Report to Planning and Environment Committee

To: Chair and Members

Planning & Environment Committee

From: John M. Fleming

Managing Director, Planning and City Planner

Subject: The Y Group Investments and Management Inc.

745-747 Waterloo Street

Public Participation Meeting on: September 24, 2018

Recommendation

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of The Y Group Investments and Management Inc. relating to the property located at 745-747 Waterloo Street the proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting on October 2, 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 R2/Office Conversion (R2-2/OC4) Zone **TO** a Residential R2/Office Conversion Special Provision Zone (R2-2/OC6(_)) Zone at 745 Waterloo Street and **FROM** an Office Conversion/Convenience Commercial Special Provision (OC4/CC(1)) Zone **TO** an Office Conversion Special Provision/Convenience Commercial Special Provision Zone (OC6(_)/CC(1)) Zone at 747 Waterloo Street.

Executive Summary

Summary of Request

The requested Zoning By-law Amendment is to permit an expanded range of office conversion uses, in addition to the uses already permitted on the subject site. The applicant is also seeking special provisions to recognize the existing landscaped area of 14%, whereas 30% would be required, and the existing 8 parking spaces, whereas 26 parking spaces would be required.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended Zoning By-law Amendment is to permit an expanded range of office conversion uses and to allow amendments to Zoning By-law standards for minimum landscaped area and minimum parking, consistent with the existing conditions on the site. The recommended action includes a special provision that restricts the office conversion uses to the ground floor of the existing building at 745 Waterloo Street and to the entirety of the existing building at 747 Waterloo Street. The recommended action is consistent with the request from the applicant, with the special provision limiting the additional permitted uses to the ground floor of the existing building at 745 Waterloo Street and the entirety of the building at 747 Waterloo Street, being advanced by Staff.

Rationale of Recommended Action

The recommended Zoning By-law Amendment would allow for the reuse of the existing buildings with an expanded range of office conversion uses that are complementary to the continued development of Oxford Street as an Urban Corridor, consistent with The London Plan polices for the subject site. Limiting the requested Zoning By-law Amendment to the existing buildings helps to ensure compatibility with the surrounding heritage resources and also that the requested parking and landscaped area deficiencies would not be perpetuated should the site be redeveloped in the future. While the requested parking deficiency is less than the minimum required by zoning, it is reflective of the existing conditions. By restricting the office conversion uses to the ground floor of the existing building at 745 Waterloo Street and the entirety of the

existing building at 747 Waterloo Street (rather than the entirety of both buildings, as requested by the applicant), the parking requirements for the site would be less than the parking requirements for the existing permitted uses.

The applicant has indicated a willingness to accept the special provisions limiting the permitted uses to the ground floor of the existing building at 745 Waterloo Street and to the entirety of the existing building at 747 Waterloo Street.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is rectangular and contains two, two-storey existing dwelling-style buildings which are listed on the City of London's Inventory of Heritage Resources. These buildings are bisected by a walkway. The subject site includes 8 parking spaces in the rear of the building. An additional 8 boulevard parking spaces (7 in the front, 1 in the rear) are also used by the subject site. The subject site is located at the intersection of Oxford Street and Waterloo Street, with Oxford Street East identified as an Urban Thoroughfare in The London Plan and Waterloo Street as a Neighbourhood Connector. The subject site is adjacent to the Bishop Hellmuth Heritage Conservation District, located on the opposite side of Oxford Street East.

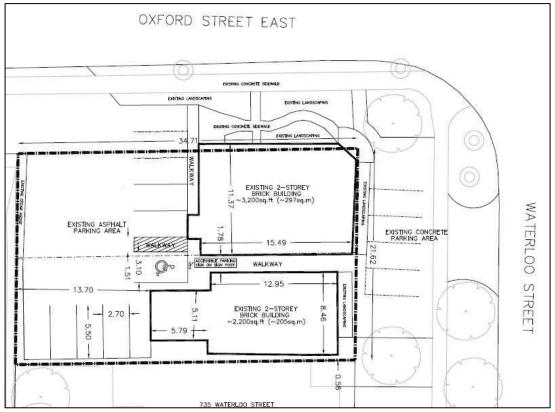


Figure 1 - Site Plan of Existing Conditions (provided by the applicant)

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

- Official Plan Designation Multi-Family Medium Density Residential
- The London Plan Place Type Urban Corridor Place Type
- Existing Zoning Residential R2/Office Conversion (R2-2/OC4) Zone at 745
 Waterloo Street; Office Conversion/Convenience Commercial Special
 Provision (OC4/CC(1)) Zone at 747 Waterloo Street

1.3 Site Characteristics

- Current Land Use Retail and residential
- Frontage 21.62 metres (70.9 feet)
- Depth 34.71 metres (113.9 feet)
- Area 748.9 square metres (8,061.1 square feet)
- Shape Rectangular

1.4 Surrounding Land Uses

North – The site immediately to the north is a gas station and associated convenience commercial use. Further north is a clinic and single-detached residential homes. The properties on the north side of Oxford Street are designated Multi-Family, High Density Residential in the 1989 Official Plan and are in the Urban Corridor Place Type in The London Plan. The properties further north are designated Low Density Residential in the 1989 Official Plan and are in the Neighbourhoods Place Type in The London Plan.

- East Immediately east of the subject site is a veterinary clinic. A pharmacy
 is located immediately northeast of the subject site. Further east are a
 mixture of low-rise residential and non-residential buildings. These properties
 are designated Multi-Family, Medium Density Residential in the 1989 Official
 Plan and are in the Urban Corridor Place Type in The London Plan.
- South Immediately south of the subject site is a converted dwelling. Further south are single-detached homes and a private school (Montessori Creative Learning Centre). The property immediately south of the subject site is designated Multi-Family, Medium Density Residential in the 1989 Official Plan and is in the Urban Corridor Place Type in The London Plan. The properties further south are designated Low Density Residential and are part of the Neighbourhoods Place Type.
- West Immediately west of the subject site is a private school (Montessori Creative Learning Centre). Further west are a mixture of converted dwellings and single-detached homes. The lands west of the subject site are designated as Multi-Family, Medium Density Residential in the 1989 Official Plan and are in the Urban Corridor Place Type in The London Plan.



Figure 2 - Photo of the Subject Site (provided by the applicant)

1.6 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The development proposal is to allow an expanded range of office conversion uses on the subject site. These uses are to occur within the existing buildings. No new development is proposed as a result of this application. A special provision is being requested to recognize the existing landscaped area and parking supply and allow these to be maintained on the site.

3.0 Relevant Background

3.1 Planning History

A minor variance application (A.082/07) was approved by the Committee of Adjustment for 745 Waterloo Street in 2007. This minor variance decision permitted a retail store, with the requirements that this retail store shall be used for a chocolate retail store only and that the chocolate retail store shall not exceed the size of the hair salon that previously existed on the site. The variance also permitted reduced interior side yard setbacks, based on the reduced setbacks of the existing building.

3.2 Requested Amendment

The requested Zoning By-law Amendment is to rezone the portion of the subject site at 745 Waterloo Street from a Residential R2/Office Conversion (R2-2/OC4) Zone to a Residential R2/Office Conversion Special Provision (R2-2/OC6(_)) Zone and the portion of the subject site at 747 Waterloo Street from an Office Conversion/Convenience Commercial Special Provision (OC4/CC(1)) Zone to an Office Conversion Special Provision/Convenience Commercial Special Provision (OC6(_)/CC(1)) Zone.

The existing Zoning By-law permissions that apply to 745 Waterloo Street permit single detached dwellings, semi-detached dwellings, duplex dwellings, converted dwellings, dwelling units, and offices in existing buildings. The site is also subject to a minor variance decision that permits a chocolate retail store. The property at 747 Waterloo Street permits dwelling units, offices in existing buildings, convenience service establishments, convenience stores, financial institutions, existing retail stores, and personal service establishments. For both 745 and 747 Waterloo Street, the requested Zoning By-law Amendment would permit clinics in existing buildings, emergency care establishments in existing buildings, medical/dental offices in existing building and outpatient clinics in existing buildings, in addition to the other uses already permitted on the properties. The requested Zoning By-law Amendment would also allow for reductions in landscaped area (14%, whereas 30% would be required under the Zoning By-law) and vehicular parking (8 spaces, whereas 26 spaces would be required under the Zoning By-law) to reflect the existing conditions.

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 July 4, 2018 and was published in *The Londoner* on July 5, 2018.

One sign detailing the development application was placed on the Oxford Street East frontage of the subject site.

As of the date of this report, five interested parties, including the Piccadilly Area Neighbourhood Association, have contacted Planning Services with regard to the application. Concerns expressed by the interested parties included the request to recognize the parking deficiency to reflect the existing condition and concerns about the compliance of the existing uses on site to the Zoning By-law permissions. The written comments provided are included in Appendix B.

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 primarily intended to provide multi-family medium density uses that enhance the character and amenity of residential areas (Policy 3.1.3). The Official Plan outlines locations where office conversion may be permitted within Residential designations. Included in this list is the portion of Waterloo Street containing the subject site (Policy 3.6.9 ii)).

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 at the Local Planning Appeals Tribunal.

The subject site is located within the Urban Corridor Place Type in The London Plan and is located at the intersection of an Urban Thoroughfare (Oxford Street) and a Neighbourhood Connector (Waterloo Street). Urban Corridors will be vibrant, mixeduse, mid-rise communities, however will have a slightly lower intensity than the Rapid Transit Corridors (Policy 828). The London Plan also includes a policy that applies specifically to the properties at 733-747 Waterloo Street, which includes the subject site, identifying that office conversions may be permitted for this location (Policy 1076).

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Use

The applicant has requested to expand the range of uses permitted on the subject site to include clinics in existing buildings, emergency care establishments in existing buildings, medical/dental offices in existing building and outpatient clinics in existing buildings, in addition to the other uses already permitted on these properties.

Provincial Policy Statement, 2005 (PPS)

The Provincial Policy Statement (PPS) identifies that safe and healthy communities are sustained by accommodating a range and mix of residential, employment, institutional, recreation, parks and open space and other uses to meet long-term needs (Policy

1.1.1). It also identifies that cost-effective development patterns and standards to minimize land consumption and servicing costs should be promoted (Policy 1.1.1). The PPS also 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).

The requested expanded range of uses are consistent with the PPS, as accommodating these uses within existing buildings helps to promote cost-effective development patterns, minimize land consumptions and servicing costs, and also offers the benefit of providing compatible employment uses to support the development of a compact mixed-use community.

The PPS also identifies that the Official Plan is the most important vehicle for implementing the PPS, and the requested range of uses, as further discussed in the below sections on the 1989 Official Plan and The London Plan, conforms to both the 1989 Official Plan and The London Plan.

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

The subject site is located within the Multi-Family, Medium Density Residential designation in the 1989 Official Plan. This land use designation generally permits medium-density residential development, however allows for the conversion of dwellings for office purposes, subject to certain criteria. The 1989 Official Plan also specifically identifies locations within Residential designations where office conversions may be permitted. The location of the subject site is one of the locations identified as permitting office conversions.

The 1989 Official Plan explicitly permits office conversions on the subject site, as such the requested office conversion uses are appropriate for the subject site as they conform to the 1989 Official Plan.

The London Plan

The subject site is within the Urban Corridor Place Type in The London Plan. The Urban Corridor Place Type permits a range of residential, retail, service, office, cultural, recreational and institutional uses (Policy 837). Further, The London Plan also includes a policy that specifically permits office conversions between 733 and 747 Waterloo Street, which includes the subject site (Policy 1076).

The requested office conversion uses conform to The London Plan as office conversions are explicitly permitted for the subject site, and are among the range of permitted uses within the Urban Corridor Place Type.

4.2 Issue and Consideration # 2: Intensity - Parking

The applicant has requested a reduction to the minimum number of required parking spaces in the Zoning By-law. The requested Zoning By-law Amendment for the subject site would permit a range of uses, with different parking rates required for each use. If the site were to be occupied by the most parking-intensive uses permitted under the requested Zoning By-law Amendment, a minimum of 30 parking spaces would be required. The applicant has requested a special provision to permit the existing condition of 8 parking spaces on-site. The site also has an additional 8 boulevard parking spaces under permit from the City of London that are located on City-owned property surrounding the site.

Based on the range of *existing* uses permitted on the subject site, if the most parking-intensive uses occupied the site, a minimum of 27 parking spaces would be required.

Comments from the community have identified concern that the requested uses would not be sufficiently serviced by the existing parking, and that an overflow of parking would

occur onto neighbouring streets, notably Piccadilly Street, in an area that the community identified was already experiencing a shortage of parking.

Based on this feedback, in order to not worsen this deficiency, it is recommended that a special provision be included in the Zoning By-law Amendment limiting requested uses for the Office Conversion (OC6) Zone to the ground floor of 745 Waterloo Street and the entirety of 747 Waterloo Street rather than allowing them to be permitted in the entirety of both buildings. With this special provision, if the most parking-intensive uses were to occupy the site a minimum of 26 parking spaces would be required. This minimum required parking is one space less than what would be required if the most parking-intensive uses permitted by the existing zoning occupied by the site. This reduction is due to the fact that under the existing zoning a limited range of office conversion uses are permitted on the second floor of 745 Waterloo Street, however under the recommended Zoning By-law the second floor of 745 Waterloo Street would only have residential permissions as the office conversion uses would be limited to the ground floor.

As both buildings are existing on-site and are to be retained, there are no opportunities to expand the quantity of parking provided on the site. Given this constraint, limiting the scale of the recommended uses to a parking ratio that is equivalent to the most intense uses of the existing zoning permissions, is appropriate. The inclusion of a special provision limiting the requested uses to the existing buildings is intended to encourage the reuse of the existing building. Should the site be redeveloped in the future, a Zoning By-law Amendment would be required which would re-examine parking provision.

4.3 Issue and Consideration # 3: Intensity – Landscaped Open Space

The applicant has requested a special provision in the Zoning By-law to permit a reduction in required landscaped open space to reflect the existing condition. While there is generally the desire to maximize the landscaped area on a site, the site does not afford this possibility without the demolition of one of the buildings on-site listed on the City's heritage register or the removal of parking spaces – neither of which are desirable in this instance. The expanded range of uses is not anticipated to increase the demand for additional landscaped open space beyond that required by the existing uses permitted on the site. Recognizing the existing constraints on site and that the requested uses are not anticipated to generate an increased need for landscaped open space, the requested reduction in landscaped open space is appropriate.

The recommended Zoning By-law Amendment includes a provision that the requested Zoning By-law Amendment would be limited to the existing buildings on site. This recognizes that special permissions are being given to the site to encourage the reuse of the existing building, and requires that should the site be redeveloped in the future a Zoning By-law Amendment would be required which would re-examine the requirements for landscaped open space.

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

4.4 Issue and Consideration # 4: Form - Site Plan Application

The Official Plan requires that all office conversion proposals require site plan approval (Policy 3.6.9). This matter was considered by Development Services with regard to this application and have deemed that in this instance a Site Plan Application will not be necessary, as there is an existing Site Plan approval for the property and there are no exterior modifications proposed as part of this application. An updated Site Plan drawing was provided to add to the existing site plan approval showing one of the existing parking spaces as barrier free.

4.5 Issue and Consideration # 5: Form - Heritage Adjacency

The subject site is adjacent to the Bishop Hellmuth Heritage Conservation District, designated under Part V of the Ontario Heritage Act, located immediately north of the subject site on the opposite side of Oxford Street.

Provincial Policy Statement, 2005 (PPS)

The Provincial Policy Statement (PPS) indicates planning authorities shall not permit development and site alteration on adjacent lands to protected heritage properties, such as the Bishop Hellmuth Heritage Conservation District, except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved (Policy 2.3.6).

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

The 1989 Official Plan identifies that when development, site alteration, or demolition is proposed for lands adjacent to a heritage building protected under Parts IV, V or VI of the Ontario Heritage Act, this development, site alteration or demolition may be permitted on adjacent lands where it has been evaluated through a Heritage Impact Statement, and demonstrated to the satisfaction of Council that the heritage values, attributes and integrity of the protected heritage property are retained (Policy 13.2.3.1).

The London Plan

The London Plan includes an in-force policy requiring that development and site alteration on adjacent lands to heritage designated properties or properties listed on the Register not be permitted except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved (Policy 586).

The applicant provided a Heritage Impact Assessment. This Heritage Impact Assessment was reviewed by Staff and the London Advisory Committee on Heritage.

While the Heritage Impact Assessment was found to lack a thorough evaluation of the heritage resources, given that the requested uses are proposed to be located within the existing building, the approval of this application is anticipated to continue to conserve the heritage attributes of protected heritage properties. In order to protect heritage resources, the provision was added to the recommended Zoning By-law limiting the uses to the existing buildings.

The London Advisory Committee on Heritage also found the Heritage Impact Assessment to lack a thorough evaluation of the heritage resources, however were not opposed to the requested Zoning By-law Amendment.

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

5.0 Conclusion

The recommended Zoning By-law Amendment would:

- Permit an expanded range of office conversion uses in addition to the other uses that are already permitted on the subject site;
- Allow special provisions to:
 - Recognize existing conditions for reductions in required parking and landscaped area: and
 - Limit the permitted office conversion uses to the ground floor of the existing building at 745 Waterloo Street and the entirety of the existing building at 747 Waterloo Street.

This recommended Zoning By-law Amendment is consistent with the Provincial Policy Statement, and conforms to the 1989 Official Plan and The London Plan. The recommended Zoning By-law Amendment contributes to the provision of a mixture of uses along a transit corridor and the efficient use of infrastructure through the reuse of existing buildings. Further, the reuse of existing buildings is supportive of the adjacent Bishop Hellmuth Heritage Conservation District.

While the requested reductions in parking and landscaped area would be challenging to support on a greenfield site, in this situation the recommended provisions are generally consistent with the existing requirements based on the existing permitted uses for the site. The recommended Zoning By-law includes a provision that limits the office conversion uses to the existing buildings, as such should the site be redeveloped in the future a Zoning By-law Amendment would be required that would revisit the permission for parking and landscaped open space. When considered on balance in a situation where existing buildings are being reused, these reductions are supportable due to the existing site constraints.

Prepared by:	
	Michelle Knieriem, MCIP, RPP
	Planner II, Current Planning
Submitted by:	
	Michael Tomazincic, MCIP, RPP
	Manager, Current Planning
Recommended by:	
	John M. Fleming, MCIP, RPP
	Managing Director, Planning and City Planner
Note: The opinions cont	ained herein are offered by a person or persons

September 17, 2018 MT/mt

can be obtained from Planning Services

Y:\Shared\implemen\DEVELOPMENT APPS\2018 Applications 8865 to\8921Z - 745-747 Waterloo St (MK)\PEC Report\747 Waterloo Street August 28

qualified to provide expert opinion. Further detail with respect to qualifications

Appendix A

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 745-747 Waterloo Street.

WHEREAS The Y Group Investments and Management Inc. has applied to rezone an area of land located at 745-747 Waterloo Street, 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 745-747 Waterloo Street, as shown on the attached map comprising part of Key Map No. A107, from a Residential R2/Office Conversion (R2-2/OC4) Zone to a Residential R2/Office Conversion Special Provision (R2-2/OC6(_)) Zone at 745 Waterloo Street and from an Office Conversion/Convenience Commercial Special Provision (OC4/CC(1)) Zone to an Office Conversion Special Provision/Convenience Commercial Special Provision (OC6(_)/CC(1)) Zone at 747 Waterloo Street.
- 2) Section Number 17.3 of the Office Conversion (OC6) Zone is amended by adding the following Special Provision:
 - OC6() 745-747 Waterloo Street
 - a) Regulations
 - Permitted Uses within the Office Conversion Zone shall be restricted to the ground floor of the existing building at 745 Waterloo Street and to the entirety of the existing building at 747 Waterloo Street
 - ii) Parking Spaces 8 for all permitted uses on the (Minimum) property
 - iii) Landscaped Area 14% for all permitted uses on the (Minimum) property

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.

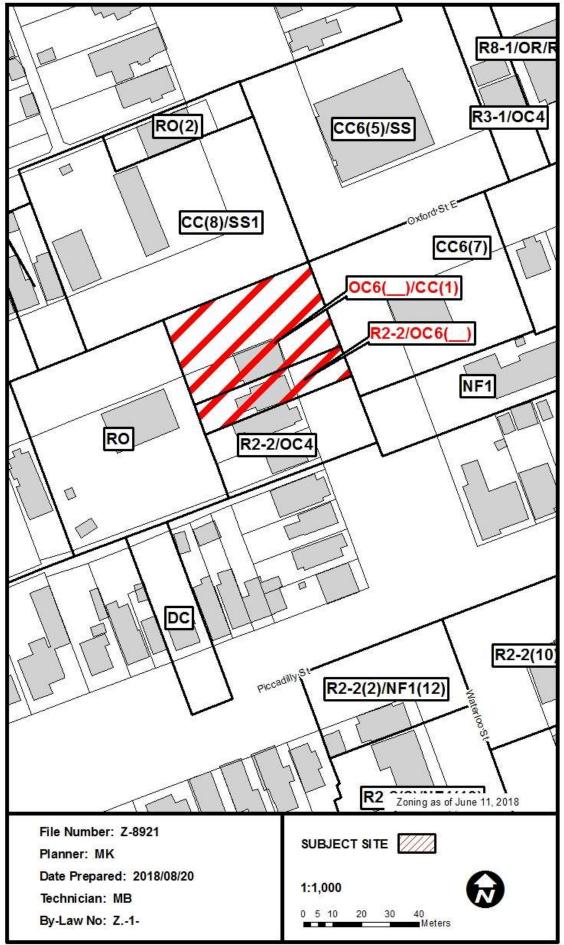
PASSED in Open Council on October 2, 2018.

Matt Brown Mayor

Catharine Saunders City Clerk

First Reading – October 2, 2018 Second Reading – October 2, 2018 Third Reading – October 2, 2018

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



Geodalabase

Appendix B – Public Engagement

Community Engagement

Public liaison: On July 4, 2018, Notice of Application was sent to 67 property owners in the surrounding area. Notice of Application was also published in the *Public Notices* and *Bidding Opportunities* section of *The Londoner* on July 5, 2018. A "Planning Application" sign was also posted on the site.

5 replies were received

Nature of Liaison: Purpose and effect of this zoning change is to permit an expanded range of office conversion uses on the subject site and to recognize existing site conditions. Possible change to Zoning By-law Z.-1 at 745 Waterloo Street from an a Residential R2 (R2-2) Zone and an Office Conversion (OC4) Zone to a Residential R2 (R2-2) Zone and an Office Conversion Special Provision (OC6(_)) Zone and at 747 Waterloo Street from an Office Conversion (OC4) Zone and a Convenience Commercial Special Provision (CC(1)) Zone to an Office Conversion Special Provision (OC6(_)) Zone and a Convenience Commercial Special Provision (CC(1)) Zone to permit clinics in existing buildings, dwelling units, emergency care establishments in existing buildings, medical/dental offices in existing buildings, offices in existing buildings, and outpatient clinics in existing buildings; in addition to the uses already permitted on the subject site. Special provisions are also being requested to recognize the existing landscaping and vehicular parking on the site.

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

Concern for:

Parking:

Concerns were expressed that the requested reduction in the required parking to recognize the existing quantity of parking would not be sufficient to accommodate the requested medical/dental office use. There was an identification that the existing onstreet parking on Piccadilly Street is quite busy due to the nearby Montessori School.

Conformity of existing uses on the site to the existing Zoning By-law permissions:

Concern was expressed that the existing uses do not conform to the permitted zoning.

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

Telephone/In Person Jennifer Thompson 766 Hellmuth Avenue London, ON N6A 3T7	Written Craig Martin 606 Middlewoods Road London, ON N6G 1W8
Craig Martin 606 Middlewoods Road London, ON N6G 1W8	Piccadilly Area Neighbourhood Association
Raymond Lamb 721 Waterloo Street London, ON N6A 3W2	
Attn: Tina Sartori Montessori Academy 711 Waterloo Street London, ON N6A 3W1	

Written Comments Received:

From: Lila Neumann

Sent: Friday, August 24, 2018 9:14 PM To: Planning < Planning@london.ca> Subject: Z-8921 feedback

Dear M. Knieriem.

The Piccadilly Area Neighbourhood is aware of a zoning change requested for 745 and 747 Waterloo St (Z-8921), and that a request has been made to reduce the parking requirements.

We have had some discussion regarding this and are concerned about the community impact if clients to this space spill over onto on-street parking regularly. There is already a lot of traffic on the neighbouring streets with the existing businesses and the two schools.

We are hoping that a solution is found so that on-street parking will not increase in this area.

Sincerely.

-Lila Neumann, Piccadilly Area Neighbourhood Association co-chair

Craig Martin 606 Middlewoods Dr. London, ON N6G 1W8

July 24, 2018

Planning Services, City of London 206 Dundas St. London ON N6A 1G7

File: Z-8921

Attn: Michelle Knieriem

I am the owner of 735 Waterloo St that is to the south of these properties. I have lived at the property for 20 years. Recently I have been made aware that an application has been made for 745 & 747 Waterloo Street are requesting a Zoning By-law amendment from its current zoning to (Residential R2/Office Conversion Commercial Space Provision (r2-2/)C6(_) at 745 Waterloo St. and Convenience Commercial Special Provision/Office Conversion Special Provisions (CC(1)/OC6(_)) Zone at 747 Waterloo

With the little information that has been provided to date here's a number of concerns and questions that this request raises.

Application Signage is extremely hidden and almost non-existent:

- Property addresses are on Waterloo St. Signage is on Oxford St.
 - Signage is parallel to the road when it should be perpendicular for vehicles and residents to see
- Signage is hidden by traffic traveling by
 Signage is non-existent on 747 Waterloo St., resulting in no clear indication that an application has been made to this property

Past History 745 Waterloo St. under submission A.082/07 (in around June 2007):

- Properties were separated with fence dividing the rear parking lots between 745 and 747 Waterloo.
 - Removal of the rear fence no site plan was completed at that time
- Never completed Rear landscaping on the North fence line to the adjoining property 735 Waterloo St. the applicant was to but in shrubs/greenery to lessen the noise from the removal of a fence and create privacy
- Rezoning occurred through a minor variance request and not the appropriate

 Agreed 'rezoning' minor variance application at that time was for a Chocolate Shop which was to have sample limited floor space of the hair salon that it replaced.

Current Over Usage 745 Waterloo St.:

- Three Business now operate at this location when only one approved as per the minor variance in around 2007
 - Chocolaterie Bernard Callebaut (as agreed)
 - Wright's Send A Basket (added)
 - Razzle Dazzle Cup Cakes (added)
 - How many businesses are allowed to operate?
- Two Residential Apartments
 - Rear Upper Apartment Rental
 - Front Upper Apartment Rental
- Parking is limited and relies on a boulevard agreement.
 - · Limited Parking space and uses the adjacent buildings
 - Access to parking is off Waterloo St with entrance
 - Traffic increase to business as well as entry and egress issues

Past History 747 Waterloo St.

- For the last number of years, the operation has been Gamage Flower Shop on the main level
- · Residential apartment on the upper level

Recent Renovations and additions and information lacking on the Building Permit Inquiry system:

- Staircase was added the upper level of 747 Waterloo St. to the residential unit on the exterior. Previous access was interior access through a door off Oxford St.
 - Staircase resides in the laneway between 745 and 747 Waterloo St. and is built on 745 Waterloo St. Lane Way
 - Door at the top of staircase was previously a window
 - No building Permit Inquiry found?
- Renovation in progress at 747 Waterloo St. space (formerly Gammage Flower Shop)
 - A large construction waste bin has been at the rear of 745 Waterloo St.
 - Visible through store front windows walls have been removed
 - No building Permit Inquiry found?

Parking

- Concerns that the parking lots are often full during daytime and overnight 3-4 vehicles reside daily
 - · Lacking parking for the request
 - Parking relies on two boulevard parking arrangements made with the city.
 What happens if these spaces are no longer available in the future?
 - With new business added where do existing businesses park? Where do renters park?
- Garbage Collection Bins
 - Until recently there were two oversize collection bins for waste and cardboard that occupied parking spaces. How is the current waste and possible additional waste to be resolved?

Property Titles

- Unclear information provided by Planning if these properties are linked?
 - · Are they separate titles?
 - Are they one property on file?
 - Can one property be sold independently?
- Property 747 Waterloo St. appears to have been recently transferred ownership in June 2018. Unclear if 745 was part of this sale as it's not listed.

Requested Zoning

- Zoning is put in place and is permanently based on the property, not the owner and consideration needs to be given to the fit and usage.
- Past zoning, parking, landscape and added uses of now three business operating 745 Waterloo St. need to be addressed before moving forward with any future development.
- Why do both properties need to be rezoned to such a wide usage?

With the information to date and past issues, we simply don't have enough information from the applicant. We need to look into past issues listed such as three businesses operating where one was approved, a built staircase with no permits on the building inquiry system, landscaping not completed and current parking issues before this moving further forward.

To resolve the existing issues, there should be an open forum with the applicant and building owner(s) that's public participation. We need to be careful in neighbourhoods like PANA that have a balance or residents and business that we don't just grant zoning that can create a 'mini shopping' mall in effect without the appropriate requirements.

I formally request that I be notified of this decision and any other relating to Submission File Z-8921.

Regards, Craig Martin

cc: John Flemming, Tanya Park

Knieriem, Michelle

From: Tina Sartori

Sent: Wednesday, September 12, 2018 3:45 PM

To: Knieriem, Michelle
Subject: 745-747 Waterloo Street

Hi Michelle,

I am unable to attend the public meeting due to a Board meeting for my school, but I wanted to share my concerns with you regarding the zoning amendment with these 2 properties, particularly with regards to parking. These sites do not have the adequate space for parking they require.

Since there is no parking available on Waterloo St. and with the recent upgrades the city is making on Wellington St. leaving a loss of parking spaces there, Piccadilly is become very congested for parking spaces, impacting the neighbours on the street with driveways being blocked and unsafe manoeuvring of cars with young children and their parents crossing the street between our school and the other daycares down the street. My worry is that with this application, since they actually don't have the space required for the parking they need, their clients will be looking to park on Piccadilly St. as well, bringing even more cars to park on this very congested road. If they also keep the apartments above the stores as residential, they will use the parking on-site also, which will decrease the number of parking spots available to their clients on-site. Handicap spots will need to be addressed, decreasing available spots again on-site, pushing more cars on to Piccadilly.

Thank-you for taking this into consideration with this application.

Kind regards,

Tina Sartori Executive Director BASc., AMI



www.montessori.on.ca

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Agency/Departmental Comments Engineering and Environmental Services Department

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

Stormwater

 For information purposes only – There is an existing municipal 1050mm diameter storm sewer and associated easement traversing the north-west corner of 747 Waterloo Street.

Heritage Planning

The subject properties at 745 Waterloo Street and 747 Waterloo Street are heritage listed properties included on the Register (Inventory of Heritage Resources) adopted pursuant to Section 27 of the *Ontario Heritage Act*. Additionally, the subject properties are adjacent to the Bishop Hellmuth Heritage Conservation District, designated under Part V of the *Ontario Heritage Act*. There are both on-site and adjacent cultural heritage resources.

The intent of a Heritage Impact Assessment (Heritage Impact Statement) is to demonstrate an understanding of the cultural heritage value and heritage attributes of a resource, articulate a change, identify potential impacts, and to provide recommendations to mitigate any adverse impacts and ensure the conservation of the cultural heritage value and heritage attributes of the resource.

The Heritage Impact Statement for 745 and 747 Waterloo Street (Brock Development Group, dated June 14, 2018) was exceedingly brief and did not demonstrate a comprehensive understanding of the potential cultural heritage value of the on-site resources. There was no evaluation or effort to articulate potential heritage attributes of these resources by the Heritage Impact Statement. This makes it difficult to support the conclusion of Section 6.0 of the Heritage Impact Statement which found that the requested zoning by-law amendment... "will conserve the heritage features of the existing built form" as heritage features have not been defined.

The *Heritage Impact Statement* was able to elaborate more on the cultural heritage value of the Bishop Hellmuth Heritage Conservation District and better able to articulate that no adverse impacts are anticipated as a result of the requested zoning by-law amendment (Sections 2.2 and 5.3 of the *Heritage Impact Statement*).

It was also unclear what, if any, qualifications or experience the author of the *Heritage Impact Statement* has in order to prepare such a report.

The requested zoning by-law amendment seeks to add additional uses to the existing zoning for the subject properties. To ensure these additional uses do not result in an adverse impact to this potential cultural heritage resource, provisions should be included in the zoning by-law amendment to limit these uses to the existing buildings.

Upper Thames Region 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

The subject 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. Mapping which identifies these areas is available at: http://maps.thamesriver.on.ca/GVH_252/?viewer=tsrassessmentreport

Upon review of the current assessment report mapping, we wish to advise that the subject property is identified as being *within a vulnerable area*.

Provincial Policy Statement (PPS, 2014)

Section 2.2.1 requires that "Planning authorities shall protect, improve or restore the quality and quantity of water by:

- e) 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 requires 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.

Policies in the *Approved Source Protection Plan* may prohibit or restrict activities identified as posing a *significant threat* to drinking water. Municipalities may also have or be developing policies that apply to vulnerable areas when reviewing development applications. Proponents considering land use changes, site alteration or construction in these areas need to be aware of this possibility. The *Approved Source Protection Plan* is available at:

http://www.sourcewaterprotection.on.ca/source-protection-plan/approved-source-protection-plan/

RECOMMENDATION

The UTRCA has no objections to this application.

Thank you for the opportunity to comment. If you have any questions, please contact the undersigned at extension 430.

London Advisory Committee on Heritage

This item was considered at the London Advisory Committee on Heritage at its meeting on July 11, 2018. This matter was further resolved by Municipal Council at its July 24, 2018 meeting.

The comments provided by the London Advisory Committee on Heritage with regard to the Zoning By-law Amendment application at 745-747 Waterloo Street are as follows:

M. Knieriem, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the research, assessment and conclusions of the Heritage Impact Statement for the properties located at 745 and 747 Waterloo Street but the LACH is not opposed to the proposed zoning amendment;

it being noted that the Notice of Planning Application, dated July 4, 2018, from M. Knieriem, Planner II, with respect to this matter, was received.

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 1.1.1: Healthy, liveable and safe communities are sustained by:

- a. promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- e. promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

Policy 1.1.3.2: Land use patterns within *settlement areas* shall be based on:

- a. densities and a mix of land uses which:
- 1. efficiently use land and resources;
- 4. support active transportation;
- 5. transit-supportive, where transit is planned, exists or may be developed;

Policy 2.6.3: Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

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 Plan, 1989

Policy 3.6.9: Office Conversions

The conversion of dwellings within Residential designations for office purposed shall be allowed within specifically identified areas subject to the following criteria:

Definition of Office Conversions

i) For the purposed of the Plan, office conversion shall be defined as the total or partial conversion of a residential building for office use. Office conversions may involve minor additions to the existing building where these facilitate the use of the building for offices. Retention of the general form and character of buildings converted for office use will be required.

Location of Office Conversions

ii) Office conversions may be permitted in the following locations within the Residential designations:

(17) Waterloo Street - west side, south of Oxford Street, north of the laneway.

Parking Requirements

v) Where the proposed office conversion is located in close proximity to the Downtown Area, the City may accept payments in-lieu-of a portion of the required parking if it can be demonstrated that there is sufficient available off-site parking to accommodate the proposed use within the immediate surrounding area.

Permission for Office Use

vi) Where office conversions are permitted in Residential designations through the provisions of the Plan, the permission for office use shall be retained only as long as the life of the building, and shall not be used as the basis for a redesignation or rezoning of the property for office use.

Site Plan Approval Required

- iv) All office conversion proposals will require site plan approval which will be evaluated on the basis of the following criteria:
- (a) whether provisions have been made for landscaping, privacy screening or any other appropriate measures necessary to protect the amenity of adjacent residential properties;
- (b) whether the residential appearance of the existing building is maintained and the external evidence of the office use is minimized. Minor additions that are compatible with the external design and appearance of the existing building may be permitted, where necessary, to facilitate the use of the building for office purposes;
- (c) the use of common driveways and parking areas to serve adjacent office conversions shall be encouraged. Where access is proposed to be provided through a side yard to a local street an assessment will be made on the possible negative impacts on adjacent residential uses, and whether access would be more appropriately directed to the main street;
- (d) whether provision is made for the on-site manoeuvrability of vehicles so that egress from the site does not require vehicle reversals onto the street; and
- (e) conformity with all other applicable provisions of the City's Site Plan Control By-law.

Policy 13.2.3.1: Where a heritage building is protected under Parts IV, V or VI of the Ontario Heritage Act, development, site alteration or demolition may be permitted on adjacent lands where it has been evaluated through a Heritage Impact Statement, and demonstrated to the satisfaction of Council that the heritage values, attributes and integrity of the protected heritage property are retained. For the purposes of this section, adjacent lands shall include lands that are contiguous, and lands that are directly opposite a protected heritage property, separated only by a laneway or municipal road.

A holding provision may be applied on the zoning of lands adjacent to protected heritage properties, to ensure that prior to development or site alteration, a Heritage Impact Statement is required to demonstrate how the heritage values, attributes and integrity of the protected heritage property are to be conserved and how any impacts may be mitigated. Section 13.2.3.1. added by OPA 438 Dec. 17/09)

The London Plan

Policy 270: The location, configuration, and size of parking areas will be designed to support the planned vision of the place type and enhance the experience of pedestrians, transit-users, cyclists, and drivers.

Policy 271: The Zoning By-law will establish automobile parking standards, ensuring that excessive amounts of parking are not required. Requirements may be lower within those place types and parts of the city that have high accessibility to transit or that are close to employment areas, office areas, institutions and other uses that generate high levels of attraction.

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

Policy 565: New development, redevelopment, and all civic works and projects on and adjacent to heritage designated properties and properties listed on the Register will be designed to protect the heritage attributes and character of those resources, to minimize visual and physical impact on these resources. A heritage impact assessment will be required for new development on and adjacent to heritage designated properties and properties listed on the Register to assess potential impacts, and explore alternative development approaches and mitigation measures to address any impact to the cultural heritage resource and its heritage attributes.

The applicant provided a Heritage Impact Statement identifying that the requested uses would occur within the existing buildings. To ensure that additional uses do not result in adverse impacts to this potential cultural heritage resource, the recommended Zoning Bylaw Amendment would limit the requested uses to the existing buildings on the site.

Policy 586: The City shall not permit development and site alteration on adjacent lands to heritage designated properties or properties listed on the Register except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the heritage designated properties or properties listed on the Register will be conserved.

Policy 830: Where the term "corridor" is used, without the "rapid transit" or "urban" modifier, it is meant to apply to both of these types of corridors. We will realize our vision for our corridors by implementing the following in all the planning we do and the public works we undertake:

- 4. Plan for a mix of residential and a range of other uses along corridors to establish demand for rapid transit services.
- 7. Require transit-oriented and pedestrian-oriented development forms along these corridors.

Policy 837: The following uses may be permitted within the Rapid Transit Corridor and Urban Corridor Place Types, unless otherwise identified by the Specific-Segment policies in this chapter:

1. A range of residential, retail, service, office, cultural, recreational, and institutional uses may be permitted within the Corridor Place Type.

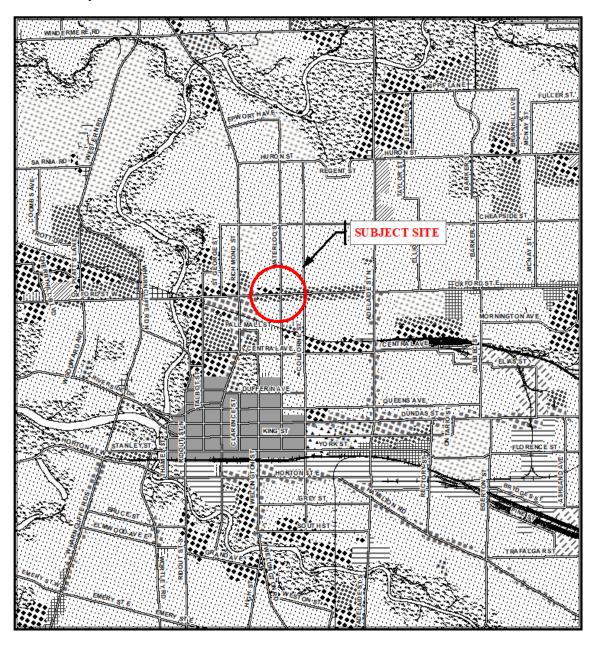
Policy 841: The following form policies apply within the Rapid Transit and Urban Corridor Place Types:

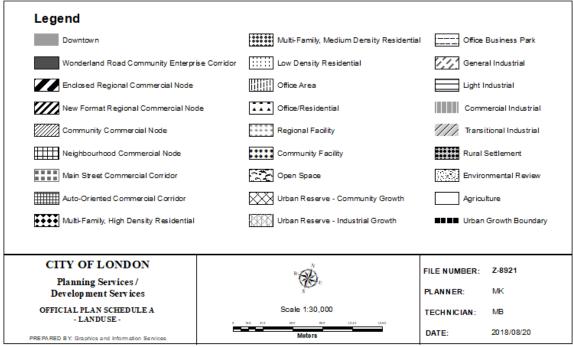
- 7. On-street parking within Corridors is encouraged wherever possible and when conflicts with public transit services and on-street bike paths can be avoided or mitigated.
- 8. While access to development along Corridors may be provided from "sidestreets", traffic impacts associated with such development will be directed away from the internal portions of adjacent neighbourhoods.

Policy 1076: For the properties located at 733-747 Waterloo Street office conversions may be permitted.

Appendix D – Relevant Background

Additional Maps





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

