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File: Z-8144
Planner: Barb Debbert

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: FATTEMMA EL SHAKAKI 1464 ADELAIDE STREET NORTH PUBLIC PARTICIPATION MEETING ON MAY 28, 2013

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Fattema El shakaki relating to the property located at 1464 Adelaide Street North:

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 11, 2013 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to amend the Convenience Commercial Special Provision (CC6(1)) Zone which permits convenience service establishments, convenience business service establishments, convenience stores, day care centres, financial institutions, food stores, offices, personal service establishments, studios, and take-out restaurants, without drive-through facilities; dwelling units together with any other permitted uses; brewing on premises establishments; and medical/dental offices, and prohibits outdoor patios, **BY STATING** that for the purposes of the Convenience Commercial Special Provision (CC6(1)) Zone, a studio shall be considered to include a fitness centre, and restricting fitness centres to a maximum gross floor area of 100 square metres.

- b) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Convenience Commercial Special Provision (CC6(1)) Zone **TO** a new Convenience Commercial Special Provision (CC6(__)) Zone to permit commercial recreation establishments, **BE REFUSED** for the following reasons:
 - i) It is more appropriate to modify the existing special provision as the prohibition on outdoor patios continues to be appropriate for the site;
 - ii) The more limited use of a fitness centre is more appropriate than the full range of uses permitted by the commercial recreation establishment definition; and,
 - iii) A maximum limit on the Gross Floor Area (GFA) for the fitness centre use is necessary in order to ensure the fitness centre operates at a community oriented scale.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The recommended amendments to the existing Convenience Commercial Special Provision (CC6(1)) Zone will continue to prohibit outdoor patios, and will allow fitness centres within the definition of a studio (an existing permitted use) in order to permit the Curves fitness centre which has been established on the site to operate in its current location. The Special Provision

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will also limit the scale of fitness centres to 100 square metres, which represents the commercial unit within which the use has been established.

RATIONALE

1. Permitting a small-scale fitness centre on the subject site is consistent with the Provincial Policy Statement;
2. Permitting a small-scale fitness centre on the subject site is in keeping with the intent of the Official Plan;
3. The recommended Zoning By-law Amendment limits the additional permitted uses to fitness centres, and limits the GFA of a fitness centre to a maximum of 100 square metres.

BACKGROUND

Date Application Accepted: January 16, 2013	Agent: Ibrahim Albayoumi
REQUESTED ACTION:	
Change Zoning By-law Z.-1 from a Convenience Commercial Special Provision CC6(1) Zone which permits: convenience service establishments, convenience business service establishments, convenience stores, day care centres, financial institutions, food stores, offices, personal service establishments, studios, and take-out restaurants, without drive-through facilities; dwelling units together with any other permitted uses; brewing on premises establishments; and medical/dental offices, to a Convenience Commercial Special Provision (CC6() Zone to permit commercial recreation uses in addition to the existing permitted uses.	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Existing commercial plaza and standalone medical/dental office – tenants in the plaza are Andre’s Pizza, Sylvan Learning Centre, David’s Hair Design, Santarelli Engineering, Dr. Brenda Bunn, Curves, and a vacant unit. • Frontage – 48.97 metres (160.66 feet) • Depth – 83.23 metres (273.06 feet) • Area – 0.4 ha (.99 ac.) • Shape - rectangular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - townhouse condominium corporation • South - single detached dwellings and office conversions • East - single detached dwellings • West - single detached dwellings and office conversions

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OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • Low Density Residential
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • Convenience Commercial Special Provision ((CC6(1)). The Special Provision currently prohibits patios.

PLANNING HISTORY

Subject Property

The existing commercial plaza at 1464 Adelaide Street North was constructed in 1984 following the demolition of a single detached dwelling. A variety of convenience commercial uses have occupied the building since that time. 616 Tennent Avenue is also part of the subject property, and was converted in 1987 from a single detached dwelling to a beauty salon. The building is currently used as a medical/dental office.

In 1999 the property was rezoned (file OZ-5779) from a Convenience Commercial Special Provision (CC1(1)) Zone to a Convenience Commercial Special Provision (CC6(1)) Zone to permit a broader range of convenience commercial uses, including restaurants. The special provision prohibits outdoor patios, in response to concerns raised by area landowners at the public meeting.

In May, 2012, enforcement staff notified the property owner that the fitness facility that had recently been established in one of the commercial units was not in compliance with the permitted uses within the current zone.

Surrounding Properties

The residential townhouse condominium development at 1478 Adelaide Street North, immediately north of the subject property, was constructed in 1994.

The former Northdale Public School site on the south side of Tennent Avenue, was considered at the April 23, 2013 Planning and Environment Committee meeting for a 44 lot plan of subdivision and Zoning By-law Amendment (39T-13501/Z-8139) to permit single detached dwellings.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Engineering

The City of London's Environmental and Engineering Services Department has not identified any concerns with respect to the Zoning By-law Amendment application.

Upper Thames River Conservation Authority (extracts)

CONSERVATION AUTHORITIES ACT

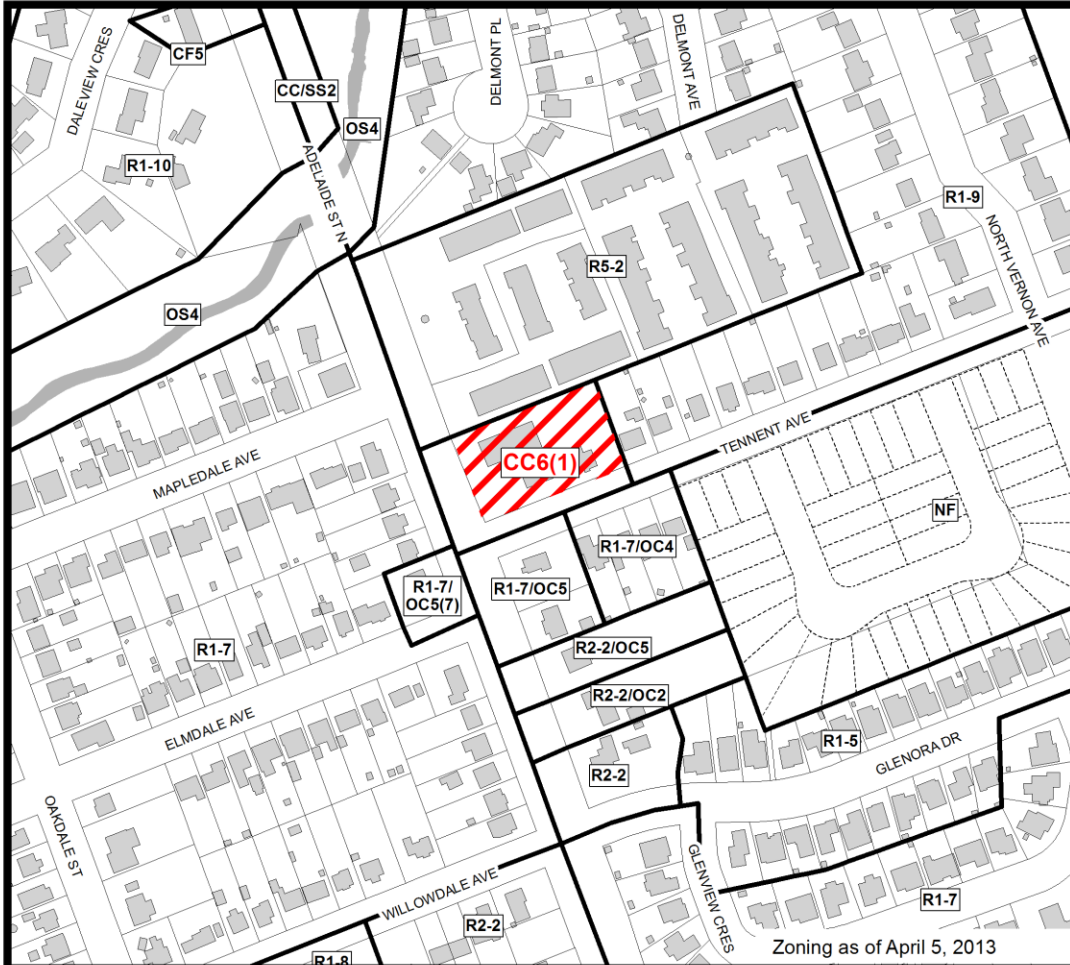
The subject property is not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act.

DRINKING WATER SOURCE PROTECTION

At this time, certain activities on this property may be considered Moderate or Low threats to drinking water.

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: CC6(1)

1) **LEGEND FOR ZONING BY-LAW Z-1**

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APPEALED AREAS

CITY OF LONDON
 PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

**ZONING
 BY-LAW NO. Z-1
 SCHEDULE A**



FILE NO:
 Z-8144 BD

MAP PREPARED:
 2013/04/18 CK

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THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

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PROVINCIAL POLICY STATEMENT (PPS, 2005)

Section 2.2.1 states that:

“Planning authorities shall protect, improve or restore the quality and quantity of water by: d) implementing necessary restrictions on development and site alteration to:

1. *protect all municipal drinking water supplies and designated vulnerable areas; and*
2. *protect, improve or restore vulnerable surface and ground water features, and their hydrological functions”*

Section 2.2.2 states that:

“Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their related hydrologic functions will be protected, improved or restored”.

Municipalities must be consistent with the Provincial Policy Statement when making decisions on land use planning and development.

RECOMMENDATION

The UTRCA has no objections to this application. Our comments are provided for the information of the municipality.

London Hydro

No objection.

PUBLIC LIAISON:	On January 25, 2013, Notice of Application was sent to 128 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on January 31, 2013. A “Possible Land Use Change” sign was also posted on the site.	7 replies were received
Nature of Liaison:		
<p>The purpose and effect of the requested Zoning By-law amendment is to permit the Curves commercial recreation establishment to remain at this location.</p> <p>Change Zoning By-law Z.-1 from a Convenience Commercial Special Provision (CC6(1)) Zone which permits: convenience service establishments, convenience business service establishments, convenience stores, day care centres, financial institutions, food stores, offices, personal service establishments, studios, and take-out restaurants, without drive-through facilities; dwelling units together with any other permitted uses; brewing on premises establishments; and medical/dental offices, to a Convenience Commercial Special Provision (CC6()) Zone to permit commercial recreation uses in addition to the existing permitted uses.</p>		
Responses:		
<p>One respondent objected to the proposal for the following reasons:</p> <ul style="list-style-type: none"> - Increased traffic hazards exacerbated by the proximity of the existing driveway on the subject property to the driveway for the condominium complex at 1478 Adelaide Street North, an unsignallized intersection directly across from the condominium complex, and the busy four-lane street. - The plaza and related parking area was not intended to house this type of use (set of convenience stores offering quick an efficient services to the surrounding established residential area) which is likely to increase vehicular traffic and parking demand. Parking for the other uses within the plaza may become difficult to obtain. 		

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- The proposed rezoning opens the door to expansion of the existing fitness centre or other new recreation facilities being established on the property.

Five respondents were supportive of the application.

One respondent sought clarification of the application and enquired about the possibility of allowing for commercial development along Adelaide Street in the vicinity of the subject property.

ANALYSIS

Subject Site

The subject property is located at the north-east corner of Adelaide Street North and Tennent Avenue. The existing commercial plaza on the site at 1464 Adelaide Street North is occupied by a range of convenience commercial uses including a restaurant, a commercial school, a personal service establishment, and offices. The other structure on the site at 616 Tennent Avenue is a converted medical/dental office building. Adelaide Street is an arterial road with an estimated traffic volume of 24,000 vehicles per day. Tennent Avenue is a local road with an estimated traffic volume of 2,500 vehicles per day. Traffic flow on Tennent Avenue and turning movements at Tennent Avenue and Adelaide Street North are affected at certain times of the day by some of the pick-up and drop-off traffic associated with Lucas Secondary School, which is located at the east end of Tennent Avenue. Tennent Avenue may have experienced some shortening of the peak traffic times due to the closing of Northdale Public School, formerly located on the south side of Tennent Avenue, in 2009.

View From Adelaide Street North and Tennent Avenue



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Nature of the Application

The applicant has requested that “commercial recreation establishment” be added to the existing list of uses currently permitted in the Convenience Commercial (CC6) Zone. The intent of this request is to accommodate the Curves fitness facility which was recently established in one of the units within the commercial plaza. The applicant has stated that the use would be restricted to the commercial unit within which it is currently located, with a maximum gross floor area of 95.9 square metres (1,032 square feet).

Provincial Policy Statement

The policies of the PPS promote healthy, liveable and safe communities by: encouraging efficient development and land use patterns which sustain the financial well-being of the municipality; accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses) and other land uses; and, promoting cost effective development standards to minimize land consumption and servicing costs.

With respect to Section 1.0 – Building Strong Communities, the proposal contributes to a healthy, liveable and safe community by accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet long term needs. There are no characteristics of the land, surrounding area or proposed use that are affected by Section 2.0 – Wise Use and Management of Resources, and Section 3.0 – Protecting Public Health and Safety. Therefore, the proposed Zoning By-law amendment is consistent with the Provincial Policy Statement.

Official Plan

The subject property is within the Low Density Residential designation, permitting single detached, semi-detached and duplex dwellings as the main permitted uses. The Official Plan also contains policies in Sections 3.2.1(v) and 3.6.5, which allow for the recognition of existing convenience commercial uses within the Low Density Residential designation where specific criteria related to the intended function of these sites, permitted uses, location, scale and form of development are met. The existing commercial plaza on the subject property is identified as one of the convenience commercial developments, which meets these criteria.

Convenience commercial uses are intended to function at a neighbourhood scale while providing services to the surrounding residential areas and the travelling public. Specific uses are listed which are viewed as fulfilling this intent, including variety stores; video rental establishments; film processing depots; financial institutions; medical/dental offices; small take-out restaurants; small food stores; and gasoline sales associated with a variety store. Where the gross floor area of the commercial site exceeds 500 square metres, additional uses are permitted, including: offices; studios; commercial schools; day care centres; bake and florist shops; pharmacies; eat-in restaurants and convenience business service establishments. The Official Plan limits convenience commercial developments to a maximum of 1,000 square metres (10,764 square feet) of gross leasable area, in the form of either a convenience commercial centre or stand-alone uses. The scale of individual uses within a convenience commercial centre is to be specified in the Zoning By-law.

The location and form of the existing convenience commercial plaza will not change as a result of this proposal. However, the intended function of the site, consideration of the specific use, and the scale of that use require consideration. The applicant has indicated that the Curves fitness centre services include facilities for cardio exercise and strength training, one-on-one coaching, and diet consultation. The Curves fitness centre, at its current scale, is not intended to, or capable of, accommodating the multiple services and programs typical of larger, full service gym facilities, that result in the congregation of large numbers of people at one time. With appropriate limitations on its future ability to expand into other units within the plaza, the smaller fitness facility would function at a neighbourhood scale while providing a service that is in demand, both to the surrounding residential areas and the travelling public. It is anticipated that the use would have similar characteristics to certain types of studios, such as dance or martial arts studios.



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Zoning By-law

The property is currently within the Convenience Commercial Special Provision (CC6(1)) Zone, permitting a range of uses including bake shops, commercial schools, convenience business service establishments, convenience stores, day care centres, financial institutions, florist shops, food stores, offices, personal service establishments, pharmacies, eat-in and take-out restaurants, and studios without drive-through facilities; dwelling units together with any other permitted uses; brewing on premises establishments; and medical/dental offices.

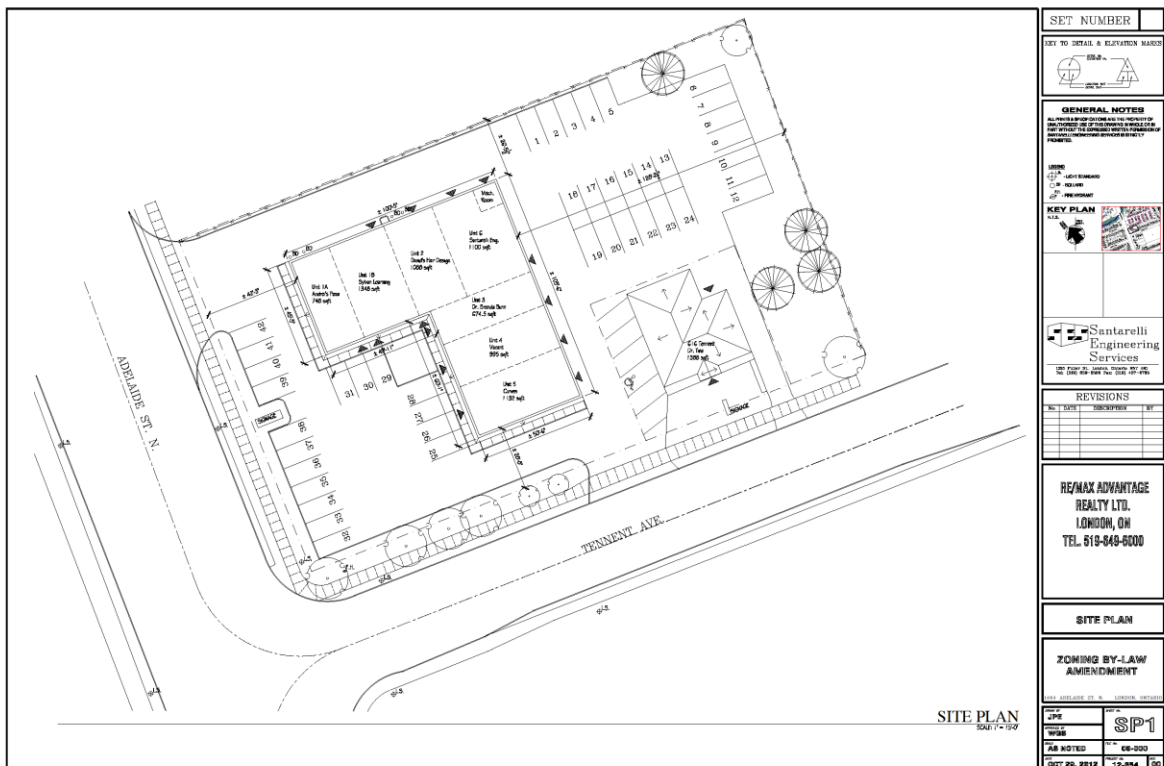
The applicants request for the addition of a “Commercial Recreation Establishment” would provide opportunities for a broad range of activities such as an assembly hall, billiard or pool room, bingo hall, dance hall, gym or fitness centre, or sports simulation. Some of these uses would have impacts related to noise, hours of operation and other characteristics that would be inappropriate in proximity to the established residential dwellings. It is preferable to provide for the specific use requested, which, based on most of the comments received from area landowners, has integrated well into the community. As fitness centres are not specifically defined in the Zoning By-law, staff are recommending that for this site, the definition of “Studio” be interpreted to include a fitness centre.

The range of permitted uses in the Convenience Commercial Special Provision (CC6(1)) Zone includes several which, if not limited in size, would potentially expand beyond a neighbourhood scale. Therefore, the by-law imposes maximum gross floor areas for individual uses as follows:

- Restaurants 150 square metres
- Commercial Schools 300 square metres
- Pharmacies 300 square metres
- Food Stores 500 square metres
- All other permitted uses 400 square metres

Staff are recommending that a maximum gross floor area of 100 square metres (1,076.4 square feet) be imposed for the fitness centre use, to ensure that it remains small-scale and contained to the unit it currently occupies within the commercial plaza.

Site Layout



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The matter of parking capacity and road safety has been raised by a resident of the neighbouring townhouse development. Staff have evaluated the adequacy of parking based on the applicable rates for the existing uses (ranging between 1 space per 15 to 45 square metres of gross floor area), the proposed fitness centre (1 space per 20 square metres of gross floor area), and the vacant unit (conservatively estimated at 1 space per 10 square metres of gross floor area). The resultant parking requirement is 41 spaces, compared to the 48 spaces available on the site. With respect to road safety, the plaza already exists and was originally planned to provide for adequate ingress and egress to and from the site. The occupation of one unit by a studio/fitness centre is not expected to have any greater impact on traffic and turning movements, than its occupancy by any other of the existing permitted uses.

The existing special provision prohibits outdoor patios. The recommended by-law amendment would continue this restriction.

CONCLUSION

The recommended Zoning By-law amendment to allow the proposed fitness centre with a maximum gross floor area of 110 square metres is consistent with the Provincial Policy Statement, in keeping with the intent of the Official Plan, will make a positive contribution to the neighbourhood and represents good planning.

PREPARED BY:	SUBMITTED BY:
BARB DEBBERT COMMUNITY PLANNING AND DESIGN	JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND DESIGN
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

April 29, 2013

BD/

“Attach”

Y:\Shared\implemen\DEVELOPMENT APPS\2013 Applications 8135 to\8144Z - 1464 Adelaide St N (BD)\8144Z-1464 Adelaide Street North report to PEC.docx

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Responses to Public Liaison Letter and Publication in “Living in the City”

<u>Telephone</u>	<u>Written</u>
Mary Strickland 56 – 1478 Adelaide Street North London ON N5X 3Y1	Charles Richardson 44 – 1478 Adelaide Street North London ON N5X 3Y1
Ken Ray 596 Elmdale Avenue London ON N5X 1H7	David Kunsch 7 – 1478 Adelaide Street North London ON N5X 3Y1
Norma Kambulow 53 – 1478 Adelaide Street North London ON N5X 3Y1	Ann Blue 68 – 1478 Adelaide Street North London ON N5X 3Y1
Banko Kitanovski 1444 Adelaide Street North London ON N5X 1J4	



File: Z-8144
 Planner: Barb Debbert

Debbert, Barb

From: Ann Blue [REDACTED]
Sent: Tuesday, February 19, 2013 2:02 AM
To: Debbert, Barb
Subject: FILE "Z-8144" POSSIBLE ZONING BY-LAW AMENDMENT

Dear Ms. Debbert: further to our discussions regarding the above matter, I document below my objections to a re-zoning:

1. The plaza in question is extremely small, and very awkwardly shaped (an "L" formation, with a poorly laid-out parking area). Additionally, the frontage faces Adelaide Street North. The driveway from that side is IMMEDIATELY adjacent to the complex, 1478 Adelaide St. N. and most drivers exiting the plaza use that driveway. As a complex comprised of 75 units, we are constantly entering and exiting our driveway, which is a challenge most of the time. With a very busy 4-lane road and the plaza driveway right beside us, exiting or entering, from EITHER side of Adelaide amid fast-moving traffic, is an issue by itself, especially in peak hours. Add to that, there is the already-mentioned plaza driveway plus a road directly opposite our driveway, there already exists the danger of a major collision. There have already been collisions and I, myself, have experienced several very close calls. Traffic flow is, therefore, my #1 concern.

2. The plaza itself doesn't appear to have been constructed to house anything other than the "convenience" operations already in place. Personal service; food take-away and medical/dental etc. are all operations that have neither a heavy volume of clients at any one time, and several only operate 9 -5 for only 4 days of the week. I understand the proposed recreational facility intends to operate on a "membership only" basis from 6 a.m. - 12 p.m. six days a week. Membership could mean anything from ten to 200-upward and practically guarantees increased vehicular traffic entering/exiting through the Adelaide St. driveway. Parking is already difficult enough to obtain, a particular concern to those of us who have mobility issues. There is certainly parking at the rear of the building but it is highly unlikely a guarantee be given that all members of this facility use only those spaces.

3. My final concern is that IF this re-zoning were to be permitted, it leaves open the possibility of either expansion of present facility and/or further recreational facility being permitted. At this moment there is already one vacant unit with another one due to become vacant when the present business is sold.

I believe this particular plaza was neither designed, nor intended, to be more than it is; a set of convenient stores, offering quick and efficient services to the surrounding established residential areas. My question, too, would be: how did a facility gain entry to a plaza for which it is not zoned? A facility such as this would be far more appropriately housed in a much larger plaza, a mall, or a medical building.

Trust that my concerns will be carefully reviewed and considered.
 Sincerely,
 Ann P. Blue
 #68 - 1478 Adelaide St. N.
 "Northdale Walk"

Debbert, Barb

From: David Kunsch [REDACTED]
Sent: Thursday, February 07, 2013 5:11 PM
To: Debbert, Barb
Subject: Z-8144

Follow Up Flag: Follow up
Flag Status: Flagged

I live in unit 7 1478 Adelaide Street North (immediately north of the property in question). I fully support the application.

Please let me know if you have any questions, David Kunsch [REDACTED]

Thanks , Dave

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Planner: Barb Debbert

Debbert, Barb

From: Charles Richardson [REDACTED]
Sent: Thursday, January 31, 2013 9:47 AM
To: Debbert, Barb
Subject: Z-8144 Curves Commercial recreation Establishment

We cannot see any reason that Curves should not remain as tenant at this location.

How anyone would complain is hard to understand.

Mr. & Mrs C.F.Richardson
44-1478 Adelaide St N
N5X 3Y1

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**Bibliography of Information and Materials
Z-8144**

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Ibrahim Albayoumi, July 25, 2012 and other application materials received to January 16, 2013.

Reference Documents:

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005.

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

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

Ibrahim Albayoumi. *Justification Report on behalf of Fattema El shakaki*, January 7, 2013.

Santarelli Engineering Services, *Site Plan – 1464 Adelaide Street North*, October 29, 2012.

Correspondence: (all located in City of London File No. Z-8144 unless otherwise stated)

City of London -

Page, B., City of London Parks Planning and Design. E-mail to B. Debbert. January 25, 2013.

Postma, R., City of London Forestry. E-mail to B. Debbert. January 25, 2013.

Abushehada, I., City of London Development Services. Letter to B. Debbert. April 25, 2013.

Departments and Agencies -

Creighton C., UTRCA. Letter to B. Debbert. February 12, 2013.

Dalrymple, D., London Hydro. Memo to B. Debbert. January 25, 2013.

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**File: Z-8144
Planner: Barb Debbert**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2013

By-law No. Z.-1-13_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1464 Adelaide Street North.

WHEREAS Fattema El shakaki has applied to rezone an area of land located at 1464 Adelaide Street North, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Section Number 29.4 g) 1) of the Convenience Commercial (CC6(1)) Zone is amended by adding the following Additional Permitted Use and Regulation to the existing Special Provision:

29.4 g) 1) CC6(1)

- b) Additional Permitted Use:
 - i) for the purposes of this zone, a studio shall be considered to include a fitness centre
- c) Regulation:
 - i) Gross Floor Area for fitness centre 100 square metres
(max) (1,076.4 square feet)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on June 11, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

Agenda Item # Page #

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First Reading - June 11, 2013
Second Reading – June 11, 2013
Third Reading - June 11, 2013