

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: George Kotsifas P. Eng.,
Managing Director, Development & Compliance Services and
Chief Building Official
Subject: Agathos Dentistry
1201 Huron Street
Public Participation Meeting on: April 15, 2019

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Agathos Dentistry relating to the property located at 1201 Huron Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 23, 2019 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 R1 (R1-9) Zone **TO** a Residential R1/Office Conversion Special Provision (R1-9/OC3(__)) Zone

Executive Summary

Summary of Request

The requested action is to recognize the existing medical/dental office within the existing building on the subject lands.

Purpose and the Effect of Recommended Action

The purpose and the effect of the recommended action will be to permit the existing medical/dental office to continue within the existing building on the subject lands.

Rationale of Recommended Action

- 1) The requested amendment is consistent with the policies of the Provincial Policy Statement, 2014;
- 2) The requested amendment is in conformity with the maximum floor area policies for non-residential uses in the Neighbourhoods Place Type of The London Plan;
- 3) The requested amendment is in conformity with the policies of the 1989 Official Plan;
- 4) The requested amendment will recognize an existing non-conforming use which over time has demonstrated compatibility with the surrounding residential neighbourhood.

Analysis

1.0 Site at a Glance

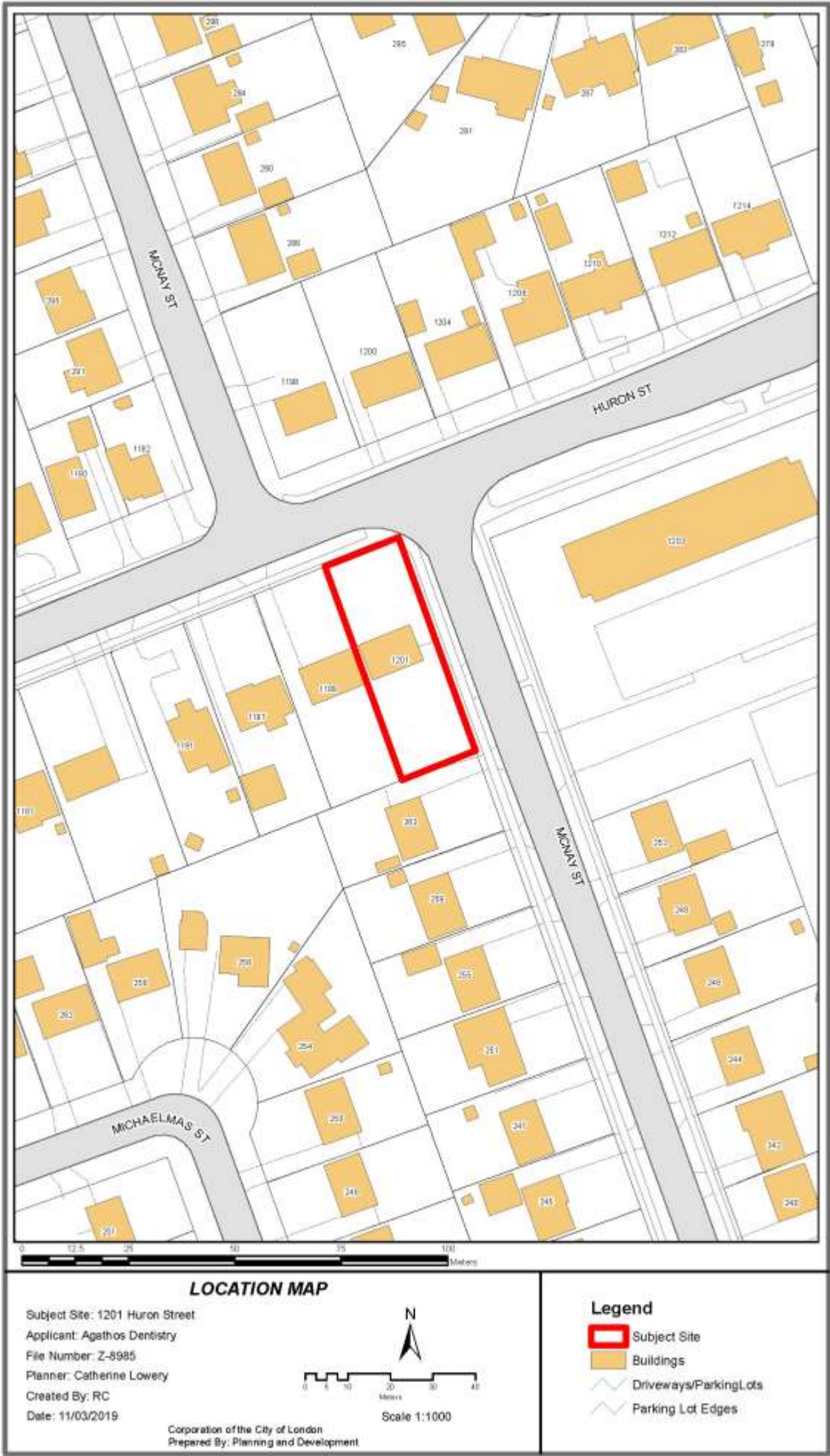
1.1 Property Description

The subject site is located on the southwest corner of Huron Street and McNay Street. The site is currently developed with a single-storey building which has been converted to a medical/dental office. The site is surrounded by single detached dwellings to the north, south, and west and cluster townhouses to the east.

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

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Residential R1 (R1-9) Zone

1.3 Location Map



1.4 Site Characteristics

- Current Land Use – Medical/dental office
- Frontage – 18.6 metres (61 feet)
- Depth – 53.3 metres (174.86 feet)
- Area – 0.1 hectares (0.25 acres)
- Shape – Rectangular

1.5 Surrounding Land Uses

- North – Single detached dwellings
- East – Cluster townhouses
- South – Single detached dwellings
- West – Single detached dwellings

2.0 Description of Proposal

2.1 Development Proposal

The owner is requesting to rezone the subject site to recognize the existing medical/dental office use. No new development is proposed at this time.



Figure 1: Existing medical/dental office (front view from Huron Street)



Figure 2: Existing medical/dental office (rear view)

Section 1.1 *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* of 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. It directs cities to make sufficient land available to accommodate this range and mix of land uses to meet projected needs for a time horizon of up to 20 years.

The PPS also directs planning authorities to promote economic development and competitiveness by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

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 the majority of which is in force and effect). The London Plan policies and maps under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) are not in force and effect and are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject site is located within the Neighbourhoods Place Type on a Civic Boulevard intersecting a Neighbourhood Connector, as identified on *Map 1 — Place Types and *Map 3 — Street Classifications. The vision for the Neighbourhoods Place Type provides key elements for neighbourhoods, including easy access to daily goods and services within walking distance and employment opportunities close to where we live (*916_6 and *916_7). At this location, the Neighbourhoods Place Type permits a range of low-rise residential uses, including single detached, semi-detached, duplex and triplex dwellings, as well as stacked townhouses, fourplexes and low-rise apartments (*Table 10). Mixed use buildings are also permitted as a secondary use (*Table 10).

1989 Official Plan

The subject lands are designated Low Density Residential in the 1989 Official Plan, which applies to lands primarily planned for low rise residential development, such as single detached, semi-detached, and duplex dwellings. Uses that are considered to be integral to, or compatible with, residential neighbourhoods may also be contemplated as secondary permitted uses, including office conversions (3.2.vi).

4.0 Key Issues and Considerations

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

The requested amendment is to recognize the existing non-conforming use. As such, the appropriateness of the proposed use within the existing residential building must be considered, as well as the site’s ability to accommodate the use. Through the circulation process, no significant agency or departmental concerns were expressed. A concern was expressed by a neighbouring property owner about the potential for a Supervised Consumption Facility being permitted at this location. It was clarified that the requested amendment would not permit this use, nor would it permit a Methadone Clinic.

Provincial Policy Statement, 2014 (PPS)

The PPS states that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other land uses to meet long term needs (1.1.1b)). Land use patterns within settlement areas are to be based on densities and a mix of land uses which efficiently use land and resources (1.1.3.2a)1). The PPS also requires municipalities to provide opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a

wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses (1.3.1b).

The PPS defines intensification as: *the development of a property, site or area at a higher density than currently exists through: a) redevelopment, including the reuse of brownfield sites; b) the development of vacant and/or underutilized lots within previously developed areas; c) infill development; and d) the expansion or conversion of existing buildings.* Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3).

The requested amendment represents a form of intensification, as defined by the PPS, through the conversion of an existing building to a new use. The conversion of the existing residential building to a small-scale medical/dental office represents an appropriate opportunity for intensification, as it takes into account existing building stock and availability of existing infrastructure. The requested amendment to permit the medical/dental office use gives opportunity to recognize an existing use which is an efficient use of land and existing infrastructure, contributes to a mix of land uses in a predominantly residential neighbourhood, and provides a service to the residents of the neighbourhood.

Given the foregoing, the requested amendment is consistent with the policies of the Provincial Policy Statement, 2014.

The London Plan

The subject site is located within the Neighbourhoods Place Type of The London Plan at the intersection of a *Civic Boulevard (Huron Street) and a *Neighbourhood Connector (McNay Street). Where development is being considered at the intersection of two streets of different classifications, the higher-order street onto which the property has frontage, is used to establish the permitted uses and intensity of development in *Tables 10 to 12 (*920_4a).

*Table 10 - Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (*921_). *Table 11 - Range of Permitted Heights in the Neighbourhoods Place Type, provides the range of permitted heights based on street classification (*935_1). *Table 12 – Retail, Service and Office Floor Area Permitted in Neighbourhoods Place Type, shows floor area limits for retail, services and offices uses by street classification (*935_2).

Policy 931_ defines office conversions as the conversion of all or a portion of a residential building to office uses. Office conversions, retaining one or more residential units, may be permitted where mixed-use buildings are allowed in conformity with *Table 10, or without a residential unit where stand-alone offices are permitted. In accordance with *Table 10, an office conversion containing one or more dwelling units would be permitted on this site, however stand-alone offices are only permitted where a site intersects a higher order street such as another Civic Boulevard or an Urban Thoroughfare.

Non-residential uses may be permitted only when it is demonstrated that the proposed form of development can fit well within the context of the residential neighbourhood (*936_3). The existing building is consistent with adjacent residential buildings in terms of scale, massing, and design, as the residential character of the building has not been altered. No changes to the exterior of the building are proposed, therefore the building form fits well within the context of the residential neighbourhood. In accordance with *Table 11, the minimum height required for properties in the Neighbourhood Place Type on a Civic Boulevard is two-storeys. Given that the building is existing and no changes are proposed, the building cannot conform to the height requirement of *Table 11.

For sites located on a Civic Boulevard intersecting a Neighbourhood Connector, the maximum floor area for office use would be 200 square metres (*Table 12). While the intent of this policy is to cap the floor area of this use as permitted in accordance with *Table 10, it should be noted that the proposed office conversion is under this cap at 108 square metres, per the site plan in Figure 3.

It is a goal of The London Plan to allow for an appropriate range of retail, service and office uses within neighbourhoods, however the range of these uses that may be permitted in the Neighbourhoods Place Type will only be permitted if they are appropriate and compatible within a neighbourhood context (*924_). The proposed medical/dental office has existed on the subject lands for over 30 years, and over time has demonstrated a level of appropriateness and compatibility within the neighbourhood context.

While the proposed office conversion use does not conform to *Table 10 and the existing building intensity does not conform to *Table 11, these policies are currently under appeal and not in force and effect. Accordingly, these policies are informative but are not determinative and cannot be relied on for the review of the requested amendment. Further, while Policy 931_ is not under appeal, it relies on *Table 10 to establish the locational criteria used to determine where office conversions in the form of mixed-use buildings and stand-alone offices are permitted.

1989 Official Plan

The subject lands are designated Low Density Residential in the 1989 Official Plan, which permits a range of low-rise residential uses including single detached, duplex, and semi-detached dwelling as the primary permitted uses (3.2.1). Certain uses that are considered to be integral to, or compatible with, residential neighbourhoods may be contemplated as secondary permitted uses, including office conversions (3.2.1.vi).

Section 3.6.9 defines office conversions as the total or partial conversion of a residential building for office use, and may involve minor additions but requires retention of the general form and character of the building proposed to be converted (3.6.9.i)). The preferred locations for office conversions are specific areas identified in Section 3.6.9.ii) of the 1989 Official Plan. However, Council may consider office conversions on a site specific basis where the proposed use is compatible with adjacent uses and an area approach is not warranted (3.6.9.iii). Section 3.6.9.iii) further establishes the following criteria under which office conversions outside of identified areas are to be evaluated:

a) whether the site is a desirable location for office conversions;

The location of the subject site at the corner of an arterial road (Huron Street) and secondary collector (McNay Street), as identified on Schedule C – Transportation Corridors, is an ideal location for an office conversion.

b) the potential impact of the proposed conversion(s) on the surrounding neighbourhood;

The proposed medical/dental office has occupied the existing building since 1988. While the predominant surrounding land use is low density residential in the form of single detached dwellings, the medical/dental office has demonstrated compatibility with the surrounding residential neighbourhood for over 30 years. As such, no impacts on the surrounding neighbourhood are anticipated.

c) location on an arterial road that sustains significant traffic volumes;

The subject lands front on Huron Street, an arterial road as identified on Schedule C – Transportation Corridors, which sustains high traffic volumes.

d) potential impact of the office conversion(s) on traffic movement;

No impact on traffic movement is anticipated as a result of the proposed office conversion. The use has existed at this location for over 30 years and has not resulted in any identified traffic issues. Access to the site will remain from McNay Street; no new accesses are proposed.

e) proximity to commercial land uses, or existing office conversions;

The site is located in proximity to other commercial uses, including two convenience commercial plazas located approximately 300 metres east and west of the site on Huron Street. Larger commercial shopping centres exist further towards Adelaide Street North and Highbury Avenue North. Other dental offices and a chiropractor also exist further down Huron Street near Adelaide Street North.

f) general condition of residential buildings in the immediate surrounding area;

The residential buildings in the immediate surrounding area have generally been well maintained.

g) ability of existing municipal services and infrastructure to accommodate the proposed conversion(s); and

The site has existing access to municipal water, sanitary, and storm sewer. Engineering staff have reviewed the requested amendment and cited no concerns with respect to capacity.

h) Planning Impact Analysis according to the provisions of Section 3.7.

A Planning Impact Analysis according to the provisions of Section 3.7 is provided below.

Planning Impact Analysis

A Planning Impact Analysis is used to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding uses (3.7.1). Section 3.7.2 establishes specific criteria to be considered through the review of an Official Plan Amendment and/or Zoning By-law Amendment. The following relevant Planning Impact Analysis criteria have been considered in determining the appropriateness of the proposed office conversion:

a) compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;

The proposed medical/dental office has existed on the subject lands for over 30 years with no known impact on surrounding land uses. As no new development or changes to the site are proposed, no impacts are anticipated as a result of the proposed office/conversion.

b) the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;

The subject site is rectangular in shape and is of adequate size to support the proposed medical/dental office conversion, as demonstrated on the site plan in Figure 3 of this report. Minor reductions in frontage and exterior side yard setback have been requested as special provisions as a result of the corner visibility triangle and road widenings on Huron Street and McNay Street. The rear yard is of adequate size to accommodate the number of parking spaces required for the use.

c) the supply of vacant land in the area which is already designated and/or zoned for the proposed use;

There is no vacant land in the direct vicinity that is already zoned for the proposed use. Other medical/dental offices and a chiropractor exist further down Huron Street near Adelaide Street North. Commercial shopping centres zoned to permit the medical/dental office use also exist in the area however appear to be fully tenanted.

f) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;

The height, location, and spacing of the existing building is consistent with that of neighbouring single detached dwellings. The residential appearance of the building has been maintained through the conversion to the medical/dental office use. No changes to the exterior of the building are proposed, therefore no impacts on surrounding land uses are anticipated.

g) the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;

Landscaping of the site has been maintained in the front, interior side, and exterior side yards. Landscape buffering exists between the parking area and neighbouring residential properties. Further buffering and refinement of the parking area will be determined at the Site Plan Approval stage.

- h) the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;*

The site is currently accessed off of McNay Street. No new accesses to the site are proposed and no impacts to traffic, pedestrian and vehicle safety, and surrounding properties are anticipated. Any required refinement to the site access and parking area will be determined at the Site Plan Approval stage.

- i) the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;*

The bulk, scale, and layout of the existing building is consistent with neighbouring single detached dwellings. No changes are proposed to the exterior of the building, therefore there are no concerns with respect to integration of the proposed use with present and future land uses.

- l) compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;*

Staff is satisfied the proposed office conversion is in conformity with the 1989 Official Plan and meets the general intent of the Zoning By-law. Special provisions are required to recognize existing non-compliances, as well as non-compliances resulting from future conveyance of the corner visibility triangle and road widenings. The Site Plan Control By-law will be implemented at the Site Plan Approval stage although no inconsistencies have been identified as part of the review of this Zoning By-law amendment.

- m) measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;*

Opportunities for additional landscape buffers providing separation between the parking area and adjacent residential properties will be determined at the Site Plan Approval stage. No other adverse impacts have been identified.

- n) impacts of the proposed change on the transportation system, including transit.*

No impacts on the transportation system, including transit, are anticipated as a result of the requested zoning. No changes to the size or scale of the medical/dental office are proposed, nor are additional site accesses.

Planning staff is satisfied the requested amendment is in conformity with the office conversion criteria of Section 3.6.9 as well as the relevant Planning Impact Analysis criteria of Section 3.7. As such, the requested amendment is in conformity with the 1989 Official Plan.

4.2 Issue and Consideration # 2: Encroachments and Parking

Through the review of this application, Engineering staff commented that the existing sign encroaches into the road widening dedication required on Huron Street. Staff further commented that the sign will be permitted to remain in place, however the owner is required to enter into an encroachment agreement at the Site Plan Approval stage. All other encroachments, such as any existing or proposed parking spaces, must be removed from the road widening on McNay Street.

As depicted on the site plan in Figure 3, the existing parking spaces fronting on McNay Street encroach into the 0.67 metre road widening dedication. Given that the proposed office conversion is small-scale, the minimum number of parking spaces required by the Zoning By-law can still be accommodated on site. Removal of these spaces would give opportunity for additional landscape buffering between the parking area and the street, while still maintaining the minimum number of spaces required by the Zoning By-law.

The owner has requested a special provision to recognize the existing 0 metre setback between the parking area and the street. Staff is recommending approval of this special provision in order to give flexibility while refining the design of the parking area at the Site Plan Approval stage.

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

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement and conforms to the maximum floor area policies for non-residential uses in the Neighbourhoods Place Type of The London Plan and the policies of the 1989 Official Plan. The recommended amendment will recognize an existing non-conforming use that has demonstrated compatibility with the surrounding residential neighbourhood through its long-term existence on the subject lands.

Prepared by:	Catherine Lowery, MCIP, RPP Planner II, 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.	

cc: Michael Tomazincic, Manager, Current Planning

April 8, 2019
MT/mt

Appendix A

Appendix “A”

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 1201
Huron Street.

WHEREAS Agathos Dentistry has applied to rezone an area of land located
at 1201 Huron 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 1201 Huron Street, as shown on the attached map comprising part
of Key Map No. A103, from a Residential R1 (R1-9) Zone to a Residential R1/Office
Conversion Special Provision (R1-9/OC3(____)) Zone.
- 2) Section Number 17.3 c) of the Office Conversion (OC3) Zone is amended by adding
the following Special Provision:
 -) OC3(____) 1201 Huron Street
 - a) Permitted Use
 - i) A medical/dental office in an existing building with or
without dwelling units
 - b) Regulations
 - i) Parking Area Setback 0 metres (0 feet)
(minimum)
 - ii) Interior Side Yard Depth 1.2 metres (3.9 feet)
(minimum)
 - iii) Exterior Side Yard Depth 4.1 metres (13.4 feet)
(minimum)
 - iv) Parking Area Coverage 36%
(maximum)
 - v) Lot Frontage 17.9 metres (58.7 feet)
(minimum)

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.

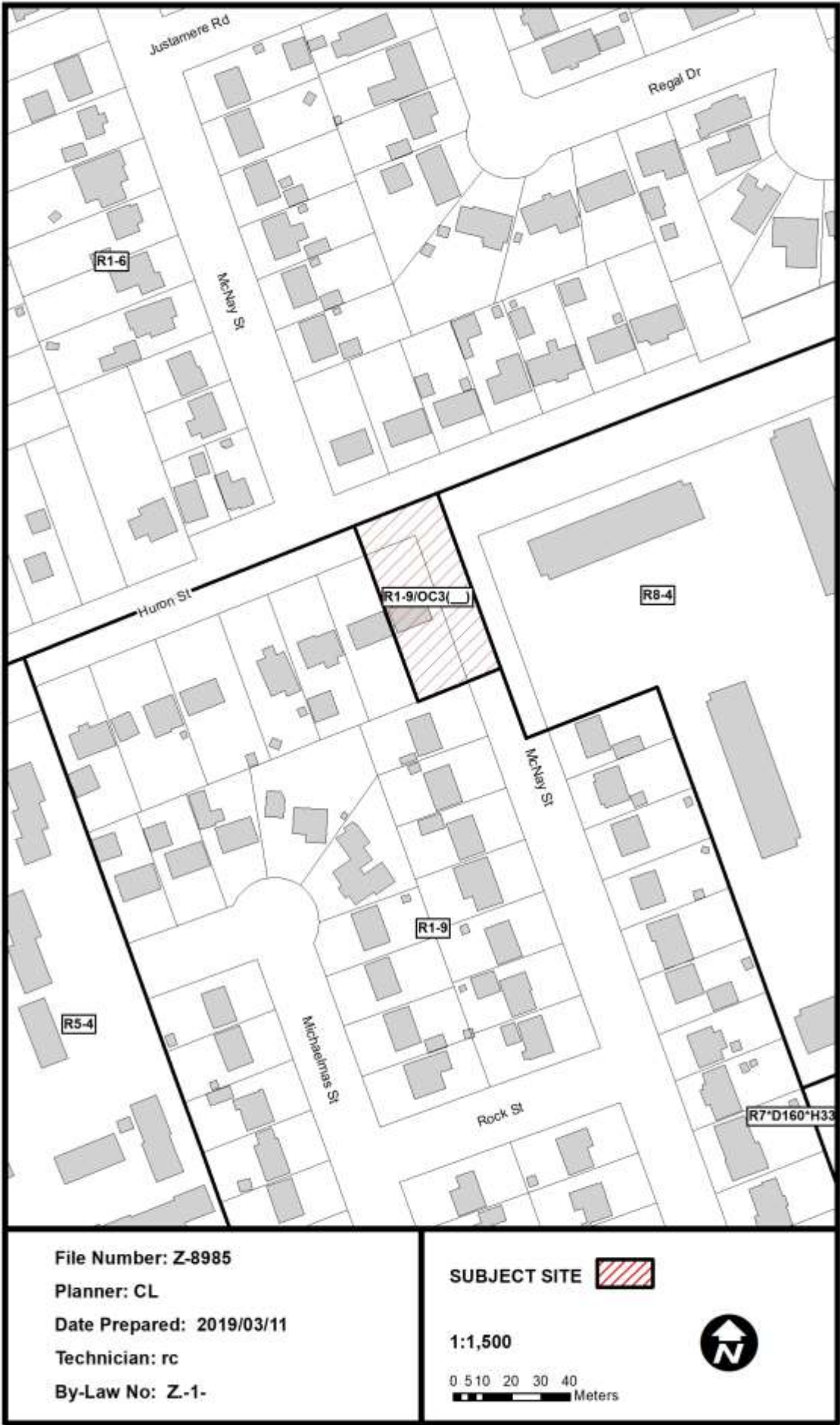
PASSED in Open Council on April 23, 2019.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – April 23, 2019
Second Reading – April 23, 2019
Third Reading – April 23, 2019


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



File Number: Z-8985
Planner: CL
Date Prepared: 2019/03/11
Technician: rc
By-Law No: Z-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40
 Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: On December 12, 2018, Notice of Application was sent to 63 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 13, 2018. A “Planning Application” sign was also posted on the site.

Two replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to permit a medical/dental office in the existing building. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-9) Zone **TO** a Residential R1/Holding Office Conversion Special Provision (R1-9/h-18•OC3(____)) Zone to permit a medical/dental office in the existing building with no dwelling units; a reduced minimum parking area setback of 0 metres from McNay Street; a reduced minimum interior side yard depth of 1.2 metres; an increased maximum parking area coverage of 36%; a reduced minimum lot frontage of 17.9 metres; and a reduced minimum exterior side yard depth of 4.1 metres.

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

Concern for:
Use

Concern whether the site was being considered for a Supervised Consumption Facility and whether this Zoning By-law Amendment would justify future applications of a similar nature.

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

Telephone	Written
Bernadette Doucet 1204 Huron Street	Steve Waechter 1185 Huron Street

From: Steve waechter
Sent: Saturday, December 22, 2018 11:35 PM
To: Lowery, Catherine <clowery@london.ca>
Subject: z-8985

Hi Cathy. I live at 1185 huron street in London. I have two questions and a concern about an application to change the zoning bylaw at 1201 huron street. The dentist office there currently has been there since 1990 or 1991.Why is there a need now to change the bylaw. Second does this make it easier for other residential properties in this area to open up to medical spaces. My concern is this space is being considered for a safe injection site. I do not know if a residential area would even be considered for one. There has been no information that I could find as to were these sights are going to be. I would like to know that 1201 huron is not being considered for this purpose. thanks steve.

Agency/Departmental Comments

December 17, 2018: UTRCA
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 lands **are** 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.

December 28, 2018: London Hydro

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

January 2, 2019: Engineering

General

No comments for the re-zoning application. The existing business sign can remain in place but an encroachment agreement with the City will be required. However, all other encroachments will have to be removed from the road widening (i.e. parking, asphalt, etc.)

Wastewater

- The medical building at 1201 Huron Street requires a 150mm san. p.d.c. and a sanitary inspection manhole all to City Standards and to the satisfaction of the City Engineer.

Transportation

- Road widening dedication of 18.0m from centre line required on Huron Street.
- Road widening dedication of 10.75m from centre line required on McNay Street.
- 6.0m x 6.0m daylight triangle required.
- Remove any encroachments from road widening dedication.
- Detailed comments regarding access design and location will be made through the site plan process.

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, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2014

Intensification: means the development of a property, site or area at a higher density than currently exists through: a) redevelopment, including the reuse of brownfield sites; b) the development of vacant and/or underutilized lots within previously developed areas; c) infill development; and d) the expansion or conversion of existing buildings.

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;
- b) 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;

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

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.3.1 Planning authorities shall promote economic development and competitiveness by:

- a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;
- b) providing opportunities for a diversified economic base, including maintaining a

range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

*916_ In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:

6. Easy access to daily goods and services within walking distance.
7. Employment opportunities close to where we live.

*920_ Tables 10 to 12 give important guidance to the permitted uses, intensity, and form of development that may be permitted on lands within the Neighbourhoods Place Type. The following policies provide direction for the interpretation of these tables:

4. Where development is being considered at the intersection of two streets of different classifications
 - a. The higher-order street onto which the property has frontage, will be used to establish the permitted uses and intensity of development on Tables 10 to 12.
 - b. The development will be oriented toward the higher-order street.
 - c. The development will be permitted only if it can be demonstrated, in conformity with the policies of this Plan, that it will be a good fit and will not undermine the character of the lower-order street.

*924_ It is a goal of this Plan to allow for an appropriate range of retail, service and office uses within neighbourhoods. The range of retail, service and office uses that may be permitted in this Place Type will only be permitted if they are appropriate and compatible within a neighbourhood context.

925_ Mixed-use buildings identified on Table 10 must include a residential use and may also include appropriately-sized retail, service or office uses on the ground floor. Mixed-use buildings may include purpose-designed buildings or converted buildings.

931_ Office conversions are defined as the conversion of all or a portion of a residential building to office uses. Office conversions, retaining one or more residential units, may be permitted where mixed-use buildings are allowed in conformity with Table 10, or without a residential unit where stand-alone offices are permitted. Office conversions may also be permitted subject to the Specific Policies for the Neighbourhoods Place Type section of this chapter

*935_ The following intensity policies will apply within the Neighbourhoods Place Type:

1. Table 11 - Range of Permitted Heights in Neighbourhoods Place Type, provides the range of permitted heights in the Neighbourhoods Place Type, based on street classification.
2. Floor area limits for retail, services and offices uses are shown on Table 12 - Retail, Service and Office Floor Area Permitted in Neighbourhoods Place Type.

*936_ The following form policies will apply within the Neighbourhoods Place Type:

3. Non-residential uses may be permitted only when it is demonstrated that the proposed form of development can fit well within the context of the residential neighbourhood.

*Table 10: Range of Permitted Uses in Neighbourhood Place Type

*Table 11: Range of Permitted Heights in Neighbourhoods Place Type

*Table 12 – Retail, Service and Office Floor Area Permitted in Neighbourhoods Place Type

1989 Official Plan

3.2.1. Permitted Uses

The primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of this Plan and provided they do not exceed the maximum density of development permitted under policy 3.2.2. Residential Intensification may be permitted subject to the provisions of policy 3.2.3. Zoning on individual sites would not normally allow for the full range of permitted uses.

Secondary Permitted Uses

vi) Uses that are considered to be integral to, or compatible with, residential neighbourhoods, including group homes, home occupations, community facilities, funeral homes, and office conversions, may be permitted according to the provisions of

3.6.9. Office Conversions

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

Definition of Office Conversions

i) For the purposes 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.

Office Conversions Outside of Identified Areas

iii) The preferred locations for office conversions are those areas identified in 3.6.9. ii). Consideration may also be given to proposed office conversions in other residential areas that are located on arterial roads which have lost some of their residential amenity for a variety of reasons, including, but not limited to, traffic. Proposals will be assessed on an area basis to determine if the area is appropriate for office conversions and whether the area should be identified as an office conversion area under policy 3.6.9. ii). In some cases, Council may permit an office conversion(s) on a site specific basis by Zoning By-law amendment where the proposed use is compatible with adjacent uses and an area approach is not warranted. Proposals for an office conversion(s) outside of identified areas will be evaluated on the basis of the following criteria:

- a) whether the site is a desirable location for office conversions;
- b) the potential impact of the proposed conversion(s) on the surrounding neighbourhood;
- c) location on an arterial road that sustains significant traffic volumes;
- d) potential impact of the office conversion(s) on traffic movement;
- e) proximity to commercial land uses, or existing office conversions;
- f) general condition of residential buildings in the immediate surrounding area;
- g) ability of existing municipal services and infrastructure to accommodate the proposed conversion(s); and
- h) Planning Impact Analysis according to the provisions of Section 3.7.

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.

3.7.2. Scope of Planning Impact Analysis

Planning Impact Analysis will be undertaken by municipal staff and will provide for participation by the public in accordance with the provisions for Official Plan amendment and/or zone change applications as specified in Section 19.12.

General Proposals

Proposals for changes in the use of land which require the application of Planning Impact Analysis will be evaluated on the basis of criteria relevant to the proposed change. Other criteria may be considered through the Planning Impact Analysis to assist in the evaluation of the proposed change.

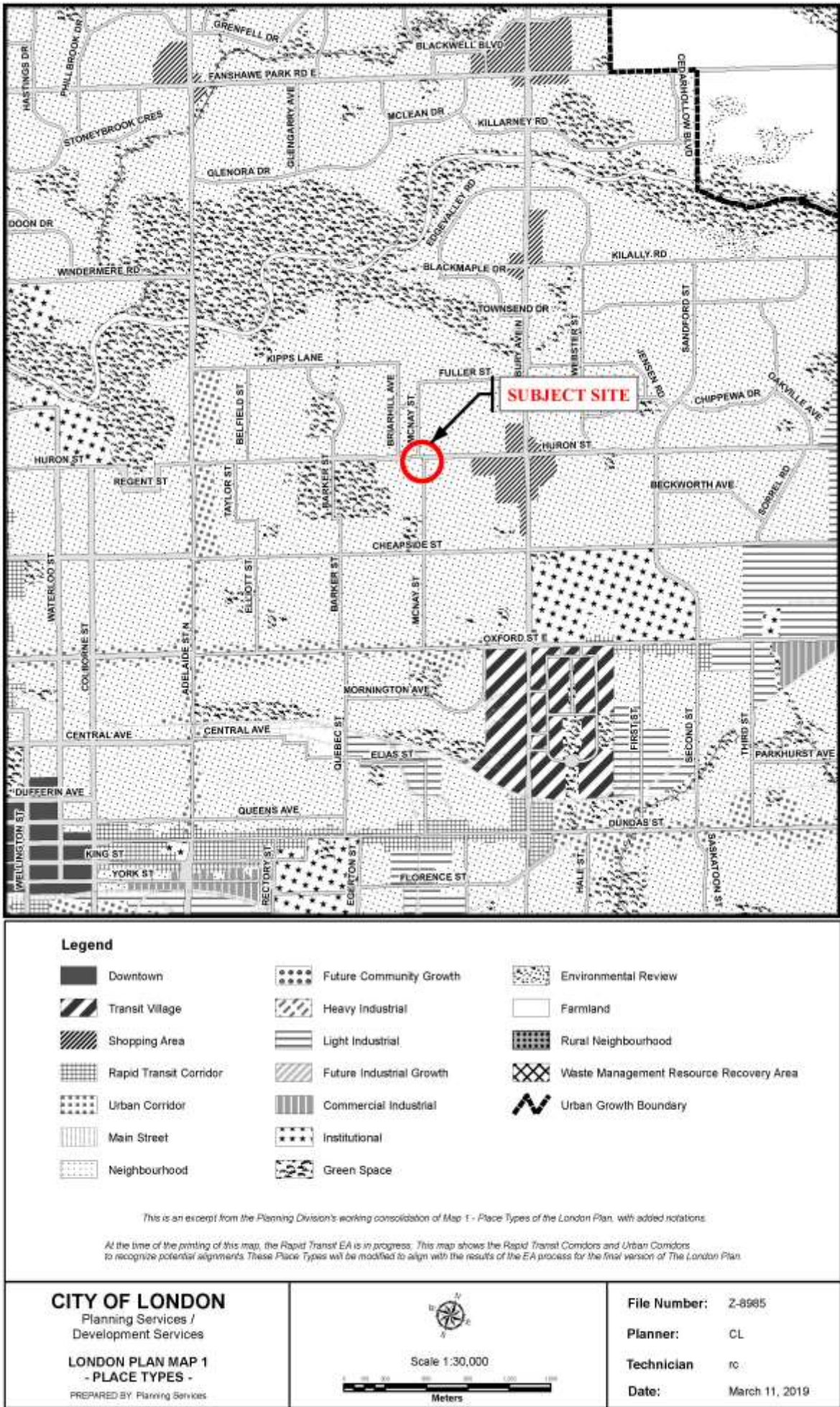
Where an Official Plan amendment and/or zone change application is being considered the following criteria may be considered:

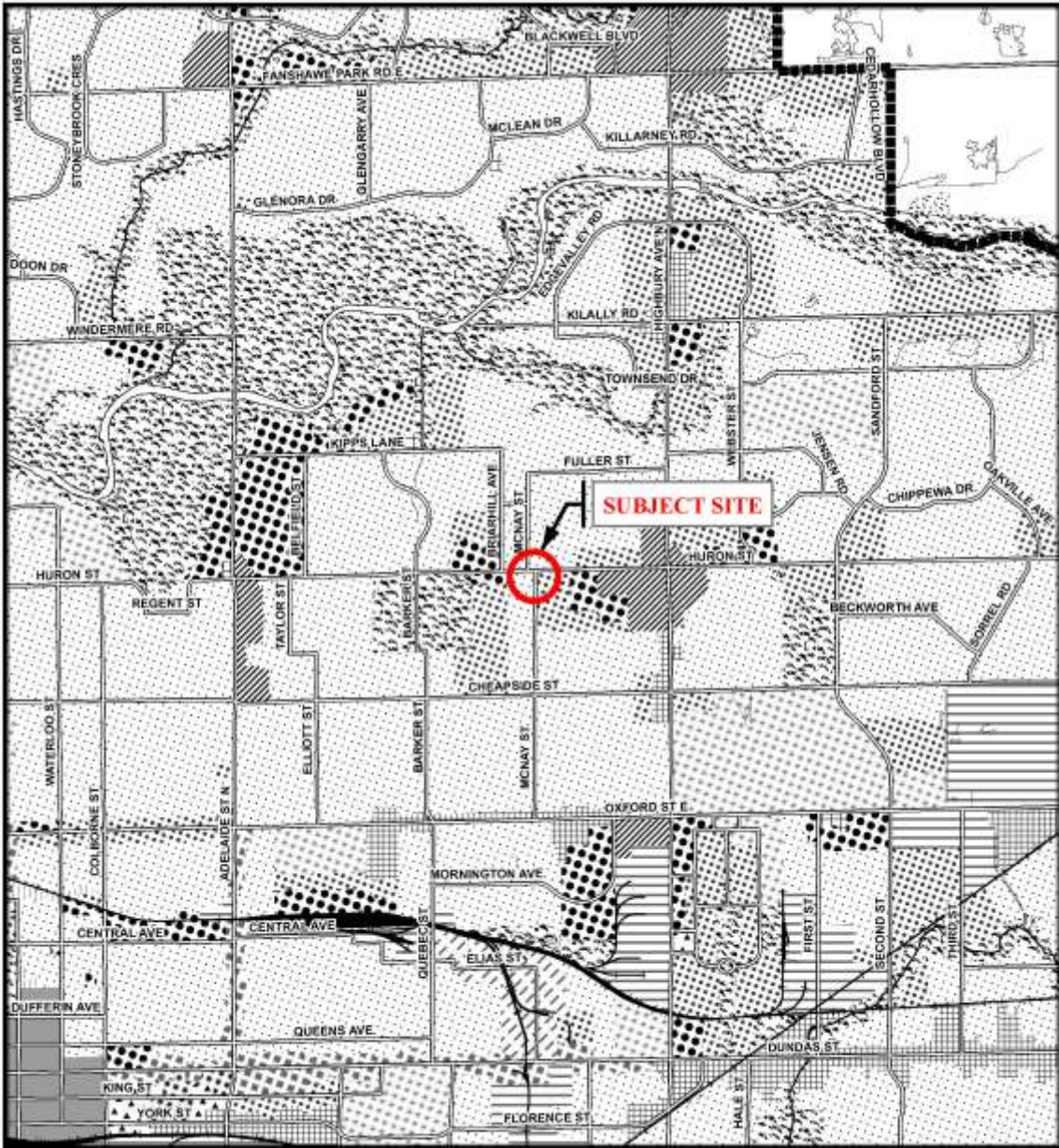
- a) compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.
- b) the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;
- c) the supply of vacant land in the area which is already designated and/or zoned for the proposed use; and
- d) the proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.
- e) the need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 - Housing.
- f) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;
- g) the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;
- h) the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;
- i) the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;
- j) the potential impact of the development on surrounding natural features and heritage resources;
- k) constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;
- l) compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law; and
- m) measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;
- n) impacts of the proposed change on the transportation system, including transit.

An applicant for a proposed change in land use may be required to provide information and details on the development and its likely impacts, for the purpose of assisting the City in undertaking Planning Impact Analysis.

Appendix D – Relevant Background

Additional Maps





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

CITY OF LONDON

Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE A
- LAND USE -

PREPARED BY: Graphics and Information Services



Scale 1:30,000



FILE NUMBER: Z-8985

PLANNER: CL

TECHNICIAN: rc

DATE: 2019/03/11

PROJECT LOCATION: e:\planning\projects\p_official\plan\work\consolid00\excerpts\mad_templates\scheduleA_b&w_8x14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

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

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

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "Y" - 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:
Z-8985 CL

MAP PREPARED:
2019/03/11 rc

1:2,000
0 10 20 40 60 80 Meters