

## 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:** Peter and Janice Denomme  
470 Colborne Street

**Public Participation Meeting on: January 7, 2019**

## Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Peter and Janice Denomme relating to the property located at 470 Colborne Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 15, 2019 to amend the 1989 Official Plan by **AMENDING** Section 3.6.9. – Office Conversions and the existing Specific Area Policy in Section 3.5.4. – Woodfield Neighbourhood;
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at a future Council meeting, to amend The London Plan by **ADDING** a policy to the existing Woodfield Neighbourhood Specific Policy Area within Specific Policies for the Neighbourhoods Place Type **AND** that three readings of the by-law enacting The London Plan amendments **BE WITHHELD** until such time as The London Plan is in force and effect;
- (c) The proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on January 15, 2019 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 the subject property **FROM** a Residential R3 (R3-2) Zone and a Commercial Recreation (CR) Zone, to a Residential R3 Special Provision/Office Conversion Special Provision (R3-2(\_)/OC3(\_)) Zone;
- (d) the request to amend the Official Plan by adding a Special Policy Area to Chapter 10 – Special Policy Areas, **BE REFUSED** for the following reasons:
  - i) An amendment to add 470 Colborne Street to the list of permitted office conversions in Section 3.6.9. – Office Conversions, and an amendment to add site-specific policy to the existing Woodfield Neighbourhood policies in Section 3.5.4. of the Official Plan is consistent with the established approach to office conversion permissions, and area or site-specific policies within the Woodfield Neighbourhood, and provides more transparency and ease of policy interpretation than an amendment to add a new policy to Chapter 10 – Special Areas;
- (e) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Residential R3 (R3-2) Zone and a Commercial Recreation (CR) Zone, **TO** a Residential R3 Special Provision/Restricted Office Special Provision (RO1(\*)) Zone, **BE REFUSED** for the following reasons:
  - i) An Office Conversion (OC3) Zone conforms to and more accurately reflects the recommended amendments to the 1989 Official Plan to recognize 470 Colborne Street as a location where office conversions are permitted;
  - ii) An Office Conversion (OC3) Zone variation is a more appropriate base zone in combination with the recommended Residential R3 Special Provision (R3-2(\_)) Zone as it limits office development to within the

- existing building which is to be retained, and requires a minimum of one dwelling unit in order to enhance and maintain the low-rise residential character of the Woodfield Neighbourhood;
- iii) Applicant refinements of the parking scenarios for the converted dwelling, non-residential, and mixed-use scenarios have increased the amount of land area that may be retained as landscaped open space than originally requested;
  - iv) Additional site-specific regulations for the Residential R3 Special Provision (R3-2(\_)) Zone and the Office Conversion Special Provision (OC3(\_)) Zone are recommended that address and mitigate impacts of intensity by allowing increases to the permissible maximum parking area coverage, ensuring the provision of adequate rear yard amenity area for converted dwellings, limiting the number of parking spaces in the rear yard, ensuring that the cumulative parking requirements for the uses established in the existing building do not exceed the allowable maximum number of parking spaces, and prohibiting front yard parking.

**IT BEING NOTED** that the recommended amendment will functionally achieve the same range of uses requested by the applicant albeit in a manner that better protects the existing buildings and ensures a more compatible fit within the neighbourhood.

## Executive Summary

### Summary of Request

#### *The London Plan*

The applicant requested an amendment to *The London Plan* to recognize 470 Colborne Street as a location within the Woodfield Neighbourhood where office conversions are permitted.

Consideration of the addition of mixed-use buildings as a permitted use is also required.

#### *1989 Official Plan*

The applicant requested an amendment to the 1989 Official Plan by adding a Specific Policy Area to Chapter 10 – Policies for Specific Areas to permit, in addition to the uses permitted in the Low Density Residential designation, a minimum of one (1) and a maximum of eight (8) residential units, offices and medical/dental offices, commercial and private schools and day care centres. The applicant also requested an amendment to address the Woodfield Neighbourhood Specific Area Policies to allow office conversions on the subject property.

City staff identified the possibility of the required amendment being contained within the existing Woodfield Neighbourhood special policies instead of a site-specific (Chapter 10) amendment.

#### *Zoning By-law*

The applicant requested a change to the zoning from a Residential R3 (R3-2) Zone and a Commercial Recreation (CR) Zone to a Residential R3 Special Provision/Restricted Office Special Provision (R3-2(\_)/RO1(\_)) Zone, to permit:

- in addition to single detached, semi-detached dwellings, duplex dwellings and fourplex dwellings, specific permission for a minimum of one (1) and a maximum of eight (8) residential units with a minimum lot area of 140m<sup>2</sup> per dwelling unit in place of 180m<sup>2</sup> per dwelling unit;
- in addition to the permitted uses of medical/dental offices and offices (which includes professional or service offices and all other forms of offices except medical/dental offices) in the requested Restricted Office (RO1) Zone, day care

centres, and commercial and private schools, together with a minimum of one (1) dwelling unit, all located within the existing building;

- For both the Residential (R3-2) and Restricted Office (RO1) Zone, recognize existing site conditions including a minimum front yard depth to the enclosed porch of 4.6 metres, a minimum front yard depth to the main building of 8.2 metres, a minimum north interior side yard depth of 0.6 metres, and a minimum landscaped open space of 20.5 percent.

City staff also identified the possibility of considering relief from the maximum parking area coverage of 30 percent for residential uses in the requested Residential Special Provision (R3-2(\_)) Zone, applying gross floor area maximums for requested uses that have high parking requirements, and applying a combined minimum number of parking spaces for a mix of residential and non-residential uses.

### **Purpose and the Effect of Recommended Action**

The purpose and effect of the recommended amendments to the 1989 Official Plan and *The London Plan* is to allow for office conversions within the existing building at 470 Colborne Street, together with at least one above-grade residential unit. Office conversions may be established in a mixed-use format with other permitted uses.

The recommend Zoning By-law amendment will permit:

- Up to eight (8) converted dwelling units within the existing structure;
- Commercial schools, day care centres, medical/dental offices, offices, and private schools, all within the existing building together with at least one dwelling unit.

The by-law also provides site-specific regulations for minimum lot area per dwelling unit, minimum landscaped open space, maximum parking area coverage, maximum rear yard parking spaces, no front yard parking, and restriction on the mix of uses such that the calculated parking requirements do not exceed the maximum number of rear yard parking spaces. The existing location of the building in relation to the property lines is also recognized.

### **Rationale of Recommended Action**

1. The recommended Official Plan and Zoning By-law amendments are consistent with the Provincial Policy Statement, 2014.
2. The recommended 1989 Official Plan amendment will provide policies to enable the adaptive re-use of the existing heritage building for uses that conform to the relevant review criteria for the Near Campus Neighbourhood, Woodfield Neighbourhood, community facilities and office conversions in Residential designations, and Planning Impact Analysis policies.
3. The recommended amendment to *The London Plan* will provide policies to enable the adaptive re-use of the existing heritage building for uses in a mixed-use format that conform to the Key Directions for building a mixed-use compact city and building strong, healthy and attractive neighbourhoods for everyone, the vision for the Neighbourhoods Place Type, and relevant review criteria for the Intensification in the Neighbourhood Place Type, Near Campus Neighbourhood, Woodfield Neighbourhood, community facilities and office conversions in the Neighbourhood Place Type, and Evaluation Criteria for Planning and Development Applications.
4. The recommended amendment to Zoning By-law Z.-1 will conform to the 1989 Official Plan and *The London Plan* as recommended to be amended and provide appropriate site restrictions to ensure the permitted uses are compatible and a good fit within the existing neighbourhood.

## Analysis

### 1.0 Site at a Glance

#### 1.1 Property Description

The subject lands are located on the east side of Colborne Street between Dufferin Avenue and Queens Avenue. Colborne Street is a Primary Collector street, and is classified as a Neighbourhood Connector in *The London Plan*. Colborne Street has dedicated curbside bicycle lanes in both directions. One building occupies the site, consisting of a two-storey single detached dwelling with a large one storey and basement addition at the rear of the building (circa 1950). The estimated gross floor area of the building including the addition, is 540 square metres (5,813 square feet). The entire building is currently occupied by the London Music Club, a private club which generally operates on Thursday, Friday and Saturday nights, drawing up to 250 customers to some events. There is no residential component. The rear yard is entirely comprised of a parking area, currently striped with fourteen parking spaces that are undersized to meet municipal standards. Three boulevard parking spaces are located in front of the building, parallel to the street. One of the boulevard parking spaces is located partially on the subject property.

The site is located within the West Woodfield Heritage Conservation District. Most adjacent and nearby structures are older building stock originally constructed as large single detached dwellings, the most notable exception being the Four Seasons condominium apartment building, located slightly the south-west.



#### 1.2 Current Planning Information (see more detail in Appendix F)

- Official Plan Designation – Low Density Residential
- *The London Plan* Place Type – Neighbourhoods Place Type
- Existing Zoning – Residential R3 (R3-2) Zone and Commercial Recreation (CR) Zone

#### 1.3 Site Characteristics

- Current Land Use – London Music Club
- Frontage – 15.85 metres (52 feet)
- Depth – 63 metres (206.7 feet)
- Area – 1,130 square metres (3,707 square feet)
- Shape – “L”-shaped

**1.4 Surrounding Land Uses**

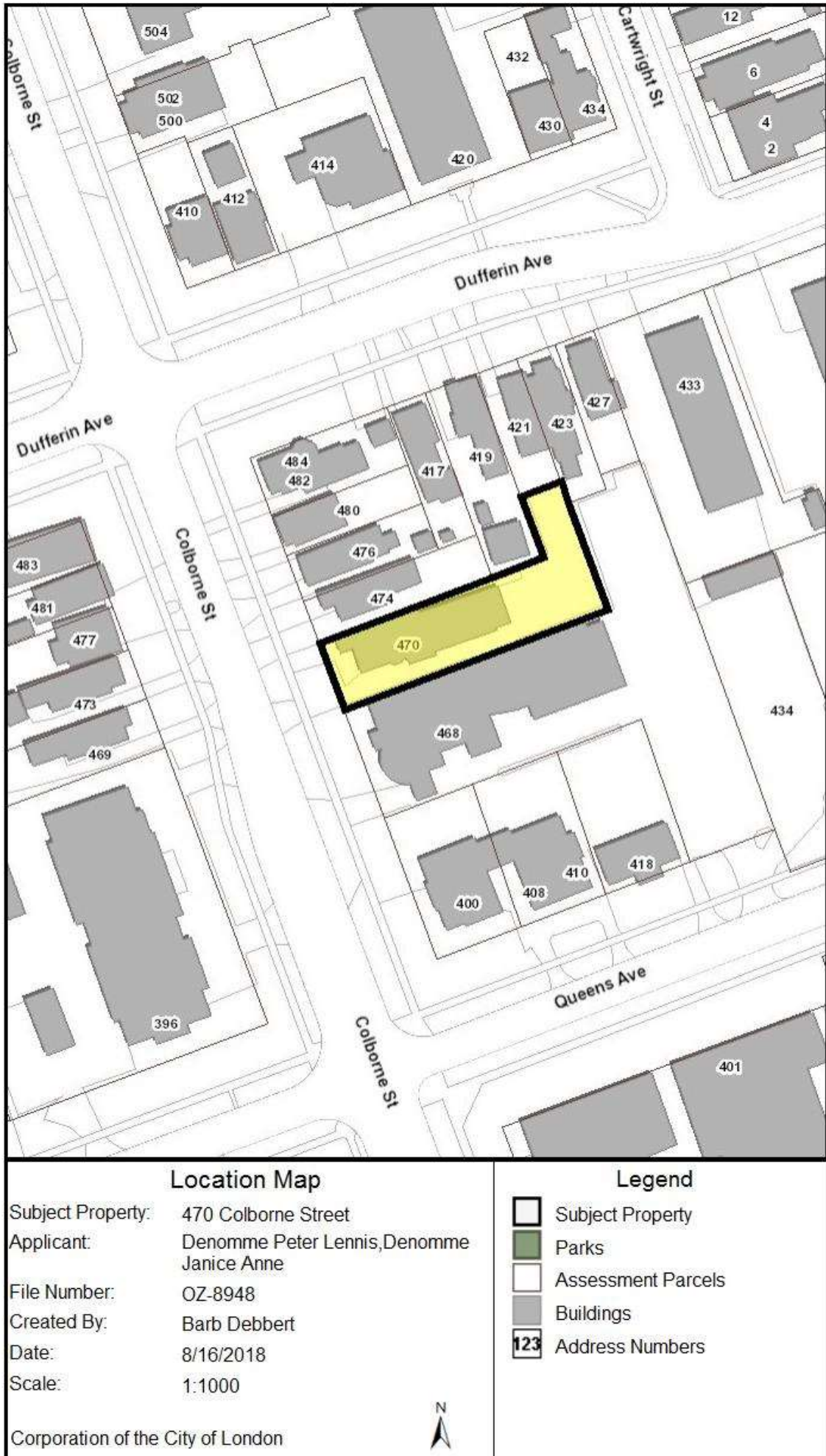
- North – single detached dwellings, duplex, converted dwellings, home occupation
- East – Shriner Mocha Temple parking lot, single detached dwelling, low-rise apartment buildings
- South – Shriner Mocha Temple, converted dwellings, parking lot
- West – single detached dwellings, converted dwellings, office conversion, 9 storey purpose-designed apartment building

**1.5 Intensification (identify proposed number of units)**

- This proposal represents a potential for up to eight (8) converted residential dwelling units within the Built-area Boundary and inside the Primary Transit Area.



1.6 Location Map



## 2.0 Description of Proposal

### 2.1 Development Proposal

The applicant proposes to establish a broad range of uses within the existing building, and provided several possible occupancy scenarios including:

- Eight (8) converted residential units as the only tenants;
- Offices as the only tenants, and excluding medical/dental offices which tend to create a higher parking demand;
- A mix of offices (not medical/dental) with converted residential units;
- A mix of day care centre with converted residential units;
- A mix of commercial or private school with converted residential units;
- A mix of medical/dental offices (with limited gross floor area) and six (6) converted residential units.

In recognition of the Woodfield Neighbourhood special policies of the 1989 Official Plan and *The London Plan*, and the definition of “mixed-use buildings” within the Neighbourhoods Place Type in *The London Plan*, each proposal includes at least one residential dwelling unit. The various options generated parking requirements in accordance with parking rates of the Zoning By-law, of between 8 and 14 parking spaces.

## 3.0 Relevant Background

### 3.1 Planning History

The purpose-designed, single detached historic dwelling was converted and expanded to a service club headquarters in the 1950’s by the Knights of Columbus. According to the applicant’s agent, the current private club facility, the London Music Club, was established in 2003.

The site is located within the West Woodfield Heritage Conservation District, which was designated under Part V of the Ontario Heritage Act in 2008.

The site is just within the southern boundary of the Near Campus Neighbourhood policy area, which was established in Official Plan policy and zoning regulations in 2012. In 2016 a review of the Near Campus Neighbourhood policy was undertaken to determine whether the strategy is having the desired effect, and to close the gaps between the vision and current conditions in Near Campus Neighbourhoods. As a result of that review the NCN boundary was redrawn and minor clarifications were made to the existing policies.

### 3.2 Requested Amendment

#### *The London Plan*

The applicant requested an amendment to *The London Plan* to recognize 470 Colborne Street as a location within the Woodfield Neighbourhood where office conversions are permitted.

Consideration of the addition of mixed-use buildings as a permitted use is also required.

#### *1989 Official Plan*

The applicant requested an amendment to the 1989 Official Plan by adding a Specific Policy Area to Chapter 10 – Policies for Specific Areas to permit, in addition to the uses permitted in the Low Density Residential designation, a minimum of one (1) and a maximum of eight (8) residential units, offices and medical/dental offices, commercial and private schools and day care centres. The applicant also requested an amendment to address the Woodfield Neighbourhood Specific Area Policies to allow office conversions on the subject property.

City staff identified the possibility of the required amendment being contained within the existing Woodfield Neighbourhood policies instead of a Chapter 10 amendment.

### Zoning By-law

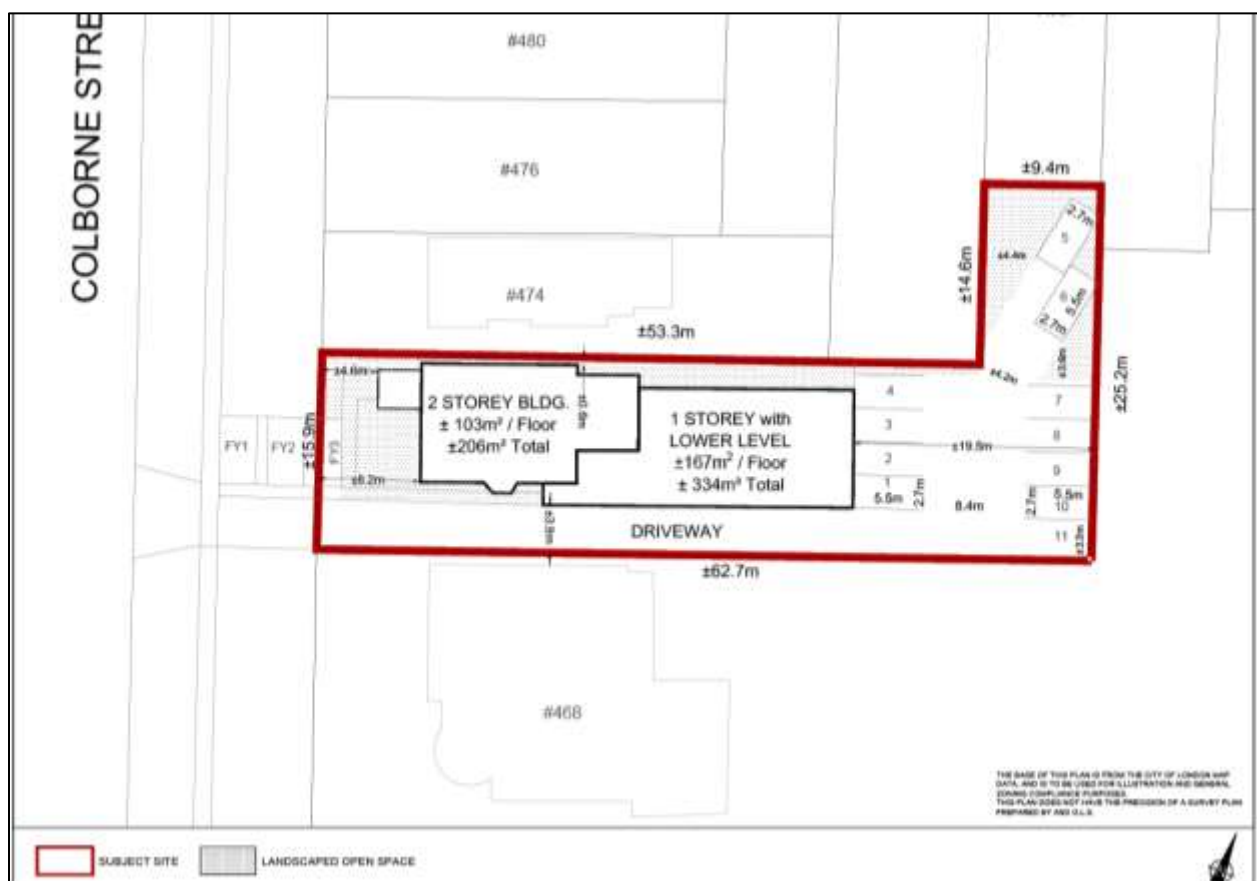
The applicant requested a change to the zoning from a Residential R3 (R3-2) Zone and a Commercial Recreation (CR) Zone to a Residential R3 Special Provision/Restricted Office Special Provision (R3-2(\_)/RO1(\_)) Zone, to permit:

- in addition to single detached, semi-detached dwellings, duplex dwellings and fourplex dwellings, specific permission for a minimum of one (1) and a maximum of eight (8) residential units with a minimum lot area of 140m<sup>2</sup> per dwelling unit in place of 180m<sup>2</sup> per dwelling unit;
- in addition to the permitted uses of medical/dental offices and offices (which includes professional or service offices and all other forms of offices except medical/dental offices) in the requested Restricted Office (RO1) Zone, day care centres, and commercial and private schools, together with a minimum of one (1) dwelling unit, all located within the existing building;
- For both the Residential (R3-2) and Restricted Office (RO1) Zone, recognize existing site conditions including a minimum front yard depth to the enclosed porch of 4.6 metres, a minimum front yard depth to the main building of 8.2 metres, a minimum north interior side yard depth of 0.6 metres, and a minimum landscaped open space of 20.5 percent.

City staff also identified the possibility of considering relief from the maximum parking area coverage of 30 percent for residential uses in the requested Residential Special Provision (R3-2(\_)) Zone, applying gross floor area maximums for requested uses that have high parking requirements, and applying a combined minimum number of parking spaces for a mix of residential and non-residential uses.

The below site concept illustrates the location of the existing structure which is to be retained, the current boulevard and front yard parking conditions, and the proposed rear yard parking and landscaped open space areas.

### Existing site layout with modified parking and landscaped open space areas





### 3.3 Community Engagement (see more detail in Appendix D)

No members of the public responded to this application.

### 3.4 Policy Context (see more detail in Appendix E)

#### ***Provincial Policy Statement (PPS), 2014***

The Provincial Policy Statement (PPS), 2014 provides policy direction on matters of provincial interest related to 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 directs planning authorities to identify appropriate locations and promote opportunities for residential intensification (1.1.3.3). In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

#### ***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 under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect 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 London Plan* provides direction to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Sustaining, enhancing and revitalizing our downtown, main streets and urban neighbourhoods;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Mix stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods, while enhancing walkability and generating pedestrian activity. (Key Direction #5, Directions 2, 3, 4 and 6)

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

- Protecting what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features. (Key Direction #7, Direction 5).

The subject site is located in the Neighbourhoods Place Type on \*Map 1 – Place Types in *The London Plan*. Each of our neighbourhoods provides a different character and function, giving Londoners abundant choice of affordability, mix, urban vs. suburban character, and access to different employment areas, mobility opportunities and lifestyles (\*917\_). A key element of the City’s vision for Neighbourhoods includes a strong neighbourhood character, sense of place and identity. The City’s vision for Neighbourhoods will be realized by, among other considerations, providing a diversity of housing choices, easy access to daily goods and services within walking distance, and employment opportunities close to where we live (\*916\_).

Specific Policies for the Woodfield Neighbourhood apply to the site. These policies recognize the area’s predominantly low-rise residential character, with a mix of higher density uses and office conversions. The Woodfield Neighbourhood is intended to be maintained as a low-rise residential area, and as such, office conversions are limited to specific locations within the Neighbourhood. (\*1033\_ and \*1034\_).

The site is also within the Specific Policy Area known as the Near Campus Neighbourhood. Near Campus Neighbourhoods will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all residents. (\*964\_). The Near Campus Neighbourhood policies outline planning goals for Near Campus areas and encourage appropriate forms and locations for intensification. While generally intensification is to be in mid-rise and high-rise forms of development on significant transportation nodes (\*965\_), intensification may also occur in some locations within the Neighbourhoods Place Type where it is permitted in Tables \*10 to \*12 and meets the Near Campus Neighbourhood policies of *The London Plan* (\*967\_). The Near Campus Neighbourhood policies in *The London Plan* are a more condensed, user-friendly and re-organized version of the parallel policies of the 1989 Official Plan, but reflect similar ideologies and review criteria. These policies are found in Sections \*968\_ and \*969\_ of *The London Plan* and will be reviewed in further detail.

#### *1989 Official Plan*

The subject site is located in the Low Density Residential designation in the 1989 Official Plan. The primary permitted uses of the Low Density Residential designation include single-detached, semi-detached and duplex dwellings (3.2.1). Residential Intensification is a means of providing opportunities for the efficient use of land and encouraging compact urban form, and may be permitted through the conversion or expansion of existing residential buildings to create new residential units (3.2.1. and 3.2.3.). Secondary permitted 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 (3.2.1. and 3.6.). Consideration of residential intensification and secondary uses are subject to more specific policies of the Plan.

Special Area Policies for the Woodfield Neighbourhood apply to the site. These policies reflect the same perspectives as the parallel policies within *The London Plan* (summarized above), but have been modified to ensure a consistent policy structure and content to fit within the new policy regime (3.5.4.).

The site is also within the Special Policy Area known as the Near Campus Neighbourhood (3.5.19.). Minor revisions were made to these policies in 2016 following a review of the effectiveness of the former Near-Campus policies.

#### *Mechanics of the Recommended Amendments*

Specific policies already exist in both *The London Plan* and the 1989 Official Plan regarding the preferred locations for office conversions, along with site and area-specific policies that apply to the Woodfield Neighbourhood to direct the mix of uses within a building, and the ability to apply area-specific zoning regulations related to the intensity and form of development. It is recommended that a new site-specific policy to recognize the site as a preferred area for office conversions, be incorporated into the existing office conversion policies (1989 Official Plan) and the existing Woodfield Neighbourhood policies (both the 1989 Official Plan and *The London Plan*) rather than creating a brand-new but separate policy for 470 Colborne Street. This will promote transparency and ease of policy interpretation, and provide a consistent approach to Specific Policies applicable to the Neighbourhoods Place Type.

Within *The London Plan*, the following policies are under appeal and need to be addressed through a Specific Policy to allow mixed-use buildings and office conversions within the existing building and to provide more direction regarding the number of permitted residential units:

- \*Table 10 – Range of Permitted uses in the Neighbourhoods Place Type;
- \*Table 12 - Retail, Service and Office Floor Area Permitted in Neighbourhoods Place Type; and,
- \*Policy 1034\_, which lists the locations where office conversion are permitted.

The staff recommendation would also add a new policy to a policy grouping that provides land use and development policies within the Woodfield Neighbourhood. The existing policy grouping (Policies 1035\_ to 1038\_) is not under appeal.

Since the affected portions of the Neighbourhoods Place Type and Woodfield Neighbourhood policies are under appeal, such an amendment may be considered by Council, but three readings of any by-law adopting amendments to *The London Plan* must be withheld pending the full coming into force and effect of the directly affected policies.

## 4.0 Key Issues and Considerations

### 4.1 Scenario 1 - Conversion to Residential - Use and Intensity

The applicant is requesting Official Plan and Zoning By-law amendments to allow the existing building to be repurposed for up to eight (8) converted dwelling units. Consideration is required of the appropriateness of the proposed use and the maximum number of residential units that can adequately be accommodated on the site.

#### *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 directs planning authorities to identify appropriate locations and promote opportunities for residential intensification (1.1.3.3).

Consistent with the PPS, permitting residential intensification within the existing building on the subject property will contribute to the provision of residential uses in an appropriate location within the urban area.

#### *The London Plan*

The subject property is in the Neighbourhoods Place Type within Central London, mid-block on a Neighbourhood Connector Street. The Plan encourages residential intensification within existing neighbourhoods as a means to realize the City's vision for aging in place, diversity of built form, affordability, vibrancy, and the effective use of land in neighbourhoods. Intensification is to be undertaken in such a way as to add value to neighbourhoods, rather than undermining their character, quality and sustainability. The Plan contains a number of policies to ensure that intensification is appropriate and a good fit within the receiving neighbourhood (\*937\_).

Table 10 – Range of Permitted Uses in the Neighbourhoods Place Type, sets out the broadest range of uses that may be permitted within the Neighbourhoods Place Type, including a wide spectrum of residential uses including single detached, semi-detached, duplex, triplex, fourplex and converted dwellings, townhouses and stacked townhouses, low-rise apartments, secondary suites, and group homes. \*Table 11 – Range of Permitted Heights in Neighbourhoods Place Types, allows a minimum building height of 1 storey and a maximum height of 2.5 storeys with opportunities for bonusing for additional height. The applicant is not seeking to modify the existing building, which fits within the required height limitations. The requested converted dwelling with between one (1) and eight (8) residential units is permitted subject to the evaluation of more specific criteria.

The Near Campus Neighbourhood (\*962\_ through 974\_), Urban Design Considerations for Residential Intensification (\*953\_), and the Evaluation Criteria for Planning and Development Applications (Our Tools – \*1577\_ through 1578\_) policies of *The London Plan* all serve to inform the evaluation of the residential conversion proposal.

The vision for Near Campus Neighbourhoods includes the provision of places to live for residents who enjoy the neighbourhood's unique attributes, which offer an outstanding stock of heritage buildings and streetscapes and provide close proximity to the nearby

employment, culture and entertainment resources. Near Campus Neighbourhoods will be planned to enhance their livability, diversity, vibrancy, culture, sense of place, and quality of housing options for all residents (\*963\_ and \*964\_).

The goals for Near Campus Neighbourhoods encourage proactive planning for residential intensification, and discourage incremental changes that cumulatively lead to undesirable changes in the character and amenity of streetscapes and neighbourhoods. They also direct intensification proposals away from areas that have already absorbed significant amounts of residential intensification, and encourage a balanced mix of residential structure types. They discourage a concentration of residential intensification in low-rise forms of housing and direct it toward significant transportation nodes and away from the interior of neighbourhoods. Residential intensification is to conserve heritage resources in ways that contribute to the identity of streetscapes and neighbourhoods (\*965\_ and \*969\_).

Specific policies for intensification in the Neighbourhoods Place Type require that all of the following criteria be met:

1. The proposed development is in conformity with the vision and planning goals for Near Campus Neighbourhoods;
2. The proposed development is consistent with Tables 10 and 12 in the Neighbourhoods Place Type;
3. The development conforms to the Residential Intensification policies of this Plan, where those policies do not conflict with Near Campus Neighbourhood Policies;
4. The development conforms to any relevant Specific Policies in the Neighbourhoods Place Type;
5. The development provides for an adequate amenity area that is appropriately shaped, configured and located;
6. Mitigation measures are incorporated into the proposed building(s) and site to ensure that the amenity of surrounding residential land uses is not negatively impacted;
7. Significant heritage resources are protected and conserved where appropriate and necessary;
8. The proposal establishes a positive and appropriate example for similar locations within Near-Campus Neighbourhoods. (\*968\_).

The Plan does not permit intensification through the conversion of dwellings that do not reasonably accommodate the increased intensity due to issues such as a lack of on-site amenity area, inadequate parking to meet the required number of spaces, or a relationship to adjacent residential properties that is not consistent with the prevailing neighbourhood form or character.

In combination, the Urban Design Considerations for Residential Intensification (\*953\_), and the Evaluation Criteria for Planning and Development Applications (Our Tools – \*1577\_ through 1578\_) policies require the evaluation of potential impacts on adjacent and nearby properties, compatibility and the degree to which the proposal fits within its context based on a variety of matters. Those that are most relevant to this proposal include:

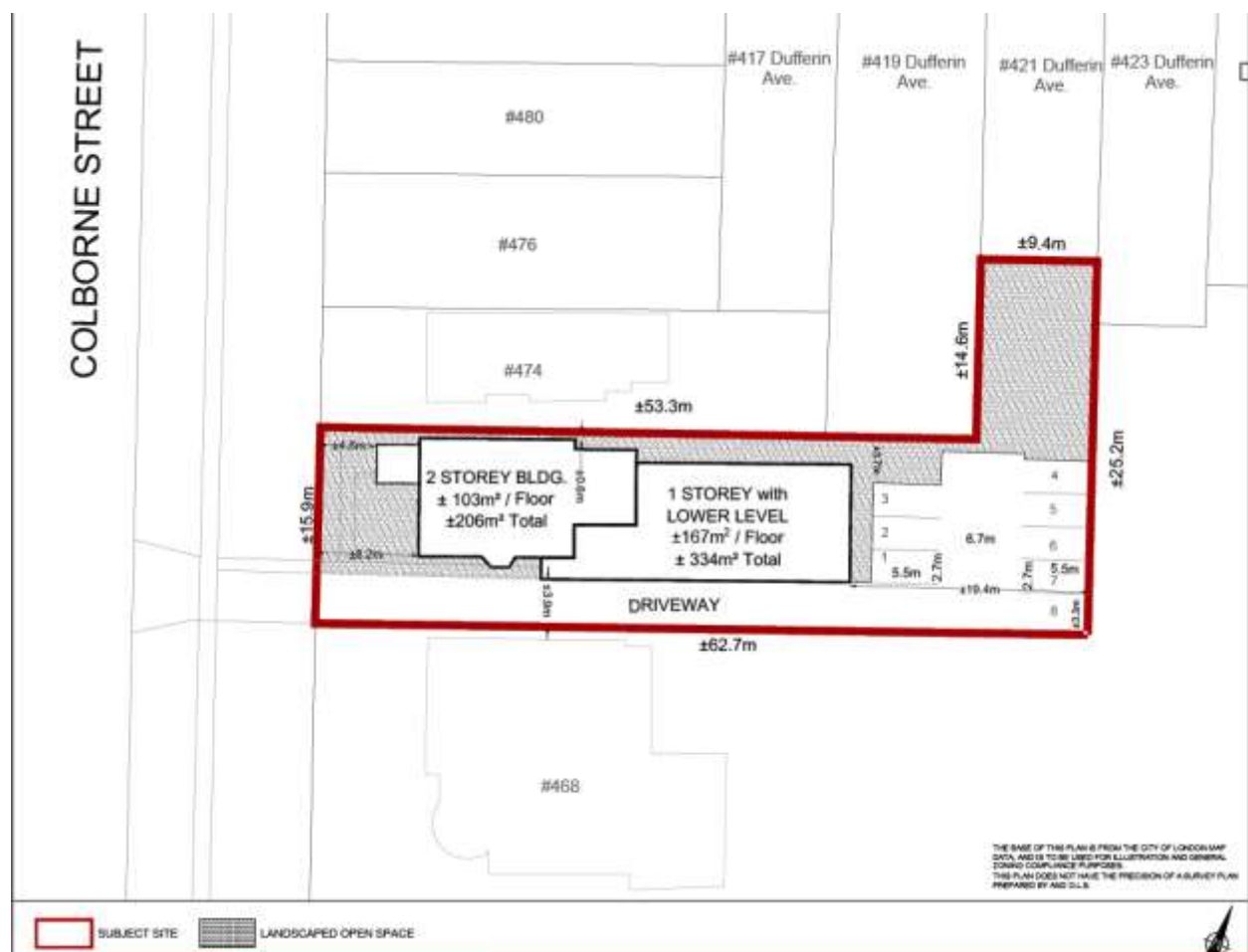
- traffic and access management;
- noise;
- site layout within the context of the surrounding neighbourhood, considering such things as access points, driveways, landscaping, amenity areas, building location, and parking;
- the appropriateness of the proposal for the size of the lot such that it can accommodate such things as driveways, adequate parking in appropriate locations, landscaped open space, and outdoor residential amenity area;
- character and features of the neighbourhood and streetscape;
- impact on and relationship to cultural heritage resources on the site and adjacent to it.

470 Colborne Street as it exists today presents a somewhat unique situation as a commercial recreation use (noting also the existence of the Shriner Mocha Temple to the immediate south) located in a neighbourhood which has been specifically identified for the preservation of its predominantly low-rise residential character. Allowing the adaptive re-use of the existing building for converted dwellings supports the City's key directions as it is sustainable and will generate a more regular pattern of pedestrian activity on a daily and weekly basis. Retention of the existing structure will strengthen the Woodfield Neighbourhood in general, recognizing that it contributes to and helps to maintain the vitality, identity and neighbourhood character of the West Woodfield Heritage Conservation District.

The proposal represents residential intensification within the Near Campus Neighbourhood within the Neighbourhoods Place Type. Such intensification is permitted by \*Table 10 which allows converted dwellings for properties that front on a Collector Street. Key premises for intensification at this location relate to the ability of the site and surrounding area to accommodate the use without causing negative neighbourhood impacts or allowing for more units than can be reasonably accommodated on the site. City staff undertook a review of the relevant policies and engaged the applicant in additional discussions which resulted in revisions to the conceptual plan (shown below) to improve the on-site amenity. These revisions included:

- the removal of at least one parking space in front of the building, providing more front yard outdoor amenity space and enhancing the historic streetscape (two of these parking spaces are licensed boulevard parking spaces which cannot be regulated through the zoning for the site, but which the applicant has indicated a willingness to remove in conjunction with changing the use of the property);
- the number of rear yard parking spaces reduced to eight (8) to meet minimum zoning requirements resulting in:
  - A reduced percentage of the site covered by the parking area; and,
  - A larger and more regularly shaped and useable open space amenity area in the rear yard.

### Scenario 1 - Proposed Parking and Landscaped Open Space Arrangement for All Residential Use (8 units)





The site is located within the context of predominantly residential uses of different intensities and forms, along with a mix of non-residential uses. It is not uncommon to find existing dwellings in the surrounding area that have experienced intensification and are serviced by rear yard parking, together with a small amenity space that can be typical of urban residential properties in older parts of the City. In context, the proposal as revised provides sufficient outdoor amenity area in the front and rear yards, meets minimum parking requirements, and is consistent with the existing neighbourhood form and character.

With the proposed change of use, the site and surrounding neighbourhood will experience a significant positive change in traffic patterns and volumes. Residential use of the property will generate lower overall traffic volumes and will eliminate the concentrated on and off-site parking demands and traffic volumes that currently occur before, during and after events held at the London Music Club.

Similarly, noise impacts will change, but are not expected to negatively impact the surrounding adjacent properties. Activity areas associated with residential use will be concentrated within the building and in the parking and rear yard amenity area. The subject property is bounded on the south and east by the Shriner Mocha Temple, which will not be impacted by noise generated by intensified residential use. New residents in the converted dwelling units at 470 Colborne Street may experience occasional noise impacts from the Shriner site. Noise impacts on the duplex and few single detached residential properties to the north are expected to be negligible and more consistent with noise patterns expected of a residential area.

The proposed residential conversion is an incremental change but will lead to desirable improvements to enhance the character and amenity of the streetscape and the neighbourhood. The area around the subject site has a stable and balanced residential nature and has not absorbed inappropriately significant amounts of residential intensification. While the site is located on a Secondary Collector street, the grid pattern and regular traffic control characteristic of the near-Downtown area means that the street and area do not act as the interior of a neighbourhood and can adequately accommodate the requested residential intensification. The conversion will also assist in conserving, and may enhance the heritage character of the neighbourhood and streetscape (further discussion on heritage attributes and impacts is found in Section 4.4 – Form for All Uses).

The adaptive re-use of the existing building for eight (8) converted dwelling units will represent a positive change that will contribute to the character and amenity of the existing streetscape and neighbourhood. It is consistent with the vision and planning goals for Near Campus Neighbourhoods, and conforms to the specific Neighbourhoods Place Type policies regarding use and intensity, and the Near Campus policies for intensification in the Neighbourhood Place Type. Evaluation criteria have been reviewed and the proposal will not have negative impacts on surrounding properties and fits within its context. The proposal conforms to the Official Plan and represents good planning.

#### *1989 Official Plan*

Residential conversions and intensification are permitted by the Low Density Residential designation in the 1989 Official Plan, subject to a review of the surrounding neighbourhood character, compatibility and fit, and the completion of a Planning Impact Analysis (3.2.3). The Plan does not specify a maximum density for dwelling conversions (3.2.3.2.)

Special Area Policies for the Woodfield Neighbourhood apply to the site. These policies reflect the same ideologies as the parallel policies within *The London Plan*. The Woodfield policies promote the maintenance of the Woodfield Neighbourhood as a low density residential area. (3.5.4.).

The site is also within the Special Policy Area known as the Near Campus Neighbourhood (3.5.19.). The Near Campus Neighbourhood policies of the 1989 Official

Plan are more extensive than the parallel policies within *The London Plan* but reflect similar ideologies and specific review criteria. The essence of the analysis of the Near Campus Neighbourhood policies provided for *The London Plan* above applies, and the proposed residential conversion conforms to the applicable policies of the 1989 Official Plan.

A planning review of the 1989 Official Plan policies has been completed. The proposal conforms to the Official Plan and represents good planning.

#### *Zoning By-law*

Specific zone regulations are recommended to recognize the existing building location and yard setbacks for the property.

They also specify the number of converted dwelling units that can be accommodated on the site and ensure the illustrated balance between parking areas and useable outdoor amenity area is achieved with the adaptive re-use of the site, as summarized below:

- allow a maximum of eight (8) converted dwelling units;
- reduce the minimum lot area per converted dwelling unit from 180m<sup>2</sup> per unit to 140 m<sup>2</sup> per unit;
- increase the maximum parking area coverage from 30% to 40%; and,
- allow a maximum of eight (8) parking spaces and direct those spaces to the rear yard.

#### **4.2 Scenario 2 - Office, Community Facility and Mixed-use Occupancy – Use and Intensity**

As an alternative to repurposing the existing building for residential uses only, the applicant also proposes possible office, day care, commercial and/or private school uses in combination with converted residential units in a mixed-use format. Consideration is required of the appropriateness of these uses either on their own (together with at least one dwelling unit) or in a mixed-use format, and whether the site can adequately accommodate them.

#### *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.).

Consistent with the PPS, permitting the establishment of community facility uses and office conversions combined with at least one (1) residential dwelling unit will contribute to the provision of residential, employment and institutional uses within the neighbourhood.

#### *The London Plan*

As previously noted, the subject property is in the Neighbourhoods Place Type (\*Map 1 – Place Types) within Central London, mid-block on a Neighbourhood Connector Street. The vision for the Neighbourhoods Place Type provides for mixed-use and commercial uses to be provided at appropriate locations within neighbourhoods to meet the daily needs of neighbourhood residents. Schools, places of worship and small-scale community facilities to support all ages will be permitted in appropriate locations within neighbourhoods (\*918\_).

Table 10 - Range of Permitted Uses in the Neighbourhoods Place Type, permits small-scale community facilities as a possible permitted use on the subject property. The Permitted Uses section for the Neighbourhoods Place Type further indicates that community facilities that are normally associated with, and integral to, a residential environment, such as places of worship, day care centres, branch libraries, schools, community centres, public parks, public recreation facilities, and similar community-

oriented facilities may be permitted at appropriate locations subject to the Planning and Development Applications section of the Plan. These uses are to be directed to locations that are easily accessible and where they can help establish and enhance the character of the neighbourhood (930\_).

While \*Table 10 also provides for secondary uses including mixed-use buildings on properties that meet certain locational criteria, 470 Colborne does not meet these criteria. As such, the mixing of the requested non-residential uses with residential uses or with each other, is not permitted unless it is considered as part of a Specific Policy. To provide clarity, *The London Plan* states “Mixed-use buildings are those that include more than one use within a single building. The range of uses that may be permitted in such buildings is limited to those allowed for in the relevant place type. In most cases, mixed-use buildings include a residential component. Within the Neighbourhoods Place Type, a residential use is required as a component of any mixed-use building”. (\*Glossary of Terms – Mixed-use buildings)

Finally, office uses or office conversions of any type are not listed in Table 10 as permitted uses within any variation of the Neighbourhood Place Type where the property fronts on a Neighbourhood Connector Street. The Plan does state, however, that an appropriate range of office uses may be permitted in the Neighbourhoods Place Type, if they are appropriate and compatible within a neighbourhood context (\*924\_). Office conversions may only be considered where mixed-use buildings are allowed, and may also be permitted through the use of Specific Policies for the Neighbourhoods Place Type (931\_).

470 Colborne Street is already located within the area affected by the Specific Policy for the Woodfield Neighbourhood. The area is characterized by predominantly low-rise residential development, with a mix of higher density uses and office conversions. It is a policy of the Plan to maintain the Woodfield Neighbourhood as a low-rise residential area. As such, it permits office conversions only within specifically identified areas. While office conversions are permitted on several street frontages or specific properties within the Neighbourhoods Place Type (\*1034\_), the subject property is not one of them.

The London Music Club at 470 Colborne Street was historically established as a permitted use and has achieved a high level of compatibility with the neighbourhood context within which it is located. It would not, however, be considered an appropriate or compatible new use to be established in the neighbourhood today. As a general rule, the conversion of residential structures in residential neighbourhoods to office and other uses is of some concern due to the loss of residential units and the residential amenity that is associated with them. While the residential form of the original building classifies this proposal as a residential conversion, no residential units currently exist within the building. The requested Official Plan and Zoning By-law amendments could result in the addition of a residential component with a minimum of one dwelling unit as requested by the applicant and supported by the staff recommendation. The proposal for mixed-use adaptive re-use of the existing building supports the City’s key directions to sustain, enhance and revitalize our urban neighbourhoods, mix services and other appropriate uses in a way that respects the character of the neighbourhood and generates pedestrian activity. As equally important as a complete conversion to residential use, the retention and re-use of the existing building for mixed-use purposes will strengthen the Woodfield Neighbourhood in general, recognizing that it contributes to and helps to maintain the vitality, identity and neighbourhood character of the West Woodfield Heritage Conservation District.

The possible addition of schools, day care centres and office conversions either on their own (together with at least one dwelling unit) or in a mixed-use format, is subject to an analysis of the Evaluation Criteria for Planning and Development Applications (Our Tools – \*1577\_ through 1578\_). Those matters related to potential impacts on adjacent and nearby properties, compatibility and the degree to which the proposal fits within its context that are most relevant to this proposal include:

- traffic and access management;
- parking on streets or adjacent properties;
- character and features of the neighbourhood and streetscape; and,
- impact on and relationship to cultural heritage resources on the site and adjacent to it.

The site is located within the context of predominantly residential uses of different intensities and forms, along with a mix of non-residential uses including converted professional, medical/dental and drugless practitioner offices and the Shriner Mocha Temple. With the exception of the purpose-designed nine-storey apartment building, the uses fronting Colborne Street between Queens Avenue and Dufferin Avenue are located in historic residential buildings, some of which have been modified with additions to the rear of the historic facades. Parking is primarily in the rear yards, with some parking in driveways leading to the building or in the side yard. The adaptive re-use of the existing building will not result in significant changes to the front of the building or its relationship to the street and is consistent with the existing neighbourhood form and character.

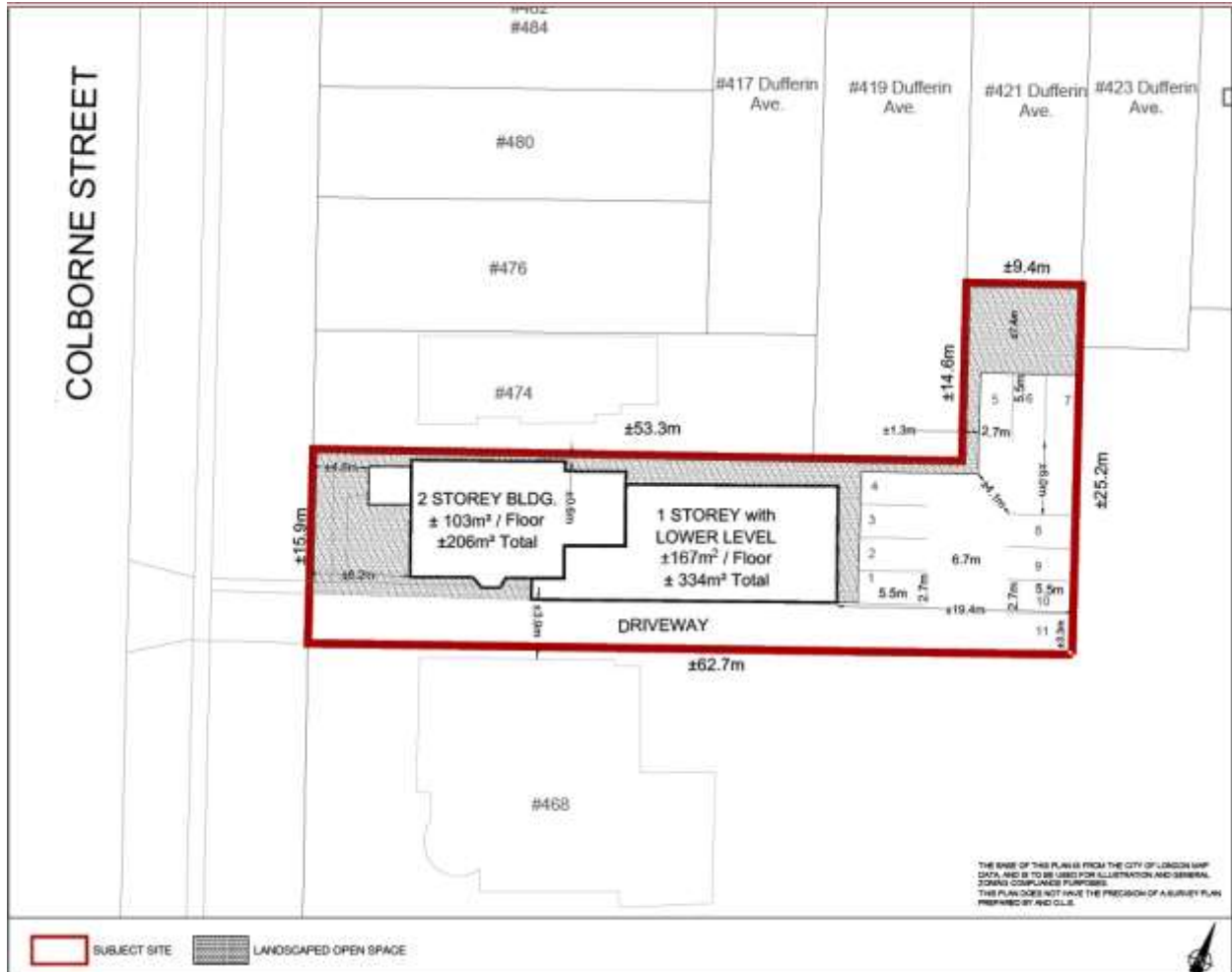
It is expected the site and surrounding neighbourhood will experience a change in traffic patterns and volumes. Day care and school uses may result in peaks in the morning and late afternoon hours, although it is expected these would be short-lived and primarily accommodated on-site. Office uses can generate widely varied traffic and parking impacts, depending on their nature. Professional offices often generate very little vehicular activity, while medical/dental offices and drugless practitioners rely on the arrival and departure of clients throughout the course of the day. The existing commercial recreation use on the site creates high traffic and parking demands at times when events are being held in the facility. The introduction of a mix of uses can normalize activity on the site with more regular hours, and smooth out parking demands within the weekly cycle. In addition, the intensity of mixed uses within the building can be controlled with regulations to ensure that the cumulative parking requirements do not exceed the 11 spaces that can be provided in the rear yard.

It is appropriate to apply site specific regulations to ensure there is an appropriate balance between parking areas and landscaped open space/outdoor residential amenity area in a scenario where dwelling conversions are mixed with non-residential uses. Based on the mixed-use options outlined in the Planning Justification Report prepared by the applicant's agent, mixed use of the building will result in higher calculated parking requirements.

Further to discussions regarding possible mitigation measures to achieve a more efficient site design that provides an appropriate balance between parking coverage and landscaped open space for mixed-use scenarios, the applicant's agent revised the conceptual plan (shown below) and proposed zoning regulations to:

- remove at least one parking space in front of the building, providing more front yard amenity space and enhancing the historic streetscape;
- reconfigure the proposed 11 parking spaces to:
  - reduce the percentage of the site covered by the parking area; and,
  - provide for a more regularly shaped and useable open space amenity area in the rear yard; and,
- dedicate a minimum rear yard useable amenity area based on the number of converted dwelling units in the mixed-use building.

## Scenario 2 - Parking Arrangements for All Commercial Uses



Allowing the revitalization and repurposing of this unique building on a site-specific basis for a potential mix of uses including residential, community facility and office components is appropriate and compatible within the existing neighbourhood context. With the recommended controls on the intensity of use, it conforms to intent of the Neighbourhoods Place Type policies. This should be formalized through the addition of 470 Colborne Street as a permitted location for office conversions and introducing a new Specific Policy within the Woodfield Neighbourhood policies to permit a mixed-use format and include direction for site-specific zoning regulations.

### 1989 Official Plan

The Low Density Residential designation permits secondary uses that are considered to be integral to, or compatible with, residential neighbourhoods, including among other things, community facilities and office conversions, subject to meeting certain criteria (3.2.1 vi).

Where they are determined to be appropriate, community facilities are permitted in all Residential land use designations including day care centres and schools (3.6.4). New community facilities are subject to the evaluation of criteria related to:

- the loss of residential amenity and character due to a concentration of community facilities;
- compatibility and sensitivity to the scale and appearance of surrounding residential uses;
- the functionality of the site for the proposed use;
- site plan considerations such as sufficient parking, measures to protect the amenity of adjacent residential properties, adequacy of on-site drop-off and pick-up facilities.

Within a two block radius of the subject property, there is an elementary school, a secondary school and 2 churches. These do not represent a concentration of



community facilities and are also of a very different nature and scale from the types of schools and/or daycare facilities that might be established within the existing building. The site is located within the context of predominantly residential uses of different intensities and forms, along with a mix of non-residential uses including converted professional, medical/dental and drugless practitioner offices and the Shriner Mocha Temple. The proposed community facility uses will be located within the existing building and as such will be compatible with and sensitive to the scale and appearance of surrounding residential uses. Sufficient rear yard parking will be provided, since the recommended zoning will limit the scale and mix of uses such that they do not exceed the available rear yard parking. The rear yard parking facilities should also suffice for drop-off and pick-up activities. The site meets the evaluation criteria for community facilities and conforms to the Official Plan policies.

Office conversions are permitted only in specified locations, or on arterial roads which have lost some of their residential amenity and meet a series of other criteria. The subject site is not located in one of the specified locations or on an arterial road. Council may permit an office conversion on a site-specific basis where the proposed use is compatible with adjacent uses and an area approach is not warranted.

470 Colborne Street is located within the Woodfield Neighbourhood specific policy area. The area is characterized by predominantly low-rise residential development, with a mix of higher density uses and office conversions. It is a policy of the Plan to maintain the Woodfield Neighbourhood as a low-rise residential area. As such, it permits office conversions only within specifically identified areas, including those listed in Section 3.6.9 ii) of the Official Plan. While office conversions are permitted on several street frontages or specific properties within the Woodfield Neighbourhood, the subject property is not one of them. An Official Plan amendment is required to establish office conversions as a permitted use on the site.

Given the history of the property, the site should be considered for office conversions on a site specific basis as it represents a move toward a range of uses that are more compatible with the surrounding area than the existing use. The adaptive re-use of the property for office conversions will result in a positive impact on the surrounding neighbourhood as more regular and less disruptive traffic patterns will be established, and the site is located within a mixed-use area that already included office conversions that have integrated well within the existing neighbourhood context. While not dictated by the policy context, the recommended Official Plan amendment also requires the inclusion of a minimum of one above grade residential dwelling unit, which will contribute to the residential amenity of the area.

A planning review of the 1989 Official Plan policies has been completed. The proposal conforms to the Official Plan and represents good planning.

#### *Zoning By-law*

A variation of the Office Conversion (OC) Zone is recommended instead of the requested Restricted Office (RO1) Zone because it more accurately reflects that office development will take place only within an existing building that is an important part of the character of the neighbourhood and the local streetscape. The Office Conversion (OC3) variation permits medical/dental offices in the existing building together with at least one dwelling unit. Converted dwellings, commercial schools, day care centres, offices, and private schools are included in the special provision as additional permitted uses in the existing building together with at least one dwelling unit.

Specific zone regulations are recommended to recognize the existing building location and yard setbacks for the property.

They also modify existing regulations regarding the number of converted dwelling units that can be accommodated on the site and ensure a balance between parking and landscaped open space for a mixed-use re-use of the existing building, as summarized below:

- allow a maximum of eight (8) converted dwelling units;
- reduce the minimum lot area per converted dwelling unit from 180m<sup>2</sup> per unit to 140 m<sup>2</sup> per unit;
- reduce the minimum landscaped open space from 30% to 23%;
- increase the maximum parking area coverage from 30% to 45%;
- allow a maximum of 11 parking spaces and direct those spaces to the rear yard; and,
- limit the mix of uses within the existing building such that they do not require more than 11 parking spaces combined.

#### **4.3 Impact on the West Woodfield Heritage Conservation District**

West Woodfield's Heritage Conservation District shares a common history – exhibited in the character of its architecture and streetscape – that is singularly unique in the City of London. The District is located prominently near the centre of the City, and is one of London's older neighbourhoods, retaining a large number of original buildings that are well crafted and maintained. Woodfield is mainly residential in character and reflects an era when London moved to the national stage in terms of its manufacturing and wholesaling presence. The District retains a large percentage of its homes, dating from 1880-1914 and built by the city's elite and leading architectural firms during this period. Several excellent and well-preserved examples of every major architectural style can be found in the District. Throughout, there is a visual consistency to the architecture, exhibited through the repetition of such features as front porches including some very fine two storey examples, decorative gables, projecting bays, and recurring window forms and details. Finally, with streets lined with mature trees, wide boulevards and picturesque Victoria Park at its core, Woodfield exudes a park-like setting that is a significant heritage asset, imparting a sense of history to the District. (WW HCD, 2.3).

The requested changes of use to permit residential conversions, day care centres, schools, and offices within the existing building may result in either requirements or requests for changes that would affect the exterior of the building to some extent, and thus its contribution to the architectural character and streetscape of the area. Examples of changes typical of the adaptive re-use of historic buildings include such things as accessibility ramps, fire exiting, signage and larger windows.

Under the authority of the Ontario Heritage Act, the impacts of any such works will be able to be mitigated through a Heritage Alteration Permit process.

The proposed re-use of the site also provides an opportunity for the removal of at least one of the existing parking spaces in front of the existing building. Removal of front yard parking and replacement with landscaped open space would have a positive impact on the historic streetscape.

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

## 5.0 Conclusion

The recommended amendments to the 1989 Official Plan and *The London Plan* to facilitate the adaptive re-use of the existing heritage building for residential, office and institutional uses is consistent with the Provincial Policy Statement, 2014 and conforms to the relevant review criteria to establish these uses where they are not already permitted as-of-right. The recommended Zoning By-law amendment provides for an appropriate range of uses and site-specific regulations to ensure the permitted uses are compatible and good fit within the existing neighbourhood. The recommended amendments represent good land use planning and are recommended to Council.

<b>Prepared by:</b>	<b>Barb Debbert Senior Planner, Current Planning</b>
<b>Submitted by:</b>	<b>Michael Tomazincic, MCIP, RPP Manager, Current Planning</b>
<b>Recommended by:</b>	<b>Paul Yeoman, RPP, PLE Director, Development Services</b>
<b>Submitted by:</b>	<b>George Kotsifas, P. ENG Managing Director, Development and Compliance Services and Chief Building Official</b>
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	

December 14, 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 470  
Colborne Street.

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 January 15, 2019.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – January 15, 2019  
Second Reading – January 15, 2019  
Third Reading – January 15, 2019

**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 470 Colborne Street to Section 3.6.9 of the Official Plan to recognize the site as a location where office conversions may be permitted.
2. To add a policy in Section 3.5.4 – Woodfield Neighbourhood of the Official Plan for the City of London to permit new office conversions within the existing building along with other permitted uses.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 470 Colborne Street in the City of London.

C. BASIS OF THE AMENDMENT

The subject site has been used for several decades as a commercial recreation establishment. While it has achieved a measure of compatibility within the historic Woodfield Neighbourhood, it is not a use that would be considered appropriate or compatible today. The adaptive re-use of the existing building for dwelling conversions, office conversions, schools and day care centres is compatible and a good fit within the mixed-use nature of the neighbourhood and represents good planning.

D. THE AMENDMENT

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

1. Section 3.6.9 – Office Conversions of the Official Plan for the City of London is amended by adding the following after Section 3.6.9 ii)(17):

( ) 470 Colborne Street

2. Section 3.5.4 – Woodfield Neighbourhood of the Official Plan for the City of London is amended by adding the following in a new paragraph after the paragraph ending in "... the retention of existing structures including their heritage features shall be encouraged." and immediately before Section 3.5.5 – Jackson Planning District:

In addition to the uses permitted in the Low Density Residential designation, new office uses may be permitted within the existing building at 470 Colborne Street, provided there is little alteration to the external residential character of the original residential structure and at least one above-grade residential dwelling unit is provided and maintained within the building. These new office uses may be established with other permitted uses in a mixed-use format. Residential intensification and conversions to non-residential uses shall be permitted only where it is compatible with the character, scale and intensity of the surrounding low-rise residential neighbourhood and where the intent of the Near-Campus Neighbourhoods policies is met. Site-specific zoning regulations such as, but not limited to, maximum number of converted dwelling



units, maximum number of parking spaces, minimum landscaped open space and limiting the range and mix of uses within the building such that they do not exceed the available parking may be applied to ensure that the future re-use of the existing structure meets this objective.



## Appendix B

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

By-law No. C.P.- \_\_\_\_

A by-law to amend The London Plan for  
the City of London, 2016 relating to 470  
Colborne Street.

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 London Plan for  
the City of London Planning Area – 2016, 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 .

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –

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

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. Amend policy 1034\_7. of the Woodfield Neighbourhood Specific Policy of The London Plan for the City of London to recognize the site as a location where office conversions may be permitted.
2. To amend policies in the Woodfield Neighbourhood Specific Policy Area within the Specific Policies for the Neighbourhoods Place Type policy of The London Plan for the City of London by adding a policy to permit new office conversions within the existing building along with other permitted uses in a mixed-use format.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 470 Colborne Street in the City of London.

C. BASIS OF THE AMENDMENT

The subject site has been used for several decades as a commercial recreation establishment. While it has achieved a measure of compatibility within the historic Woodfield Neighbourhood, it is not a use that would be considered appropriate or compatible today. The adaptive re-use of the existing building for dwelling conversions, office conversions, schools and day care centres is compatible and a good fit within the mixed-use nature of the neighbourhood and represents good planning.

D. THE AMENDMENT

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

1. Policy 1034\_ - Woodfield Neighbourhood Specific Policy of The London Plan for the City of London is amended by adding the following:

1034\_7. 470 Colborne Street

2. The Woodfield Neighbourhood Specific Policy of The London Plan for the City of London is amended by adding the following immediately after policy 1038\_:

XXXX\_ In addition to the uses permitted in the Neighbourhoods Place Type, new office uses may be permitted within the existing building at 470 Colborne Street, provided there is little alteration to the external residential character of the original residential structure and at least one above-grade residential dwelling unit is provided and maintained within the building. These new office uses may be established with other permitted uses in a mixed-use format. Residential intensification and conversions to non-residential uses shall be permitted only where it is compatible with the character, scale and intensity of the surrounding low-rise residential neighbourhood and where the intent of the Near-Campus Neighbourhoods policies is met. Site-specific zoning regulations such as, but not limited to, maximum number of converted dwelling units, maximum number of parking spaces, minimum landscaped open space and limiting the range and mix of uses within the building such that they do not exceed the available parking may be applied to ensure that the future re-use of the existing structure meets this objective.



## Appendix C

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 470  
Colborne Street.

WHEREAS Peter and Janice Denomme have applied to rezone an area of land located at 470 Colborne Street, 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;

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 470 Colborne Street, as shown on the attached map comprising part of Key Map No. A107, from a Residential R3 (R3-2) Zone and a Commercial Recreation (CR) Zone, to a Residential R3 Special Provision/Office Conversion Special Provision (R3-2(\_)/OC4(\_)) Zone.
- 2) Section Number 7.4 of the Residential R3 (R3-2) Zone is amended by adding the following Special Provision:

)	R3-2(_)	470 Colborne Street	
	a)	Regulations	
		i) Number of Converted Dwelling Units (max)	8
		ii) Lot Area per Converted Dwelling Unit (min)	140 m <sup>2</sup> (1,506 sq. ft.)
		iii) Front Yard Depth (main building) (min)	As existing on the date of passing of this By-law
		iv) Front Yard Depth (enclosed porch) (min)	As existing on the date of passing of this By-law
		v) North Interior Side Yard Depth (min)	As existing on the date of passing of this By-law
		vi) Parking Area Coverage (max)	40%
		vii) Parking Spaces (max)	8
		viii) Front Yard Parking	0 spaces

3) Section Number 17.4 of the Office Conversion (OC3) Zone is amended by adding the following Special Provision:

- ) OC3( ) 470 Colborne Street
  - a) Additional Permitted Uses
    - i) Converted dwellings within the existing building
    - ii) Commercial School in existing building together with at least one dwelling unit
    - iii) Day Care Centre in existing building together with at least one dwelling unit
    - iv) Offices in existing building together with at least one dwelling unit
    - v) Private School in existing building together with at least one dwelling unit
  - b) Regulations
    - i) Number of Converted Dwelling Units (max) 8
    - ii) Lot Area per Converted Dwelling Unit (min) 140m<sup>2</sup> (1,506 sq. ft.)
    - iii) Landscaped Open Space (min) 23%
    - iv) Parking Area Coverage (max) 45%
    - v) Parking Spaces (max) 11
    - vi) Front yard parking 0 spaces
    - vii) Any combination of converted dwellings and non-residential uses in the existing building shall be restricted such that the number of required parking spaces calculated in accordance with Section 4.19 of this By-law does not exceed 11 spaces.

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 January 15, 2019.



Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – January 15, 2019  
Second Reading – January 15, 2019  
Third Reading – January 15, 2019



## Appendix D – Public Engagement

### Community Engagement

**Public liaison:** On August 29, 2018, Notice of Application was sent to 106 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.

No replies were received.

### Nature of Liaison:

#### Requested Amendment to the Current Official Plan

To amend the Official Plan by adding a Specific Area Policy and/or amending the existing Specific Area Policy for the Woodfield Neighbourhood (Section 3.5.4) to permit, in addition to the uses permitted in the Low Density Residential designation, a minimum of one (1) and a maximum of eight (8) residential units, offices and medical/dental offices, commercial and private schools, and day care centres.

#### Requested Amendment to The London Plan (New Official Plan)

To amend The London Plan by adding a Specific Policy and/or amending the existing Specific Policy for the Woodfield Neighbourhood (Paragraphs 1033\_ – 1038\_) to permit, in addition to the uses permitted in the Neighbourhoods Place Type, commercial and private schools, office and medical/dental office uses.

#### Requested Zoning By-law Amendment

To change the zoning from a Commercial Recreation (CR) Zone to a Residential R3 Special Provision (R3-2(\_))/Restricted Office Special Provision (RO1(\_)) Zone. Changes to the currently permitted land uses and development regulations are summarized below. The complete Zoning By-law is available at [london.ca/planapps](http://london.ca/planapps).

#### Current Zoning

**Zone:** Commercial Recreation (CR) Zone

**Permitted Uses:** Commercial recreation establishments, golf courses, private clubs, private outdoor recreation clubs, private parks, recreational buildings, recreational golf courses

**Residential Density:** n/a

**Height:** 12.0 metres

#### Requested Zoning

**Zone:** Residential R3 (R3-2(\_)) Special Provision Zone

**Permitted Uses:** single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, converted dwellings, and fourplex dwellings

**Special Provision(s):** recognize existing site conditions including a minimum front yard depth of 4.6 metres to the enclosed porch in place of 7 metres, a minimum north interior side yard depth of 0.6 metres in place of 1.8 metres, minimum landscaped open space of 20.5 percent in place of 30 percent, and permit an increase in residential density as noted below.

**Residential Density:** a minimum of one (1) and a maximum of eight (8) residential units with a minimum lot area of 140 m<sup>2</sup> per dwelling unit in place of 180m<sup>2</sup> per dwelling unit

**Height:** 10.5 metres

#### Requested Zoning

**Zone:** Restricted Office Special Provision (RO1(\_)) Zone

**Permitted Uses:** medical/dental offices and offices (Note: Offices include professional or service offices and all other forms of offices except medical/dental offices)

**Special Provision(s):** permit, in addition to the existing list of permitted uses, business and professional offices, medical/dental offices, service offices, support offices, charitable organization offices, day care centres, commercial and private schools, together with a minimum of one (1) dwelling unit. Recognize existing site conditions including a minimum front yard depth of 4.6 metres to the enclosed porch in place of 6

metres, a minimum north interior side yard depth of 0.6 metres in place of 3.6 metres, and a minimum landscaped open space of 20.5 percent in place of 30 percent

**Residential Density:** n/a

**Height:** 10 metres

The City may also consider relief from the maximum permitted parking area coverage of 30 percent for residential uses in the requested Residential Special Provision (R3-2( )) Zone. The City may also consider applying gross floor area maximums for requested uses that have high parking requirements, and a combined minimum number of parking spaces for a mix of residential and non-residential uses.

## **Agency/Departmental Comments**

### Development Services – Engineering

No comments.

### Heritage – October 31, 2018

#### **1. Heritage Status**

470 Colborne Street is a property located on the east side of Colborne Street – between - Dufferin and Queens Avenue. The property is located within the West Woodfield Heritage Conservation District (HCD) and designated under Part V of the *Ontario Heritage Act* (L.S.P.-3400-254; March 9, 2009). The property has been assigned a historic ranking of “B” in the HCD Plan; it is a contributing resource to the District through its architectural style, details, age, history and/or contribution to the streetscape. Archaeological potential is identified at the rear of the property (2018 – mapping; historic potential).

#### **2. Scope of Work**

The current file (OZ-8948) is for an Official Plan Amendment and Rezoning to permit various uses on the property that are not currently allowed (i.e. residential apartment, office, neighbourhood facility, offices). A *Heritage Impact Review* (HIR)<sup>1</sup> was submitted as part of requirements for a full application, however the HIR prepared was not in response to a specific proposal or direction for future development. Due to this omission, Heritage Staff referenced the *Planning Justification Report* and noted (6) scenarios outlined in the report, with all of them proposing a change of use within the square footage of the existing building.<sup>2</sup> Required parking (as/per scenario) is said to be accommodated within existing spaces on-site. It is presumed that the footprint of the existing building will be retained, however considerable alterations are likely to be needed to the interior to accommodate a change in use. Relatedly, further repairs, restoration and/or replacements are likely to be considered for various exterior features intrinsic to the property.

A Heritage Impact Assessment (HIA/HIS) is required as part of a complete application for this file – as per Section 565 of *The London Plan*. The primary purpose of this HIA is to assess the impacts of the proposed OP-ZBA (and resultant potential conversion of use) on the cultural heritage value and attributes of adjacent significant heritage properties and surrounding context, and to make recommendations to mitigate any adverse impacts that may arise.

The submitted HIS is currently insufficient because it does not contain information stipulated by the Ontario Ministry of Culture, published in *InfoSheet #5 – Heritage Resources in the Land Use Planning Process*. The *West Woodfield HCD Plan* Policies emphasize the nature of its “development pattern” which is described as small scale, low density, residential, and pedestrian in quality. Policies clearly discourage new land uses or higher intensity uses that are out of keeping with the general residential character of the District (*WW HCD*, 4.1). Heritage staff is concerned that proposed conversions might visibly impact this character through increased site and street activity, traffic, and parking requirements. The HIS should adequately assess the impacts and proposed mitigative measures responding to these Development Pattern District Policies.

Finally, at the September 12<sup>th</sup> 2018 meeting of the London Advisory Committee on Heritage, the following recommendation to Council was made:

That the Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the research assessment and conclusions of the Heritage Impact Review, dated June 2018, from Kirkness Consulting, with respect to the property located at 470 Colborne Street; it being noted that the LACH is not opposed to the proposed Official Plan and zoning by-law amendment and that a Heritage Alteration Permit may be required for any exterior alterations.

#### 4. Moving Forward

The applicant should:

- revise the HIS submitted providing clarity to the “response” portions. This will ensure that the range of proposed conversions will not impact the single-family residential character of the District. These target minor revisions will also make certain that heritage requirements for the file application are met.
- be aware that heritage staff has no record of an archaeological assessment being done or archaeological clearance of the property. As per *The London Plan* (Policy 616), an archaeological assessment may be required dependent on potential for soil disturbance, area impacted and scope of work.
- be aware that building conversions requiring exterior alterations have been identified as a Class of Alteration that requires Heritage Alteration Permit approval. An Heritage Alteration Permit (HAP) application may need to be submitted for proposed work that is integral with any change in use and impacts the exterior.

#### London Advisory Committee on Heritage – September 12, 2018

The Civic Administration BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the research assessment and conclusions of the Heritage Impact Review, dated June 2018, from Kirkness Consulting, with respect to the property located at 470 Colborne Street; it being noted that the LACH is not opposed to the proposed Official Plan and Zoning By-law Amendment and that a Heritage Alteration Permit may be required for any exterior alterations; it being further noted that the Notice of Planning Application, dated August 29, 2018, from B. Debbert, Senior Planner, with respect to the above noted matter, was received;

#### Upper Thames River Conservation Authority – September 7, 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](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.

London Hydro – September 26, 2018

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.

## **Appendix E – 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.

1.1.3.3

#### **The London Plan**

##### Key Directions

Direction 5 – Build a Mixed-use Compact City – Directions 2, 3, 4 and 6

Direction 7 – Build Strong, Healthy and Attractive Neighbourhoods for Everyone – Direction 5

##### Neighbourhoods

\*OUR VISION FOR THE NEIGHBOURHOODS PLACE TYPE – 916\_

\*ROLE WITHIN THE CITY STRUCTURE – 917\_

\*HOW WILL WE REALIZE OUR VISION? – 918\_

PERMITTED USES – \*924, 930\_ AND 931\_

RESIDENTIAL INTENSIFICATION IN NEIGHBOURHOODS – \*937\_ , \*939\_ , 943,  
\*944\_ , \*953\_  
\*NEAR CAMPUS NEIGHBOURHOOD – 963\_ TO 974\_  
\*WOODFIELD NEIGHBOURHOOD – 1033\_ AND 1034\_  
WOODFIELD NEIGHBOURHOOD – 1035\_ TO 1038\_  
\*Tables, 10, 11, 12

Our Tools

\*EVALUATION CRITERIA FOR PLANNING AND DEVELOPMENT APPLICATIONS –  
1577\_ & 1578\_  
\*GLOSSARY OF TERMS – Mixed-use buildings

**1989 Official Plan**

Low Density Residential Designation

3.2.1 – Permitted Uses – Office Areas  
3.2.2 – Scale of Development  
3.2.5 – Dwelling Conversions  
3.5.4 – Woodfield Neighbourhood  
3.6.4 – Community Facilities  
3.6.9 – Office Conversions  
3.7 - Planning Impact Analysis

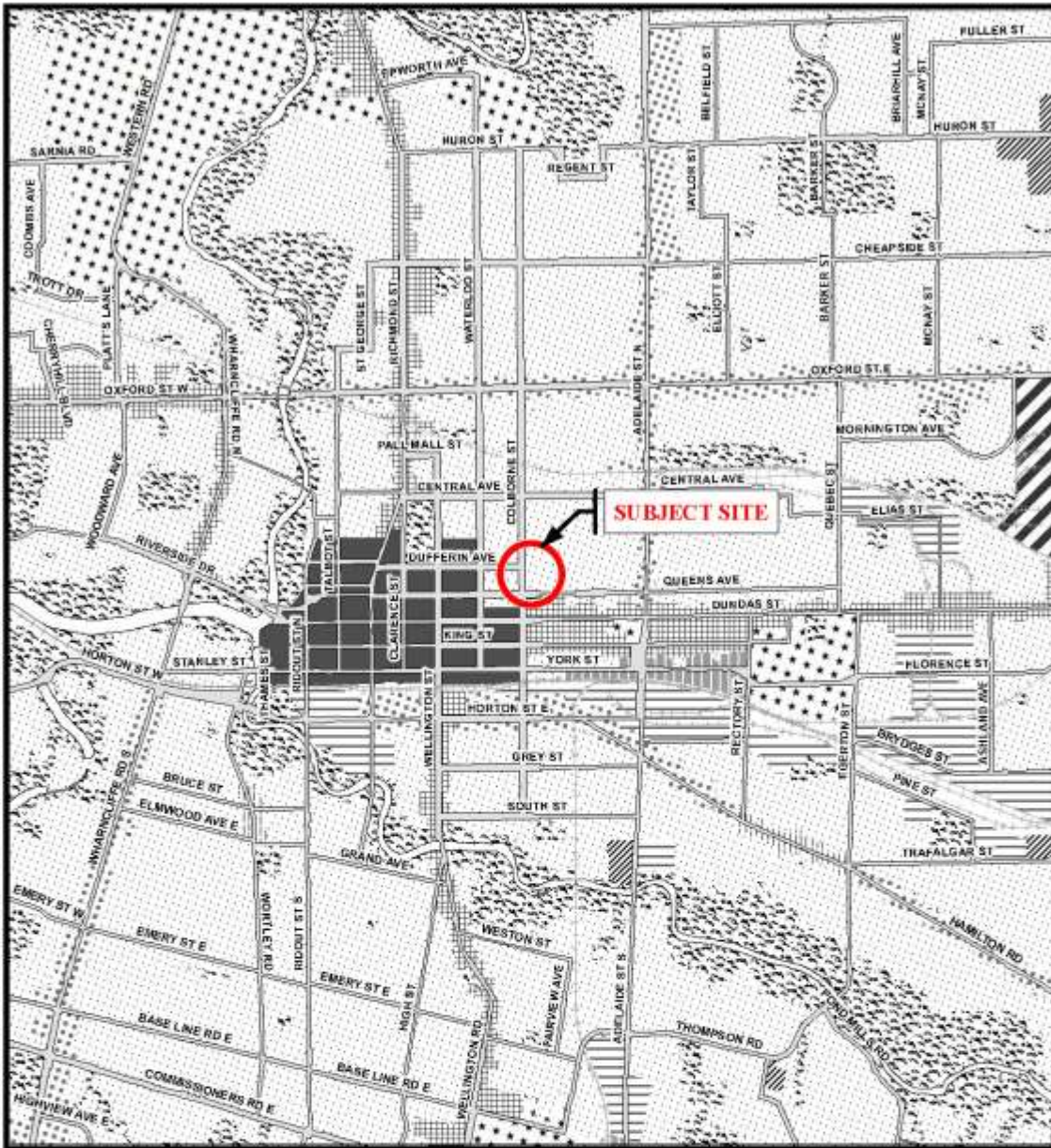
**Zoning By-law Z.-1**

**West Woodfield Heritage Conservation District**

**Appendix F – Relevant Background**

**Additional Maps**

**The London Plan Map 1 – Land Use**



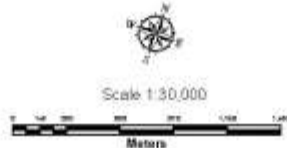
**Legend**

- |                        |                          |   |
|------------------------|--------------------------|---|
| 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.*

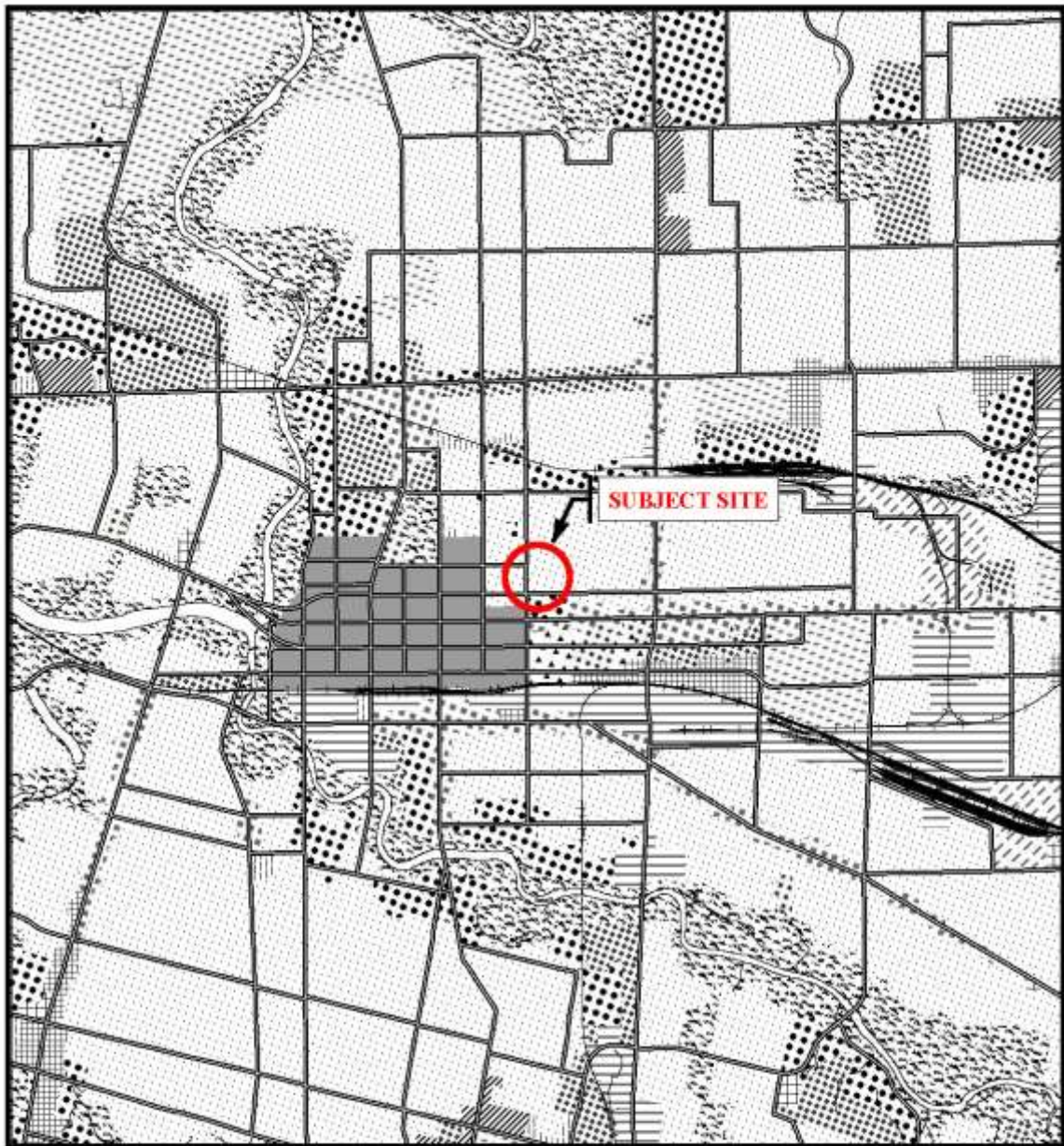
**CITY OF LONDON**  
 Planning Services /  
 Development Services  
**LONDON PLAN MAP 1**  
**- PLACE TYPES -**  
 PREPARED BY: Planning Services



**File Number:** OZ-8948  
**Planner:** BD  
**Technician:** RC  
**Date:** November 30, 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><b>CITY OF LONDON</b>                      Planning Services /                      Development Services                      OFFICIAL PLAN SCHEDULE A                      - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-8948</p>
		<p>PLANNER: BD</p> <p>TECHNICIAN: RC</p> <p>DATE: 2018/11/30</p>

Zoning By-law Z.-1 Map

