

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas, P. Eng
Managing Director, Development and Compliance Services
and Chief Building Official

Subject: Corporation of the City of London and Goodwill Industries
747, 759 and 765 Hyde Park Road

Public Participation Meeting on: December 10, 2018

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of the Corporation of the City of London and Goodwill Industries relating to the property located at 747, 759 and 765 Hyde Park Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 18, 2018 to amend the Official Plan for 765 Hyde Park Road by **ADDING** a policy to section 10.1.3 – Policies for Specific Areas to recognize the permitted uses of the Shopping Area Place Type in *The London Plan*;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on December 18, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of 765 Hyde Park Road **FROM** an Office Special Provision (OF3(1)) Zone, **TO** an Office Special Provision/Arterial Commercial Special Provision (OF3(_))/(AC4(_)) Zone, and to change the Zoning of 747 and 759 Hyde Park Road by modifying the site-specific regulations of the existing Office Special Provision (OF3(1)) Zone.

Executive Summary

Summary of Request

Goodwill Industries proposes to establish a retail clothing boutique in addition to the office and accessory donation centre functions currently operating within the existing building at 765 Hyde Park Road. Goodwill also wishes to expand the range of permitted uses to provide future flexibility to establish other uses related to Goodwill Industries operations.

The proposal relates only to the most northerly building at 765 Hyde Park Road, and does not include the other two buildings on the site, addressed as 747 and 759 Hyde Park Road.

The City also initiated an amendment to the 1989 Official Plan to align the permitted uses at 765 Hyde Park Road with those of the Shopping Area Place Type of *The London Plan*.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended 1989 Official Plan amendment is to permit the broader range of uses permitted by the Shopping Area Place Type of *The London Plan* at 765 Hyde Park Road, encompassing a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses. The purpose and effect of the recommended Zoning By-law amendment is to permit the addition of retail and institutional uses at 765 Hyde Park Road, along with the currently permitted

clinic, medical/dental office, office, and laboratory uses, a mix of other commercial uses, and dwelling units above the first floor. Special provisions are recommended for 747, 759 and 765 Hyde Park Road to adjust lot requirements related to the new zone line, and recognize existing conditions related to building setback, landscaped open space and parking, for the existing buildings.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2014.
2. The recommended 1989 Official Plan amendment implements Council's intent as stated in *The London Plan*.
3. The recommended Zoning By-law amendment conforms to the policies of *The London Plan*, and will conform to the 1989 Official Plan upon approval of the recommended Official Plan amendment.
4. The recommended Zoning By-law amendment will encourage the establishment of a broader range of uses that are appropriate for the site and are compatible with the existing surrounding land uses.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located on the east side of Hyde Park Road, north of Oxford Street West. Hyde Park Road is an arterial road, and is classified as a Civic Boulevard in *The London Plan*. The site includes three (3) structures; the most northerly at 765 Hyde Park Road is a one-storey building with an approximate above-grade gross floor area of 406 square metres, currently occupied by the Goodwill Industries offices and donation centre. The two buildings south of 765 Hyde Park Road are multi-tenanted office buildings known as 747 and 759 Hyde Park Road, having an approximate combined above-grade gross floor area of 6100 square metres. The site is relatively flat, provides little landscaped open space, and has 220 parking spaces that are shared by the three buildings. The site is directly west of St. Paul Catholic Elementary School, south of the PetroCan gas station, north of the Bell communications building, and across Hyde Park Road from the Hyde Park Plaza and related commercial development.

The substantive request for amendments relates to 765 Hyde Park Road. Technical changes only, are being considered at 747 and 759 Hyde Park Road to accommodate a new zone line on the property.

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

- Official Plan Designation – Office Area
- *The London Plan* Place Type – Shopping Area
- Existing Zoning – Office Special Provision (OF3(1)) Zone

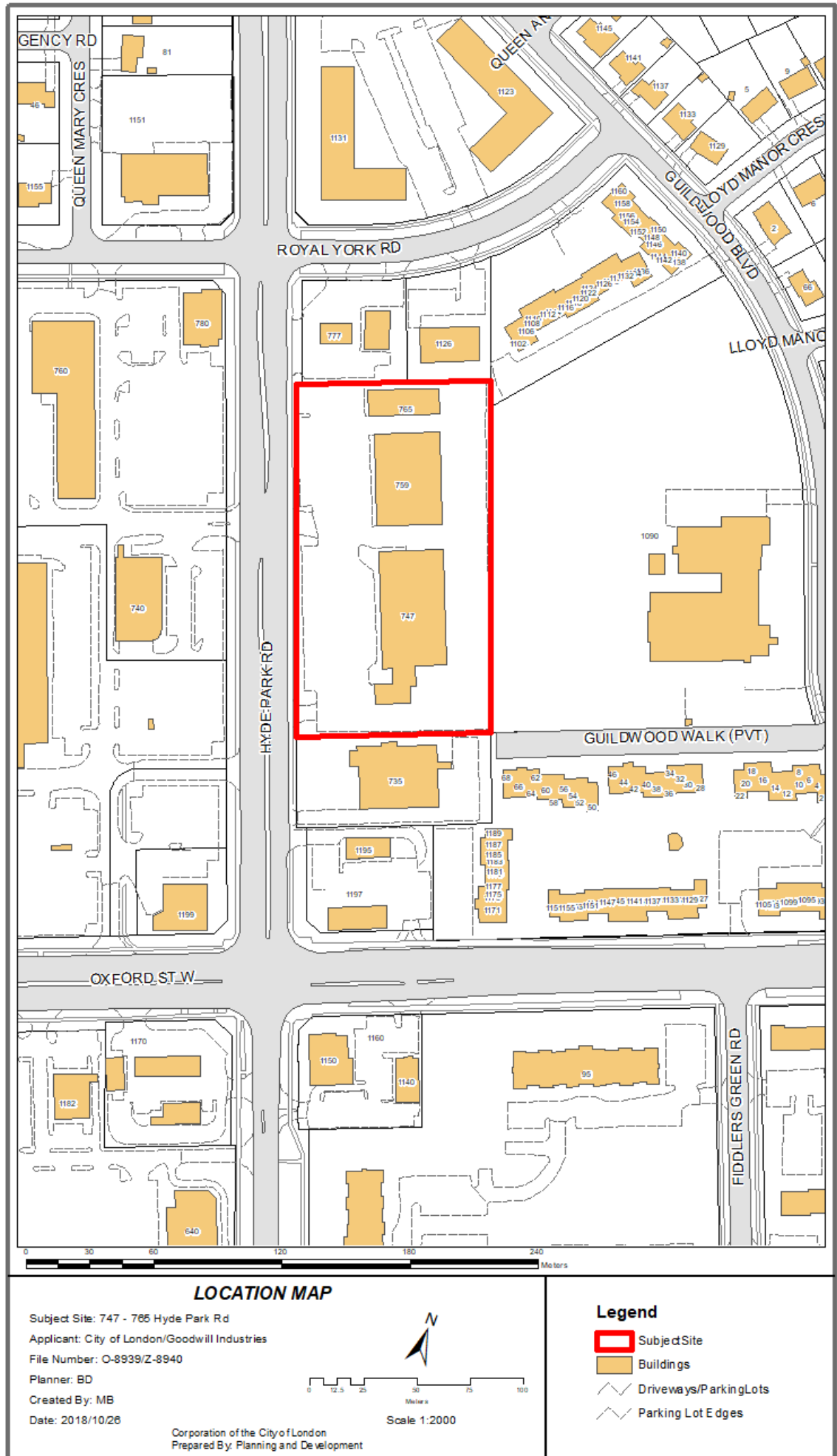
1.3 Site Characteristics

- Current Land Use – Goodwill Industries offices and donation centre, offices and medical/dental offices
- Frontage – 164.7 metres (540.35 feet)
- Depth – approx. 91 metres (300 feet)
- Area – 1.51 ha (3.72 acres)
- Shape – rectangular

1.4 Surrounding Land Uses

- North – gas station, multi-family residential
- East – St. Paul Catholic Elementary School
- South – Bell communications building, commercial uses
- West – range of standalone and plaza based commercial uses

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

Goodwill Industries proposes to establish a retail clothing boutique in addition to the office and accessory donation centre functions currently operating within the existing building at 765 Hyde Park Road. Goodwill also wishes to expand the range of permitted uses to provide future flexibility to establish other uses related to Goodwill Industries operations.

The proposal relates only to the most northerly building at 765 Hyde Park Road, and does not include the other two buildings on the site, addressed as 747 and 759 Hyde Park Road.



3.0 Relevant Background

3.1 Requested Amendment

Initial Application

August 16, 2018 - The original requested Zoning By-law amendment at 765 Hyde Park Road was to change the zoning from an Office Special Provision (OF3(1)) Zone to an Office Special Provision/Business District Commercial (OF3(1)/BDC) Zone to permit, in addition to the existing permitted uses, a broad range of retail stores, restaurants, convenience and business services, commercial recreation and entertainment uses, animal hospitals and clinics, libraries and police stations, artisan workshops and craft breweries, apartment buildings, existing dwellings, bed and breakfast establishments, emergency care establishments, lodging house class 2, and commercial parking structures. The City also identified the possible need for special regulations for 747, 759 and 765 Hyde Park Road to address building setbacks from property or zone lines, recognize existing site conditions, and recognize the existing parking on the site.

The City also initiated a concurrent Official Plan amendment application to align the 1989 Official Plan with the permitted uses in the Shopping Area Place Type of *The London Plan*.

Revised Application

As a result of further discussions between City staff and the applicant, Goodwill Industries revised its application on October 15, 2018 to request the Arterial Commercial (AC4) Zone instead of the Business District Commercial (BDC) Zone, with a special provision to add "Institution" as a permitted use. The revised liaison is as follows:

October 31, 2018 – REVISED - The purpose and effect of this Official Plan and zoning change is to permit a broader range of uses at 765 Hyde Park Road including a mix of retail, service, office, entertainment, recreational, educational, institutional and residential uses, with the intent of adding a retail component to the existing building and recognizing existing and possible future activities associated with Goodwill Industries. Possible amendment to the 1989 Official Plan to adopt the uses permitted in the Shopping Area Place Type of *The London Plan*. Possible change to Zoning By-law Z.-1 for 765 Hyde Park Road from an Office Special Provision (OF3(1)) Zone to an Office Special Provision/Arterial Commercial Special Provision (OF3(_)/AC4(_)) Zone to permit, in addition to the existing permitted uses, a broad range of retail stores, restaurants, and convenience and business services uses; animal hospitals; artisan workshops; craft breweries; institutions; existing dwellings and dwelling units above the first floor; emergency care establishments; lodging house class 2; and group home type 2. No land use change is requested for 747 and 759 Hyde Park Road; however the City may also consider special regulations for 747, 759 and 765 Hyde Park Road such as for building setbacks from property or zone lines, recognizing existing site conditions, and parking rates.

3.2 Community Engagement (see more detail in Appendix C)

One (1) respondent wished to be on record as having sought clarification of the application and expressing no objection.

3.3 Policy Context (see more detail in Appendix D)

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) 2014 provides policy direction on matters of provincial interest related to the land use planning and development. The PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs (1.1.1b.). The PPS also promotes economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses (1.3.1a.). In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

The London Plan

The London Plan provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- designing complete neighbourhoods by meeting the needs of people of all ages, incomes and abilities, allowing for aging in place and accessibility to amenities, facilities and services;
- supporting programs that give communities the ability to improve their neighbourhoods in creative and positive ways;
- distributing educational, health, social, cultural, and recreational facilities and services throughout the city so that all neighbourhoods are well-served; and
- supporting recreation and social programming which encourages interaction, cohesiveness and community building. (Key Direction #7, Directions 2, 7, 8, and 12)

The subject site is located in the Shopping Area Place Type in *The London Plan*. Shopping Areas are an important part of London’s complete communities, providing commercial centres with a wide range of retail, service, business, recreational, social, educational, and government uses within easy walking distance for neighbourhoods. Over time, many of these centres will become mixed-use areas that include retail, service, office and residential uses (871_). The City’s vision for Shopping Areas will be realized by, among other considerations, allowing for flexibility in use and intensification of existing centres (876_).

The Institutional chapter of *The London Plan* states that “*other smaller institutional uses are embedded within Neighbourhoods and a variety of other place types throughout the City. Schools, places of worship, facilities for community groups and faith-based organizations, and small health care services are examples of uses that are integrated into our communities (1083_).*”

1989 Official Plan

The subject site is located within the Office Area designation in the 1989 Official Plan. The Office Area designation permits offices within purpose-designed office buildings and buildings converted for office use. Secondary uses which may be permitted as accessory to offices include eat-in restaurants, financial institutions, personal services, day care centres, pharmacies, laboratories and clinics.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1 – Use, Intensity and Form

Goodwill Industries currently operates an office and accessory donation centre out of the small, single-storey building located at 765 Hyde Park Road. The immediate intent is to permit the addition of a boutique retail clothing store, which is to be designed, managed and operated in association with Fanshawe College students. As a community service provider, Goodwill is also seeking permission for a range of land uses that will provide future flexibility of use. Possible future uses operated by Goodwill Industries include such uses as: a career centre offering such services as counselling, resume writing and computer training; Clothing Works, a free service which provides suitable clothing for those interviewing for or beginning new jobs; community rooms; or a small eat-in restaurant. A broader range of appropriate uses is also being considered to provide flexibility in the event Goodwill Industries relocates its operations and another tenant occupies the building.

The applicant is not proposing to construct additions to the existing building, or to significantly change the exterior appearance of the building.

4.1.1 - Use

Provincial Policy Statement, 2005 (PPS)

The PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs (1.1.1b.). The PPS also promotes economic development and competitiveness by providing for an appropriate mix and range of employment and institutional uses (1.3.1a.).

The recommended amendments to the 1989 Official Plan and Zoning By-law will provide for institutional community supports at the neighbourhood level, incidentally providing for non-institutional uses supporting local employment. While no redevelopment of the site is currently being considered, the recommended zoning also supports the future use of the site for a small amount of residential development, all consistent with the PPS. The list of land uses in the recommended Arterial Commercial Zone along with a special provision to permit Institutions, clearly recognizes the existing uses and allows new uses that reflect the intended community-based functions of the Goodwill Industries operations. The recommended zoning will contribute to an appropriate balance of institutional community support uses with commercial and residential uses, to create a healthy, livable and safe community.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and 80% in force and effect).

The subject lands are located within the Shopping Area Place Type on *Map 1 – Place Types* in *The London Plan*. The Permitted Use policies of the Shopping Area Place Type are in force. While *The London Plan* maps are not in force, there is no site-specific appeal for the subject site, so it is reasonable to expect that the Shopping Area Place Type as it applies to this site will come into force.

The Shopping Area Place Type permits a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses, preferably in mixed-use buildings (877_). The Institutional policies also contain commentary on the distribution of institutional uses throughout the city, stating that “*Other smaller institutional uses are embedded within neighbourhoods and a variety of other place types through the city. Schools, places of worship, facilities for community groups and faith-based organization, and small health care services are examples of uses that are integrated into our communities*” (1083_).

765 Hyde Park Road is in an area which is intended to transition over time from primarily office uses, to a broad mix of uses, including institutional uses embedded within neighbourhoods, to serve the surrounding community. The recommended zoning provides the opportunity to move toward a broader mix of uses in support of complete communities. The recommended zoning includes uses that are already permitted (clinics, medical/dental offices and laboratories, and offices), and new uses that generally include a broad range of retail stores, restaurants, and convenience and business services uses; animal hospitals; artisan workshops; craft breweries; institutions; existing dwellings and dwelling units above the first floor; emergency care establishments; lodging house class 2; and group home type 2. This range of uses conforms to permitted use policies of the Shopping Area Place Type.

The addition of institutions as a permitted use is key to recognizing existing, and permitting possible future expansion of the range of community services provided on the site. Institutions, as defined in By-law Z.-1, are operated by the municipality or any other group or organization without profit or gain, and can include, among other uses, community meeting rooms or a community centre, which supports the possible provision of community meeting space. Community Centres may also include Social Service Establishments. These provide services intended to promote and improve the independence, economic self-sufficiency, social and health development of citizens by a non-profit agency. The existing donation centre and the possible range of assistive uses such as career counselling, work-related training and the work-related wardrobe program fall precisely within the intended function of Social Service Establishments.

The addition of institutions as a permitted use at this location supports the Key Directions of *The London Plan* that speak to complete communities that meet the needs of all people at the neighbourhood level, support community improvement programming and social services in neighbourhoods, and encourage interaction, cohesiveness and community building (Key Direction #7, Directions 2, 7, 8 and 12).

City staff undertook an evaluation of the proposal with respect to the potential impacts of the recommended Zoning By-law amendment on adjacent nearby properties, the degree to which such impacts can be managed and mitigated, and the degree to which the proposal fits within its context, as required by *The London Plan* (882_ and 1578_). Relevant criteria include matters such as traffic and access management, noise, parking, emissions, visual impacts, lighting, loss of views, height and building massing. All planning and development applications are required to be evaluated based on the Planning and Development Applications section in the Our Tools part of this Plan (822_). Because there is not a proposal for redevelopment of the site, many criteria related to “fit” could not reasonably be evaluated but would be addressed at the site plan stage should a redevelopment be proposed. The proposed zoning change is suitable and appropriate for the site because:

- Access to the site is available via two (2) existing vehicular entrances directly from Hyde Park Road.
- The entire site (747, 759 and 765 Hyde Park Road) is adequately serviced by 220 parking spaces which are generally not all used during a normal business

day. The parking rates for the recommended new uses are similar to the parking rates for the existing permitted uses, and any change of use at 765 Hyde Park is not expected to trigger a significant increase in parking demand. The recommended Zoning By-law recognizes the existing parking situation, provided the uses are established within the existing building. Redevelopment of the site would require site plan approval and the standard parking rates would apply.

- The proposed additional uses are not expected to generate a significant increase in noise levels.
- The recommended range of uses is not expected to generate odour, dust, or other airborne emissions. Any emission-creating uses will be required to provide mitigation measures within the building.
- Existing lighting and privacy conditions will not change for the existing building. Redevelopment of the site would require site plan approval and lighting and privacy requirements would be addressed at that time. The majority of the site is adjacent to commercial/utility properties and the playing field for the St. Paul Catholic Elementary School. The northeast corner of the site is adjacent to the parking lot for a neighbouring townhouse development, which is unlikely to be adversely affected. The maximum building height and minimum rear yard setbacks as regulated in the recommended AC4 Zone, are more restrictive than those for the existing Office (OF3) Zone.

1989 Official Plan

The subject site is designated “Office Area” in the 1989 Official Plan. The Office Area designation is primarily intended for offices within purpose-designed office buildings and buildings converted for office use. Secondary uses which may be permitted as accessory to offices include eat-in restaurants, financial institutions, personal services, day care centres, pharmacies, laboratories and clinics. The full range of uses sought by Goodwill Industries is not permitted by the “Office Area” designation.

Because the maps in *The London Plan* are not in force and effect, the “Office Area” designation in the 1989 Official Plan currently provides the policy framework for the consideration of new uses on the site. The recommended amendment to the 1989 Official Plan to allow a broader range of uses conforms to the intent of *The London Plan* to move toward the mixing of a variety of uses within the Shopping Area Place Type.

4.1.2 – Intensity and Form

The London Plan

The Intensity policies for the Shopping Area Place Type are in force and effect and stress the importance of the adequacy of off-street parking, using such methods as buffers and building design to be sensitive to adjacent land uses, and mitigating impacts by ensuring lots are of sufficient size and configuration and using zoning regulations to ensure the intensity of development is sufficient for individual sites (878_).

Currently, there is no proposal for the redevelopment of the site and all uses are intended to be located within the existing building. Off-street parking is shared and will continue to be shared with the significantly larger office buildings located at 747 and 759 Hyde Park Road on the same property. The parking rates for the recommended new uses are similar to those that currently apply to the site, and no significant increase in parking demand is anticipated. Should redevelopment of the site be requested in the future, a full site plan process will be required. The site will be designed to be sensitive to those adjacent land uses that might be negatively impacted by a larger building.

The creation of a new zone line between 765 Hyde Park Road, and 747 and 759 Hyde Park Road, creates an artificial division of the property only for the purposes of interpreting the Zoning By-law. Special provisions are recommended in the Zoning By-law amendment to recognize a reduced frontage and the building location for 765 Hyde Park Road, and the existing landscaped open space and parking for all three buildings.

The London Plan also provides policies related to the form of development that apply largely to the development/redevelopment of large commercial blocks. As there is no redevelopment proposal for the subject site, an evaluation of conformity with these policies was not completed. If the site is redeveloped in the future, these policies will inform the site plan approval process.

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

5.0 Conclusion

The proposed Official Plan amendment is consistent with the Provincial Policy Statement and is in conformity with *The London Plan*. The proposed Zoning By-law amendment is consistent with the Provincial Policy Statement, in conformity with *The London Plan*, and with the 1989 Official Plan as amended. The addition of "Institution" as a permitted use will allow the applicant to expand the range of community services it provides within the neighbourhood. The proposed amendments represent good land uses planning and are recommended to Council for approval.

Prepared by:	Barb Debbert, Senior Planner, Current Planning
Reviewed by:	Michael Tomazincic, MCIP, RPP Manager, Current Planning
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief Building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services	

November 23, 2018

BD/

Appendix A

Bill No. (number to be inserted by Clerk's Office)
(2019)

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 765
Hyde Park Road.

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

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

PASSED in Open Council on December 18, 2018.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To add a policy in Section 10.1.3 of the Official Plan for the City of London to adopt the specific range of permitted uses for the site as identified in the Shopping Area Place Type of *The London Plan*.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 765 Hyde Park Road in the City of London.

C. BASIS OF THE AMENDMENT

The amendment would add to the specific range of permitted uses for 765 Hyde Park Road to accurately reflect Council's current vision and intent for the subject lands as expressed in *The London Plan*. The amendment is consistent with the specific range of permitted uses contemplated by *The London Plan*.

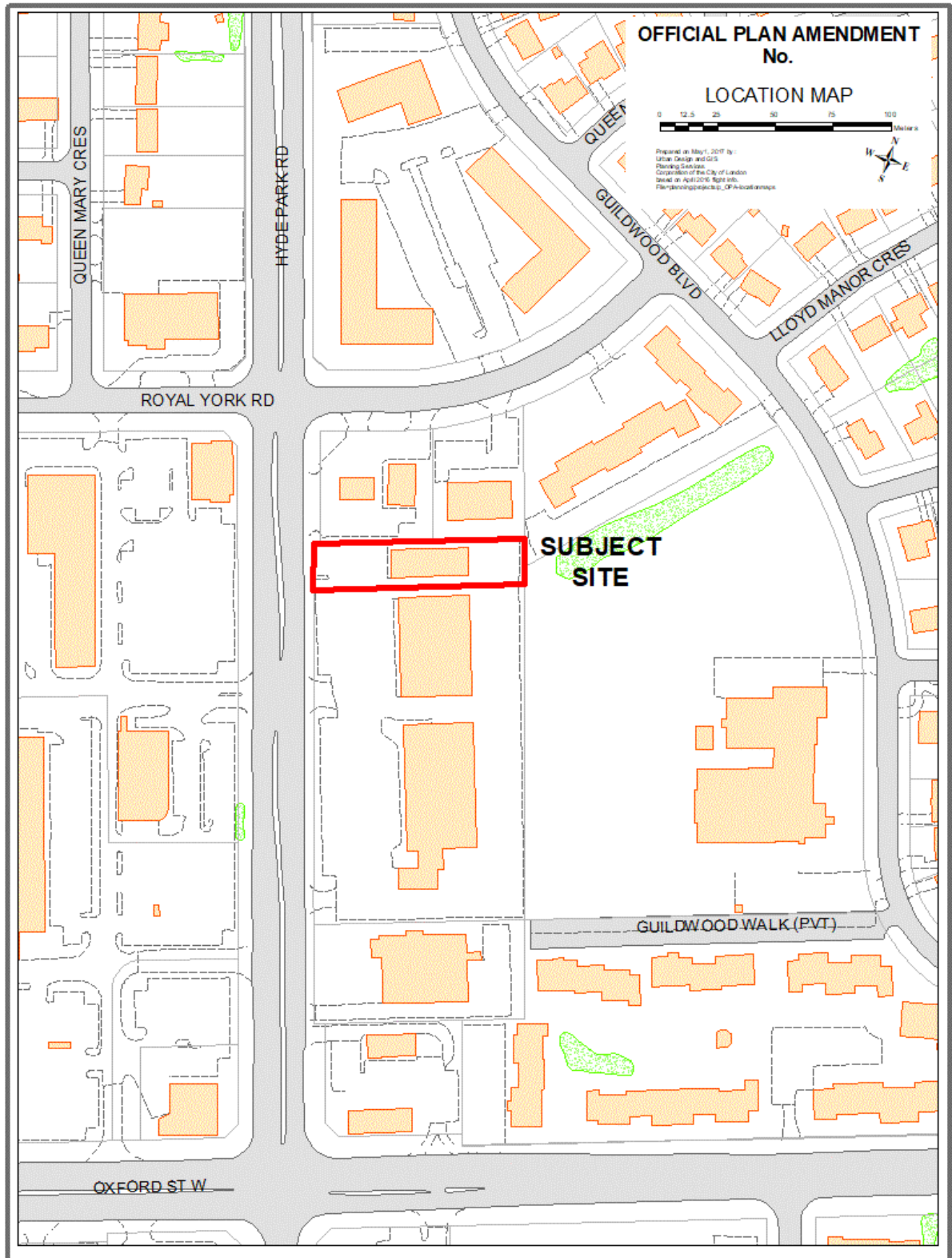
D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Section 10.1.3 – Policies for Specific Areas of the Official Plan for the City of London is amended by adding the following:

765 Hyde Park Road

()_ At 765 Hyde Park Road, in addition to the range of uses permitted in the Office Area designation, a mix of retail, service, office, entertainment, recreational, educational, institutional and residential uses will also be permitted.



Appendix B

Bill No. (number to be inserted by Clerk's Office)
(2019)

By-law No. Z.-1-19_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 747,
759 and 765 Hyde Park Road.

WHEREAS Goodwill Industries has applied to rezone an area of land located at 765 Hyde Park Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

AND WHEREAS the Municipal Council of the Corporation of the City of London deems it advisable to rezone an area of land located at 747 and 759 Hyde Park Road to add site-specific regulations;

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 765 Hyde Park Road, as shown on the attached map comprising part of Key Map No. A101, from an Office Special Provision (OF3(1)) Zone to an Office Special Provision/Arterial Commercial Special Provision (OF3(*)/AC4(*) Zone.
- 2) Section Number 19.4 of the Office (OF3) Zone is amended by adding the following location and regulations to the existing Special Provision:
 -) OF3(1) 747 and 759 Hyde Park Road
 - b) Regulations
 - i) Landscaped Open Space for existing building (min) as existing
 - ii) Parking for existing bldgs. As existing and shared with 765 Hyde Park Road
- 3) Section Number 19.4 of the Office (OF3) Zone is amended by adding the following Special Provision:
 -) OF3(*) 765 Hyde Park Road
 - a) Regulations
 - i) Lot Frontage (min) 19 metres (62.34 feet)
 - ii) North Interior Side Yard for existing building (min) 3.0 metres (9.84 feet)
 - iii) Landscaped Open Space for existing building (min) as existing

- iv) Parking for existing building As existing and shared with 747 and 759 Hyde Park Road
- 4) Section Number 26.4 of the Arterial Commercial (AC4) Zone is amended by adding the following Special Provision:
-) AC4(*) 765 Hyde Park Road
 - a) Additional Permitted Uses
 - i) Institution
 - b) Regulations
 - i) Lot Frontage (min) 19 metres (62.34 feet)
 - ii) North Interior Side Yard for existing building (min) 3.0 metres (9.84 feet)
 - iii) Landscaped Open Space for existing building (min) as existing
 - iv) Parking for existing building As existing and shared with 747 and 759 Hyde Park Road

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 December 18, 2018.

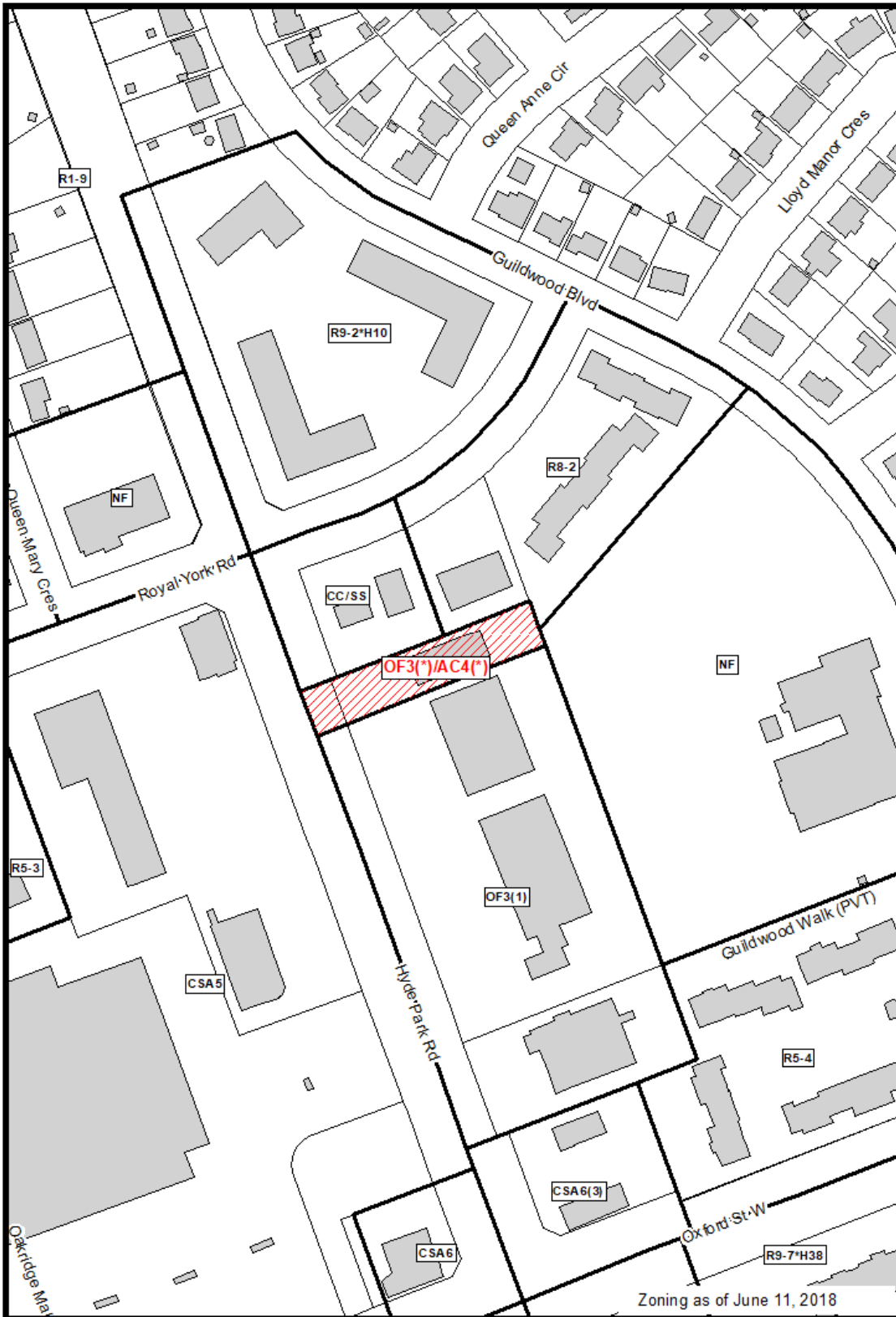
**File: O-8939 and Z-8940
Planner: B. Debbert**

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – December 18, 2018
Second Reading – December 18, 2018
Third Reading – December 18, 2018

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




File Number: O-8939/Z-8940
Planner: BD
Date Prepared: 2018/10/26
Technician: MB
By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



Appendix C – Public Engagement

Community Engagement

Public liaison: On August 28, 2018, Notice of Application was sent to 117 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 30, 2018. A “Planning Application” sign was also posted on the site.

On October 31, 2018, a revised Notice of Application was sent to 117 property owners in the surrounding area. Revised Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 1, 2018. An “Application Amended” sticker was also placed on the existing on-site sign.

One (1) reply was received.

Nature of Liaison:

Initial Application

August 16, 2018 - The purpose and effect of this Official Plan and zoning change is to permit a broader range of uses at 765 Hyde Park Road including a mix of retail, restaurant, neighbourhood facility, office and residential uses, with the intent of adding a retail component to the existing building. Possible amendment to the 1989 Official Plan to adopt the uses permitted in the Shopping Area Place Type of *The London Plan*. Possible change to Zoning By-law Z.-1 from an Office Special Provision (OF3(1)) Zone to an Office Special Provision/Business District Commercial (OF3(1)/BDC) Zone to permit, in addition to the existing permitted uses, a broad range of retail stores, restaurants, convenience and business services, commercial recreation and entertainment uses, animal hospitals and clinics, libraries and police stations, artisan workshops and craft breweries, apartment buildings, existing dwellings, bed and breakfast establishments, emergency care establishments, lodging house class 2, and commercial parking structures. No land use change is requested for 747 and 759 Hyde Park Road; however the City may also consider special regulations for 747, 759 and 765 Hyde Park Road such as for building setbacks from property or zone lines, recognizing existing site conditions, and parking rates.

Revised Application

As a result of further investigation of the range of uses to facilitate Goodwill Industries potential future operations, and to address City staff’s concerns about the use of the Business District Commercial (BDC) Zone on the subject site, Goodwill Industries revised its application on October 15, 2018 to request the Arterial Commercial (AC4) Zone instead of the Business District Commercial (BDC) Zone, with a special provision to add “Institution” as a permitted use. The revised liaison is as follows:

October 31, 2018 – REVISED - The purpose and effect of this Official Plan and zoning change is to permit a broader range of uses at 765 Hyde Park Road including a mix of retail, service, office, entertainment, recreational, educational, institutional and residential uses, with the intent of adding a retail component to the existing building and recognizing existing and possible future activities associated with Goodwill Industries. Possible amendment to the 1989 Official Plan to adopt the uses permitted in the Shopping Area Place Type of *The London Plan*. Possible change to Zoning By-law Z.-1 for 765 Hyde Park Road from an Office Special Provision (OF3(1)) Zone to an Office Special Provision/Arterial Commercial Special Provision (OF3(_)/AC4(_)) Zone to permit, in addition to the existing permitted uses, a broad range of retail stores, restaurants, and convenience and business services uses; animal hospitals; artisan workshops; craft breweries; institutions; existing dwellings and dwelling units above the first floor; emergency care establishments; lodging house class 2; and group home type 2. No land use change is requested for 747 and 759 Hyde Park Road; however the City may also consider special regulations for 747, 759 and 765 Hyde Park Road such as for building setbacks from property or zone lines, recognizing existing site conditions, and parking rates.

Responses: One person sought clarification of the application. No concerns were raised by the public.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
Eric Halls 1179 Oxford Street West N6H 1V6	None

Agency/Departmental Comments

Development Services – October 25, 2018

No Engineering comment other than a requirement, at the time of site plan approval, for road widening dedication of 18.0m from centre line on Hyde Park Road.

Environmental and Parks Planning – October 18, 2018

We do not have any specific comments regarding the application for the proposed use.

London Hydro – September 26, 2018

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

Upper Thames River Conservation Authority – August 15, 2018

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.

Appendix D – 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, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1b.

Section 1.3 Employment

1.3.1a.

Section 1.4 Housing

The London Plan

Key Directions

Direction 7 – Plan Strategically for a Prosperous City – Directions 1, 7, 8, 12 (in force)

Direction 8 – Make Wise Planning Decisions – Direction 2 (in force)

Shopping Area Place Type

OUR VISION FOR THE SHOPPING AREA PLACE TYPE – 871_ (in force)

ROLE WITHIN THE CITY STRUCTURE – 873_ & 874_ (in force)

HOW WILL WE REALIZE OUR VISION? – 876_3 (in force)

PERMITTED USES – 877_ (in force)

INTENSITY – 878_ (in force)

FORM – 879_ (not in force)

PLANNING AND DEVELOPMENT APPLICATIONS – 882_

Institutional Place Type

ROLE WITHIN THE CITY STRUCTURE – 1083_ (in force)

Our Tools

EVALUATION CRITERIA FOR PLANNING AND DEVELOPMENT APPLICATIONS – 1577_ & 1578_ (not in force)

1989 Official Plan

Office Area Designation

5.2.1 – Function

5.2.2 – Permitted Uses – Office Areas

5.2.4 – Scale of Development

5.2.5 – Form and Design

5.4.2 – Scope of Planning Impact Analysis

Specific Area Policies

10.1.1 – Criteria

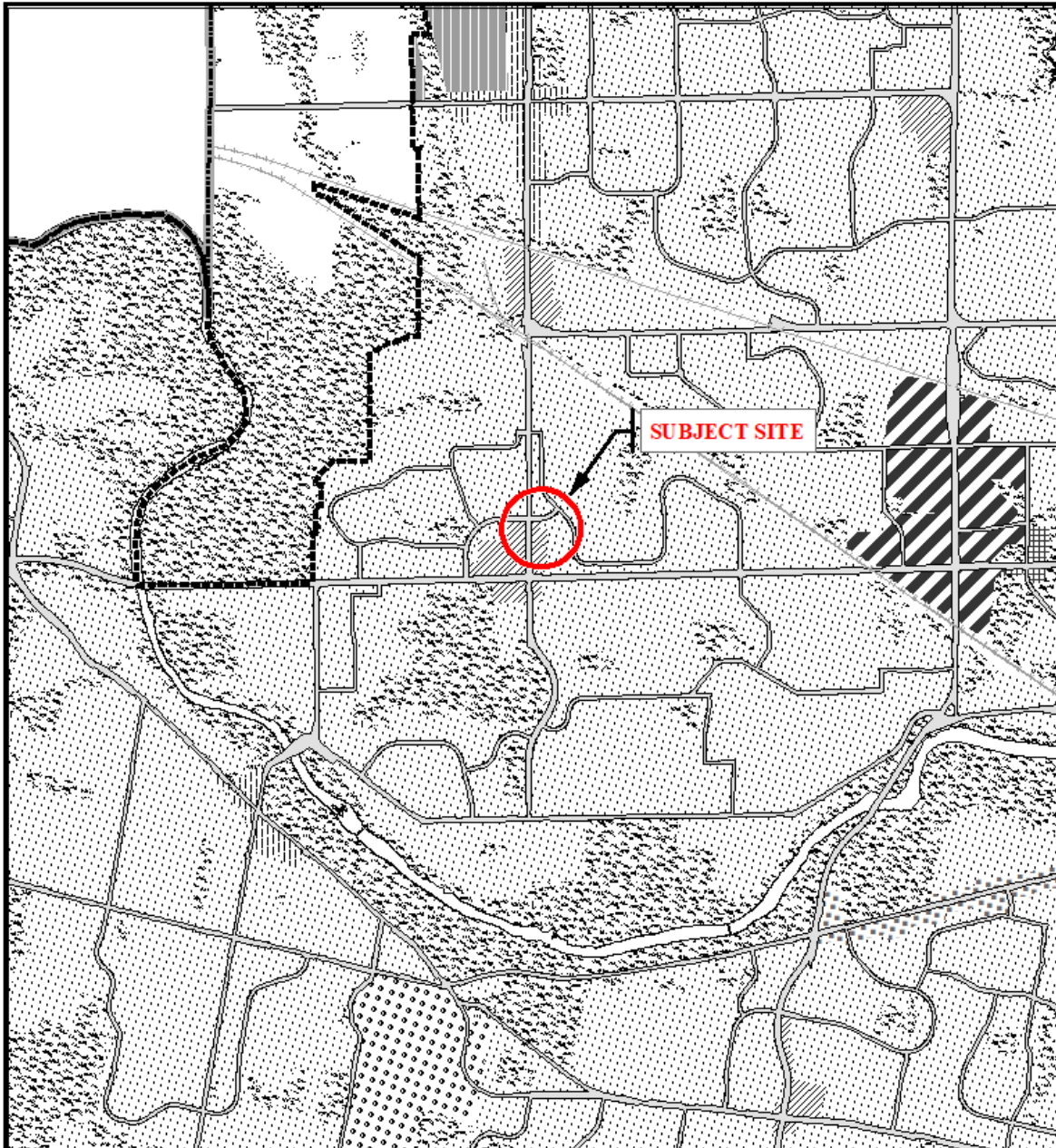
10.1.2 – Planning Impact Analysis

Zoning By-law Z.-1

Appendix E – Relevant Background

Additional Maps

The London Plan Map 1 – Land Use



Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

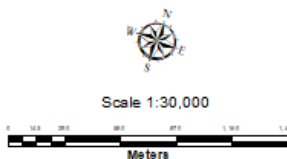
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services

LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning Services



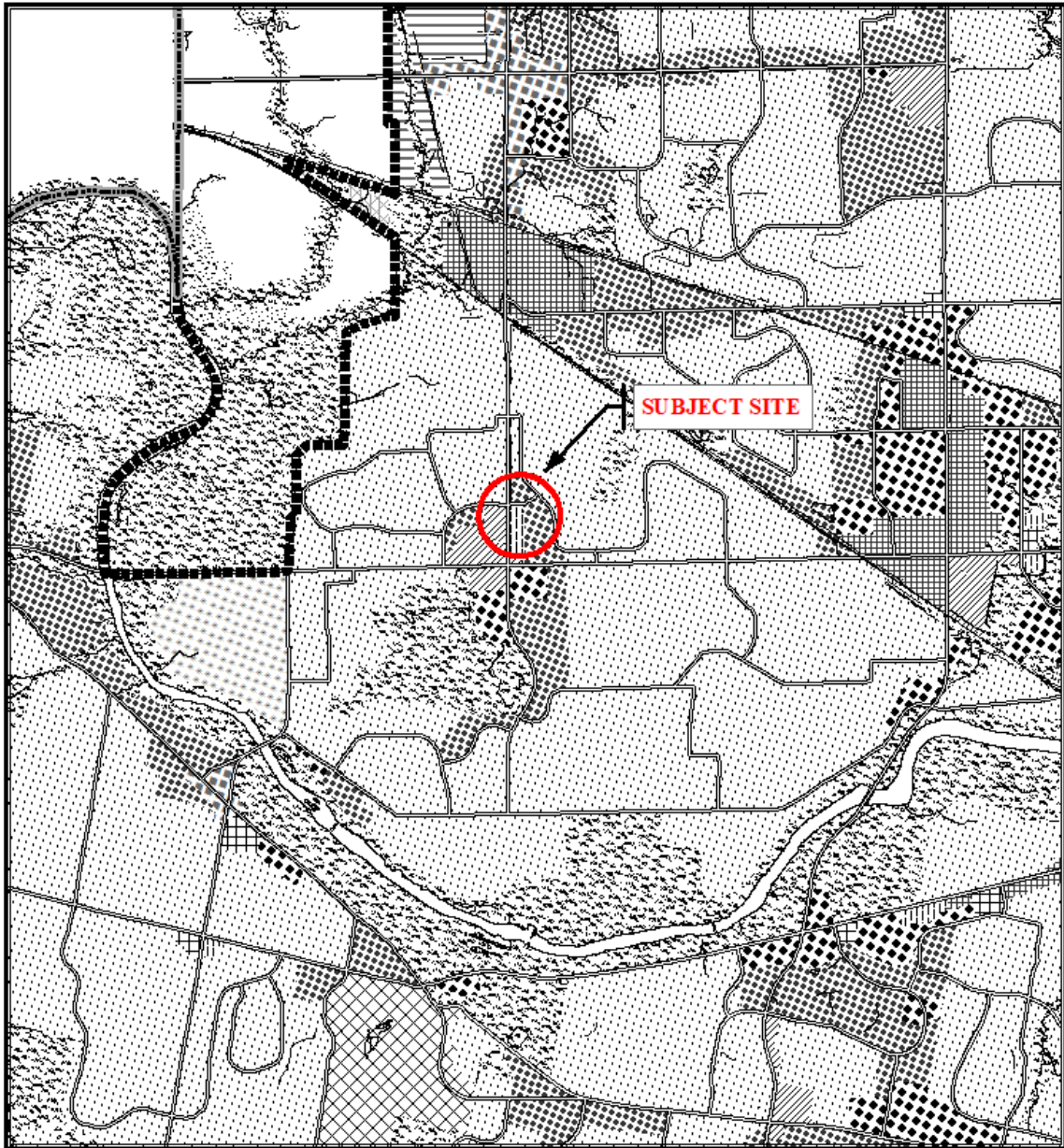
File Number: O-8939/Z-8940

Planner: BD

Technician: MB

Date: October 26, 2018

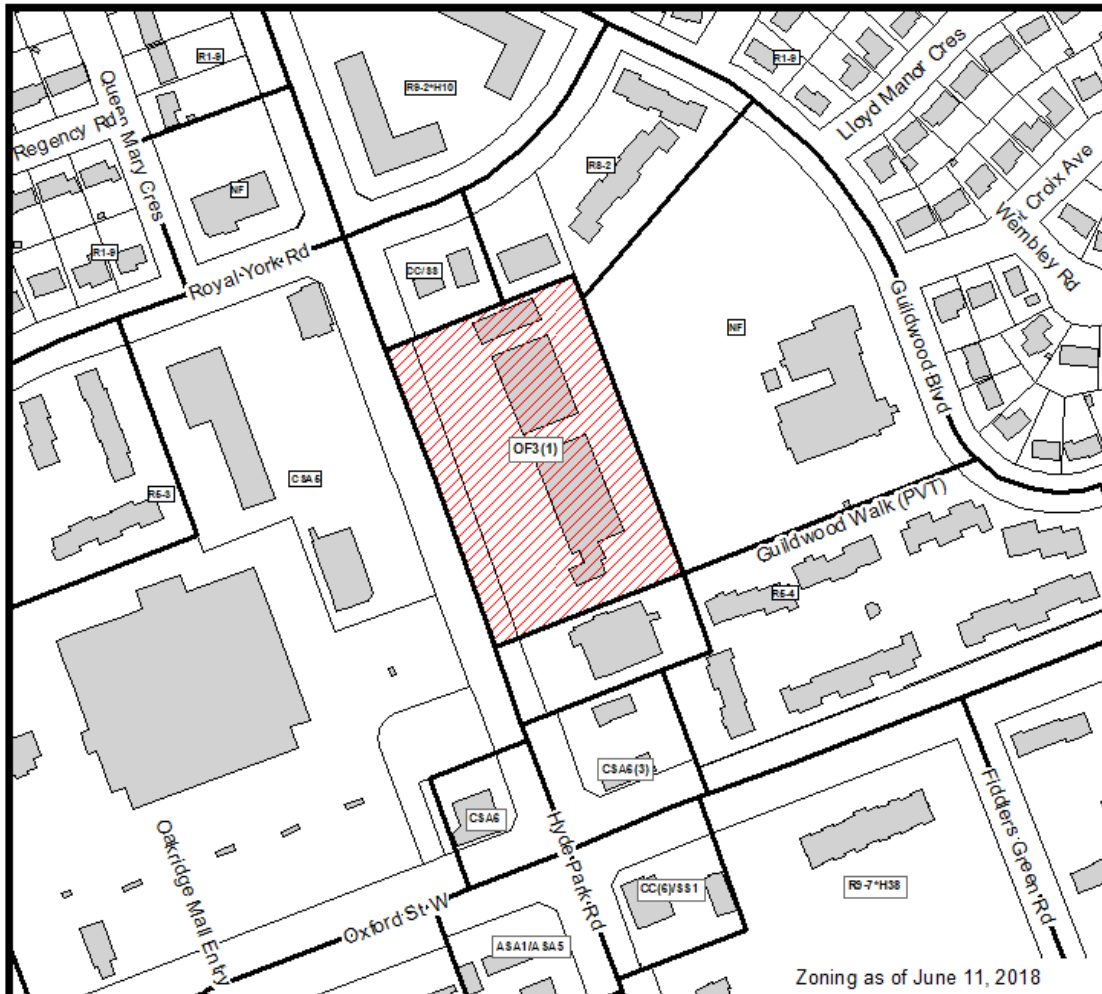
1989 Official Plan Schedule A – Land Use



Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: O-8939/Z-8940 PLANNER: BD TECHNICIAN: MB DATE: 2018/10/26</p>
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Zoning By-law Z.-1 Map



Zoning as of June 11, 2018



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: OF3(1)

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 'h' - HOLDING SYMBOL 'D' - DENSITY SYMBOL 'H' - HEIGHT SYMBOL 'B' - BONUS SYMBOL 'T' - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

O-8939/Z-8940 BD

MAP PREPARED:

2018/10/26 MB

1:3,000

