oriented commercial uses and small-scale offices on the Site; and recognize existing permissions appropriate for these lands and prescribe specific floodproofing to satisfy UTRCA requirements.

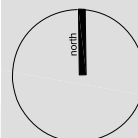


ZONING LEGEND

[Pink Line] ZONE LIMIT
 OS4 OPEN SPACE OS4 ZONE
 OS5 OPEN SPACE OS5 ZONE

Figure 6
Proposed Zoning

[Red Dashed Line] SUBJECT LANDS



6.0

CONCLUSIONS

In conclusion, the requested Amendments to the Official Plan and Zoning By-law are appropriate for the Site and consistent with the framework of planning policy. This assessment is based, in part, on the following considerations:

1. The subject lands are located within the City's Urban Area Boundary, are designated and zoned for commercial purposes. York Developments London Inc. is proposing to redevelop these lands for a multi-unit commercial plaza supporting locally-oriented retail, personal service and small-scale office uses. The Site is well suited for the proposed land use in terms of its location adjacent to the arterial road system; its proximity to established residential communities, transit services and pathway systems; and its physical characteristics;
2. The redevelopment plan optimizes the use of this Site for commercial purposes given its unique setting, existing development constraints and Upper Thames River Conservation Authority policies addressing replacement structures and parking spaces in floodways. Further, the proposal encourages the diversification of service commercial uses at the Adelaide Street North/Windermere Road intersection to help meet the needs of area residents and the travelling public;
3. The massing, orientation and articulation of the commercial plaza are designed (1) to be sensitive to the established neighbourhood character and (2) to integrate effectively into the existing development context. The small-scale commercial and office uses intended for the proposed plaza are compatible with, and compliment, adjacent commercial and recreational activities. In our opinion, the building form and range of uses intended for the Site should not generate unacceptable adverse impacts on the subject lands or adjacent properties;
4. The redevelopment plan supports compact urban form and has consideration for the urban design principles set out in Chapter 11 of the Official Plan;
5. Preliminary assessments indicate that adequate servicing and transportation infrastructure is available to accommodate the proposed development;
6. The development proposal is consistent with the Provincial Policy Statement, complies with the with the goals and objectives of the City's Official Plan and has regard for the policy direction of the City's draft Official Plan;
7. The 'Specific Area' proposed for this Site under Chapter 10 of the Official Plan would prescribe site-specific permissions reflecting the intended use, location, form and scale of the concept plan.

Commercial and office use permissions integrated into this SA would reflect those applying to 'Neighbourhood Commercial Nodes". In our opinion, applying these permissions to the Site is consistent with the principles of the Official Plan and would optimize the redevelopment potential of this property for commercial purposes given its unique setting and development constraints;

8. The proposed 'Open Space OS4()' Zone variation will appropriately implement the redevelopment plan and the provisions of the Official Plan Amendment, if approved; and
9. The development proposed by York Developments London Inc. represents good planning.

Given the noted considerations and the discussion presented in this Report, it is recommended that the City of London approve the Official Plan Amendment and Zoning By-law Amendment applications as proposed.

Respectfully submitted,

MHBC



Carol M. Wiebe, BES
Partner



Scott Allen, MA, RPP
Associate