Report to Planning and Environment Committee

To: Chair and Members

Planning & Environment Committee

From: John M. Fleming

Managing Director, Planning and City Planner

Subject: 1904812 Ontario Ltd

200 Villagewalk Boulevard

Public Participation Meeting on: April 30, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of 1904812 Ontario Ltd. c/o Domus Development London Inc. relating to the property located at 200 Villagewalk Boulevard, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 22, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Residential R6 Special Provision/ Residential R7 Special Provision/ Office Special Provision (R6-5(26)/R7(10)/OF(1)) Zone, **TO** a Residential R6 Special Provision/ Residential R7 Special Provision/ Office Special Provision (R6-5(26)/R7(10)/OF(_)) Zone.

Executive Summary

Summary of Request

The requested Zoning By-law Amendment is to permit a medical/dental office with a maximum gross floor area of 790 square metres (in addition to the other uses that are already allowed on site), to allow for a reduction in parking from 114 required spaces to 88 spaces provided, to permit an increased maximum front yard setback of 4 metres where 3 metres is permitted for the first and second storey with an additional metre required for the third storey and above; to permit an increased maximum interior side yard setback of 16.1 metres where 3 metres is permitted; and, to increase the permitted height from 10 metres to 15 metres.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law Amendment is to add a medical/dental office use, with a gross floor area of up to 790 square metres, and to allow amendments to Zoning By-law standards for parking, maximum front yard setback, maximum interior side yard setback, and height. The recommended action is consistent with the request from the applicant.

Rationale of Recommended Action

The recommended Zoning By-law Amendment would allow the development of a building with a height and setbacks consistent with what was already approved through minor variance applications for a professional office building on the site. The requested addition of up to 790 square metres of medical/dental office as a permitted use would allow for an office use that is likely to create a more active frontage than the professional office use already permitted on the site, bringing the permitted uses into greater conformity with the Official Plan and The London Plan policies that apply to the site.

The recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement, conforms with the Official Plan and The London Plan, and allows for an additional type of office use to occupy an already-approved office building which is under construction. The recommended Zoning By-law Amendment is also a condition

of consent application (B.050/17), which is necessary to facilitate the expansion of the site to accommodate the requested parking supply.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is an irregular shape with frontage on both Sunningdale Road West and Villagewalk Boulevard. The subject site has an area of approximately 0.53 hectares.

The site is subject to a conditionally granted consent (B.050/17) application to sever a portion (489.4 square metres) of the adjacent site at 180 Villagewalk Boulevard and convey it to the subject site at 200 Villagewalk Boulevard for parking and access. One of the conditions of consent is that this Zoning By-law Amendment is in-force and effect.

1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation Multi-Family, Medium Density Residential
- Sunningdale North Mixed Use Area Plan Multi-Family, Medium Density Residential within the Mixed Use Area
- The London Plan Place Type Main Street
- Existing Zoning Residential R6 Special Provision/ Residential R7 Special Provision/ Office Special Provision (R6-5(26)/R7(10)/OF(1)) Zone

1.3 Site Characteristics

- Current Land Use Vacant land (office building under construction)
- Frontage 41.7 metres (136.8 feet)
- Depth 99.4 metres (326.1 feet)
- Area 0.53 hectares (1.3 acres)
- Shape Irregular

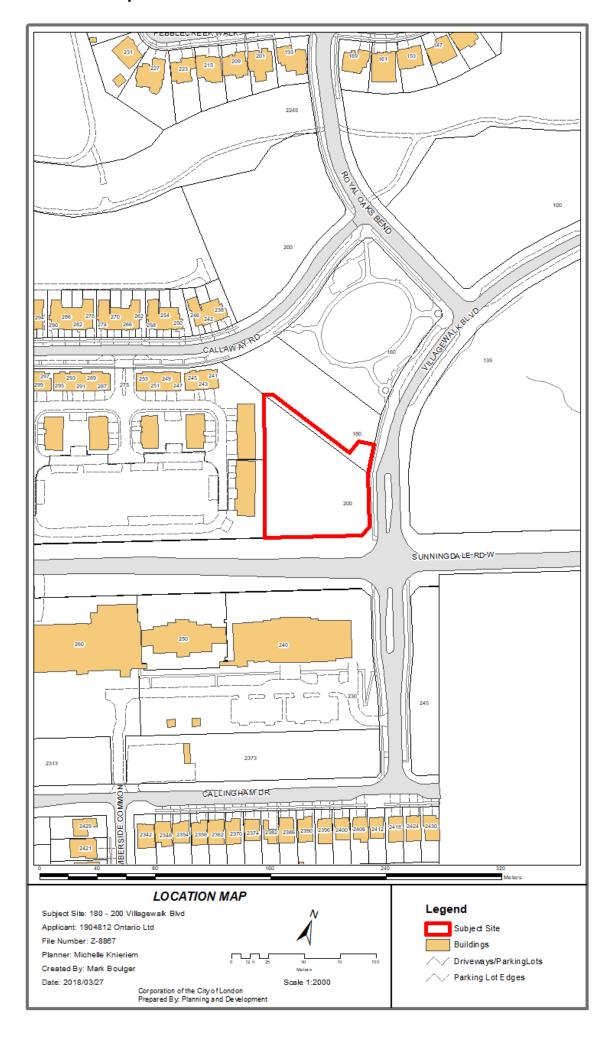
1.4 Surrounding Land Uses

- North The site immediately to the north has a minor variance conditionally approved in 2017 for cluster townhouses. Further north is a future park (Villagewalk Commons).
- East A site plan application has been submitted for a commercial plaza.
- South Two 14-storey apartment buildings. Further south are single detached homes. A draft plan of subdivision application has been submitted and is currently under appeal at the Ontario Municipal Board for the lands southeast of the subject site (58 Sunningdale Road West).
- West Cluster townhouses. Further west is the Sunningdale Golf Club.



Figure 1: Photo of office building under construction on the site.

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The applicant is proposing the development of a 4 storey (15 metre) office building with medical/dental offices on the first floor and professional offices above. The proposed office building would have a 4 metre front yard setback and an interior side yard setback of 16.1 metres from the 0.3 metre reserve on Sunningdale Road. The development is proposed to include 88 parking spaces.

The subject site has Zoning By-law and Site Plan approvals for the construction of a 4 storey (15 metre) professional office building, at the front and side yard setbacks that are requested by the applicant. This professional 4-storey office building is currently under construction as a result of previous zoning approvals that permit the use and gross floor area, as well as subsequent minor variance approvals that permit the requested height, setbacks, and a reduced parking supply. The requested medical/dental office use is proposed to be located within this building that is under construction. As a medical/dental office is not a permitted use within the existing zone, the applicant is required to seek special provisions for the height and setbacks that were previously approved for a professional office use.

3.0 Relevant Background

3.1 Planning History

The subject site is part of the Sunningdale North Area Plan. The Sunningdale North Area Plan was adopted by City Council in 2006. Additional information on the applicable policies from the Sunningdale North Area Plan can be found in Section 3.4 "Policy Context".

The subject site was part of a larger draft plan of subdivision and Zoning By-law Amendment application for the lands at the northwest corner of Sunningdale Road and Richmond Street that were owned by Auburn Developments. This draft plan of subdivision was approved with conditions and the Zoning By-law Amendment was adopted by City Council in 2008 (Application 39T-04513/Z-6842). The subject site was zoned Holding Residential R6 Special Provision/Residential R7 Special Provision/Office Special Provision (R6-5(26)/R7(10)/OF(1)) Zone to permit professional offices up to 5,000 square metres in addition to a variety of residential dwelling types.

The subdivision was subsequently registered in September 2011 as Subdivision Plan 33M-633.

The site was subject to another Zoning By-law Amendment application in 2013 for 200 and 275 Calloway Road and 180 and 200 Villagewalk Boulevard (Z-8130). This Zoning By-law Amendment pertained to the Special Provisions for the Residential R6 Zone that applies to the subject site. The Zoning By-law Amendment deleted the minimum/maximum density requirement of 35 units per hectare and replaced it with a minimum density of 30 units per hectare and a maximum density of 75 units per hectare. The maximum permitted height was also increased from 12 metres to 15 metres, should the site be developed with the Residential R6 Zone permissions. This Zoning By-law Amendment only pertained to the Residential R6 Special Provision (R6-5(26)) Zone permissions for the subject site. The Residential R7 Special Provision (R7(10)) and Office Special Provision (OF(1)) Zone permissions remained unchanged. This Zoning By-law Amendment was adopted by City Council in 2013.

A minor variance application was conditionally approved for the subject site (A.141/14) by the Committee of Adjustment in 2014, subject to obtaining a building permit. The variances conditionally granted by the Committee were for a height of 15 metres whereas 10 metres was permitted, and to permit 72 parking spaces where 87 parking spaces were required for the proposed professional office building.

The applicant returned to the Committee of Adjustment in 2015 for another minor variance application (A.075/15) for the same proposed professional office building as a

result of additional variances being identified through the review of the applicant's Site Plan Control application. The variances requested included: a maximum front yard setback of 4 metres for the first and second storey whereas a maximum setback of 3 metres was permitted with an additional metre required for the third storey and above; a front yard setback for the third storey and above equal to the first and second storey; a minimum of 72 parking spaces whereas 91 were required; and a minimum interior south side yard setback of 16.1 metres from the 0.3 metre reserve on Sunningdale Road West whereas a maximum of 3 metres was permitted. These variances were approved conditionally, on the condition that the applicant obtain a building permit for the building.

In 2016 a Site Plan Public Participation meeting was held before the Planning and Environment Committee for the Site Plan Control application submitted to construct a 4-storey professional office building (SP14-039271). No members of the public attended the meeting and no issues were identified.

In 2017, City Council adopted the recommendations in a report (H-8439) to remove the holding provisions that apply to the subject site. This allowed for consideration of the subject site for building permits to construct a 4-storey professional office building. An office building is currently under construction based on these permissions.

A consent application (B.050/17) was submitted in 2017 for 180 and 200 Villagewalk Boulevard to sever approximately 489 square metres from 180 Villagewalk Boulevard and convey this land to 200 Villagewalk Boulevard for the purposes of future office uses in order to accommodate additional parking for 200 Villagewalk Boulevard. This was conditionally approved by the consent authority in 2018.

The Zoning By-law Amendment that is currently under consideration is required to permit medical/dental offices as a permitted use within the building that is currently under construction that was initially intended for professional offices.

3.2 Requested Amendment

The requested Zoning By-law Amendment is to rezone the site from a Residential R6 Special Provision/ Residential R7 Special Provision/ Office Special Provision (R6-5(26)/R7(10)/OF(1)) Zone which allows a range of residential and professional office uses, to a Residential R6 Special Provision/ Residential R7 Special Provision/ Office Special Provision (R6-5(26)/R7(10)/OF(_)) Zone. The special provision requested is to allow a medical/dental office with a maximum gross floor area of 790 square metres in addition to the other uses that are already allowed on site, to allow for a reduction in parking from 114 spaces required to 88 spaces provided, to permit an increased front yard setback of 4 metres, to permit an increased interior side yard setback of 16.1 metres, and to increase the permitted height from 10 metres to 15 metres.

The applicant currently has zoning permissions to construct a 4-storey professional office building with the modified building setbacks that are being requested. As medical/dental offices are not a permitted use in the existing Zoning By-law permissions for the site, the applicant is required to undergo a Zoning By-law Amendment to permit medical/dental offices within the building they are constructing. The parking requirements for medical/dental offices are also more significant than professional office uses, as such the applicant is in the process to acquire a portion of the abutting parcel for the provision of additional parking spaces (through consent application B0.50/17) and is seeking relief from a portion of the additional required parking spaces. The permissions for increased setbacks and height that are being sought as part of this Zoning By-law Amendment application are also required, as they were approved through the minor variance process with the intention of applying to a professional office use.

3.3 Community Engagement (see more detail in Appendix B)

A Notice of Application was sent to property owners within a 120 metre radius of the subject site on January 31, 2018 and was published in *The Londoner* on February 1, 2018.

Two "Possible Land Use Change" signs were placed on the subject site, one fronting onto Sunningdale Road West and the second fronting onto Villagewalk Boulevard.

As of the date of this report, three community members have contacted Planning Staff with regards to this application. Concerns expressed included that the proposed use was not appropriate and that the amount of parking provided would not be sufficient to service the proposed use. Concerns were also expressed about the requested special provisions for increased height and increased setbacks, however in some instances these concerns were alleviated when it was identified to respondents that the applicant already has permission to build a professional office building with the requested height and setbacks.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development, setting the policy foundation for regulating the development and use of land. The subject site is located within a settlement area as identified in the PPS. The PPS identifies that planning authorities shall promote economic development and competitiveness by providing for an appropriate range of employment and institutional uses to meet long term needs (Policy 1.3.1). It also encourages compact, mixed use development that incorporates compatible employment uses to support livable and resilient communities (Policy 1.3.1). Policy 4.7 states that the Official Plan is the most important vehicle for implementing the PPS.

All decisions of Council affecting land use planning matters are required to be consistent with the PPS.

City of London 1989 Official Plan ("Official Plan")

The City of London 1989 Official Plan ("Official Plan") implements the policy direction of the PPS and contains objectives and policies that guide the use and development of land within the City of London. The Official Plan assigns specific land use designations to lands, and the policies associated with those land use designations provide for a general range of permitted uses.

The subject site is located within the "Multi-Family Medium-Density Residential" land use designation in the Official Plan. Development in the Multi-Family Medium-Density Residential land use designation is intended to provide multi-family medium density uses that enhance the character and amenity of residential areas (Policy 3.1.3). Densities are generally limited to a maximum of 75 units per hectare, however in certain instances densities can be permitted up to 100 units per hectare (Policy 3.3.3). Small-scale office developments are a secondary permitted use within the Multi-Family Medium-Density Residential land use designation.

The site is within the "Mixed Use Area" overlay in the Sunningdale North Planning Area (Policy 3.5.16). The Mixed Use Area is intended to allow for a range of retail and service-related commercial uses, office uses, institutional uses, and medium and high density residential uses.

The London Plan

The London Plan is the new Official Plan for the City of London and has been adopted by City Council and approved by the Ministry with modification. A portion of The London Plan is in-force and effect, and the remainder of the plan continues to be under appeal to the Ontario Municipal Board.

The subject site is located within the Main Street Place Type in the London Plan. In new neighbourhoods, main street areas can be planned to create a strong neighbourhood character and a distinct sense of place (Policy 903). They are to be strongly tied to their surrounding communities, but also provide a unique and inviting shopping and leisure experience for all Londoners and out-of-City visitors (Policy 904).

Buildings in Main Street Place Types are to be designed to fit with the planned vision, scale and character of the area (Policy 910). Buildings are to have a minimum height of 2 storeys (8 metres) and not exceed 4 storeys in height, with an upper limit of 6 storeys permitted in select instances through bonusing. Main Street Place Types permit a broad range of residential, retail, service and office uses (Policy 908). Mixed use building are encouraged and retail and service uses will be encouraged at grade with residential and non-service office uses directed to the rear of the building and upper floors. Office uses are to be limited to 2,000 square metres (Policy 910).

Sunningdale North Area Plan

The Sunningdale North Area Plan applies to the area between Wonderland Road North to the west, Sunningdale Road West to the south, Richmond Street to the east and the municipal boundary to the north. The subject site is designated Multi-family Medium Density Residential and is within the Mixed Use Area overlay.

The Multi-family Medium Density Residential designation permits a wide range of lowrise housing types ranging from single and semi-detached units to townhouses and lowrise apartments. The site is within the Mixed Use Area overlay in the Sunningdale North Area Plan, which encourages the mixing of land uses, either vertically within a single building or horizontally in multiple buildings. It also encourages that an active street frontage should be provided where possible.

The Area Plan also includes Urban Design Guidelines that are intended to guide design and future development of the Upper Richmond Village. The Urban Design Guidelines identify and describe the principal design elements of the community, their relationship to each other, and the objectives of the concept plan as a whole. The Urban Design Guidelines envision that Upper Richmond Village will provide a range of commercial, residential and recreation opportunities at a pedestrian scale to encourage the evolution of a lively and attractive urban area. The Urban Design Guidelines provide guidance on such matters as building orientation and siting, massing, façade design and landscaping. Included in the Urban Design Guidelines is the direction that buildings are encouraged to be sited close to the street line, and also the direction that buildings on the Main Street (Villagewalk Boulevard) shall be a minimum of two storeys in height and shall be encouraged to accommodate commercial or residential uses on the second floor.

Zoning By-law

The Zoning By-law that applies to the subject site resulted from a Zoning By-law Amendment application adopted by City Council in 2008 associated with the Draft Plan of Subdivision Application. The site is zoned Residential R6 Special Provision/ Residential R7 Special Provision/ Office Special Provision (R6-5(26)/R7(10)/OF(1)) Zone. This Zoning By-law designation permits medium-density cluster housing, apartment buildings for seniors and special populations, and professional offices with a maximum gross floor area of 5,000 square metres.

The site is also subject to minor variance approvals (A.141/14 and A.075/15) that permit a height of 15 metres, a maximum front yard setback of 4 metres, a maximum interior side yard setback of 16.1 metres, and a reduction in parking to 72 spaces. However, these variances only applied to uses permitted by the existing zoning. Since the medical/dental office use is requested to be added to the subject site, the applicant requires approval of these variances through the Zoning By-law Amendment process if they are to apply to the medical/dental office use.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Use

The applicant has requested a special provision to add a medical/dental office as a permitted use, with a maximum gross floor area of 790 square metres, in addition to the uses that are already permitted on the site.

Provincial Policy Statement, 2014 (PPS)

The Provincial Policy Statement identifies that Planning Authorities shall promote economic development and competitiveness by providing for an appropriate range and mix of employment and institutional uses to meet long-term needs (Policy 1.3.1). It encourages compact mixed use development that incorporates compatible employment uses to support livable and resilient communities (Policy 1.3.1). Further, the PPS also identifies that the vitality and viability of mainstreets should be enhanced (Policy 1.7.1c).

The requested medical/dental office use is consistent with the Provincial Policy Statement as it contributes to providing an employment use that contributes to the mixed use development of the Sunningdale North Area and its main street on Villagewalk Boulevard.

Official Plan

The subject site is located within the "Multi-Family Medium-Density Residential" land use designation in the Official Plan. The primary permitted uses in this Official Plan designation are medium density residential uses. Small-scale offices (up to 2,000 square metres in size) are a secondary permitted use (Policy 3.3.1; Policy 5.2.4). The subject site is also within the Sunningdale North Mixed Use Area overlay which permits a range of retail, service-related commercial uses, office uses, institutional uses, and medium and high-density residential uses.

The existing Zoning By-law that applies to the subject site permits up to 5,000 square metres of office space. The addition of medical/dental office uses would still be required to be within this total 5,000 square metres of office space.

The proposed medical/dental office use conforms to the Official Plan, including the Sunningdale North Area Plan, as the Sunningdale North Mixed Use Area overlay permits a range of uses including office uses. The total quantity of office space that would be permitted, including professional offices and medical/dental offices, is consistent with what is already permitted by the Zoning By-law for professional offices on the site and consistent with the size of building that is currently under construction.

The Downtown is intended to be the primary office employment area in the City, intended to accommodate professional offices (Policy 5.1.1). While the subject site permits up to 5,000 square metres of office space, replacing some of the permitted professional office space with medical/dental offices will help to reduce the quantity of professional office space on the subject site and allow for additional demand to divert towards professional office locations downtown.

The London Plan

The subject site is within the Main Street Place Type in The London Plan. The Main Street Place Type permits a broad range of residential, retail, service, and office uses (Policy 908). Mixed use building are encouraged and retail and service uses are encouraged to locate at-grade with residential and non-service office uses at the rear of the building and on the upper floors (Policy 908). Office uses are to be limited to 2,000 square metres (Policy 910).

While The London Plan limits office uses in the Main Street Place Type to 2,000 square metres, the existing Zoning By-law for the subject site permits up to 5,000 square metres of office space for professional offices. Adding medical/dental offices as a

permitted office use would not increase the total amount of office space on the site, as the total office use (including medical/dental offices) permitted on the site would still be 5,000 square metres. The proposed medical/dental office use would bring the subject site into greater conformity with The London Plan as medical/dental offices create a more active street frontage than professional offices, as patients would be frequenting the building throughout the day to attend appointments.

4.2 Issue and Consideration # 2: Form – Special Provision for Increased Height, Increased Front Yard Setback and Increased Interior Side Yard Setbacks

The applicant has requested that a special provision be added to the Zoning By-law for an increased height of 15 metres where 10 metres is permitted, an increased front yard setback to a maximum of 4 metres where a maximum of 3 metres is permitted for the first and second floor (with an additional metre required for the third floor and above), and an increased interior side yard setback of a minimum of 16.1 metres from the 0.3 metre reserve on Sunningdale Road where a maximum of 3 metres is permitted.

The applicant has permissions to build at this increased height and increased setbacks for an office building through previous minor variance applications. These permissions only apply if the site is developed with the existing permitted professional office use. As the applicant has requested to add a medical/dental office as a permitted use, an amendment is required to permit this increased height and setbacks for the added use.

Provincial Policy Statement, 2014 (PPS)

The Provincial Policy Statement identifies that appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety (Policy 1.1.3.4). The requested special provision for increased height and increased front and interior side yard setbacks continue to represent appropriate development standards and are consistent with the Provincial Policy Statement.

Official Plan

The Sunningdale North Area Plan, which is part of the Official Plan, identifies that a critical element is the Mixed Use Area in the community, and that both residential and commercial buildings in this area are intended to establish a well-defined and continuous streetscape. Further, it identifes that alterantive design standards should be considered to facilitate street-oriented development (Policy 3.5.16). The requested 4 metre front yard setback continues to be in conformity with this requirement, given that it represents just a modest increase from the 3 metre requirement that currently applies to the site yet it is a significant reduction from the standard Zoning By-law requirement of the Office (OF) Zone regulations requiring a minimum front yard setback of 6 metres (with additional setback required depending on building height). The requested maximum 4 metre front yard setback continues to facilitate street-oriented development.

The London Plan

The London Plan encourages that buildings should be sited with minimal setbacks from public rights-of-way to create a streetwall edge and establish a sense of enclosure and a comfortable pedestrian environment. The requested maximum front yard setback of 4 metres, while greater than the existing Zoning By-law standard of 3 metres, continues to be significantly less than the standard minimum requirement of 6 metres (with additional setback required depending on building height), and conforms with the intent of this The London Plan policy.

The addition of a medical/dental office use is not anticipated to have an impact on the appropriateness of the increased height and revised setbacks that were already approved for an office building on the site through the minor variance application process. As this increased height and setbacks have already been determined to be appropriate by the Committee of Adjustment for a professional office use, these

permissions are recommended to be maintained for the addition of a medical/dental office to the building that is currently under construction.

4.3 Issue and Consideration # 3: Intensity - Parking

The applicant has requested a special provision for a reduction in required parking, proposing a minimum of 88 parking spaces where 114 parking spaces are required.

The Official Plan requires that any variance from the parking requirements in the Zoning By-law, with the exception of Low Density Residential uses, shall be supported by a Parking Study Report (Policy 18.2.12). Despite this requirement, the Official Plan identifies that for areas within the Sunningdale North Area Plan, alternative design standards may be considered (Policy 3.5.16). One example of possible alternative standards provided is that reduced parking rates may be considered for the commercial block, recognizing and supporting pedestrian and transit usage. While the subject site is not wihtin the commercial block, it is within the Mixed Use Area and is on the opposite site of Villagewalk Boulevard from the commercial block. It is anticipated that the Mixed Use Area will be a walkable, vibrant mixed use area when it is built-out, and as such reduced parking standards are appropriate in this instance. Further, a reduced parking standard has already been approved for the professional office uses on the site through a previous minor variance application.

An in-force policy in The London Plan does not require a Parking Study Report in all instances of requests for reduced parking, and instead identifies a parking study may be required where a request is made for a minor variance to the parking requirements (Policy 369).

Transportation Services has reviewed the proposed parking quantity and have accepted this proposed parking quantity as acceptable in this location for the requested use and have identified that a parking study is not required.

More information and detail is available in Appendix B and C of this report.

5.0 Conclusion

The recommended Zoning By-law Amendment to permit a medical/dental office with a maximum gross floor area of 790 square metres in addition to the other uses that are already allowed on site, to allow for a reduction in parking from 114 spaces required to 88 spaces provided, and to permit increased maximum front yard and interior side yard setbacks is consistent with the Provincial Policy Statement and conforms with existing Official Plan policies and policies in The London Plan.

The requested addition of medical/dental offices as a permitted use, for up to 790 square metres of gross floor area, is appropriate as it is expected that this use would create a more active street frontage than the already-permitted professional office use. This is in greater conformity with Official Plan policies and The London Plan policies both of which anticipate the subject site to be part of a vibrant mixed use area. The requested reduction in parking has been determined by Transportation Services to be acceptable for what is anticipated to transform into a vibrant, walkable main street. The requested special provisions for height and increased building setbacks have also been determined to be appropriate in this instance as existing permissions on the site allow professional offices to be constructed to this height and increased setbacks.

The recommended Zoning By-law Amendment is consistent with the requested Zoning By-law Amendment and is anticipated to add vibrancy to Villagewalk Boulevard than would be generated by the existing permissions for a professional office use.

Prepared by:	Michelle Knieriem, MCIP, RPP
	Planner II, Planning Services
Submitted by:	Michael Tomazincic, MCIP, RPP
	Manager, Current Planning
Recommended by:	
	John M. Fleming, MCIP, RPP
	Managing Director, Planning and City Planner

April 23, 2018 MT/mt

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Appendix A

Bill No.(number to be inserted by Clerk's Office) 2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 200 Villagewalk Boulevard.

WHEREAS 1904812 Ontario Ltd. c/o Domus Development London Inc. has applied to rezone an area of land located at 200 Villagewalk Boulevard, 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) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 200 Villagewalk Boulevard, as shown on the attached map comprising part of Key Map No. A102, from a Residential R6 Special Provision/ Residential R7 Special Provision/ Office Special Provision (R6-5(26)/R7(10)/OF(1)) Zone to a Residential R6 Special Provision/ Residential R7 Special Provision/ Office Special Provision (R6-5(26)/R7(10)/OF(_)) Zone.
- 2) Section Number 19.4 of the Office (OF) Zone is amended by adding the following Special Provision:
 -) OF(_) 200 Villagewalk Boulevard
 - a) Additional Permitted Use:
 - i) Medical/dental offices up to 790 square meters.
 - b) Regulations
 - i) Front Yard Setback 4 metres (13.1 feet) (Maximum)
 - ii) Interior Side Yard Setback 16.1 metres (52.8 from the reserve on feet)
 Sunningdale Road
 (Maximum)
 - iii) Height (m) 15 metres (49.2 feet) (Maximum)
 - iv) Parking Spaces 88 (Minimum)
 - v) Total Gross Floor Area for medical/dental offices 790 square metres (8,503 (Maximum) 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.

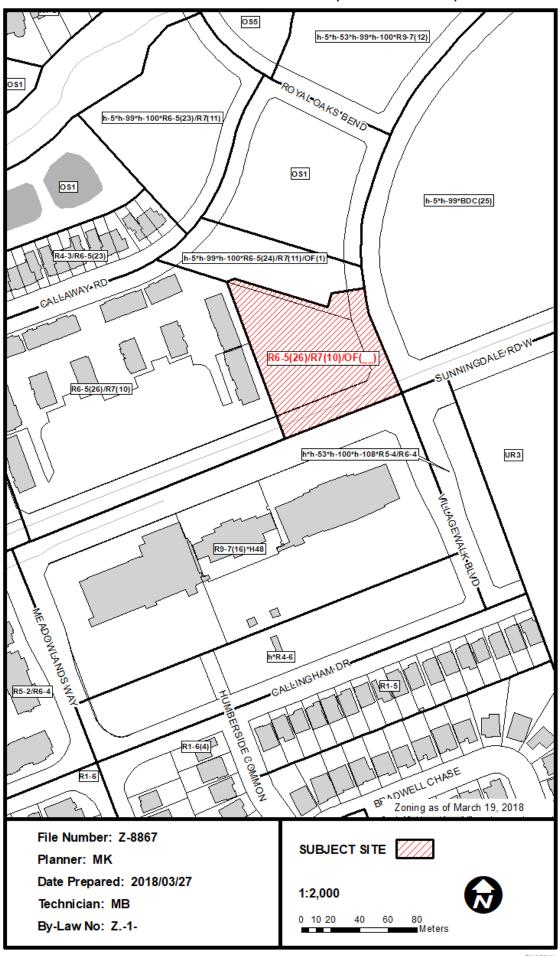
PASSED in Open Council on May 8, 2018.

Matt Brown Mayor

Catharine Saunders
City Clerk

First Reading – May 8, 2018 Second Reading – May 8, 2018 Third Reading – May 8, 2018

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On January 31, 2018, Notice of Application was sent to 205 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 1, 2018. A "Planning Application" sign was also posted on the site.

3 replies were received.

Nature of Liaison: Change Zoning By-law Z.-1 from a Residential R6/R7/Office Special Provision (R6-5(26)/R7(10)/OF(1)) Zone which allows a range of residential and professional office uses, to a Residential R6/R7/Office Special Provision (R6-5(26)/R7(10)/OF(__)) Zone. The special provision requested is to allow a medical/dental office with a maximum gross floor area of 790m² in addition to the other uses that are already allowed on site, to allow for a reduction in parking from 114 spaces required to 88 spaces provided, to permit a reduced front yard setback of 4 metres, to permit a reduced interior side yard setback of 16.1 metres, and to increase the permitted height from 10 metres to 15 metres.

Responses: A summary of the various comments received include the following:

Concern for:

Parking is insufficient for a medical/dental use:

Residents expressed a concern that the requested quantity of parking would not be sufficient for the requested medical/dental use. Transportation Services has evaluated the requested quantity of parking and have found the quantity of parking spaces proposed to be acceptable.

Building height:

Residents have expressed concerns about the requested height increase. The site already has permissions to construct a building for professional offices at the requested height, and that building is currently under construction. The addition of a medical/dental office as a permitted use within the building that is under construction would not affect the impact of the 15 metre building height, as this height is already permitted for a professional office building, which is currently under construction. The medical/dental office use would occupy the building that is currently under construction, in addition to professional office uses that are already permitted on the site.

Traffic:

Residents expressed a concern that increased traffic would be generated by a medical/dental office. Transportation Services evaluated the proposed use on traffic in the area and found the traffic that could be generated by the requested Zoning By-law Amendment to be acceptable.

Change in front yard setback:

Residents have expressed concerns about the requested increase in front yard setback. The site already has permissions to construct a building for professional offices at the requested setback, and that building is currently under construction. The addition of a medical/dental office as a permitted use within the building that is under construction would not impact the ability of the development to relate to pedestrians on the street on Villagewalk Boulevard, as a building containing professional office uses can already be constructed at this setback.

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

Telephone	Written
Boksman, Len	Tawfic, Qutaiba
609-240 Villagewalk Boulevard	612-240 Villagewalk Boulevard
London, ON	London, ON
N6G 0P6	N6G 0P6
	Lu, Mimmie
	N/A

Agency/Departmental Comments Environmental and Engineering Services

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned Zoning By-Law amendment application:

Transportation

No comments for the re-zoning application.

The following items are to be considered during the consent application approval stage:

- Two scenarios for the access that could be supported by the City; construction of a side by side left turn lane, or the restriction of the access to right in/right out through the construction of a median
- Detailed comments regarding access design and construction will be made through the site plan process

SWED

No comments for the re-zoning application.

WADE

No comments for the re-zoning application.

Water

No comments for the re-zoning application.

London Hydro

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of existing services will be at the expense of the owner.

Upper Thames River Conservation Authority

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006).* These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act,* and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014).* The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether the subject lands are located in a vulnerable area. The Drinking Water Source Protection information is being disclosed to the Municipality to assist them in fulfilling their decision making responsibilities under the Planning Act.

Conservation Authorities Act

These lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

Drinking Water Source Protection

Clean Water Act

The Clean Water Act (CWA), 2006 is intended to protect existing and future sources of drinking water. The Act is part of the Ontario government's commitment to implement the recommendations of the Walkerton Inquiry as well as protecting and enhancing human health and the environment. The CWA sets out a framework for source protection planning on a watershed basis with Source Protection Areas established based on the watershed boundaries of Ontario's 36 Conservation Authorities. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have entered into a partnership for The Thames-Sydenham Source Protection Region.

The Assessment Report for the Upper Thames watershed delineates three types of vulnerable areas: Wellhead Protection Areas, Highly Vulnerable Aquifers and Significant Groundwater Recharge Areas. We would like to advise that the subject lands are identified as being within a vulnerable area. Mapping which identifies these areas is available at:

http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport

Upon review of the current assessment reporting map, we wish to advise that there are **no vulnerable areas** identified for this area.

Recommendation

The UTRCA has no objections to this application.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, bylaws, and legislation are identified as follows:

Provincial Policy Statement

Policy 1.3.1: Planning authorities shall promote economic development and competitiveness by:

- a. providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;
- c. encouraging compact, mixed use development that incorporates compatible employment uses to support liveable and resilient communities; and
- d. ensuring the necessary *infrastructure* is provided to support current and projected needs

Policy 1.1.3.4: Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Policy 1.7.1: Long-term economic prosperity should be supported by:

c. maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets.

Policy 4.7: The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.

Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.

Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

Official Plan

Policy 3.1.3: Multi-Family, Medium Density Residential Objectives

- i) Support the development of multi-family, medium density residential uses at locations which enhance the character and amenity of a residential area, and where there is safe and convenient access to public transit, shopping, public open space, recreation facilities and other urban amenities.
- ii) Encourage the development of well-designed and visually attractive forms of multifamily, medium density housing.
- iii) Promote the retention of desirable natural features through the appropriate location of buildings and parking areas.

Policy 3.3.1: Permitted Uses

Secondary Permitted Uses

iv) Uses that are considered to be integral to, or compatible with, medium density residential development, including group homes, home occupations, community facilities, funeral homes, commercial recreation

facilities, small-scale office developments, and office conversions, may be permitted according to the provisions of Section 3.6.

Policy 3.5.16: Sunningdale North Planning Area

The following policy applies to lands within the Sunningdale North Area Plan, located generally north of Sunningdale Road West, west of Richmond Street, east of Wonderland Road North, and south of the municipal boundary. These policies are to be read in conjunction with the Sunningdale North Area Plan, which has been adopted by Council as a guideline document under Section 19.2. of this Plan.

Mixed Use Area

i) Within the Sunningdale North Area Plan, a Mixed Use Area has been identified. This area includes a commercial block, several residential blocks, and a park block. Specific objectives and corresponding policies have been adopted by Council for this area and applications for the Official Plan and Zoning By-law amendments, plans of subdivision and condominium, consents, and site plans within this Mixed Use Area will be reviewed on the basis of the following policies and a Council-adopted concept plan.

General Concept

ii) This Mixed Use Area will allow a range of retail and service-related commercial uses, office uses, institutional uses and medium to high density residential uses. These uses will be mixed horizontally in multiple buildings and/or vertically within single buildings. Such a mix is intended to provide live-work opportunities and pedestrian accessibility to consumer goods and services within the area and the surrounding residential communities. An integrated design for this community, with a clear focal point and

quality pedestrian linkages, is intended to support walkability and a strong sense of place for Sunningdale North.

Concept Plan, Zoning and Site Plans

iii) Zoning amendments, plans of subdivisions, plans of condominium, consents and site plan applications for lands within the Mixed Use Area will be consistent with a concept plan to be adopted by Council as a guideline document under Section 19.2. of this Plan. The concept plan will include, but not be limited to, the approximate allocation of uses, layout of buildings, parking areas, access points, streetscape and architectural design features, driveways, pedestrian linkages, transit service facilities, landscaped areas, focal points and gateway features. It will also include design guidance, including graphic representations of the planned built form that will be applied to individual buildings and sites to achieve the stated objectives for this Mixed Use Area.

Design Objectives

iv) A critical element of the plan for this Mixed Use Area is the Village Commons which will act as the primary focal point for the entire community plan area. It will be important to create a sense of enclosure around the Village Commons by building a relatively intense building streetscape along the frontage of those streets which surround the Commons. Similarly, it is intended that both residential and commercial buildings along the primary collector roads, leading to the Commons, be lined with a well defined and continuous street edge to establish a strong entrance into the commons and a pedestrian supportive environment. The concept plan will include build-to lines, building mass objectives and minimum frontage coverages to ensure that large gaps are not present around the Commons or along the collector roads in close proximity to the Commons.

Equally as important, the commercial uses which are located adjacent to the collector road and the Commons will provide active frontage and a high quality of architectural design to create a Mainstreet look and feel. Where active frontage is not deemed to be possible onto the collector road, buildings will be designed such that they appear as building frontages, incorporating windows, doors and other architectural features that enforce this appearance and enhance the pedestrian streetscape. Sidewalks on the south side of the collector road will be wider than those traditionally constructed along arterial roads to further support this pedestrian objective. All buildings within this Mixed Use Area will be designed with architectural features and landscaping to enhance pedestrian streetscapes.

Community Commercial Node

v) The lands designated Community Commercial Node within the Mixed Use Area are addressed through Policy 4.3.7.6. of this Plan.

As described in the Sunningdale North Area Plan, a focus of the commercial block will be to support smaller-scale retail uses of a distinct character within a Mainstreet setting. In addition, more traditional building forms will be permitted on this block in prescribed proportions. Office uses fronting the Village Commons are to include ground floor retail uses to enhance, and capitalize upon, the Commons experience. Retail uses on the entire site will not exceed 16,000 m2 and office uses will be of a medium scale, as defined in Section 5.5.1. of this Plan, and will not exceed 10,000 m2 in total floorspace. (Clause v) amended by Ministry Mod. #8 Dec. 17/09)

Linkages

vi) Commercial uses will be designed to support both pedestrian access from the surrounding community and destination shopping from more distant locations. A strong pedestrian streetscape will be developed along the primary collector road and around the Village Commons. Strong internal pedestrian linkages will be supported, through the concept plan, between all buildings within the commercial block. Linkages to the Village Commons will be supported from the internal areas of the commercial block.

Building Form

vii) Single family detached, semi-detached and duplex buildings will not be permitted within the Multi-family, Medium Density Residential blocks located in the Mixed Use Area. Triplexes and fourplexes will only be permitted where the goals of establishing a strong street edge are maintained. Various forms of row housing and low-rise apartment buildings, which cover a large portion of the site's street frontage, will be identified in the concept plan. Buildings fronting the Village Commons and the primary collector road will be a minimum of two storeys in height.

Gateway Treatment

viii) Gateways will be addressed through the concept plan in two ways. Recognizing that Richmond Street is a major northern gateway to London, a high standard of landscaping and architectural design will be required for all buildings along this frontage. Subdivision designs will be required which orient residential building frontages on Richmond Street in order to eliminate the need for extensive noise walls. Similarly, this standard will be applied on Sunningdale Road West close to the intersection of Richmond Street. The concept plan will ensure that the buildings on either side of the primary collector road will provide a strong street edge and high quality design standard as a gateway into the Sunningdale North community.

Alternative Standards

ix) Alternative design standards may be considered for the Sunningdale North community. For example, reduced parking rates may be considered for the commercial block, recognizing and supporting pedestrian and transit usage. Alternatives may also be considered relating to the width of the road allowance surrounding the Village Commons and along the northern collector, with the goal of creating a sense of enclosure and pedestrian amenity. Similarly, reduced front yard setbacks will be established for commercial and residential blocks fronting the Village Commons and collector roads.

Housing Density

x) Notwithstanding the policies of Section 3.3.3. and 3.4.3. of the Official Plan, the concept plan will establish minimum residential densities in the Mixed Use Area for development within the Multi-Family, Medium Density Residential and Multi Family, High Density Residential designations to provide for the efficient utilization of land and provide a critical mass to support the mixed use concept and transit servicing.

Collector Roads

xi) Within the Mixed Use Area, a primary collector road will be located from Richmond Street North to Sunningdale Road West. It is expected that the width of the road allowance for this collector will be kept to a minimum, within the scope of requirements for a widened sidewalk and on-street parking. It will be important to encourage a minimal road allowance and minimal building setbacks along the Mainstreet corridor and the Village Commons. The Concept Plan will address maximum right-of-way, traveled road, on-street parking, sidewalk widths and access points.

Street Oriented Development

xii) Within the Sunningdale North Area Plan, new residential development adjacent to arterial and collector roads will be oriented to the street to provide a high quality of urban design. Alternative design standards will be explored, where practical, to assist in realizing this objective. Noise attenuation walls along arterial roads will be discouraged

Phasing

xiii) The concept plan shall include a phasing plan for the Mixed Use Area. This phasing plan shall identify the mix of uses within each phase. A residential development component will be included in all phases of the development of the Mixed Use Area. A substantial component of residential development shall be completed to support the Mixed Use Area prior to the approval of the final phase.

Policy 5.1.1: General Objectives for all Office Designations

i) Provide for choice in the location and cost of office space while maintaining the Downtown as the primary office employment area in the City

Policy 5.2.4: Scale of Development

Office buildings in Office Area designations shall be low to medium rise in height, and of a scale that will minimize the impact on, and can be integrated with, surrounding uses. Office buildings shall be permitted up to a medium scale in the Office Area designation. The Zoning By-law will control the scale of development through building height, lot coverage, floor area, and setback regulations.

For the purpose of this Plan, office development of less than 2,000 square metres (21,529 sq.ft.) gross floor area will normally be considered "small scale", and office development between 2,000 square metres (21,529 sq.ft.) and 5,000 square metres (53,921 sq.ft.) gross floor area will normally be considered "medium scale". (OPA #506)

Policy 18.2.12: Parking Policies

The provision of public and private parking and loading facilities that are safe, and accessible well integrated with the transportation system, adequate for the land uses they support, and developed to a standard which promotes compatibility with adjacent land uses, shall be supported. Council may consider a policy to limit the maximum amount of parking spaces to support a proposed development.

Parking and Loading Requirements

i) The Zoning By-law shall contain standards for the provision of private off-street parking and loading facilities to be required as a condition of the development and use of land. These standards may vary according to the parking demand normally associated with different types of land uses. With the exception of low density residential uses, any variance from the parking requirements of the Zoning By-law shall be supported by a Parking Study Report. Parking standards may also vary among areas of the City on the basis of public transit service levels, accessibility requirements and the availability of off-site parking. The development of parking in the Downtown shall be based on the provisions of policy 4.2.8. of this Plan

Policy 19.9.5. Noise, Vibration and Safety

The development of residential uses on lands in close proximity to the London Airport, rail lines, freeways and provincial highways, industrial, commercial or institutional uses shall have regard for potential impacts from noise, vibration and/or safety concerns and, where a proposed development does not comply with provincial guidelines for acceptable levels of noise, and/or where there is a concern over safety, mitigation measures may be required through the development approval process.

Setback from High Pressure Pipelines

iv) A minimum setback of 20 metres (65 feet) will be provided from the centre of a high pressure pipeline to the nearest wall of a building intended for human occupancy.

The London Plan

Policy 259: Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.

Policy 369: Where a request is made for a minor variance to the parking requiremetns, as established in the *Zoning By-law*, the approval authority may require a parking study.

Policy 900: Retail uses will not exceed 16,000m2 and individual office uses will be 5,000m2 or less and will not exceed 10,000m2 in total floor space for the entire land area within the Shopping Area Place Type and the adjacent Main Street Place Type.

Policy 903: Main Streets are some of London's most cherished historical business areas that contain a mix of residential and commercial uses that were initially established to serve surrounding neighbourhoods. In new neighbourhoods, main street areas can be planned to create a strong neighbourhood character and distinct sense of place.

Policy 904: Main Streets play a large role in defining our history and our identity as a city. They include many important cultural heritage resources and their preservation is an important part of our goal to conserve our cultural heritage to pass along to future generations. Main Streets are strongly tied to their surrounding communities, but also provide a unique and inviting shopping and leisure experience for all Londoners and out-of-City visitors.

Policy 908: The following uses may be permitted in the Main Street Place Type:

- 1. A broad range of residential, retail, service and office uses may be permitted within the Main Street Place Type.
- 2. Mixed use buildings will be encouraged.
- 3. Retail and service uses will be encouraged at grade, with residential and non-service office uses directed to the rear of buildings and to upper floors.
- 4. The full range of uses described above will not necessarily be permitted on all sites within the Main Street Place Type.

Policy 910: The following intensity policies will apply within the Main Street Place Type:

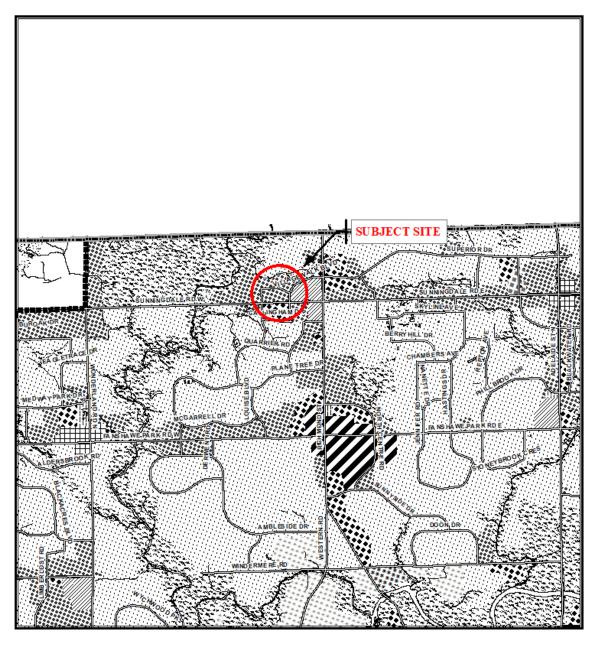
- 1. Buildings in Main Street Place Types will be designed to fit in scale and character with the surrounding streetscape, while allowing for appropriate infill and redevelopment.
- 2. Buildings in the Main Street Place Types that are in new neighbourhoods will fit in with the planned vision, scale, and character of the area.
- 3. Large floor plate commercial buildings will not be permitted.
- 4. Buildings will be a minimum of either two storeys or eight metres in height and will not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted in conformity with the Our Tools policies of this Plan.
- 5. Individual buildings will not contain any more than 2,000m2 of office space.
- 6. The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites.
- 7. The full extent of intensity described above will not necessarily be permitted on all sites within the Main Street Place Type.

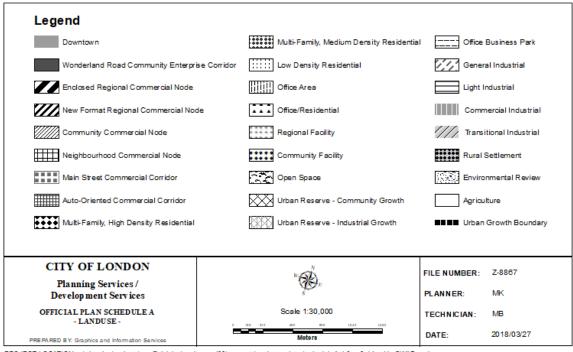
Policy 1772: Additional Rail and Pipeline Safety policies will apply, as follows:

- 1. All proposed development adjacent to railways will provide appropriate safety measures such as setbacks, berms and security fencing, to the satisfaction of the City in consultation with the appropriate railway.
- 2. A minimum setback of 20 metres will be provided from the centre of a high pressure pipeline to the nearest wall of a building intended for human occupancy.

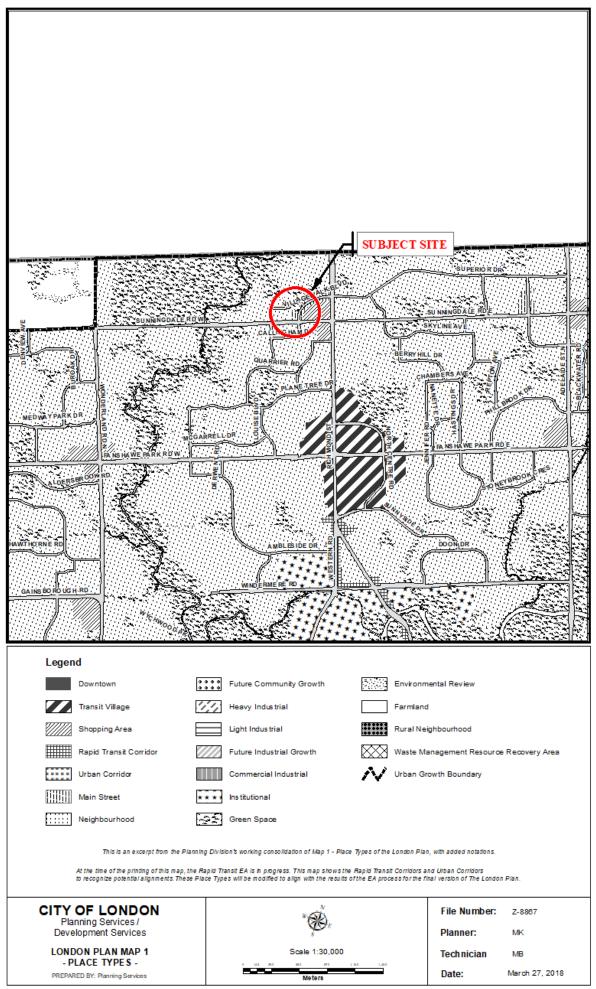
Appendix D – Relevant Background

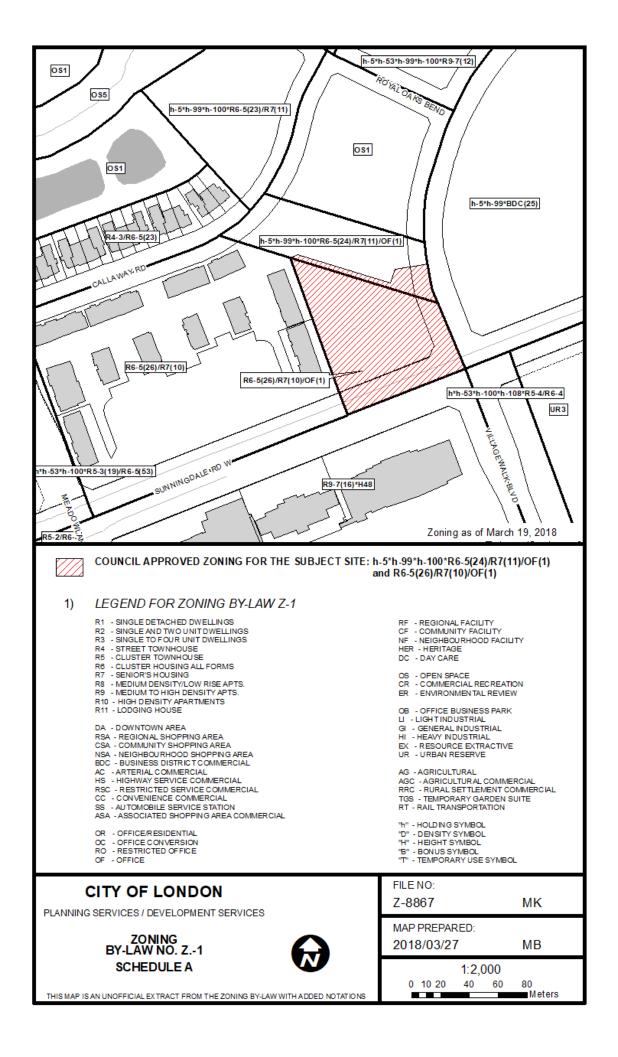
Additional Maps





PROJECT LOCATION: e:\planning\projects\p_officialplan\workconsol00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd





Additional Reports

Sunningdale North Area Plan/Guidelines: The Sunningdale North Area Plan and Guidelines were adopted by City Council in 2006.

Application by Auburn Developments Inc – Northwest corner of Richmond Street and Sunningdale Road (39T-04513/Z-6842) (Public Participation Meeting June 17, 2018): City Council approved with conditions the Draft Plan of Subdivision and Zoning By-law Amendment application for the Richmond North Subdivision. In regards to the subject site, the subject site was zoned Holding Residential R6 Special Provision/Residential R7 Special Provision/Office Special Provision (R6-5(26)/R7(10)/OF(1)) Zone to permit professional offices up to 5,000 square metres in addition to a variety of residential dwelling types.

Application by City of London 200 & 275 Calloway Road and 180 & 200 Villagewalk Boulevard (Z-8130) (Public Participation Meeting February 26, 2013): City Council adopted a Zoning By-law Amendment in 2013 for 200 & 275 Calloway Road and 180 & 200 Villagewalk Boulevard which pertained to the Special Provisions for the Residential R6 Zone that applies to the subject site. The Zoning By-law Amendment deleted the minimum/maximum density requirement of 35 units per hectare and replaced it with a minimum density of 30 units per hectare and a maximum density of 75 units per hectare. The maximum permitted height was also increased from 12 metres to 15 metres, should the site be developed with the Residential R6 Zone permissions. This Zoning By-law Amendment only pertained to the Residential R6 Special Provision (R6-5(26)) Zone permissions for the subject site. The Residential R7 Special Provision (R7(10)) and Office Special Provision (OF(1)) Zone permissions remained unchanged.

Application by 1904812 Ontario Inc (c/o Domus Development London Inc.) 200 Villagewalk Boulevard Public Site Plan Meeting (SP14-039271) (Public Participation Meeting September 19, 2016): A Public Participation meeting was held before the Planning and Environment Committee for the Site Plan Control application submitted to construct a 4-storey professional office building (the building currently under construction). No members of the public attended the meeting and no issues were identified.

Application by 1904812 Ontario Limited 200 Villagewalk Boulevard (H-8439)(Public Participation Meeting May 8, 2017): In 2017, City Council removed the holding provisions that apply to the subject site. This allowed for consideration of the subject site for building permits to construct a 4-storey professional office building. An office building is currently under construction based on these permissions.