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E. Conway
File No: SP13-000634

TO:	CHAIR AND MEMBERS PLANNING AND ENVIROMENT COMMITTEE MEETING
FROM:	GEORGE KOTSIFAS, P.Eng MANAGING DIRECTOR, DEVELOPMENT AND COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: WESTFIELD VILLAGE ESTATES INC. 3047 TILLMANN RD PUBLIC SITE PLAN MEETING FEBRUARY 26, 2013 after 4:15 PM

RECOMMENDATION

That on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the site plan approval application of Westfield Village Estates Inc. relating to the property located at 3047 Tillmann Road:

- a) On behalf of the Approval Authority, the Planning and Environment Committee **BE REQUESTED** to conduct a public meeting on the subject site plan application and **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Site Plan approval; and
- b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan application and **ADVISE** the Approval Authority whether they support the Site Plan application for a one storey 544 m² commercial building with four commercial spaces and a one storey office building with 836 m² of gross floor area.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommendation is to seek public feedback for the proposed commercial development and have Council advise the approval authority of any issues raised at the Planning and Environment Committee that should be addressed prior to approval.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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February 26, 2006 – Public meeting held to consider an amendment to the Official Plan and the Zoning By-law and consideration of the proposed plan of subdivision.

RATIONALE

The proposed site plan conforms to the Zoning By-law and variances granted by the Committee of Adjustment on January 14, 2013. Staff are prepared to recommend approval to the Approval Authority subject to incorporating any matters to be considered arising from the public meeting and City Council. Any recommendation would also be subject to the approval of the site servicing plans, site grading plans, building elevations and landscape plans.

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APPLICATION DETAILS	
Date Application Accepted: January 7, 2013	Agent: York Development Group

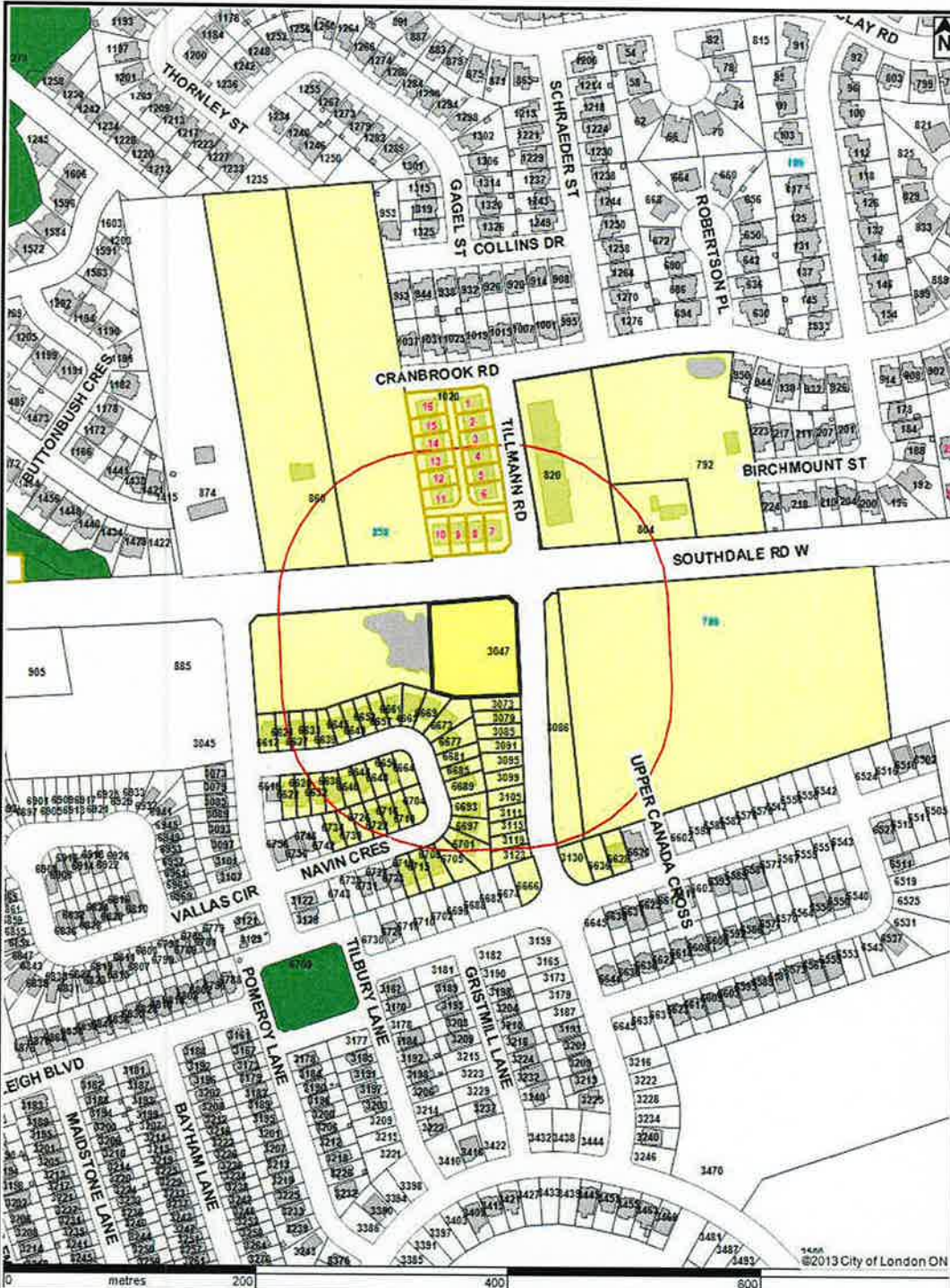
SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Vacant • Frontage – 62.7 m • Depth – 68.6 m • Area – 5 140 m² • Shape – Rectangular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – Low Density Residential • South – Low Density Residential • East – Vacant • West – Vacant

OFFICIAL PLAN DESIGNATION: Low Density Residential
EXISTING ZONING: <ul style="list-style-type: none"> • h-5. h-53. h-55. h-56. RO2. R9-7*H40. CC6.

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Location & Notification Map



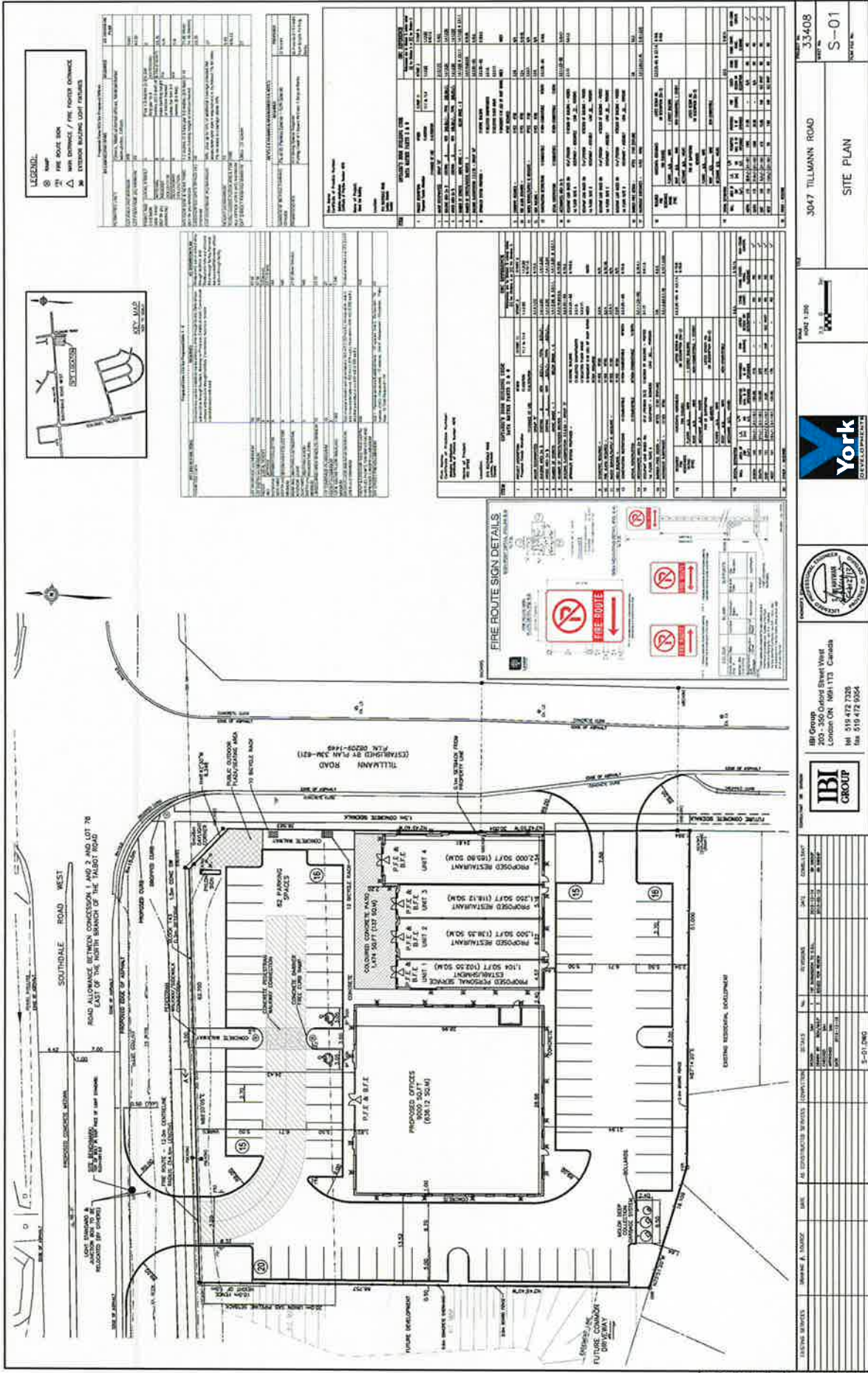
<p align="center">NOTIFICATION MAP 120m Radius Buffer</p> <p>Subject Site: Site Plan - 3047 Tillmann Road File Number: SP13-000634 Created By: Jeffrey Shaughnessy Date: 2013-01-22 Scale: 1:3700</p>	<p align="center">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
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Corporation of the City of London
Prepared By: Planning and Development



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Proposed Site Plan



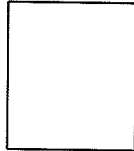
3047 TILLMANN ROAD
33408
S-01
SITE PLAN

York DEVELOPMENT

IBI GROUP
200 - 350 Dundas Street West
Toronto, ON M5G 1Y3 Canada
Tel: 519 472 7238
Fax: 519 472 0554

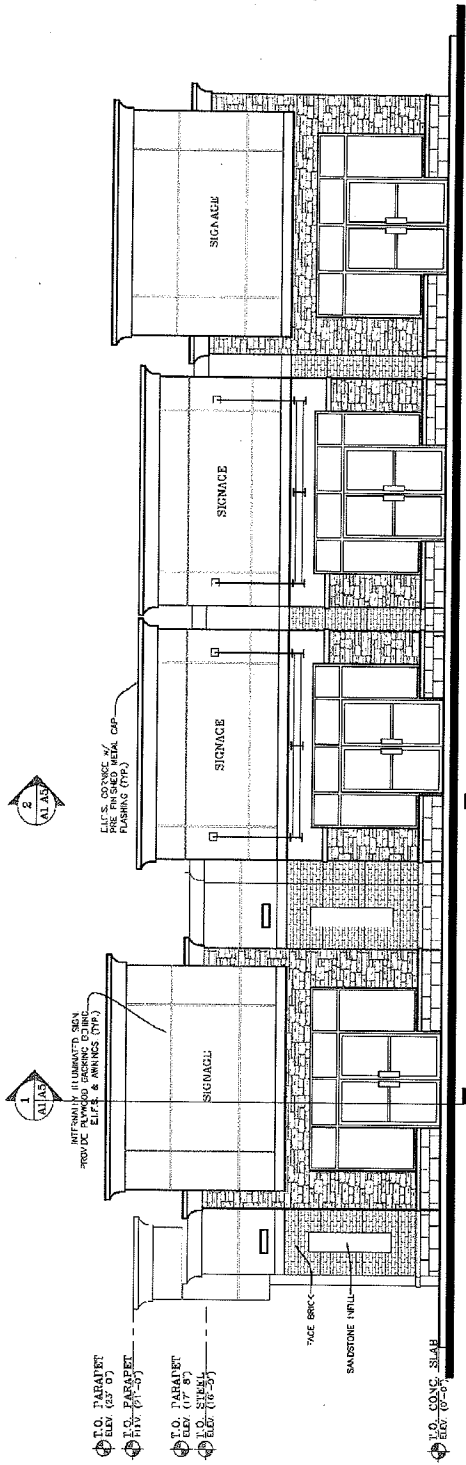
IBI GROUP

DATE: 5-21-2013

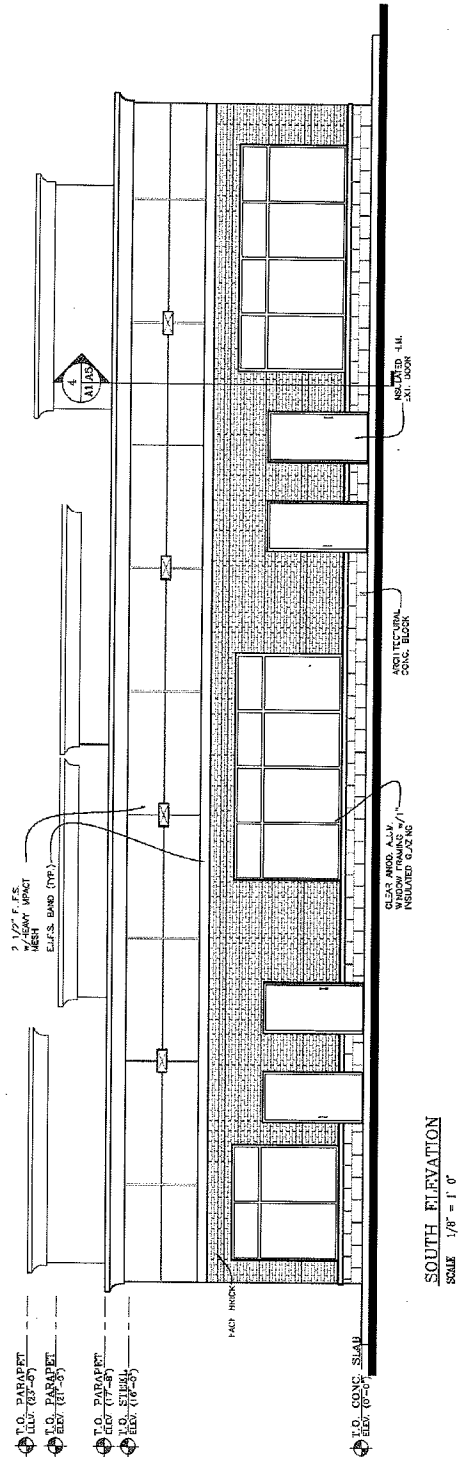


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Proposed Elevations facing North & South of East Building

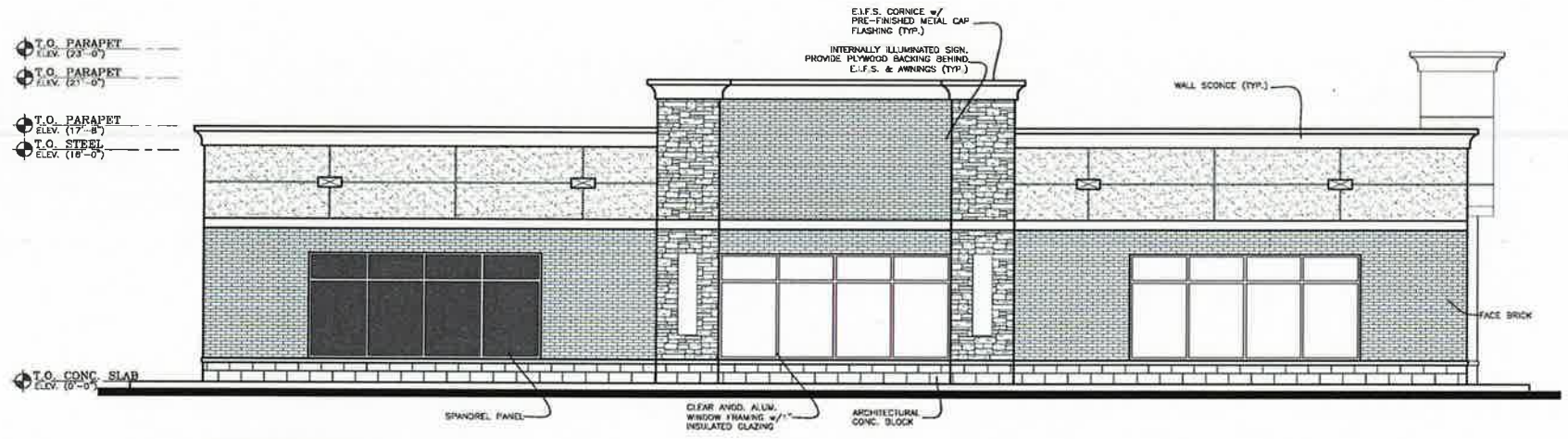


NORTH ELEVATION
SCALE 1/8" = 1' 0"

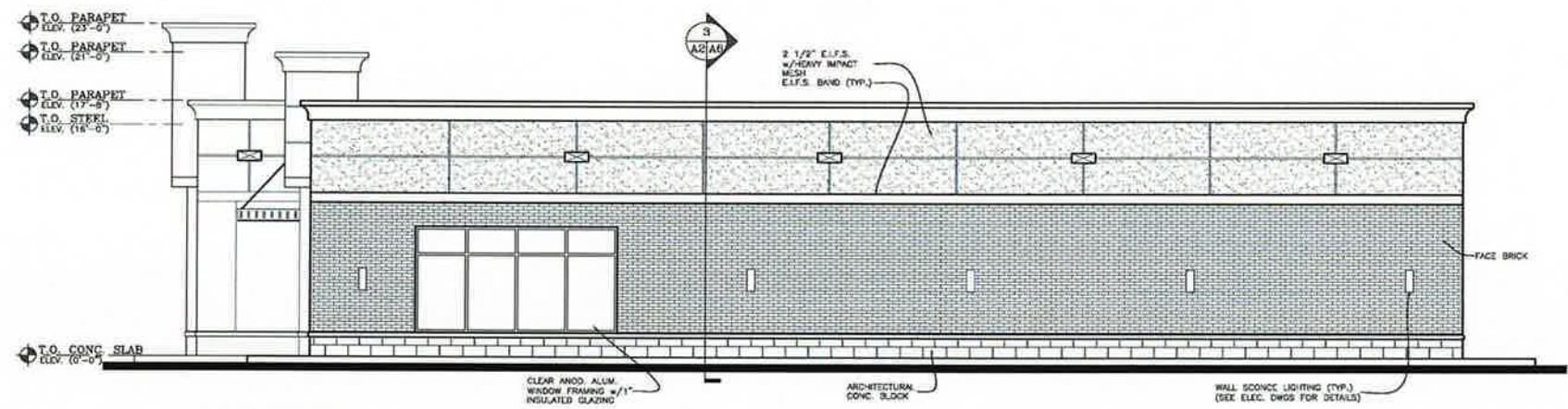


SOUTH ELEVATION
SCALE 1/8" = 1' 0"

Proposed Elevations facing East & West of East Building



EAST ELEVATION
SCALE - 1/4" = 1'-0"

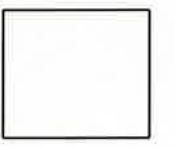


WEST ELEVATION
SCALE - 1/4" = 1'-0"

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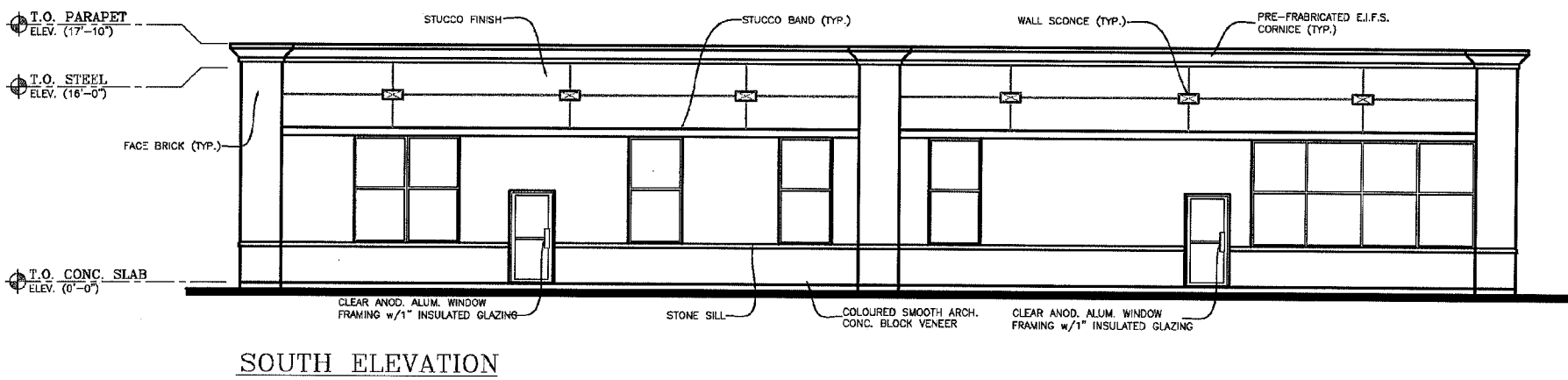
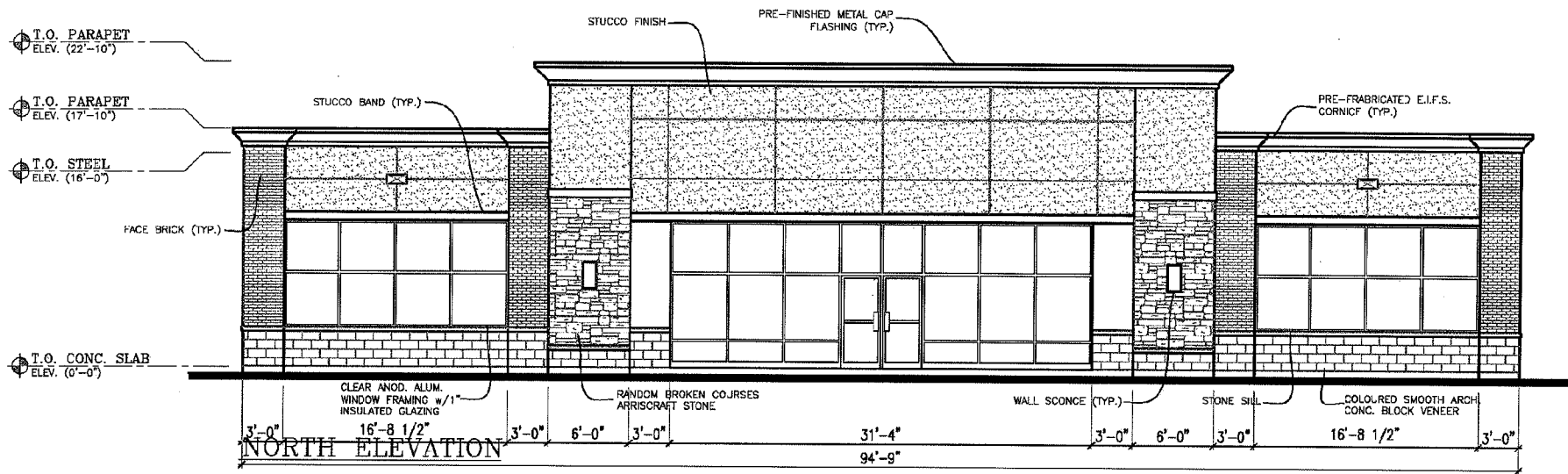


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Proposed Elevations facing North & South of West Building

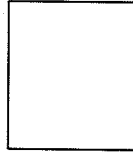


SOUTH ELEVATION

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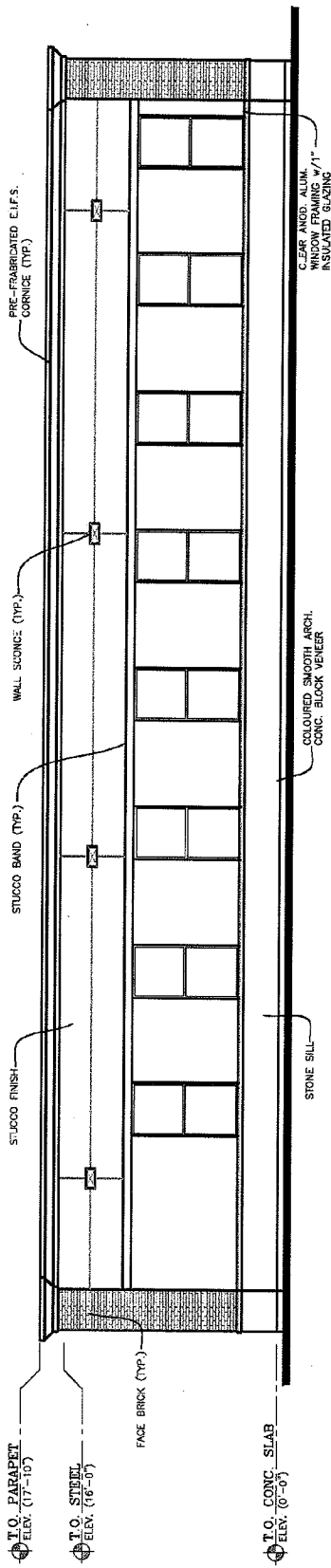
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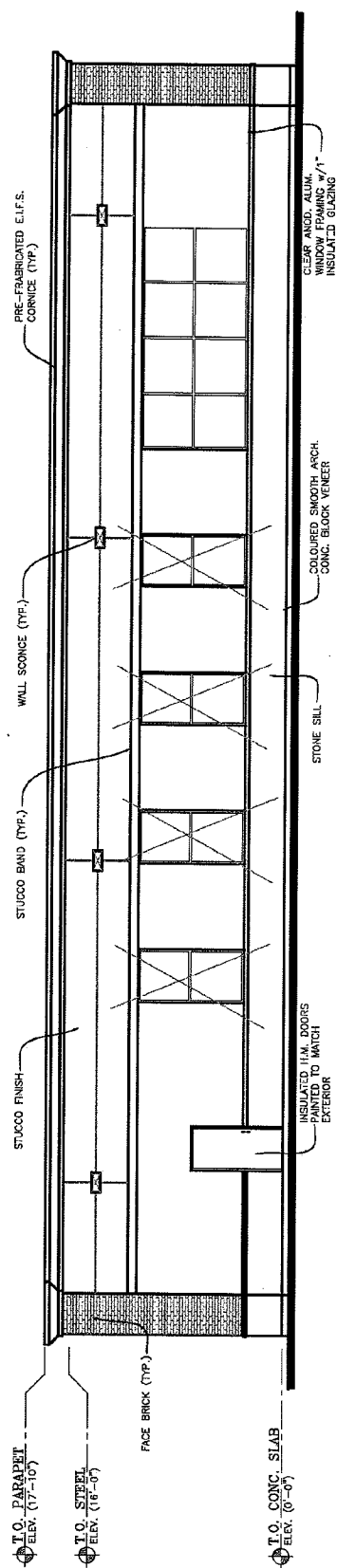


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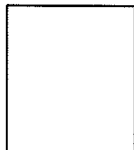
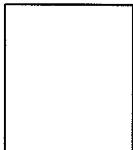
Proposed Elevations facing East & West of West Building



WEST ELEVATION



EAST ELEVATION



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BACKGROUND

The plan of subdivision was approved at Council on July 16, 2007 and the property was zoned h-5. h-53. h-55. h-56. RO2. R9-7*H40. CC6. The applicant applied for a minor variance on December 10, 2012 and was heard by the Committee of Adjustment on January 14, 2013. On January 7, 2013 an application was received for site plan approval for the proposed commercial and office development.

Committee of Adjustment

On January 14, 2013, the applicant requested three variances be granted from the Committee of Adjustment:

- 1) To permit a restaurant with a floor area of 185.8 m² whereas the maximum gross floor area for a specific use 150.0 m².
- 2) To permit an exterior side yard setback of 0.1 m whereas 6.0 m is required.
- 3) To permit 85 parking spaces (1 space per 16.3 m² of gross floor area) for a 1380 m² commercial development in place of using individual parking rates.

The variances were granted subject to the following condition: "that subject to this application be approved provided a site plan and elevations submitted through the site plan approval process are to the satisfaction of the Manager of Urban Design."

The appeal period ended on February 4, 2013 with no appeals submitted.

Holding Provisions

Holding Provision h is as follows: to ensure the orderly development of lands and the adequate provision of municipal services, the "h" symbol shall not be deleted until a development agreement is entered into for the lands in question with the City of London.

- h-5 To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the *Planning Act, R.S.O. 1990, c. P.13*, prior to the removal of the "h-5" symbol.

Requires the applicant to enter into a development agreement following a public site plan review meeting.

- h-53 To encourage street-oriented development and discourage noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved, consistent with the Community Plan, to the satisfaction of the City of London, prior to the removal of the "h-53" symbol.

Requires the applicant to enter into a development agreement once it has been demonstrated that the proposal is in compliance with the North Talbot Area Plan. The proposed plans provide for street oriented development.

- h-55 *Purpose:* To ensure the appropriate development of the site and limit the impact of the development on the existing roadways, a traffic impact study for the entire site is to be completed prior to site plan approval to determine the location and number of access points, the traffic impact on surrounding roads and roadway improvements required to accommodate this development. The "h-55" symbol shall be deleted upon the acceptance of the traffic study by the City of London.

Requires the applicant to submit a traffic study demonstrating that the site will not negatively affect existing roadways and construct any external works necessary.

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Transportation is supporting a restricted access onto Southdale Rd (rights in and out with a center median).

- h-56 To ensure there are no land use conflicts between arterial roads and the proposed residential uses, the "h-56" shall not be deleted until the owner agrees to implement all noise attenuation measures, recommended in noise assessment reports acceptable to the City of London.

Requires the applicant to submit a noise study that demonstrates no negative impacts from the development on adjacent residential areas to the satisfaction of the City and MOE requirements. A noise study has been prepared and the report recommendations provide appropriate attenuation measures.

A separate report will be filed in the future for the removal of the holding provisions once all conditions have been satisfied and the development agreement has been entered into.

Urban Design Peer Review Panel

On January 7, 2013 the applicant submitted an urban design brief and on January 16, 2013 the applicant gave a presentation to the Urban Design Peer Review Panel (UDPRP). The panel provided the applicant with their advice followed by a discussion on applicability and implementation. The applicant defended some of the design decisions made by their consultants but was able to demonstrate that the proposal generally upheld the panels' advice acknowledging the limitations of the property and proposed tenants needs.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

There were no significant comments.

PUBLIC LIAISON:	<p>On January 22, 2013, a notice of Site Plan Application was sent out to area residents.</p> <p>On February 4, 2013, a notice of Public Meeting was sent out to area residents.</p> <p>February 14 2013, Notice of application and notice of public meeting was placed in the Londoner.</p>	<p>5 Replies have been heard to date (Feb 12 2013)</p>
<p>Nature of Liaison: Seeking approval for a one storey commercial building with four units and one office building with a gross floor area total of 1 380 m².</p>		

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Responses:

Jim Martin – 1020 Cranbrook Rd, Unit 8 – February 8, 2013 – Contacted me via email with his concerns relating to head light pollution from parked cars along Southdale approximately 45 m from the rear of his house. He is concerned that the headlights will spill into his home across the street, over his rear fence, illuminating his house when it is meant to be dark, negatively impacting his quality of life and real estate values.

Darren Eveland – 6719 Navin Cres – January 27, 2013 – Contacted me via email with his concerns relating to: light pollution, landscaping, and architectural treatment of the proposed building. He requested that external lights on the building or parking area be oriented downward and minimize light pollution on adjacent properties. He also indicated that the building and landscaping should match the style of the adjacent neighbourhood and contribute to the community as a cohesive whole.

Janet & Ryan Craig – Navin Crescent – Contacted me via email and indicated concerns over increased noise, traffic and resultant decreased property values. She was under the impression that the property was to primarily be medical offices. She indicated she does not support the development.

David & Diana Ross - 6677 Navin Crescent – Contacted me via email with a letter indicating concerns over the location for garbage collection, safety/noise concerns about the patio at Southdale and Tillmann, and inquiries relating to the design and location of lighting, fencing and landscaping.

Susanna & Damien Koch – 6673 Navin Crescent - Contacted me via email with a letter indicating concerns over the location for garbage collection, safety/noise concerns about the patio at Southdale and Tillmann, and inquiries relating to the design and location of lighting, fencing and landscaping.

ANALYSIS

Description of the Site Plan

The proposed site plan contains two buildings: one 836 m² office building, and one four unit commercial building with a gross floor area of 544 m² containing three restaurants and one personal service establishment. The buildings are well setback from Southdale because there is a Union Gas Pipeline which runs parallel to Southdale Rd and requires buildings to be substantially setback to meet TSSA guidelines. The buildings face Southdale and there is parking to the north, west and south of the buildings.

The site features a forecourt at the intersection of Southdale and Tillman and provides a continuous pedestrian link from the intersection to entrances facing Southdale Rd. Plant material has been used around the periphery of the site to visually screen on-site parking and beautify off-site views. Fifteen additional bicycle spaces have been provided and enabled a vehicular parking reduction of three spaces for 82 total.

The site has two vehicular accesses; one of Southdale and one off Tillmann. There will be a median constructed along Southdale across the frontage of the property to prohibit left turns into the site and out to Southdale. Pedestrians can enter the site via the sidewalk on Tillmann with direct walkways to all building entrances.

The site is serviced from Pomeroy. Surface runoff will be generally contained on site and directed to the proposed storm system.

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Is the Proposed Site Plan in conformity with the Official Plan and is it consistent with the Provincial Policy Statement?

The proposed site plan is in accordance with the Official Plan and Provincial Policy Statement.

Does the proposal meet the Zoning by-law?

The proposal is relying on the regulations of the RO2 and CC6 zones which permit professional offices, eat-in restaurants, and personal service establishments. The property exceeds the frontage and lot area minimums of the zone. Variances were granted by the Committee of Adjustment on January 14, 2013 for: a reduced exterior side yard setback of 0.1 m, to permit 85 parking spaces (1/16.3m² of GFA) in lieu of individual parking rates, and permit a restaurant with a gross floor area of 185.8 m² where the maximum permitted is 150 m². A condition was added with the approval of the variances "that subject to this application be approved a site plan and elevations submitted through the site plan approval process are to the satisfaction of the Manager or Urban Design."

The proposal conforms to the zone regulations, the general provisions of the Zoning By-law, and the Site Plan Control are By-Law, subject to the removal of holding provisions. The holding provisions can be removed after the development agreement has been executed by the applicant and City.

Is the Site Plan Compatible with Adjacent Properties?

The proposed plan as marked provides for a 2.4 m height wood fence with plant material along the south property to provide enhanced screening between the proposed parking area and existing residential dwellings. Low plant material is being proposed in a continuous bed along Southdale Rd to visually screen parked cars from the road.

A noise study was required as part of the application in which staff have requested changes to be incorporated prior to permit application.

The style of lights for the parking lot will be designed to generally direct the light into the parking area and away from the residential yards. The applicant is required to submit details of the light fixtures to ensure minimal impact on adjacent residents.

The proposed site plan is considered to be compatible with adjacent properties.

Claims and Revenue

Upon review of the Development Charges By-law, the following claims and revenue information has been estimated.


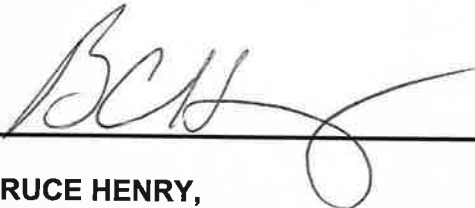


	<u>Estimated Revenue</u>	<u>Estimated Claims</u>
Urban Works Charges	\$83 779.80	\$NIL
City Services Charges	\$155 995. 20	\$NIL
TOTAL	\$239 775.00*	\$NIL

*The final amount is to be calculated at the time of the building permit applications.

CONCLUSION

The proposed site plan conforms to the Zoning By-law. Staff are prepared to recommend approval to the Approval Authority subject to incorporating any matters to be considered arising from the public meeting and City Council. The proposed plans and drawings can be recommended to the approval authority subject to the required revisions and the approval of the site servicing plans, site grading plans, building elevations and landscape plans and the subsequent removal of the holding provisions.

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PREPARED BY:	REVIEWED BY:
	
ERIC CONWAY, LANDSCAPE PLANNER, DEVELOPMENT SERVICES	BRUCE HENRY, MANAGER, DEVELOPMENT PLANNING DEVELOPMENT SERVICES
RECOMMENDED BY:	SUBMITTED BY:
	
TERRY GRAWEY, MANAGER, DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS, P.Eng MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

February 13, 2013

EC/BH

c:

Westfield Village Estates Inc.
c/o Sean Eden
York Development Group
303 Richmond St, Suite 201
London ON N6B 2H8

Fax: 519 433 4469

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File No: SP13-000634

Bibliography of Information and Materials

Reference Documents:

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

City of London, Notice of Application, January 22, 2013

City of London, Notice of Public Meeting, February 4, 2013

City of London, Site Plan By-law C.P.-1455-451

Notice of Public Meeting, Londoner, Thursday February 14, 2012

Provincial Policy Statement, March 1, 2005

City of London, Report to Built and Natural Environment Committee, February 26, 2006