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: Yasmina Balaska

551 Knights Hill Road

Public Participation Meeting on: September 9, 2019

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Yasmina Balaska relating to the property located at 551 Knights Hill Road, the proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting September 17, 2019 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, **BY AMENDING** the Convenience Commercial Special Provision (CC1(9)) Zone.

Executive Summary

Summary of Request

The requested amendment is to add two additional uses of pharmacy and professional office within the existing building, to allow for a reduction in the total number of parking spaces, and recognize the existing parking area setback.

Purpose and the Effect of Recommended Action

The purpose and effect of the amendment is to amend the site specific regulations of the existing Convenience Commercial Zone applied to the site to add pharmacy and professional office to the list of permitted uses.

Rationale of Recommended Action

- 1. The proposed amendment is consistent with the Provincial Policy Statement, 2014, as it promotes healthy, liveable and safe communities by accommodating an appropriate range and mix of uses;
- 2. The proposed amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to, Convenience Commercial policies in the Multi-Family, Medium Density Residential Designation;
- The proposed amendment conforms to the in-force policies of The London Plan, including but not limited to, the Key Directions that support a mix of uses in Neighbourhoods; and
- 4. The recommended zone will facilitate additional uses that are appropriate and compatible with the surrounding area.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located one property south of Commissioners Road West at the corner of Knights Hill Road and Rington Crescent. There is an existing 2.5 storey building which is currently used for medical/dental office and convenience commercial uses. To the north of the site is a similar building that has recently gone through renovations and functions as a dental office. Commissioners Road West is lined with

residential uses ranging from single detached dwellings and apartments with several office conversions as well. There are single detached dwellings with a commercial node located to the west at the entrance of the community at Andover Drive and Commissioners Road West. A mixed use commercial and residential building is located to the east, and there are low density residential uses mainly comprised of single detached dwellings to the south.

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

- Official Plan Designation Multi-Family, Medium Density Residential
- The London Plan Place Type Neighbourhoods
- Existing Zoning Convenience Commercial Special Provision (CC1(9)) Zone

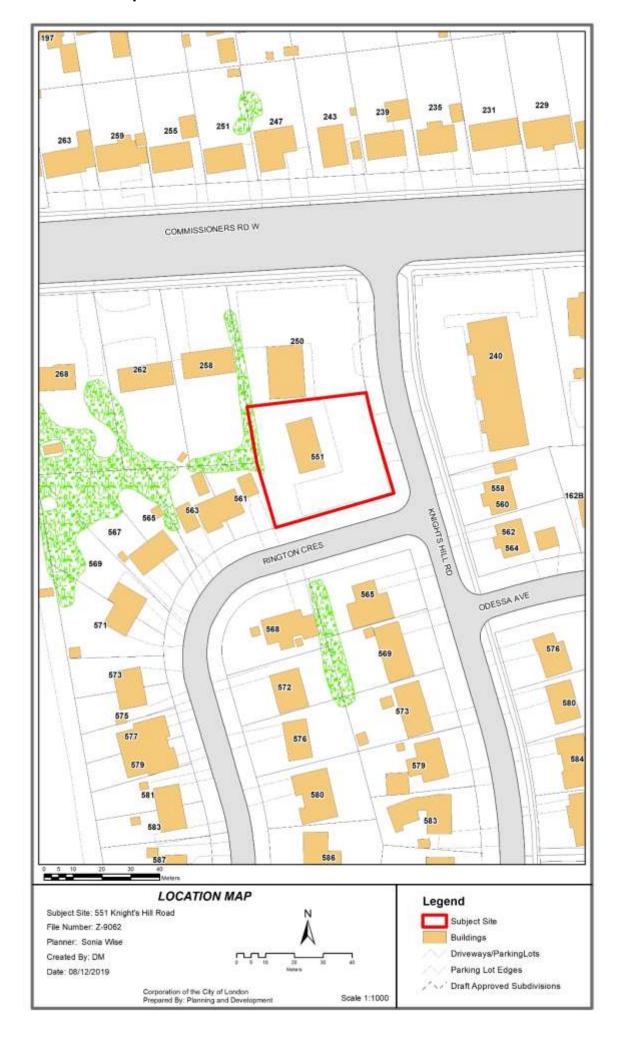
1.3 Site Characteristics

- Current Land Use Commercial Building
- Frontage 36m
- Depth 42.5m (140ft)
- Area 0.1671ha
- Shape Rectangular

1.4 Surrounding Land Uses

- North Commercial/Office uses
- East Low and Medium Density Residential
- South Low Density Residential
- West Low Density Residential

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The proposal is for the adaptive reuse of the existing building at 551 Knights Hill Road to permit two additional uses of pharmacy and professional office. The subject site consists of a 2.5 storey commercial building currently used for medical/dental offices with a total gross floor area of 507m² (5,457 sq ft). The professional office is proposed to be located on the second floor with a total floor area of 169m², the pharmacy is proposed to be located in a portion of the basement with a total of 84m² and the remaining ground floor space is to be used as medical/dental office uses with 253m².



Figure 1: 551 Knights Hill Road

2.2 Requested Amendment

The requested amendment is to change the Convenience Commercial Special Provision (CC1(9)) Zone to add the uses of pharmacy and professional office within the existing building at 551 Knights Hill Road. Special provisions are requested to allow for a reduction in the number of parking spaces from 22 spaces required to 18 provided, and to allow for a reduced parking area setback of 0.8m.

3.0 Relevant Background

3.1 Planning History

In November of 2016 a Zoning By-law Amendment Application (Z-8675) was approved by Municipal Council to allow for the additional use of medical/dental office on site, and to allow the parking to be considered 'as existing'. The application recognized that the site was already zoned for convenience commercial uses and applied a different Convenience Commercial zone variation that would permit the additional uses along with dwelling units in conjunction with any other permitted use.

3.3 Community Engagement (see more detail in Appendix B)

One comment was received that expressed concern for the reduced parking proposed on site and early lawn care maintenance.

3.4 Policy Context (see more detail in Appendix C)

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 Provincial Policy Statement encourages healthy, liveable and safe communities that are sustained by accommodating an appropriate range and mix of employment uses, including industrial and commercial to meet long-term needs (1.1.3).

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 site is within the Neighbourhoods Place Type which primarily permits a variety of residential uses with some secondary uses in strategic locations (table 10*).

Official Plan

The site is within the Multi-Family, Medium Density Residential designation, which permits a range of low and mid-rise residential uses. Some convenience commercial uses within the residential designations are permitted in specific locations, and when demonstrated as compatible uses (3.6.5).

Zoning

The existing zoning is a Convenience Commercial (CC1(9)) Zone which provides for and regulates a range of convenience commercial uses such as medical/dental uses, financial institutions and personal service establishments, though does not allow the requested pharmacy or professional office uses, thereby necessitating the need for an amendment.

4.0 Key Issues and Considerations

Provincial Policy Statement (PPS) 2014

Section 1.1 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 (1.1.1.a). The proposed uses of pharmacy and professional office moderately broaden the local mix of uses and employment options provided on site.

The PPS encourages settlement areas to be the main focus of growth and development, and that their vitality and regeneration shall be promoted (1.1.3.1). The site is within an existing developed area and makes efficient use of the lands while requiring no additional land consumption or servicing costs. The proposal will effectively reuse the existing building which will help support a healthy and livable community with a variety of services within a walkable distance.

Section 1.3 of the PPS requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses, and providing opportunities for a diversified economic base (1.3.1.b). The additional uses recommended through the zoning amendment will allow the subject site to provide an appropriate mix and range of employment uses and strengthen the local economic contributions of the small businesses.

The London Plan

The London Plan includes criteria for evaluating Applications for Zoning By-law Amendment through policy 1578* that requires consideration of:

- 1. Our Strategy
- 2. Our City
- 3. City Building policies
- 4. The policies of the place type
- 5. Our Tools
- 6. Relevant Secondary Plans and Specific Policies

Our Strategy

The Our Strategy policies of The London Plan implement the vision of the plan through the use of overarching key directions (54).

Direction #1 – plan strategically for a prosperous city that "offers a wide range of economic opportunities" (55_1). The proposed adaptive reuse of the site contributes to its continued viability, and represents a component of the local economic and employment opportunities accessible by the surrounding neighbourhood.

Direction #5 – build a mixed-use compact city that provides a mix of "stores, restaurants, clean industry, live-work arrangements and services in ways that respect the character of neighbourhoods, while enhancing the character of neighbourhoods, while enhancing walkability and generating pedestrian activity" (59_6). The site is located at the periphery of an existing residential community and forms a small cluster of local commercial, office and service uses. The site is an existing converted commercial building that is well-suited to providing the proposed pharmacy, office and medical/dental offices and provides local services that are well integrated into the existing community.

Direction #7 – build strong, healthy and attractive neighbourhoods for everyone, plan for healthy neighbourhoods that "supply well-distributed health services" (61_1). The specific nature of the request proposes a small and local-scale range of health services such as access to prescription medications or flu shots from the proposed pharmacy and access to health professionals in the medical/dental office. The adaptive reuse allows the site to offer the health related services opportunities in a walkable location for the nearby and surrounding neighbourhood.

Our City

The City Structure Plan in the Our City section of The London Plan provides a framework for London's growth and change in the future (69). The site is located within the Primary Transit Area which directs that development "should be designed to be transit-oriented and well serviced by cycling lanes, paths [and] sidewalks" (92_8*). The built form is existing and has convenient access to transit along Commissioners Road as well as being a walkable destination for the neighbourhood.

The City Structure Plan is comprised of the various framework policy areas of: growth, green, mobility, economic and community. Within the Community Framework, neighbourhoods are described as places where people often "shop, work, worship, go to school and recreate" (143). The proposed uses will continue to provide local services for the surrounding neighbourhood with the additional uses of pharmacy and office.

City Building

The policies of the City Building section provide the over-arching direction for how the City will grow over the next 20 years (184). The City Design is shaped by both its built form comprised of streets, streetscapes, and buildings, as well as the natural setting (189). The London Plan recognizes that "the built form will be designed to have a sense of place and character" (197*). The 2.5 storey building is existing and integrates well within the existing neighbourhood and reflects the character of the small

commercial/service node at the corner of Commissioners Road West and Knights Hill Road.

Street Network

To support connectivity, "blocks within a neighbourhood should be of a size and configuration that supports connections to transit" (218*). The subject site has a shared internal access with the lands to the north that subsequently provides access to and from Commissioners Road West and associated transit.

The proportion of "building and street frontages used for garages and driveway should be minimized to allow for street trees, provide for on-street parking and support pedestrian and cycling-oriented streetscapes (222A). Access into the subject site is provided along Knights Hill Road in two locations, as well as through an internal connection from the lands to the north. The southerly access from Knights Hill Road is intended to be closed and the driveway restored to boulevard sod which reduces the vehicular movements and provides more space for future tree planting or sidewalk installation.

Site Layout

Buildings should be sited with "minimal setbacks from public rights-of-way" to create a street wall/edge and establish a sense of enclosure to create a comfortable pedestrian environment (259*). The built form is an existing situation that has parking located between the building and sidewalk with the building setback. The recommended amendment allows for the adaptive reuse of the existing building, though any future major redevelopment of the site will be required to change the building location to better frame the street.

Parking

The location, configuration and size of parking areas will be designed to enhance the experience of pedestrians, transit-users, cyclists and drivers (270*). The site has an existing parking layout, and is proposing to close an entrance driveway to provide an additional parking space which will also restore the boulevard. A minor reduction in the total number of parking spaces is requested from 22 required spaces to 18 provided, which is sufficient to support the planned function of the site.

Place Type

Neighbourhoods are intended to be vibrant, exciting places to live which will be delivered through: easy access to daily goods and services within walking distance and employment opportunities close to where people live (916_6 & 7*). The subject site is within the Neighbourhoods Place Type within a walkable environment, though in a location that primarily allows for low and mid-rise residential uses.

The site has frontage on two neighbourhood streets: Knights Hill Road and Rington Crescent which permits single detached, semi-detached, duplex, converted dwellings (max 2 units), secondary suites, home occupations and group homes at a height ranging from 1 to 2.5 storeys (table 10*). In this instance the 2.5 storey form would be permitted, but the previous use as a low-rise apartment building, or as the current medical/dental office use would not be permitted.

The London Plan directs more intensive development such as stand-alone commercial uses to the intersection of major roads within the Neighbourhoods Place Type. The site has attained a high degree of compatibility as an existing commercial building within the neighbourhood, and the uses are appropriate for the site. Further, there is an access arrangement with the property to the north for mutual access between sites which provides an informal connection to the higher order road of Commissioners Road West for commercial exposure and access to transit.

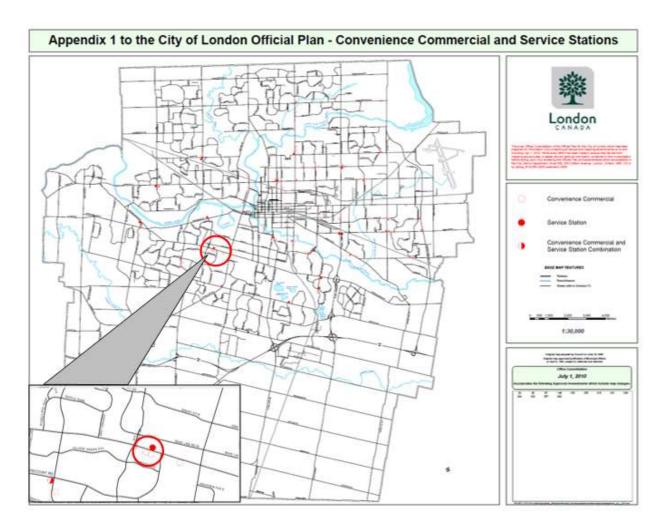
Lastly, the recommended amendment does not represent the introduction of

commercial uses where they currently do not exist. As previously stated, the existing zoning and use of the building is non-residential. The recommended amendment is simply intended to modify the range of existing permitted uses.

1989 Official Plan

Use

The site is within the Multi-Family, Medium Density Residential designation which primarily permits low and medium density residential forms, and also contemplates some secondary uses such as convenience commercial uses, where appropriate. The 1989 Plan recognizes existing convenience commercial and service station uses which meet the locational and land use compatibility criteria established in policy 3.6.5, as shown on Appendix 1, Convenience Commercial and Service Stations (3.6.5 ii.c). The subject site is one of those locations which has been recognized to permit Convenience Commercial uses in a residential designation.



The existing building and convenience commercial uses are designed to function at a neighbourhood scale, which provides services to the surrounding residential areas and the travelling public. The proposed uses would moderately broaden the range of convenience commercial uses on the site through the addition of the pharmacy and professional office uses which are compatible with the surrounding land uses and are not anticipated to have any adverse impact on the local area or traffic-carrying capacity of roads in the area.

Intensity

The Official Plan contemplates convenience commercial uses in the residential designations up to a maximum gross floor area of 1,000m², with a greater range of uses related to greater building size. Convenience commercial sites that are under 500m² in gross floor area are permitted a reduced range of uses while those in excess of 500m² are permitted the full range of uses permitted in the CC zone variations. The subject site is just over the 500m² minimum with 507m² of existing gross floor area, and is

eligible for consideration of the wider range of uses including offices and pharmacies recommended as part of the current zoning amendment (3.6.5.ii.a).

The existing medical/dental office use is permitted within the whole of the existing building which has a total gross floor area of 507m². The CC zone typically permits a maximum gross floor area of 300m² for individual uses, though a special provision allows for flexibility in the building use. A similar approach is recommended for the additional requested uses of pharmacy and professional office to allow for future tenant and internal changes.

The proposed uses of office, medical/dental office and pharmacy requires a total of 22 parking spaces, and 18 spaces are proposed (17 existing spaces plus one new space created by closing one access to Knights Hill Road) which is a shortage of 4 spaces. The most intensive parking rate is the medical/dental office rate of 1 space per 20m² and the additional uses of pharmacy (1/25m²) and professional office (1/40m²) both require fewer parking spaces. The current zoning permissions allow medical/dental office in the entire building based on the 17 existing parking spaces. The recommended amendment will allow for a reduced parking rate of 1/30m² for the medical/dental office and pharmacy uses to allow for the entire building to be converted for one or both of these uses. Recognizing a reduction for these uses also ensures that if there is a combination of other high parking rate uses such as personal service establishment, that the site will be required to meet the increased parking demand for such uses by balancing the gross floor area.

Form

The existing built form is a 2.5-storey building situated on the rear portion of the site in keeping with the abutting building to the north with a similar setback. The proposed recommendation will have no change on the existing built form and the applicant has recently undertaken exterior upgrades including recladding the building to enhance its appearance.

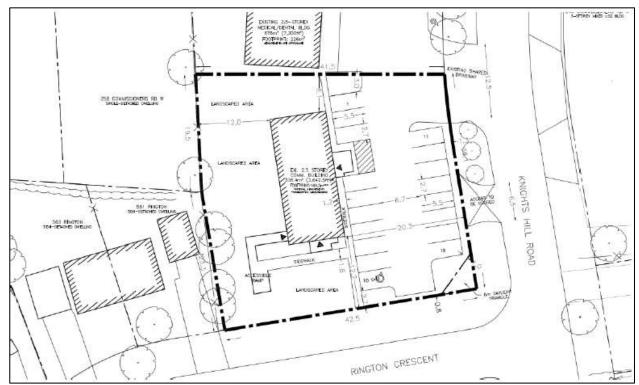


Figure 2: Conceptual Site Plan

The most southerly driveway is proposed to be closed and restored to boulevard to provide one additional parking space which increases the overall functionality and appearance of the site. The existing parking spaces are located 0.8m from the property edge to the east of the site which is proposed to be recognized as a special provision through the site specific zoning. The 0.8m is less than the 3m required to provide separation between pedestrians and parked vehicles and allow for landscaping and

buffering of parking areas, however there is ample grassed boulevard buffering the parking area and providing access for pedestrians as there is currently no sidewalk along the property edge.

The limited size of the building and parking area is appropriate and compatible with the area, and does not represent a large free standing commercial use that should be located in other commercial designations. The Official Plan contemplates convenience commercial uses at a scale of up to 1000m² and the subject site is achieving approximately half of that scale.

Zoning

The recommended zone will permit two additional uses on the site of pharmacy and professional offices, in addition to the existing permitted uses. Special provisions will allow for a reduced parking rate for the pharmacy and medical/dental uses to $1/30m^2$ to allow for flexibility in the future occupancy of the building, and to recognize the existing reduced parking area setback of 0.8m from the property limit. The recommended bylaw will allow the uses to be permitted within the existing structure without restriction on the amount of gross floor area that can be occupied by a certain use.

More information and detail is available in the appendices of this report.

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement 2014, which promotes healthy, livable and safe communities by accommodating an appropriate range and mix of uses. The adaptive reuse of the site conforms to the key direction of The London Plan that supports a mix of uses in Neighbourhoods, and conforms to the 1989 Official Plan policies related to existing Convenience Commercial uses located in residential designations. The recommended zone facilitates increased usability of the subject site by accommodating additional uses that are appropriate and compatible with the surrounding area.

Prepared by:	
	Sonia Wise, MCIP, RPP Senior Planner, Development Services
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
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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.

August 30, 2019

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

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 551 Knights Hill Road.

WHEREAS Yasmina Balaska has applied to rezone an area of land located at 551 Knights Hill Road, 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) Section Number 29.4 of the Convenience Commercial (CC1) Zone is amended by repealing and replacing the following subsections:
 -) CC1(9) 551 Knights Hill Road
 - a) Additional Permitted Uses
 - i) Medical/dental office
 - ii) pharmacy
 - iii) professional office
 - b) Regulations
 - i) All permitted uses In Existing Building
 - ii) Gross floor area for additional 507m² (5,457 sq ft) permitted uses

 Maximum
 - iii) Medical/Dental Office 1/30m²
 Parking Rate
 - iv) Pharmacy 1/30m²
 Parking Rate
 - v) Parking area setback 0.8m 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 September 17, 2019.

Ed Holder Mayor

Catharine Saunders City Clerk

First Reading – September 17, 2019 Second Reading – September 17, 2019 Third Reading – September 17, 2019



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

Geodulatures

Appendix B – Public Engagement

Community Engagement

Public liaison: On May 29, 2019, Notice of Application was sent to 76 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on May 30, 2019. A "Planning Application" sign was also posted on the site.

1 reply was received

Nature of Liaison: Possible change to permit a new pharmacy and office within the existing building. Possible change to Zoning By-law Z.-1 **FROM** a Convenience Commercial Special Provision (CC1(9)) **TO** a Convenience Commercial (CC1(__)) Zone to permit the additional uses of pharmacy and office within the existing building, with a reduction in total number of parking spaces, and a reduced parking area setback.

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

One comment was received that expressed concern for the reduced parking proposed on site and early lawn care maintenance.

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

Telephone	Written
	Greg Smith 568 Rington Crescent London ON N6J 1Y8

From: Greg Smith [mailto:

Sent: Monday, June 03, 2019 5:05 PM **To:** Wise, Sonia <swise@london.ca>

Cc: Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Marque Smith <

Subject: [EXTERNAL] Zoning Bylaw amendment File Z9062

To Whom May Concern I write in response to the notice of zoning bylaw amendment for 551 Knight's Hill Road. My address is 568 Rington Crescent, a single family home that faces the applicant property. I first would like to say that the appearance of the buildings on this property has been much improved with the present use. The flow of traffic has not dramatically increased or caused any inconvenience.

My only concern with the present application is the proposal for a reduced number of parking places. Currently we experience overflow parking along Rington Cres during the day. Some vehicles - presumably belonging to employees - remain parked on Rington for the entire day. If parking places are reduced, it may be necessary to limit parking on Rington, perhaps posting signs with time limits during the day and on weekdays.

My partner and I also have concern with noisy lawnmower operation on the property as early as 7-7:30 A.M. on Sunday mornings. If the plan involves increased landscaping, there may need to be some consideration of when and how it is maintained in order to maintain the peace of the neighbourhood.

Thank you for the opportunity to respond with feedback.

Greg Smith

The Rev. Canon Gregory Smith, Director of Field Education Huron At Western 1349 Western Rd.

London, ON, Canada, N6G 1H3 t. (Office A218)

huronatwestern.ca

Agency/Departmental Comments

London Hydro – June 4, 2019 Memo Summary

This site is presently serviced by London Hydro. London Hydro has no objection to this proposal, however London Hydro will need to maintain the existing easement.

<u>Development Services – Engineering – August 13, 2019 Email</u>

No comments

Appendix C – Policy Context

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

Provincial Policy Statement, 2014

- 1.1.1.a appropriate range and mix of uses
- 1.1.3.1 regenerate settlement areas
- 1.3.1.a range and mix of employment uses
- 1.3.1.b opportunities for a diversified economic base

The London Plan

- 54 Our Strategy Key Directions
- 55_1 plan strategically for a prosperous city
- 59_6 build a mixed use compact city
- 61 1 build strong healthy attractive neighbourhoods
- 69 City structure plan
- 92_8* development should be transit-oriented and served by active transport
- 143 neighbourhoods in the community framework
- 184 City building and growth
- 189 built form and City Design
- 197* sense of place
- 218* support connectivity through block size
- 222A minimize amount of garage and driveways to support active transit
- 259* buildings to have minimal setbacks to right of way
- 270* enhance pedestrian, cyclists and drivers experience through parking area layout
- 916_6 & 7* local shopping in neighbourhoods
- Table 10* permitted uses in the Neighbourhoods Place Type
- 1578* evaluation of Zoning Amendments

1989 Official Plan

- 3.3 Multi-Family, Medium Density Residential
- 3.6.5 Convenience Commercial and Service Station Uses

Z.-1 Zoning By-law

Section 3 – Zones and Symbols

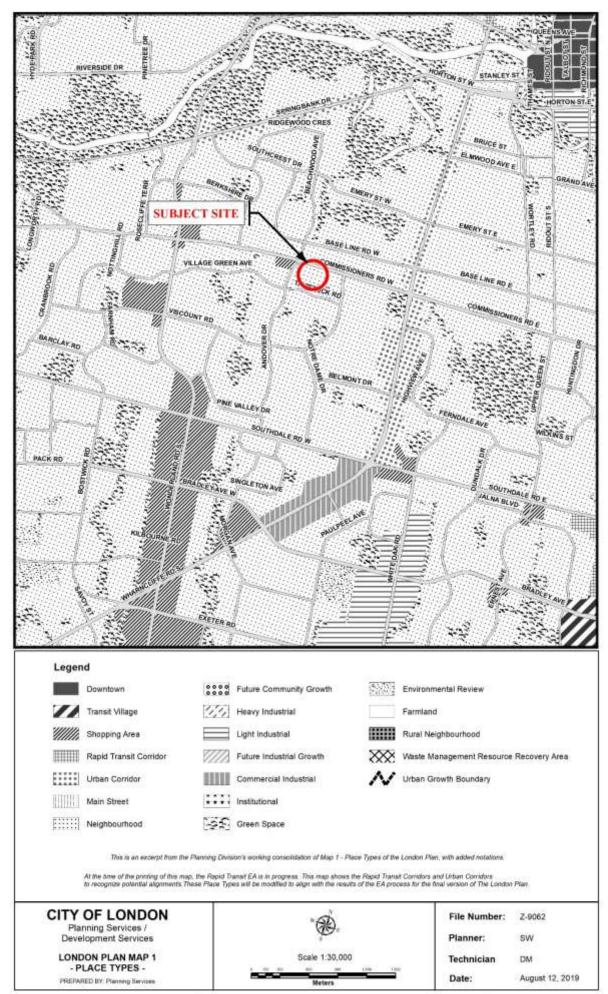
Section 4 – General Provisions

Section 29 - Convenience Commercial

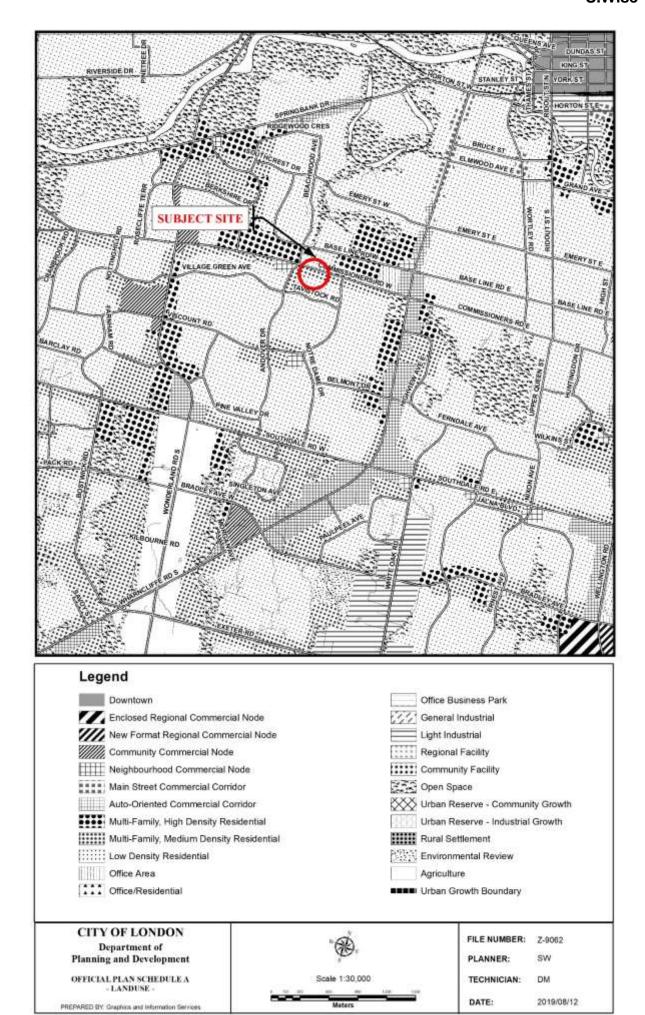
Appendix D – Relevant Background

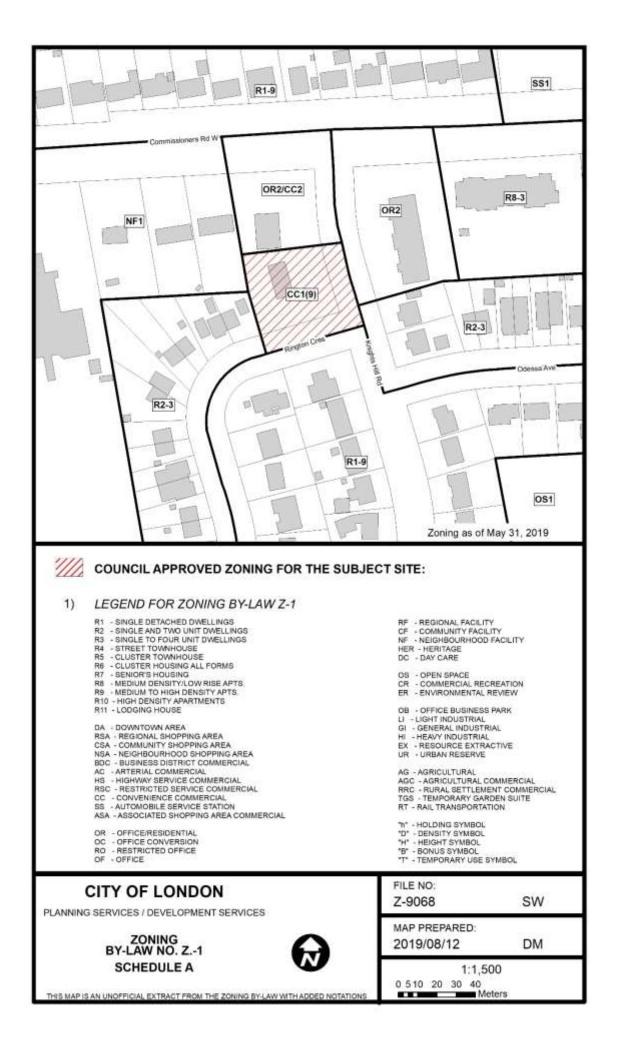
Additional Maps





Project Location: E:Planning:Projects/p_officialplan/workconsol/00/excerpts_LondonPlan/mxds/Z-9062 -Map1_PlaceTypes_b&w_8x14.mxd





Additional Reports

Z-8675: November 28, 2016 – Zoning By-law Amendment to add additional use of medical/dental office and allow for existing parking