

ТО:	CHAIR AND MEMBERS – PLANNING & ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P.ENG MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: ADELAIDE & PHILLBROOK CENTRE INC. 1880 PHILLBROOK DRIVE PUBLIC SITE PLAN MEETING NOVEMBER 6 <sup>TH</sup> , 2017

# RECOMMENDATION

That on the recommendation of the Manager, Development Planning, the following actions **BE TAKEN** with respect to the site plan approval application relating to the property located at 1880 Phillbrook Drive:

- a) The Planning & Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan Approval to permit the construction of a three storey commercial development at the south west corner of Phillbrook Drive and Adelaide Street North; and
- b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan application, and whether they support the Site Plan application.

#### PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of this application is to obtain Site Plan Approval, which would have the effect of permitting a three storey commercial development at 1880 Phillbrook Drive. The application is to be heard at a public meeting of the Planning and Environment Committee as a result of a Council resolution pertaining to the Official Plan and Zoning By-law Amendments, which permitted the proposed development.

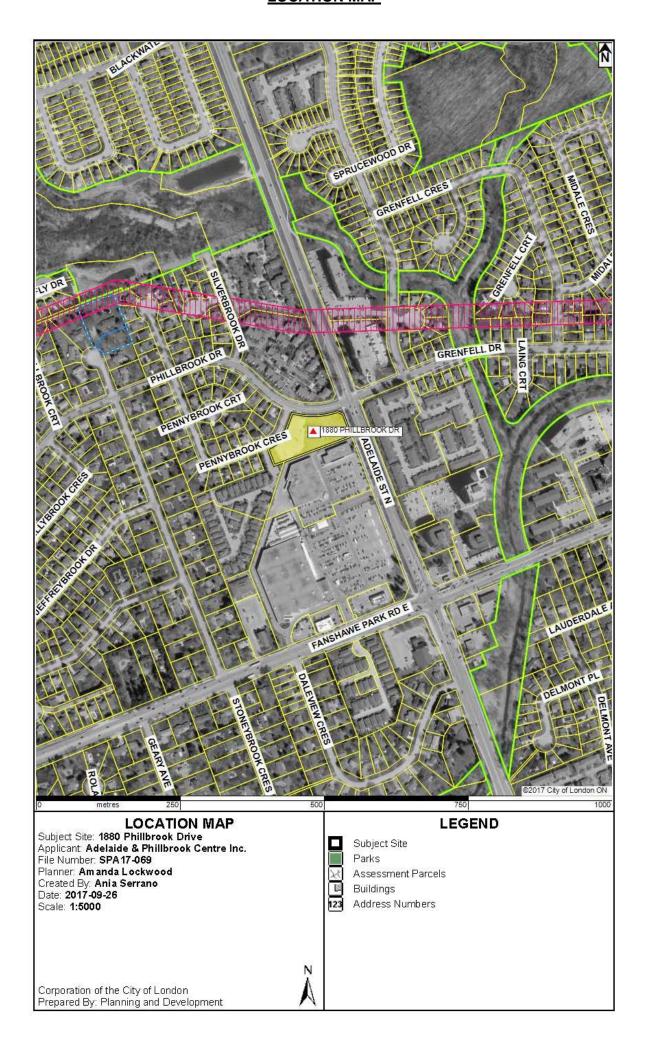
The proposed site plan is generally consistent with the site plan drawings attached to the staff report for an Official Plan and Zoning By-law Amendment (OZ-8584) dated May 9<sup>th</sup>, 2016 to permit the proposed development on the subject lands.

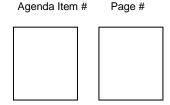
# PREVIOUS REPORTS PERTINENT TO THIS MATTER

**File OZ-8584**; Report to the Planning and Environment Committee to amend the Official Plan and the Zoning By-Law on May 9, 2016.

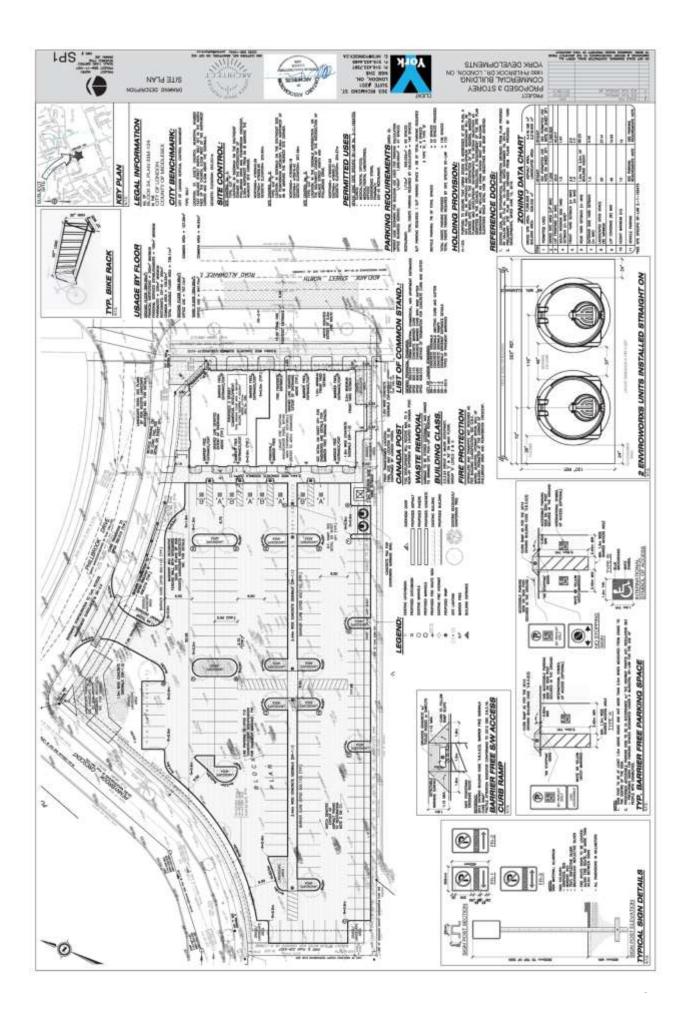
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# **LOCATION MAP**



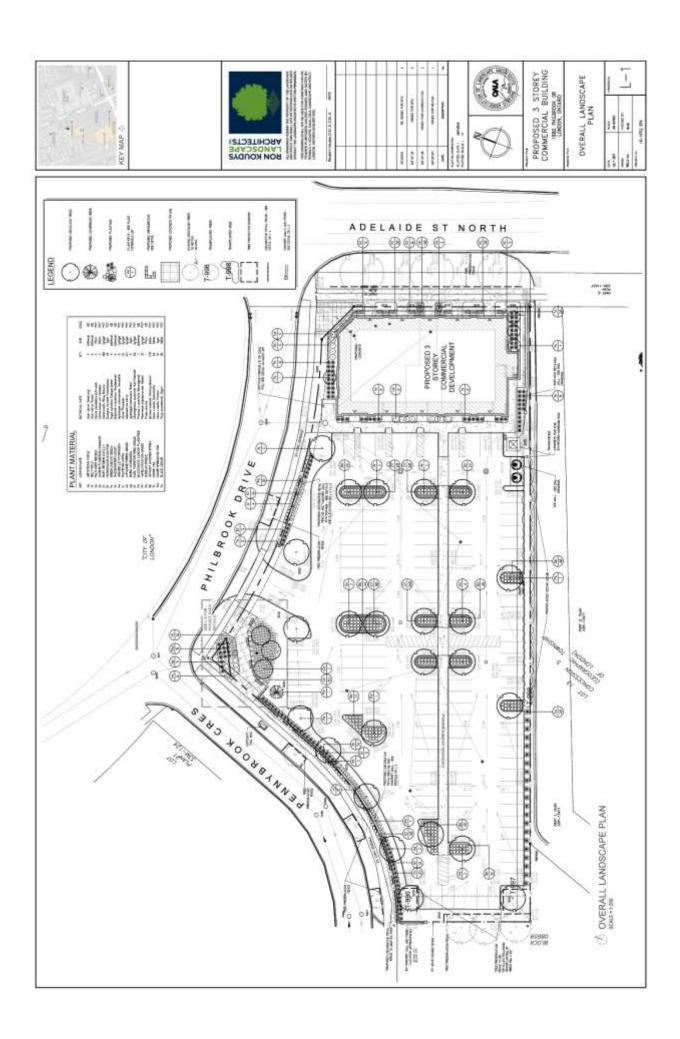


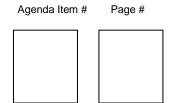
# **SITE PLAN**



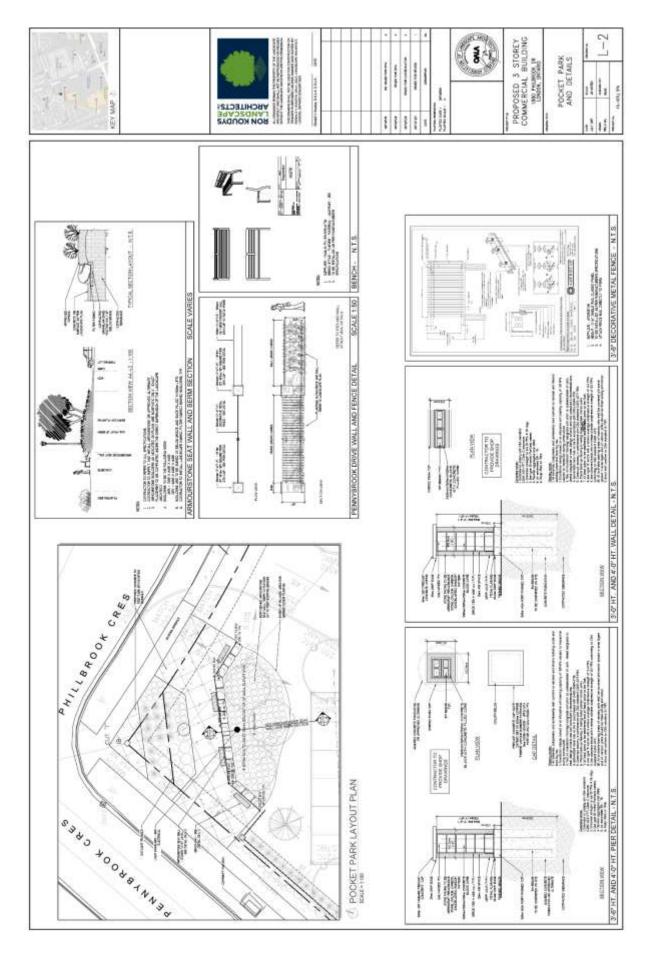
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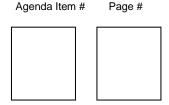
# **OVERALL LANDSCAPE PLAN**



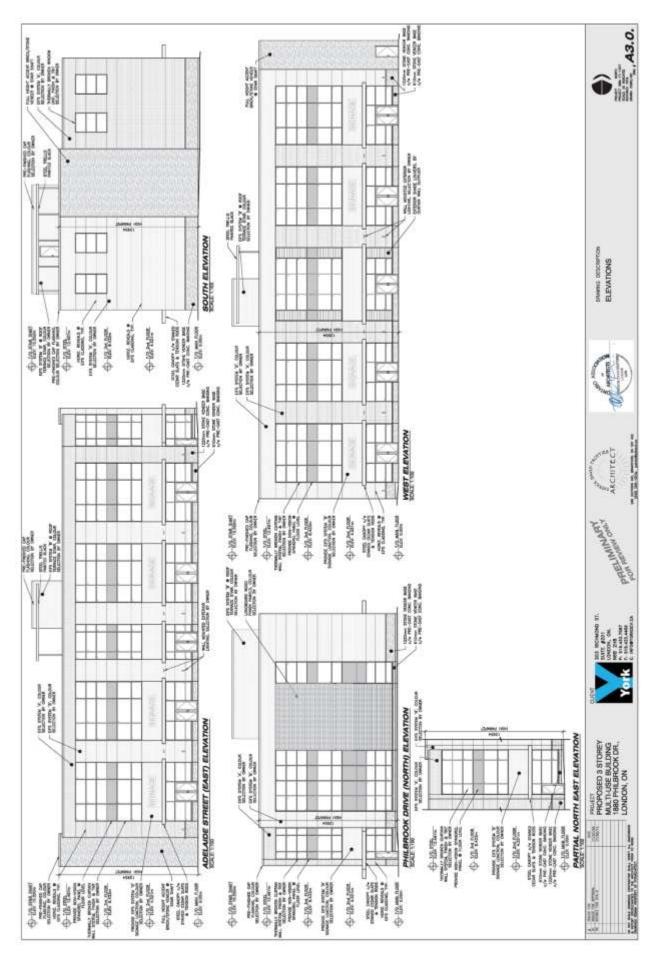


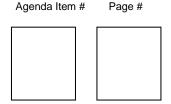
# **POCKET PARK AND DETAILS**





# **PROPOSED ELEVATIONS**





#### **APPLICATION DETAILS**

Date Application Accepted: Agent:

August 1, 2017

Adelaide & Phillbrook Centre Inc. c/o Carlos Ramirez

**REQUESTED ACTION:** Approval of an application for Site Plan Approval for a three storey commercial development at the south west corner of 1880 Phillbrook Drive and Adelaide Street North.

#### SITE CHARACTERISTICS:

- Current Land Use Place of Worship
- **Frontage** 40.9m
- **Depth** 143.2m
- **Area –** 7,365.8 m<sup>2</sup>
- Shape Irregular

#### **SURROUNDING LAND USES:**

- North Medium Density Residential Uses
- South Community Commercial Node
- East High Density Residential Uses
- West Low Density Residential Uses

OFFICIAL PLAN DESIGNATION: Multi Family, Medium Density Residential

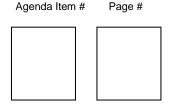
EXISTING ZONING: h-103\*OF4(4)

#### **BACKGROUND**

The subject lands were previously used for a Place of Worship (known as the Dayspring Presbyterian Church). Site Plan approval for the former use was obtained in May, 1998 with construction occurring in 1999.

Municipal Council supported Official Plan and Zoning By-law Amendments on May 17, 2016. The nature of the Amendments permitted a land use designation change from a Multi-Family Medium Density Residential designation to an Office Area designation. The Zoning By-law Amendment permitted the zone on the lands to change from a Residential R1/Neighbourhood Facility (R1-1/NF) Zone (which permits single detached dwellings and a range of neighbourhood facilities), to an Office Special Provision OF4(4) Zone, which permits offices, medical/dental offices, clinics, medical laboratories, financial institutions and personal service establishments; with a special provision to further allow convenience store, pharmacy and eat-in restaurant uses. The rezoning was approved with one holding provision with the following purpose:

h-103: To ensure that urban design is addresses at site plan, a site plan will be approved and a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates the design objectives as identified in the Council resolution. A requirement of the site plan



submission was to include an urban design brief and building elevations which detail how the objectives have been achieved.

#### SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

#### **Development Services (Engineering)**

#### **Transportation**

City staff worked with the developer in order to design the site to accommodate potential traffic generated by the new development. The new site design will not only improve traffic circulation but will also improve pedestrian safety in the area. The following are the proposed road works associated with the site:

- The access into the site was moved further west, away from the signalized intersection, approximately 10m east of the curb return from Pennybrook Cres. No access between the site and Pennybrook Crescent will be provided.
- A short left turn lane from westbound Phillbrook Drive to the site's access will be provided.
- Improvements to the bike boulevard pathway on Adelaide Street North are currently underway, which will include a signal rebuild/enhancement at Phillbrook Drive & Adelaide Street North as well as new pavement markings and signage to better promote walking and cycling in this area.

#### Servicing

Based on the proposed water servicing arrangement, the City recommends to relocate the proposed sanitary sewer connection from the intersection of Phillbrook Drive and Pennybrook Crescent to be completely on Pennybrook Crescent. This would reduce the impact to Phillbrook Drive.

The existing water service is to be decommissioned as per City Standards and a new water service will be required for the new building. The new connection to the municipal watermain is to be a minimum 1.0m away from the decommissioned water service.

#### Grading

Based on the proposed grading plan, the applicant is to ensure building openings are 450mm above the proposed overland flow routes to ensure that the conveyance of flows will not be directed towards the building.

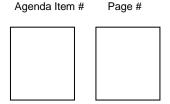
The City has required that the applicant show the ponding limits up to the 100 year storm event on drawings.

# **Planning Services**

Parkland dedication has not been collected for the subject lands. It is to be noted that the applicant, at the time of building permit or as a condition of site plan approval, will be required to provide parkland dedication for all the units in the form of cash-in-lieu pursuant to By-law CP-9. The Site Plan and Elevations were reviewed. Since the proposed plans and elevations are similar to what was proposed at re-zoning, Planning Services has no further comment.

## **Urban Forestry**

The Tree Assessment and Protection Report has been submitted and reviewed. Urban Forestry staff looked at the City tree proposed to be removed and agree to consensual removal. The applicant should contact Maria Wall in Forestry operations for the consensual removal prior to



getting a building permit. All fees apply as per the Boulevard tree protection By-law.

Urban Forestry had the following comments for the Tree Assessment and Protection Report:

- Heavy equipment shall avoid parking with the exhaust ports directed at live tree crown or bark when at all possible.
- The applicant is the clarify that the 600 mm deep trench will be placed as close to the tree(s) to be removed as feasible, limiting damage to trees to be retained. All tranches must be on the proponent's land, not City owned land.
- o Protect the City Owned Road Allowance from compaction or soil contamination.
- The landscape plan for this property should include native trees where possible, and trees that reach the largest mature size at maturity given other site restrictions.

Please register all trees being planted with the Million tree website or seek to register them on their behalf. It is a free service that only takes a few minutes and can be found at www.milliontrees.ca. There would be recognition for the developer on this site and they would be contributing to the Million tree challenge of which the City of London is a partner in along with ReForest London.

#### **Canada Post**

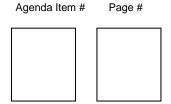
This development will receive mail service to centralized mail facilities provided through our Community Mailbox program.

The owner shall complete to the satisfaction of the Director of Engineering of the City of London and Canada Post:

- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser that the home/business mail delivery will be from a designated Centralized Mail Box and inform the purchasers of the exact Centralized box location.
- b) The owner further agrees to work with Canada Post to determine a temporary suitable Centralized Mail Box location and install a concrete pad to facilitate the placement of the Community Mail Boxes. Said pads are to be poured at the time of the sidewalk and/or curb installation.

#### **Upper Thames River Conservation Authority**

The UTRCA has no objections to this application.



PUBLIC LIAISON:	On September 27 <sup>th</sup> , 2017, letters were sent out to area property owners within 120 metre radius advising of a site plan application and Public Site Plan Meeting for this property.	4 written
	On October 5 <sup>th</sup> , 2017 Notice of the Public Meeting was published in the Londoner.	

#### Nature of Liaison:

Consideration of the Site Plan will result in the construction of three storey commercial development at the corner of Phillbrook Drive and Adelaide Street N.

Municipal Council approved a zoning by-law amendment on September 16, 2014 to change the zone on this property from a Residential R1/Neighbourhood Facility (R1-1/NF) Zone which permits single detached dwellings and a range of neighbourhood facilities, to an Office Special Provision (OF4(4) Zone which permits offices, medical/dental offices, clinics, medical laboratories, financial institutions and personal service establishments; with a special provision to further allow convenience store, pharmacy and eat-in restaurant uses.

The holding provisions require a public site plan meeting before the Planning and Environment Committee (PEC) and require that the applicant enter into a Development Agreement with the City that incorporates the design objectives as identified in the Council resolution.

#### Responses:

- Traffic and parking along residential streets
- Buffer between proposed parking and residential zones

# ANALYSIS

#### **Surrounding Uses**

The subject site is surrounded by a mix of uses, including high density residential uses in the form of an apartment building to the northeast of the site, and medium density residential townhouses to the east and north of the site. There are single detached dwellings located to the west of the site, and commercial uses to the south.

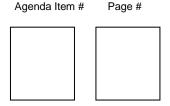
#### **Description of the Site Plan**

The proposed site plan substantially matches the site plan circulated for public review during the Zoning By-law and Official Plan Amendment approvals in May of 2016. The three storey building is located along Adelaide Street with parking proposed in the rear. A buffer is provided along Phillbrook Drive and Pennybrook Crescent with a mix of vegetation, 1m high masonry walls, and wrought iron fencing. A 'pocket park' (to be privately owned) is proposed at the corner of Phillbrook Drive and Pennybrook Crescent providing a walkway connecting the two streets, seating, additional vegetation, and lighting.

The building is proposed at the maximum permitted height of 13m as permitted through rezoning. Access to the building is located both along the Adelaide Street North frontage and from the parking lot in the rear. Accessible parking is located adjacent to the building with additional parking in the lot rear of it. A concrete walkway is proposed, from the rear of the lot to the rear of the building. Parking islands, with vegetation, are located at least every 15 parking spaces.

## **Provincial Policy Statement 2014**

The Provincial Policy Statement (PPS) encourages healthy, liveable and safe communities that are supported by accommodating a range and mix of residential, employment, institutional and other uses to meet long-term needs. It requires planning authorities to promote economic



development and competitiveness by providing for an appropriate mix and range of employment uses, and opportunities for diversified economic base to meet long term needs. The PPS encourages compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities. This site provides a compact, mixed-use development from that will facilitate additional employment opportunities. The proposed site plan will be developed in consistency with the PPS.

## **Zoning By-law**

The site is zoned Holding Office Zone (h-103\*OF4(4)) Special Provision, which permits a range of office and secondary uses. The uses are intended to implement the Official Plan and have been differentiated on the bases of function, intensity and potential impacts. The uses include:

Clinics, Medical/Dental offices, Medical/Dental Laboratories, Offices, Financial Institutions, Personal Service Establishments, Convenience Stores, Pharmacy, and Eat-in Restaurants. The Zone regulates that the total gross floor area for all non-office uses shall not exceed 34% of the total gross floor area of the building. Additionally, the non-office uses shall only occur on the ground floor of a building containing offices, and shall not be permitted as stand-alone uses.

The proposed site plan complies with the regulations of the OF4(4) zone by accommodating the required minimum 1.5m exterior side yard setback (by providing 3.4m) and minimum 1.5m interior side yard setback (by providing 1.9m). The proposed building is situated at the maximum front yard setback of 2m from Adelaide Street North. The site complies with the requirement for landscaped open space by providing 27.4% (where a minimum 20% is required), and the lot coverage by providing 12.6% (where maximum 45% is permitted). Through the rezoning the applicant was required to provide a minimum of 133 parking spaces; the applicant is providing 139 parking spaces for the development. The development conforms to requirements of the Zoning By-law.

## Official Plan

The Office Area designation provides for the development of office buildings in appropriate locations while maintaining the Downtown as the primary location for office developments in the City.

# Location and Relationship with Surrounding Lands

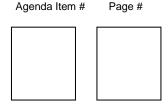
The Official Plan contains criteria to determine if a site is appropriately located to support an Office Area designation. The Official Plan outlines that the site should have frontage on an arterial road in a location that is a major entryway to the City. The proposed site has direct frontage on Adelaide Street North which is designated an arterial road and serves as a gateway to the City from the north.

Additionally, the Official Plan outlines that the site should be adjacent to activity nodes such as Community Shopping Area (CSA). The property directly south of the subject site is designated Community Commercial Node (CCN) through the comprehensive Official Plan amendment OPA 438 approved by Council in March, 2008. The property to the south is fully developed and functions as a community-scale commercial and shopping node and meets the intent of providing complementary land uses to the proposed office development. As outlined in the Official Plan, the site provides direct access to pedestrian and transit routes.

The Office Area designation in the Official Plan is intended to provide a limited amount of suburban office uses while maintaining the downtown as the major location for office development. The proposal is for a mix of primary and secondary permitted uses intended to serve a more local catchment and is complimentary to nearby commercial and residential uses. The development conforms to requirements of the Official Plan.

## **London Plan**

The London Plan identifies the subject lands as being with the "Neighbourhoods" Place Type. The "Neighbourhoods" Place Type is intended to provide attractive streetscapes, buildings, and

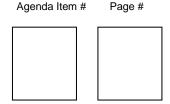


public spaces. It is intended to provide easy access to daily goods and services within walking distance and employment opportunities close to residential areas. The proposed site plan will be developed consistent with the intent of the London Plan Policies.

#### **Compliance with Council Resolution**

On May 17<sup>th</sup>, 2016, Council approved the land use change on the subject lands (OZ-8584) and approved the following

- 11. That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Adelaide and Phillbrook Centre Inc., relating to the property located at 1880 Phillbrook Drive:
- a) the proposed by-law appended to the staff report dated May 9, 2016 as Appendix "A" BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016 to amend the Official Plan to change the designation of the subject lands FROM a Multi-Family, Medium Density Residential designation TO an Office Area designation;
- b) the proposed by-law appended to the staff report dated May 9, 2016 as Appendix "B" BE INTRODUCED at the Municipal Council meeting to be held on May 17, 2016 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 Neighbourhood Facility/Residential R1 (NF/R1-1) Zone TO a holding Office Special Provision (h-103\*OF4(4)) Zone; and,
- c) the Site Plan Approval Authority BE REQUESTED to consider the following design objectives through the site plan process, prior to the removal of the h-103 holding provision:
  - *i)* ensure street orientation by including the following:
    - A) front the primary building façade to the Adelaide Street frontage;
    - B) Include the primary entrances into individual ground floor unit along the Adelaide Street frontage;
    - C) include walkways from the City sidewalk to individual unit entrances; and,
    - D) include large transparent storefront windows on facades facing Adelaide Street and Phillbrook Drive;
  - ii) include a hard surface plaza at the intersection of Phillbrook Drive and Pennybrook Crescent, with seating, landscaping, pedestrian scale lighting, and an east-west walkway through the centre of the space, in order to implement the "Pocket Park" shown on the conceptual site plan submitted in consideration of the zoning by-law amendment;
  - iii) include a combination of low landscape walls and landscaping along the Phillbrook Drive and Pennybrook Crescent frontages in order to screen the parking area from the street;
  - iv) include a hardscape forecourt at the intersection of Adelaide Street and Phillbrook Drive extending from the intersection of City sidewalks to the proposed building;
  - v) include a pedestrian walkway along the south property line in order to allow for convenient access between the parking area and the unit entrances along Adelaide Street;
  - vi) include durable building materials, particularly at the base of the building;
  - vii) increase the visual prominence of the primary building entrances, within the



proposed west and east building elevations;

- viii) provide individual canopies overtop each commercial building entrance, to enhance the articulation of the façade and the rhythm of commercial bays; and,
- ix) holding a public site plan meeting;

The proposed site plan provides for street orientation by having the primary building façade on Adelaide Street. The development also includes primary entrances, walkways, and large transparent storefront windows along the street. A 'pocket park' is located at the intersection of Phillbrook Drive and Pennybrook Crescent with seating, landscaping, lighting, and an east-west walkway. A mix of low landscape walls, wrought iron fencing and landscaping is located along Phillbrook Drive and Pennybrook Crescent. A forecourt is located at the intersection of Adelaide Street and Phillbrook Drive and a walkway is proposed along the south property line.

## **Outstanding Items**

While the proposed site plan implements Official Plan policies, Zoning regulations, and Site Plan guidelines, some further revisions to the site plan drawings are needed to implement requirements of the Site Plan Control Area By-Law, including the following:

- Minor revisions to the Site Servicing Plan to ensure the site is properly serviced to City of London standards.
- Minor revisions to the Grading Plan to ensure the overland flow of water is appropriate to City of London standards.
- Minor revisions to the External Line Painting Plan to ensure proper flow of traffic to City of London standards.

A development agreement is required to address the outstanding matters noted above, and any additional issues that are directed to Staff by Municipal Council. The development agreement, incorporating the site plan, landscape plans, site engineering plans, external works plans, and building elevations is required to implement the approved plans and remove the holding provision. Special provisions within the agreement will address any other outstanding issues pertaining specifically to this site.

The Owner must provide the necessary security at the time of executing the agreement to ensure all surface works are completed in accordance with the approved plans.

Once the development agreement is finalized in accordance with relevant provisions of the Site Plan Control Area By-law, a report will be brought forward to a future PEC meeting, recommending removal of the holding provision.

#### **Public Concerns**

The primary concerns raised through public circulation included comments regarding proposed traffic increase and the perceived lack of buffer between the proposed parking lot and Pennybrook Crescent. It was communicated to Staff that Adelaide Street North is a busy street with the high amount of residential use and the commercial node to the south. There were concerns that the development would further impact the area.

The City is working with the applicant to ensure that side design and access to the development do not adversely impact the intersection of Adelaide Street North and Phillbrook Drive. A mix of vegetation, low masonry landscape walls, and wrought iron fencing has been proposed between the parking lot and Pennybrook Crescent, as well as along Phillbrook Drive to buffer the development from the adjacent residential uses.

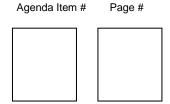
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CONCLUSION
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The proposed site plan has been reviewed against applicable Official Plan and London Plan policies, Zoning By-law and Site Plan Control Area By-Law regulations. The development is considered to be in conformity with the applicable policies and regulations. The proposed site plan and elevations will result in development that will maintain the area and comply with the Site Plan Control By-law. The proposed plans represent good land use planning.

PREPARED BY:	RECOMMENDED BY:
AMANDA LOCKWOOD	MICHAEL PEASE, MCIP RPP
LANDSCAPE PLANNER	MANAGER, DEVELOPMENT PLANNING
CONCURRED IN BY:	SUBMITTED BY:
PAUL YEOMAN, RPP PLE	GEORGE KOTSIFAS, P. ENG.
DIRECTOR, DEVELOPMENT SERVICES	MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

c: Adelaide & Phillbrook Centre Inc. 201-303 Richmond Street London ON N6B 2H8



## Appendix 'A'

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

Telephone Responses	Written (email)
None	4 responses (See Attachments)

William Caldwell Pennybrook Crescent October 3<sup>rd</sup>, 2017

Re: File #SPA17-069

Dear Ms. Lockwood

I have received the notice of application and public meeting your office mailed regarding this application.

I am a resident of Pennybrook Crescent and have followed this zoning application from the beginning.

As a resident of Pennybrook Crescent, I have two major concerns regarding this application.

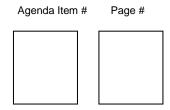
First, it is essential to the residents of my crescent that a buffer exists between this commercial establishment and our residential neighborhood. Our view of this site will be of a parking lot. This is not a very appealing prospect and despite opinions to the contrary, I am of the view that this will negatively affect both our quality of life and our property values. The schematic overview of this site that was provided in this mailing is so small, that I am unable to determine what type of barrier is proposed for the Pennybrook side of this lot. I have seen previous proposals featuring steel fencing complemented by gardens. Even if we were to assume the property managers will maintain these gardens in the manner depicted, I of am of the opinion that this would provide an insufficient buffer between our homes and this commercial development. This type of fencing would serve as a completely ineffective and unsightly buffer in the winter months and the fact that this lot has been overgrown and neglected this past summer has served to heighten my concern that these beds will be neglected after the property has been developed.

Z Group have several condominium complexes in our neighborhood that are fronted by a six foot high brick wall. An example of this may be viewed directly across the street from this site on the east side of Adelaide Street south of Grenfell Drive (See the attached photo). I am of the opinion that a wall like this atop a berm enhanced with trees, shrubs and landscaping is the only practical and effective solution to this issue.

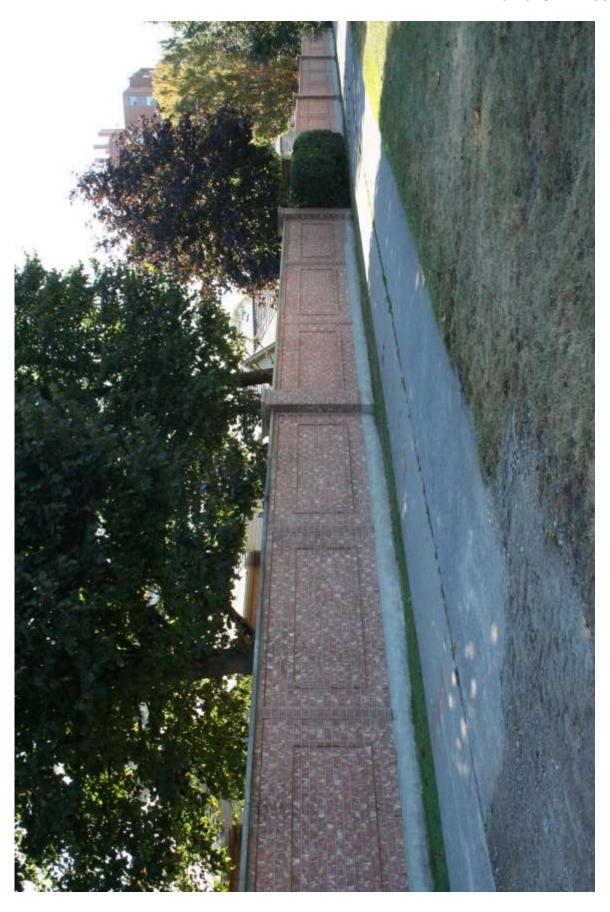
My second concern is how this development with affect traffic and parking on our crescent. Controlled access and restricted parking at that end of the crescent, combined with a substantial brick wall buffer would deter users of this facility from driving and parking on our street.

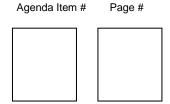
Despite our objections, the zoning of our community has been dramatically altered in order to accommodate this project. I think it is incumbent upon both the city and the developer to do everything that can reasonably be done to limit the disruption to the surrounding neighborhood.

William Caldwell



A.Lockwood File No: SPA17-069





Carolyn Wydeven 35 Pennybrook Cres. October 3<sup>rd</sup>, 2017

Re: Fw: File #17-069

Good Morning,

I would also like to echo the concerns of Bill Caldwell, I have also been following the zoning application and have sent emails with concerns previous to this one.

Agree that a wall as indicated in the picture Bill provided atop a berm enhanced with trees, shrubs and landscaping is the only practical and effective solution to this issue.

Agree the second concern on how this development with affect traffic and parking on our crescent. Controlled access and restricted parking at that end of the crescent, combined with a substantial brick wall buffer would deter users of this facility from driving and parking on our street.

Sincerely, Carolyn Wydeven 35 Pennybrook Cres.

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Lee Talbot 1860 Phillbrook Drive October 11<sup>th</sup>, 2017

Re: Resident feedback File SPA17-069 Adelaide Phillbrook Centre Inc. Carlos Ramirez

Dear Amanda,

Thank you

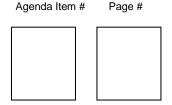
Please address these points. I am resident that you mailed at 1860 Phillbrook Dr. London. I have line of sight from my home to proposed development.

- 1. I do not support 3 stories and a mechanical pent house? 35m? Why would you allow this proposal to be the tallest and to be the closest to the residents here? 2 Stories?
- 2. What is the matching traffic/intersection/lights/advance plan post development? Currently we experience congestion and difficulty at current volume.
- 3. What is the traffic plan for the above already congested intersection during 2 yrs of construction? .
- 4. Guarantees that zoning will not be changed?

Thank you

--

Lee Talbot 1860 Phillbrook Dr. London Ont



Rose Santos 59 Pennybrook Cres. October 17<sup>th</sup>, 2017

Re: 1880 Phillbrook Drive

Amanda,

I would like to provide some feedback on the property proposed to be built on corner of Phillbrook and Adelaide st. My concerns are of traffic flow. Adelaide st is already quite congested between Fanshawe pk rd. and Sunningdale driving North and between Sunningdale and Phillbrook driving south. There is only one lane both ways on Adelaide and turning left from either direction is challenging and often takes 4-6 light changes before one car can turn as there is also no directional turning signal. Putting a busy medical centre at that corner will increase traffic and will also slow traffic down as people turn into the center.

My questions are: 1. has there been any discussion about making an extra lane for through traffic coming from the north and vice versa?

2. Changing the traffic light to accommodate a turning signal and better timing around rush hour? 3. Putting in a separate turning lane for the medical center?

If you know a better way / department to bring these concerns to, please forward their contact

Thanks for your consideration,

Rose Santos 59 Pennybrook Cres.

info?

Be the change you want to see in your life Laugh often, love lots and live happily.