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File: O-8741
Planner: L. Maitland

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: THE CORPORATION OF THE CITY OF LONDON SOUTHWEST AREA SECONDARY PLAN PARKING PUBLIC PARTICIPATION MEETING ON APRIL 10, 2017

RECOMMENDATION

- 1) That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to the lands located within the Southwest Area Secondary Plan:
 - (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 18, 2017 to amend the Southwest Area Secondary Plan **TO AMEND** policy 20.5.3.9(iii)(g) of the Southwest Area Secondary Plan by replacing the parking policy for apartment, office and mixed use development with a new policy consistent with The London Plan.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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- November 28, 2016 – Planning and Environment Committee – Application by Old Oak Properties Inc., PPM.
- May 30, 2016 – London Psychiatric Hospital Lands & South West Area Secondary Plans - PPM
- June 24, 2015 – Planning and Environment Committee – London Psychiatric Hospital Lands & Southwest Area Secondary Plans – Information Report.
- July 22, 2014 – Report on the outcome of the Southwest Area Secondary Plan hearing at the Ontario Municipal Board.
- October 15, 2012 – Public Participation Meeting before Planning and Environment Committee to adopt the Southwest Area Secondary Plan.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

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

RATIONALE

- The recommended action is supported based on the following rationale:
- a) the recommended amendment is consistent with the Provincial Policy Statement, 2014;
 - b) the recommended amendment conforms to the policies of the Official Plan, 1989 and The London Plan; and,
 - c) the recommended amendment provides policies regarding parking associated with office and apartment buildings to be provided in forms consistent with the scale of development.

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BACKGROUND

Date Application Accepted: February 27, 2017	Agent: N/A
REQUESTED ACTION: Replace policy from policy 20.5.3.9.(iii)(g) of the Southwest Area Secondary Plan with policy to be consistent with the London Plan.	

PLANNING HISTORY

The Southwest Area Secondary Plan was approved in October of 2012. The Secondary Plan was appealed to the Ontario Municipal Board and the Board issued its notice of decision on April 29, 2014. In May of 2016, additional amendments were made to the Secondary Plan to ensure conformity with The London Plan.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

WADE: No comment

PUBLIC LIAISON:	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on March 9, 2017.	1 reply received
Nature of Liaison: The purpose and effect of this Official Plan amendment is to replace a policy that requires all parking for office and apartment buildings located within the Southwest Area to be provided underground. Possible amendment to the Southwest Area Secondary Plan by DELETING the following policy from policy 20.5.3.9.(iii)(g), “for all office and apartment building development, parking shall be located underground in a structure integrated into the building” and replacing it with policy to be consistent with the London Plan.		
Responses: The single respondent requested that the application be referred back to staff given that the parking policies of The London Plan are under appeal noting that the requirement for underground policy in suburban areas such as those of SWAP is an overly onerous ask.		

ANALYSIS

NATURE OF THE APPLICATION

This proposed amendment is a result of the withdrawal of an application by Old Oak Properties to delete the portion of Section 20.5.3.9 iii) which referred to parking in association with office and apartment buildings. On December 6, 2016 Municipal Council resolved that:

That, the application of Old Oak Properties Inc., relating to the lands located within the Southwest Area Secondary Plan, BE REFERRED back to the Civic Administration for a report back at a future Planning and Environment Committee meeting with an approach that maintains the general requirement for underground parking for office and apartment buildings but allows for exceptions for smaller scale office and apartment building developments:

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it being pointed out that at the public participation meeting associated with this matter, the individuals indicated on the attached public participation meeting record made oral submissions regarding this matter;

it being noted that the Municipal Council referred this application back to the Civic Administration after hearing significant public comments relating to this matter.

Old Oak Properties Inc. has subsequently withdrawn its application, so the City is bringing this amendment forward in response to the Council's direction.

SOUTHWEST AREA SECONDARY PLAN

The Southwest Area Secondary Plan is in place to provide additional policy direction for development within the secondary plan area beyond that provided in the Official Plan. The Southwest Area Secondary Plan relies on 20.5.3.9 iii) Buildings and Site Design to address parking concerns and ensure provided parking is located and designed appropriately in accordance with the development with which parking is associated.

The December 2016 Municipal Council resolution addresses the policy bolded below specifically. The Council resolution directs for policy which "*maintains the general requirement for underground parking for office and apartment buildings*" but recognizes that for smaller buildings underground parking may not be feasible. The general parking policies of the Southwest Area Secondary Plan are provided below in their entirety.

g) Off-street parking areas shall be designed to reduce their visual impact on both the adjoining streetscape and on people using the site and/or facility by:

- *screening of the parking lot at the public right-of-way through the use of features such as low fences, walls and landscaping and in a manner which reflects the safe community design policies of this Section;*
- *locating the parking lot, within commercial or mixed-use developments, to the side or rear of the main building and permitting no or only minimal parking in front of the main building. Where large-format retail stores are proposed, design alternatives that contribute to the creation of a vibrant and active streetscape, may include, but not be limited to, locating large-format retail structures in the interior or at the rear of commercial or mixed-use development blocks with smaller stores and buildings oriented to the surrounding public rights-of-way to create a strong street presence. Alternatively, the frontage of the large-format retail store facing the public right-of-way should be lined with smaller stores with entrances oriented to the streetscape. Parking areas will be integrated with development associated with large-format retail stores, in a manner designed to contribute to the objective of a vibrant and active streetscape;*
- *for all commercial, office, mixed-use and apartment building development proposals, appropriate buffering shall be provided between parking areas and "back-of-building" functions, such as loading/receiving areas and garbage/storage areas and adjacent land uses;*
- ***for all office and apartment building development, parking shall be located underground in a structure integrated into the building;***
- *the use of landscaping or decorative paving to reduce the visual expanse of large parking areas;*
- *joint access to parking lots on adjoining properties where feasible;*
- *provision of pedestrian walkways adjacent to stores, between building clusters, and to provide pedestrian access to transit stops, public sidewalks and adjacent developments. These walkways may need to cross parking lots to provide the required access;*
- *the interior of the site be designed to give pedestrian connections from the public right-of-way priority through the site/parking field, while enhancing the pedestrian environment and ensuring the site is easily navigable.*

The existing policies do not match the scale of the development to the form of parking required to be provided. The existing policies require underground parking for even the smallest office or apartment building. Proposed policies in line with the Council direction

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would acknowledge that underground parking, as a form, should be a requirement of larger buildings.

PROVINCIAL POLICY

Underground parking in association with larger buildings is supportive of efforts to achieve compact form. The Provincial Policy Statement, 2014 (PPS) provides guidance through policy 1.1.3.2 of the PPS which directs municipalities to establish: “Land use patterns within *settlement areas*... [that] efficiently use land and resources; ... support *active transportation*; [and] are *transit-supportive*, [with] densities and a mix of land uses which where transit is planned, exists or may be developed.”

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

OFFICIAL PLAN, 1989

The Official Plan, 1989 contains Urban Design policies in Chapter 11 which speak to general principles to be reflected in the design of new developments throughout the city. Section 11.1.1 of the Urban Design chapter provides policy on parking relevant in the consideration of the proposal.

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

As The London Plan parking policies are currently under appeal, the Official Plan, 1989 is the plan in force and effect with regards to parking. The policy of the Official Plan, 1989, though relevant, is general and does not offer specific guidance for the placement of parking in association with larger office and apartment buildings. For this reason additional policy was developed through the creation of the Southwest Area Secondary Plan to provide additional policy on the design and type of parking preferred. As stated in 20.5.1.2 of the Southwest Area Secondary Plan, outlining the Secondary Plan’s purpose, the Secondary Plan “provides a greater level of detail than the general policies in the City Official Plan, 1989.” The Southwest Area Secondary Plan provides more specific guidance on parking in relation to office and apartment building development and this is recognized in the Secondary Plan’s statement of purpose.

THE LONDON PLAN

Within the London Plan policy framework, the City Design section has parking policies directing the appropriate form for parking in association with a given land use/building type. The London Plan encourages parking to locate underground in association with large-scale buildings and that structured parking is done in an integrated manner for all types of uses. Policy 275 provides general guidance for the types of buildings referenced in the SWAP policy. Policy 275 reads “*Parking should be located underground for large buildings, such as high-rise residential buildings, office buildings, and mixed-use buildings.*” This policy directs parking underground for large buildings but does not provide guidance for smaller scale office and apartment building development, referenced in the relevant SWAP policy. The London Plan recognizes that underground parking is a function of large buildings as smaller sites often cannot feasibly provide underground parking.

The London Plan does provide guidance on structured parking as well. Policy 273 states that: “*Parking structures will be integrated into the design of buildings to ensure the public realm is not negatively affected. Structured parking will be screened.*” Policy 272 states that “*The impact of parking facilities on the public realm will be minimized by strategically locating and screening these parking areas. Surface parking should be located in the rear yard or interior side yard.*” Both these policies offer additional guidance for the development of policy for screening and locating parking within the Southwest Area Secondary Plan area. Though these policies are not specific

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to office and apartment building uses they still direct for the location and condition of parking.

RECOMMENDED AMENDMENT

The Council direction of December 2016 directs that a new policy is created which: “*allows for exceptions for smaller scale office and apartment building developments*”. The Southwest Area Secondary Plan policy has more onerous and restrictive parking requirements than other areas of the city for office and apartment uses. This general SWAP policy (specifically 20.5.3.9 (iii)(g)) is even more restrictive than other SWAP policies regarding parking for development within the Wonderland Road Enterprise Corridor, which is intended to be the most intensively developed area in the Southwest Area Secondary Plan area.

The following new policy language is therefore proposed:

- *Parking should be located underground for large buildings, such as high-rise residential buildings, office buildings, and mixed-use buildings.*

The recommended new policy encourages development that is compact in form and efficiently utilizes land. The policy uses the same language as the Council adopted and provincially approved London Plan. While providing flexibility in its implementation:

- Directs for underground parking in association with large buildings so as to achieve compact form.
- Allows for the development of small scale apartment and office buildings in association with surface parking.
- Matches the forms of parking to be provided with both the scale and the use of the site.
- Provides policy to direct parking design and promotes the goals endorsed through the London Plan.
- Supports quality pedestrian environments by facilitating the creation of denser development patterns and ensures that parking is appropriately integrated with the proposed development.

The proposed amendment aligns with the London Plan. Other parking policies contained in both The London Plan and the Southwest Area Secondary Plan include requirements for screening and landscaping that support more desirable forms of development in the Southwest Area. Those policies also provide direction regarding urban design issues such as the siting access of parking. Other policies in the Southwest Area Secondary Plan provide further guidance on community design for a comprehensive approach to address the design of parking with new developments.

THE LONDON PLAN - APPEALED TO ONTARIO MUNICIPAL BOARD

The parking policies of The London Plan, along with the entirety of the City Design chapter where they are found, are currently under appeal to the Ontario Municipal Board. Bringing in amendments to the Southwest Area Plan will provide the policy to ensure that, while the appeals process is underway, necessary guidance regarding parking for large-scale development is in place. The policies proposed are in conformity with both the council-endorsed and provincially approved The London Plan and the Official Plan, 1989.

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CONCLUSION

The recommended policy provides for parking in association with office, mixed use and apartment buildings that connects the form of parking to the scale of development. The provision of underground parking in association with larger buildings supports the broader goals of compact form and efficient use of land in accordance with the Provincial Policy Statement, 2014. The recommended policy provides guidance for office and apartment building development consistent with the direction provided through The London Plan and the Council resolution of December 2016. The recommended policy provides for appropriate development in the Southwest Area Secondary Plan area.

PREPARED BY:	SUBMITTED BY:
LEIF MAITLAND PLANNER I, LONG RANGE PLANNING AND RESEARCH	GREGG BARRETT, AICP MANAGER, LONG RANGE PLANNING AND RESEARCH
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

March 29, 2017
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Appendix "A" – Responses received.
 Appendix "B" – Southwest Area Secondary Plan Amendment
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Appendix "A"

From: Stephen Stapleton
To: [Maitland, Leif](#)
Subject: O-8741-SWAP Underground Parking
Date: Monday, March 20, 2017 10:21:12 AM

Mr. Maitland, thank you for your clarification regarding the above referenced application. I submit the following concerns associated with the recommendation.

As discussed the Notice fails to provide specific's associated with the proposed amendment other than it will be consistent with the London Plan, which is currently under appeal. It would appear that the SWAP policy regarding underground parking is onerous and seems to have passed through that process without noticed. I'm not sure how this policy evolved or if it is something that the City should promote and accept that your proposal provides additional flexibility currently not afforded, however, I would ask that the policy merits should be reviewed further given the obvious concerns expressed by the industry as part of the London Plan. The suburban nature of SWAP and the desire for higher densities seems to be at odds with requirements for underground parking and therefore I would request that this be referred back to staff for more dialogue. This dialogue may also function to reduce the appeals associated with the London Plan and will also limit additional appeals regarding this parking issue associated with SDWAP. Thank you for your consideration.

Stephen Stapleton
Vice President
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Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2016

By-law No. C.P.-1284-_____

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

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on April 18, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading - April 18, 2017
Second Reading - April 18, 2017
Third Reading - April 18, 2017

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AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

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

B. LOCATION OF THIS AMENDMENT

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

C. BASIS OF THE AMENDMENT

The amendment is intended to direct parking in association with office and apartment building development. The amendment provides for parking arrangements which promote efficient land use and compact form. The amendment provides policy in the Southwest Area Secondary Plan which conform with the policies on parking contained in the London Plan.

D. THE AMENDMENT

The Southwest Area Secondary Plan for the City of London is hereby amended as follows:

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

- Parking should be located underground for large buildings, such as high-rise residential buildings, office buildings, and mixed-use buildings.