

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: 2193302 Ontario Inc.
699 Village Green Avenue

Public Participation Meeting on: March 9, 2020

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of 2193302 Ontario Inc. relating to the property located at 699 Village Green Avenue, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting March 24, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **BY AMENDING** the Convenience Commercial Special Provision (CC(11)) Zone.

Executive Summary

Summary of Request

The requested amendment would expand the range of permitted uses to include clinic, medical/dental office, wellness centre, and studio within the existing building, while also recognizing existing zoning deficiencies with respect to lot depth, interior side yard depth, rear yard depth, and parking area setback.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to add clinic, medical/dental office, wellness centre, and studio to the existing range of permitted uses within the existing building. The requested amendment would also recognize the existing lot depth of 28.3 metres, interior side yard depth of 0 metres, rear yard depth of 1.9 metres, and parking area setback of 0 metres from the ultimate road allowance.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2014;
2. The recommended amendment is in conformity with the in-force and effect policies of The London Plan;
3. The recommended amendment is in conformity with the in-force and effect policies of the 1989 Official Plan;
4. The recommended amendment facilitates reuse of an existing convenience commercial building with compatible uses.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject site is located in the Westmount Planning District on the south side of Village Green Avenue, north of Lynngate Grove Park. The site is developed with an existing one-storey commercial building with a gross floor area of 287.33 square metres. 21 parking spaces exist on site.

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

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods Place Type

- Existing Zoning – Convenience Commercial Special Provision (CC(11)) Zone

1.3 Site Characteristics

- Current Land Use – Convenience Commercial Plaza
- Frontage – 36.8 metres (120.7 feet)
- Depth – 28.3 metres (92.84 feet)
- Area – 1,258 square metres (13,540 square feet)
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Low Density Residential
- East – Woodcrest Community Pool
- South – City-owned Parkland (Lynngate Grove Park)
- West – Low Density Residential

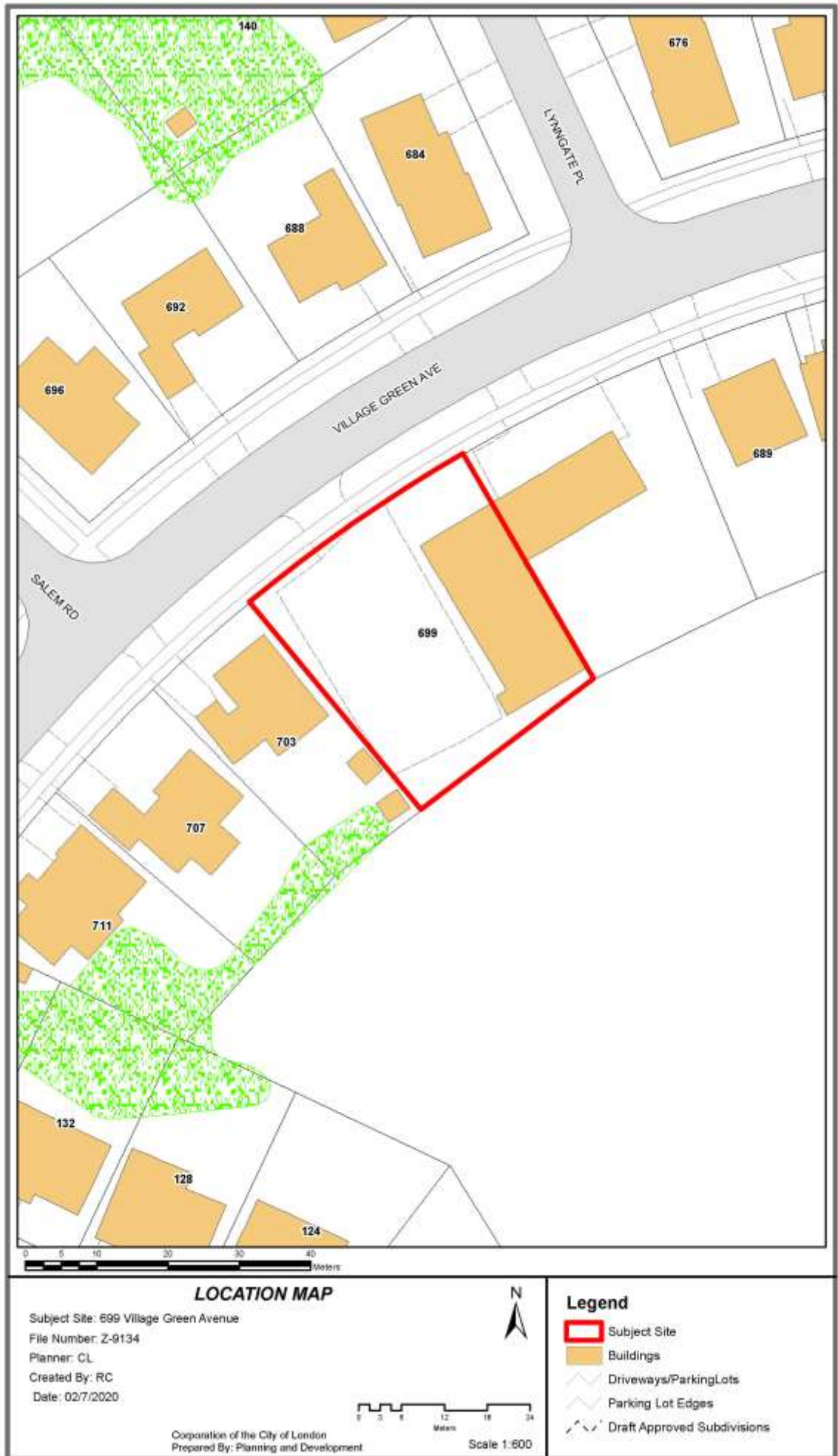


Figure 1: Existing building at 699 Village Green Avenue



Figure 2: Existing parking at 699 Village Green Avenue

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The applicant is proposing to rezone the subject site to add clinic, medical/dental office, wellness centre, and studio uses within the existing building. No new development is proposed on site.



Figure 3: Existing Conditions Plan

3.0 Relevant Background

3.1 Planning History

The site was previously subject to a rezoning in 2012 (Z-8072) to add florist shops, restaurants, day cares, and professional and service offices as permitted uses within the existing building and to recognize the existing number of parking spaces on site.

3.2 Requested Amendment

The applicant is requesting to rezone the subject site to add clinic, medical/dental office, wellness centre, and studio to the existing range of permitted uses within the existing building. Special provisions to permit a lot depth of 28.3 metres, an interior side yard depth of 0 metres, a rear yard depth of 1.9 metres, and a parking area setback of 0 metres are also requested. The existing range of permitted uses would continue to apply to the site, as well as the existing special provision recognizing the existing number of parking spaces.

3.3 Community Engagement (see more detail in Appendix B)

Five (5) written responses and one (1) phone call were received from four (4) neighbouring property owners, which will be addressed later in this report. The primary concerns were largely related to the construction of a barbed wire fence on the subject property prior to submission of this Zoning By-law Amendment application.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting land use planning matters shall be "consistent with" the policies of the PPS.

Section 1.1 *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It directs cities to make sufficient land available to accommodate this range and mix of land uses to meet projected needs for a time horizon of up to 20 years.

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

The London Plan

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

The subject site is in the Neighbourhoods Place Type of The London Plan on a Neighbourhood Connector, as identified on *Map 1 — Place Types and *Map 3 — Street Classifications. The vision for the Neighbourhoods Place Type provides key elements for neighbourhoods, including easy access to daily goods and services within walking distance and employment opportunities close to where we live (*916_6 and *916_7). At this location, the Neighbourhoods Place Type permits a range of low-rise residential uses, including single detached, semi-detached, duplex and triplex dwellings up to a maximum height of 2-storeys (*Table 10 and *Table 11).

1989 Official Plan

The subject lands are designated Low Density Residential in the 1989 Official Plan, which applies to lands primarily planned for low rise residential development, such as single detached, semi-detached, and duplex dwellings (3.2). Convenience commercial plazas may be considered as a secondary permitted use within this designation.

4.0 Key Issues and Considerations

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

Provincial Policy Statement, 2014 (PPS)

The PPS states that healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential, employment, institutional, recreation, park and open space, and other land uses to meet long term needs (1.1.1b)). Land use patterns within settlement areas are to be based on densities and a mix of land uses which efficiently use land and resources (1.1.3.2a.1). The PPS also requires municipalities to provide opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses (1.3.1b). Long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness (1.7.1).

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

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

The requested amendment represents a form of intensification, as defined by the PPS, through the conversion of an existing building to a new use. The requested clinic, medical/dental office, wellness centre, and studio uses represent an appropriate opportunity for intensification, taking into account existing building stock and availability of existing infrastructure.

The London Plan

The London Plan provides Key Directions that must be considered to help the City effectively achieve its vision (54_). These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies the Plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below:

55_ Direction #1 Plan strategically for a prosperous city

1. Plan for and promote strong and consistent growth and a vibrant business environment that offers a wide range of economic opportunities.

59_ Direction #5 Build a mixed-use compact city

4. Plan 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.

61_ Direction #7 Build strong, healthy and attractive neighbourhoods for everyone

1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.
8. Distribute educational, health, social, cultural, and recreational facilities and services throughout the city so that all neighbourhoods are well-served.

The Key Directions promote economic opportunities and healthy neighbourhoods with well distributed health services. The requested amendment to permit a limited range of additional office and medical/wellness uses supports these directions to supply well distributed health services in neighbourhoods.

The subject site is located within the Neighbourhoods Place Type of The London Plan with frontage on a Neighbourhood Connector (Village Green Avenue). It is a goal of The London Plan to allow for an appropriate range of retail, service and office uses within neighbourhoods, however the range of these uses will only be permitted if they are appropriate and compatible within a neighbourhood context (*924_). The requested amendment will facilitate the conversion of a portion of an existing commercial building to accommodate a broader range of office and medical uses. Non-residential uses may be permitted only when it is demonstrated that the proposed form of development can fit well within the context of the residential neighbourhood (*936_3). The owner has recently modernized the exterior of the building with fresh paint and new architectural features, such as parapets, added to the roofline. Aside from these cosmetic upgrades, no major changes have been made to the building since its initial construction in the 1980's and none are proposed at this time. Over time, the small-scale commercial site has demonstrated a level of compatibility with the surrounding low rise residential neighbourhood.

*Table 10 identifies the range of primary and secondary permitted uses that may be

allowed within the Neighbourhoods Place Type, by street classification (*921_). *Table 11 provides the range of permitted heights based on street classification (*935_1). *Table 10 permits non-residential uses at the intersection of two higher order streets. However, the subject site is not at an intersection and has frontage on a Neighbourhood Connector, a lower order street. *Table 11 permits a minimum building height of one-storey and maximum of two-storeys. The existing building is one-storey and is in conformity with this requirement. As *Tables 10 and 11 are currently under appeal, these policies are informative but are not determinative and cannot be relied on for the review of the requested amendment. Given that the commercial building has existed since the 1980's and has demonstrated a level of compatibility, staff is satisfied the requested amendment to permit a limited range of additional uses is appropriate.

1989 Official Plan

The primary permitted uses of the Low Density Residential designation include single detached, semi-detached, and duplex dwellings (3.2.1). Existing convenience commercial and service station uses which meet specific criteria are recognized as permitted uses and may be recognized as permitted uses in the Zoning By-law (3.2.1v). The preferred location for convenience commercial uses and service stations is within the various Commercial land use designations. However, it is recognized that on some sites in Residential designations where specific locational and land use compatibility criteria are met, this type of development may be appropriate as a secondary use (3.6.5). These criteria are as follows:

i) Function

Convenience commercial uses and service stations should be designed to function at a neighbourhood scale while providing services to surrounding residential areas and the travelling public.

The existing single-storey building and overall site are designed at a neighbourhood scale. No additions or increases to the intensity are proposed.

ii) Permitted Uses

Convenience commercial and service station uses permitted within the Residential designations include the following:

(a) Convenience Commercial

Variety stores; video rental outlets; film processing depots; financial institutions; medical/dental offices; small take-out restaurants, small food stores; and gasoline sales associated with a variety store. For convenience commercial sites with a gross floor area in excess of 500m², additional uses including offices, studios, commercial schools, day care centres, bake and florist shops, pharmacies, restaurants eat-in and convenience business service establishments may be permitted. In special circumstances, Council may permit low impact uses such as small commercial schools and day care centres in convenience commercial sites smaller than 500m² in size through a Zoning Bylaw Amendment. A variety store, or personal service establishment located on the ground floor of an apartment building may be permitted provided it is oriented towards serving the needs of the residents of the building and the immediate surrounding area. The exact range of permitted uses will be specified in the Zoning By-law (emphasis added).

(c) Existing Uses

Convenience commercial uses and service stations in Residential designations which were existing on the date of adoption of this Plan, and which meet the locational criteria of the Plan are recognized as legal conforming uses. The location of those existing convenience commercial uses and service stations that are recognized by the Plan are shown on Appendix Schedule 1, Convenience Commercial and Service Stations. Convenience commercial uses and service stations in Residential designations which were legally existing on the date of the adoption of this Plan, but which do not meet the locational criteria of the Plan, will be regarded as legal non-conforming uses.

The proposed clinic and medical/dental office uses are permitted as secondary uses within the Low Density Residential designation. According to the existing conditions plan in Figure 3, the existing building has a gross floor area of approximately 287.33 square metres. The proposed clinic, medical/dental office, wellness centre, and studio uses, all within the existing building, are considered low impact uses due to the small scale nature of the building. In 2012, Council approved a Zoning By-law Amendment to expand the range of permitted convenience commercial uses to include florist shops within the existing building without a drive-through, restaurants within the existing building without a drive-through, offices within the existing building without a drive-through, and day care centres within the existing building without a drive-through.

The existing building was purpose-built for convenience commercial uses and has operated as such since its initial construction in the late 1980s. As such, the convenience commercial uses are regarded as legal non-conforming and on this basis, the range of permitted uses was previously expanded in 2012 to include additional low impact commercial uses.

iii) Location

Convenience commercial uses and service stations will be located on arterial or primary collector roads where it can be demonstrated that such uses are compatible with surrounding land uses and will not have a serious adverse impact on the traffic-carrying capacity of roads in the area. The preferred locations for convenience commercial uses and service stations are at the intersections of major roads.

The property is located on the south side of Village Green Avenue, a secondary collector, and is compatible with the surrounding residential neighbourhood. The interface between the subject site and the surrounding area has evolved over the years and there have been no apparent indicators of adverse impacts on the surrounding area.

iv) Scale of Development

The size of individual convenience commercial uses and service stations will be specified in the Zoning By-law, and will be at a scale which is compatible with surrounding land uses.

Convenience commercial centres or stand-alone uses should not exceed 1,000 square metres (10,764 square feet) of gross leasable area.

The site is currently developed with a gross floor area of approximately 287.33 square metres. The requested amendment does not propose additional gross floor area, but rather would allow for the conversion of a portion of the existing building to clinic, medical/dental office, wellness centre, and studio uses. The proposed uses have a lower parking rate than the uses currently permitted by the existing zoning, therefore no additional parking is required.

v) Form of Development

Convenience commercial uses and service stations will be permitted as stand-alone uses or as part of a convenience commercial centre. It is not the intent of convenience commercial policies to permit large free-standing uses that should be located in other commercial designations.

The requested amendment does not propose any changes to the existing building or site, aside from interior modifications to accommodate the proposed uses. The existing building consists of two commercial units and the requested amendment would facilitate the occupancy of the second unit.

The recommended amendment facilitates the conversion of a portion of an existing convenience commercial building with a limited range of office/commercial uses. Staff is satisfied the recommended amendment satisfies the criteria for convenience commercial uses in the Low Density Residential designation. As such, staff is satisfied the requested amendment is in conformity with the policies 1989 Official Plan.

It should also be noted that the requested amendment does not represent the introduction of a new convenience commercial use where one does not exist. As previously mentioned, the recommended amendment seeks to permit a modest expansion to an existing convenience commercial site.

4.2 Issue and Consideration # 2: Zoning

As part of the requested amendment, the applicant has requested special provisions to recognize the following existing site deficiencies: a reduced minimum lot depth of 28.3 metres, whereas 60 metres is required; a reduced minimum interior side yard depth of 0 metres, whereas 3 metres is required; a reduced minimum rear yard depth of 1.9 metres, whereas 3 metres is required; and parking located 0 metres from the road allowance, whereas 3 metres is required. Given that these deficiencies are existing and have caused no known impacts on the surrounding neighbourhood, staff have no concerns with the requested special provisions. It is noted that no changes or enlargements are proposed to the building or parking area. Further, the requested uses would only be permitted within the existing building.

A special provision recognizing the existing number of parking spaces currently applies to the site and is proposed to remain. The proposed uses have lower parking requirements than the uses currently permitted by the existing zoning, therefore staff have no concerns with the existing number of parking spaces accommodating the proposed new uses.

4.3 Issue and Consideration # 3: Existing Fence

The subject property backs onto Lynngate Grove Park, a City-owned park with a single pedestrian access off of Lynngate Grove. Between 1999 and 2000, the City installed a play structure, swing sets, and two pedestrian walkways in Lynngate Grove Park – one giving access from the subject lands and the other from Lynngate Grove. In 2019, the subject site was sold and the new owner constructed a barbed-wire fence along the property line thereby preventing access between the subject site and Lynngate Grove Park. Concerns surrounding this fence were raised by several neighbouring property owners, specifically with respect to the barbed wire and loss of access to the park.

While the previous owner allowed informal public access to Lynngate Grove Park over their private lands, it was never formally established through an easement. Without an easement, there is no legal mechanism to obligate the new owner to continue permitting public access. As such, they are within their right to construct a fence provided it is in compliance with the City's Fence By-law. In accordance with Part 8 of the Fence By-law, barbed wire is permitted on the top of a fence erected on a lot used for commercial or industrial uses provided that it projects inwards to the area enclosed by the fence. As the site is currently zoned commercial and the barbed wire projects inward to the property, the fence is in compliance with the Fence By-law.

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, and is in conformity with the in-force and effect policies of The London Plan, including but not limited to the Key Directions, and the in-force and effect policies of the 1989 Official Plan. The recommended amendment will facilitate the reuse of an existing, underutilized building with compatible uses.

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

February 28, 2020

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

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2020

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 699
Village Green Avenue.

WHEREAS 2193302 Ontario Inc. has applied to rezone an area of land located at 699 Village Green Avenue, 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 29.4a) of the Convenience Commercial (CC) Zone is amended by amending the following Special Provision:

CC(11) 699 Village Green Avenue

a) Additional Permitted Uses

- i) Florist Shops within the existing building without a drive-through
- ii) Restaurants within the existing building without a drive-through
- iii) Offices within the existing building without a drive-through
- iv) Day Care Centres within the existing building without a drive-through
- v) Clinics within the existing building without a drive-through
- vi) Medical/Dental Offices within the existing building without a drive-through
- vii) Wellness Centres within the existing building without a drive-through
- viii) Studios within the existing building without a drive-through

b) Regulations

- i) Lot Depth (Minimum) 28.3 metres (92.84 feet)
- ii) Interior Side Yard Depth (Minimum) 0 metres (0 feet)
- iii) Rear Yard Depth (Minimum) 1.9 metres (6.23 feet)
- iv) 21 parking spaces are required for all permitted uses within the existing building
- v) The parking area, as existing on the date of the passing of the by-law, may be permitted 0 metres (0 feet) from the ultimate road allowance

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.

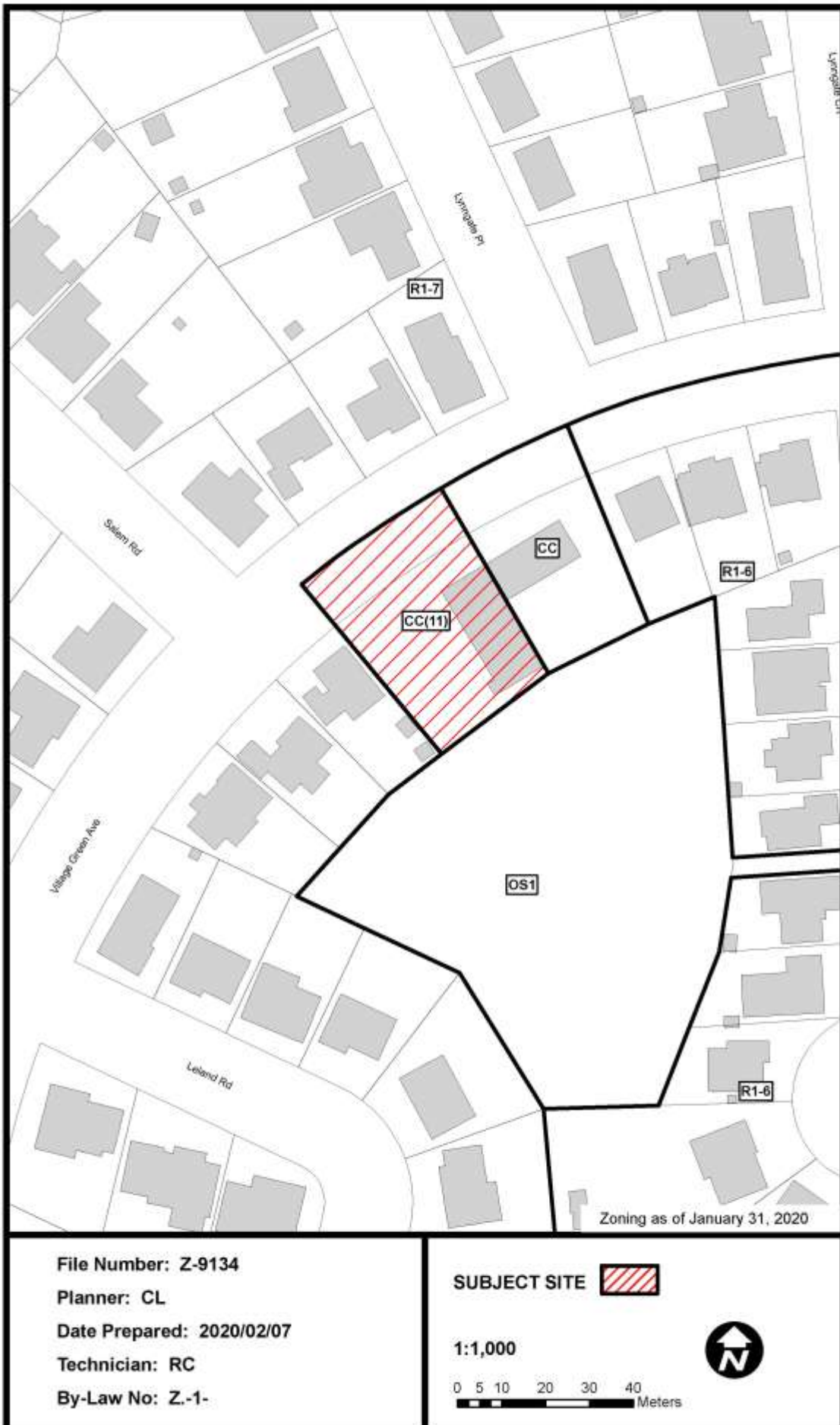
PASSED in Open Council on March 24, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – March 24, 2020
Second Reading – March 24, 2020
Third Reading – March 24, 2020

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On November 13, 2019, Notice of Application was sent to 94 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 14, 2019. A “Planning Application” sign was also posted on the site.

Six (6) replies were received from four (4) neighbouring property owners.

Nature of Liaison: The purpose and effect of this zoning change is to add clinic, medical/dental office, wellness centre, and studio as permitted uses. Possible change to Zoning By-law Z.-1 **FROM** a Convenience Commercial Special Provision (CC(11)) Zone **TO** a Convenience Commercial Special Provision (CC(__)) Zone to add the requested uses. Special provisions would recognize the following existing site deficiencies: a reduced minimum lot depth of 28.3 metres, whereas 60 metres is required; a reduced minimum interior side yard depth of 0 metres, whereas 3 metres is required; a reduced minimum rear yard depth of 1.9 metres, whereas 3 metres is required; and parking located 0 metres from the road allowance, whereas 3 metres is required. The existing special provision permitting additional uses and recognizing the existing number of parking spaces would continue to apply to the site.

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

Concern for:

Fencing and Loss of Access to Lynngate Grove Park:

Concern regarding the construction of the existing barbed wire fence on-site, preventing access to Lynngate Grove Park from Village Green Avenue. Concerns that the installation of the fence has resulted in only one access to the public park, creating safety and accessibility concerns.

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

Telephone	Written
Ann Marie Kovacs 704 Village Green Avenue London, ON N6K 1H2	Janice Richmond 84 Lynngate Place London, ON N6K 1S5
	Doug Taylor 67 Lynngate Grove London, ON N6K 3S7
	Lionel Mendes 83 Salem Road London, ON N6K 1G1
	Ann Marie Kovacs 704 Village Green Avenue London, ON N6K 1H2

From: Janice Richmond

Sent: Tuesday, November 19, 2019 11:59 AM

To: Lowery, Catherine <clowery@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>

Subject: [EXTERNAL] 699 Village Green Avenue

Hello,

I am writing this email to express my concern and opposition to the zoning bylaw amendment at 699 Village Green Avenue.

This property owner has proven to be an unfriendly addition to our neighbourhood. They installed barbed wire along the property and closed the entrance to a long-time, family-used park for their own selfish, unexplained reasons. The neighbours asked for the barbed wire to be removed and nothing was done.

Now, they seek neighbourhood approval for something?! How galling. Please put me on record as opposing any amendments this property owner asks for. Once the barbed wire is removed, perhaps I will reconsider.

ps Perhaps the property owner already knew a medical facility storing drugs would be on-site, thus the barbed wire? One can only guess when there is a lack of communication.

Thank you,
Janice Richmond
Lynngate Place

From: Doug Taylor
Sent: Monday, December 2, 2019 12:08 PM
To: Lowery, Catherine <clowery@london.ca>
Cc: Van Meerbergen, Paul <pvanmeerbergen@london.ca>
Subject: [EXTERNAL] Z-9134 Planning Application

Hi Catherine,

When I see this planning application I don't know whether to laugh or cry.

The guy who is looking for the zoning changes is the same person who put up a barbed wire chain link fence to essentially cut off half the neighbourhood from using the park behind the property.

I am no lawyer but I do know about Adverse Possession and the meaning of Open and Notorious. The fence should never have been allowed to happen. Somebody at City Hall dropped the ball. Big time.

Now Mapleton wants all these amendments. We might as well give him what he wants because we have sure rolled over for him so far.

Doug Taylor
67 Lynngate Grove.

From: Lionel Mendes
Sent: Tuesday, December 3, 2019 11:32 PM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] Zoning for 699 Village Green Ave. / File: Z-9134

Hello Catherine,

I am a nearby resident, and like everyone else in the neighbourhood I was very shocked to see the new tenant (Mapleton Homes) at this address not long ago. Although I can understand the city may not find it necessary to consult with the neighbouring residents on the new tenant as they did not break any existing zoning stipulations (I never received a letter like this one previously); we did all find it very disheartening and somewhat disrespectful for the city to not only remove a concrete pathway that existed in the adjacent park and was originally placed there by the city itself, but also to allow this new landlord to erect a 8ft+ tall chain link fence with BARB WIRE! I'm not sure how many citizens may or may not have contacted you, but I know that everyone we have encountered in our neighbourhood or even strangers on our walks, are outraged about this!

I can't comprehend how our beloved city and local council permitted this to happen to a small beautiful park used by all children in this neighbourhood for years and past generations. I remember teaching my son how to ride a bike on that very pathway that you had ripped up and now no longer exists. Now neither he or any of the neighbouring children can access the park unless they were to take a very long and unnecessary walk around Village Green to gain access to the one remaining entrance now which seems to only serve the residents of Lynngate Grove.

To give you a little bit of insight; although the previous owner operated a business (variety store) out of this space, he (Victor) was very much a part of this community. Everyone knew him and he was very approachable, kind and respectful. For example, he would even allow overflow parking to visitors who were using the community pool attached, and during Halloween trick or treating he would be open and welcome the kids inside to a free treat! This is the kind of business owner a great community like ours deserved, not the current one who has done nothing but show the community he wants nothing to do with it and any attempts others have made to initiate any contact or friendly greeting, have resulted in a rather underwhelming experience and a clear disdain for his neighbours.

Is the message that our lovely and peaceful Westmount residential community (this is not a commercial neighbourhood or commercial part of town) is so dangerous and riddled with crime that we needed a gigantic fence with security barb wire to keep out all the 8 year old criminals?!? If anything, I think what is more unsafe is that there is only one way in and out of the park now, so if there were ever to be a any sort of threat like an animal, criminal or possible child offender visit the park while children are at play, they would have no other exit or way of escape!

If the pathway was placed there previously for years and years without any issue and enjoyed by all the neighbourhood and clearly with the city's approval, then why all of the sudden was it deemed an issue and the city reversed their previous decision to allow through access in the park therefore now rendering it nearly useless and unsafe for the entire community! I think it's clear that the city opted to chose to provide accommodation to a new possibly long-term paying landlord to fill their pockets, regardless of the consequence or consideration of the long-standing tax payers that occupy this RESIDENTIAL neighbourhood and hoped to raise families where kids become best friends with other neighbourhood kids they met in the park and make memories in the local park like we did when we were young.

This sends a very poor message not only to the existing community, but our younger generation of future leaders being shaped by their surrounding communities and disappointing city council.

Regretfully,

Lionel Mendes

From: Ann Marie Kovacs
Sent: Wednesday, December 4, 2019 1:32 PM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] Concerns - 699 Village Green

Hello, and thank you for speaking to me today. Here is my formal comments and concerns with respect to the aforementioned property.

I live at 704 Village Green Ave, "kitty-corner" to the property. My children have grown up in this neighbourhood. and played at the park there. This park is part of our community. It backs on to the community pool (which to my understanding was established in the 70's when Sifton built this neighbourhood. My youngest would ride his scooter to his school (Jean Vanier) through this park.

And then one day, the access from Village Green was blocked, neighbours started to get ticketed if they parked on the lot. My son found out about the fence on the Friday when he scooted home, and was met with a fence.

If Mapleton Homes wants to change its zoning (for whatever purpose it wants), I propose an easement allowing the community access to the park, and a gate. Mapleton builds homes, and I guess communities, What they have done when they did this was gate off our park, where our children play. I've emailed the mayor, my counsellor, and Mapleton directly.

In an era when as parents we are trying to get kids off of electronic devices, off Fortnite, off PS4, off their phones, this is counter-productive. We just want the easement which was an oversight 40 years ago. It was meant to be there, as it stands we have a park no one can use.

I don't think that we, as the community who was here before Mapleton, are asking a lot. I oppose their changes until such time as this basic change is considered. I'm saddened that a company who builds communities would fence off a park. And angered,

I look forward to the public hearing.

Ann Marie Kovacs
704 Village Green

From: Ann Marie Kovacs
Sent: Friday, January 3, 2020 12:56 PM
To: Lowery, Catherine <clowery@london.ca>
Subject: Re: [EXTERNAL] Concerns - 699 Village Green

One other point my partner made about the situation at this property - if someone gets hurt, there is only one entrance to the park now, on a side street. If police/ambulance had to get in, there is no easily accessible point of entry anymore. This is a safety concern.

Do you have an update as to when and if there are hearings on this?

Thanks so much -
Ann

Agency/Departmental Comments

November 14, 2019: UTRCA

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard and natural heritage policies contained in the *Provincial Policy Statement (2014)*. The *Upper Thames River Source Protection Area Assessment Report* has also been reviewed in order to confirm whether these 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 subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant

Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are not** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

RECOMMENDATION

As indicated, the subject lands are not regulated and a Section 28 permit will not be required. The UTRCA has no objections to this application.

November 20, 2019: Cycling Advisory Committee

That the Civic Administration BE REQUESTED to ask the applicant to consider adding adequate secure, covered bicycle parking in the proposed development located at 699 Village Green Avenue; it being noted that the Notice of Planning Application, dated November 14, 2019, from C. Lowery, Planner II, Development Services, with respect to a Zoning By-law Amendment for this property, was received.

November 29, 2019: London Hydro

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

January 30, 2020: Environmental and Engineering Services

No comments for the re-zoning application.

The following items are to be considered during the development application approval stage:

Sewers

- The sanitary sewer available is 250mm diameter on Village Green Ave. Applicant engineer is to ensure and certify PDC size, grade and condition is adequate for the proposed uses.
- Inspection MH is required or if there is an existing one label it as an inspection MH if it is adequate for inspection purposes.

Stormwater

- Zoning By-law amendment application does not indicate demolition or expansion to the building or parking area. Should any exterior construction or existing parking lot construction/restoration be proposed, then new or additional SWM comments are to be expected.

Transportation

- Road widening dedication of 10.75m from centre line required along Village Green Avenue as per the Zoning By-law section 4.21.

Water

- Water Engineering has no comments for this application.

Appendix C – Policy Context

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

Provincial Policy Statement, 2014

1.1.1, 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.3.1, 1.7.1

The London Plan

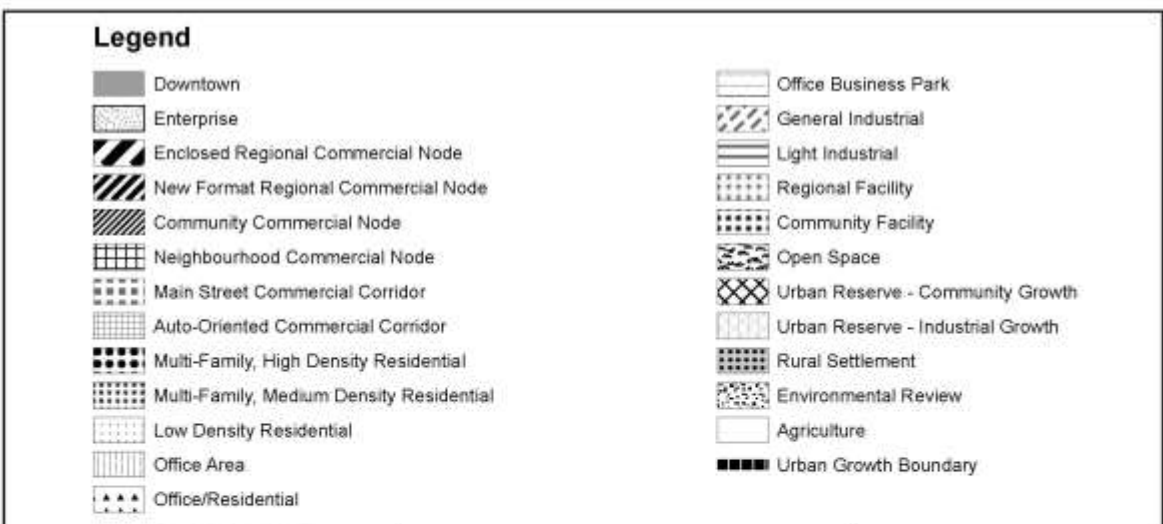
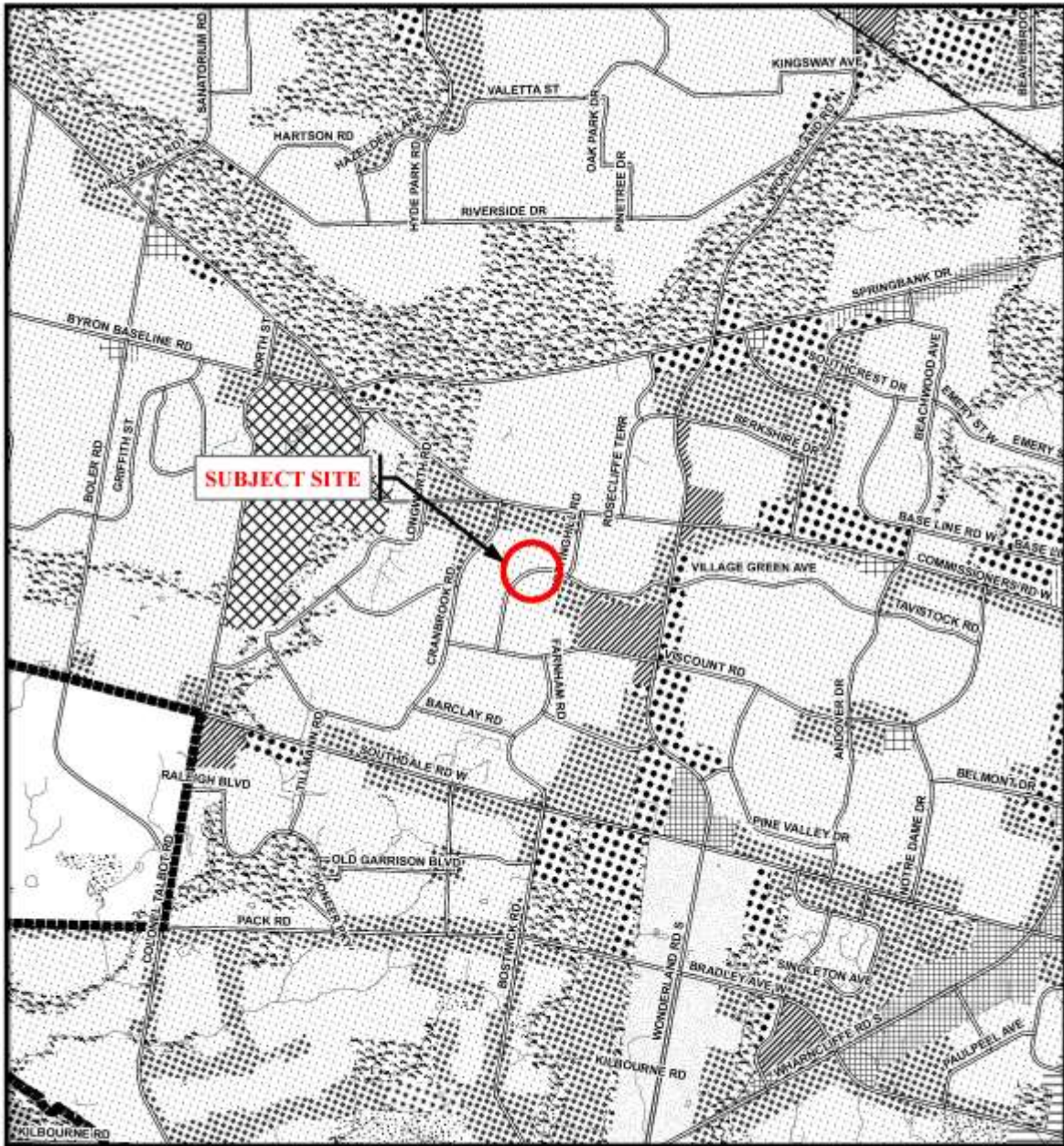
54_, 55_1, 59_4, 61_1, 61_8, *916_6, *916_7, *921_, *924_, *935_1, 936_3, *Table 10,
*Table 11, *Map 1, *Map 3

1989 Official Plan

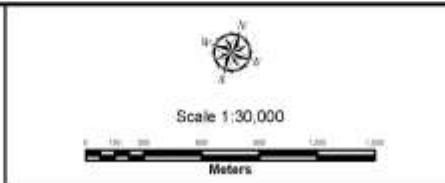
3.2, 3.2.1, 3.2.1v), 3.6.5 i) to v)

Appendix D – Relevant Background

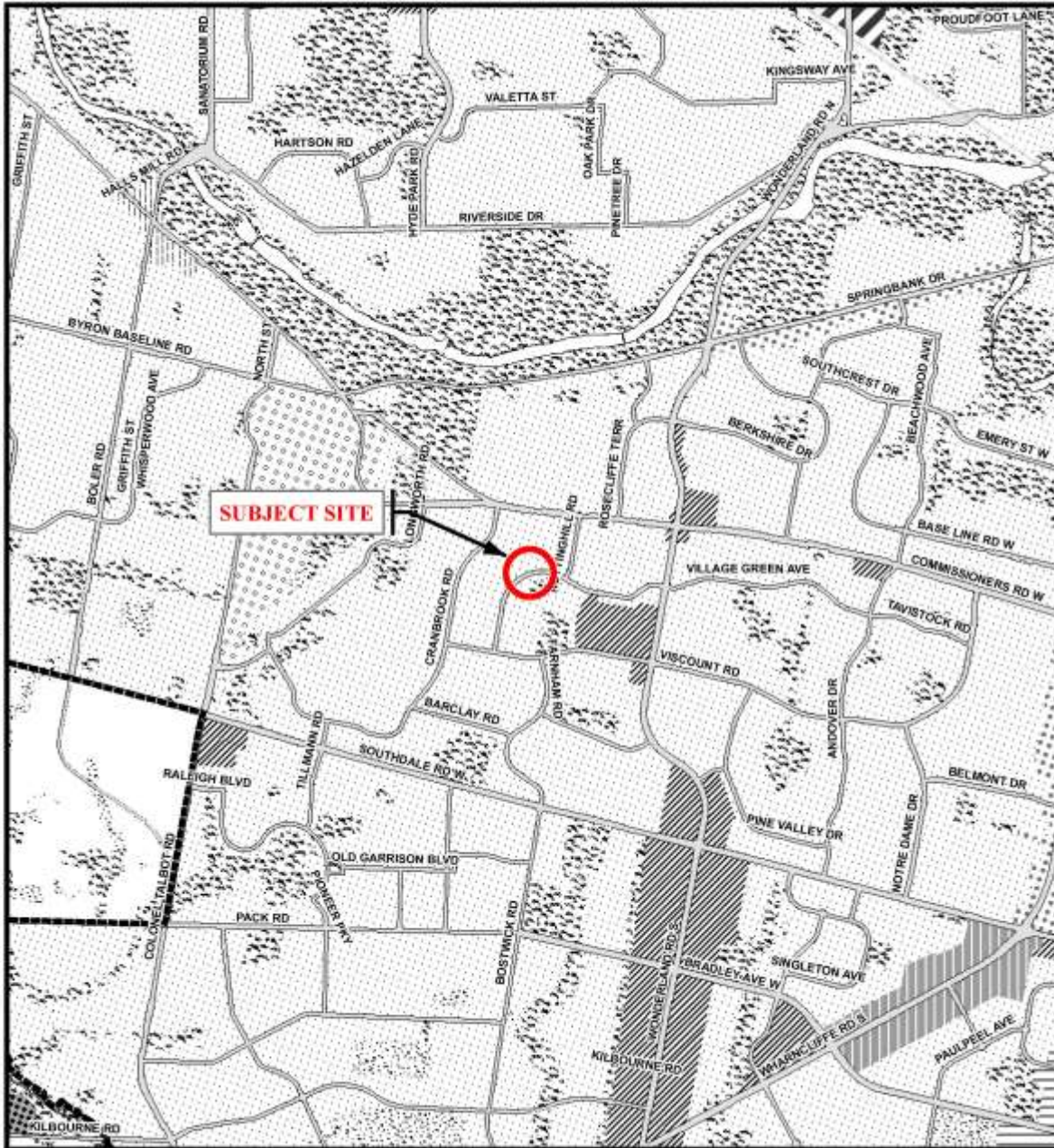
Additional Maps



CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9134
PLANNER: CL
TECHNICIAN: RC
DATE: 2020/02/07



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

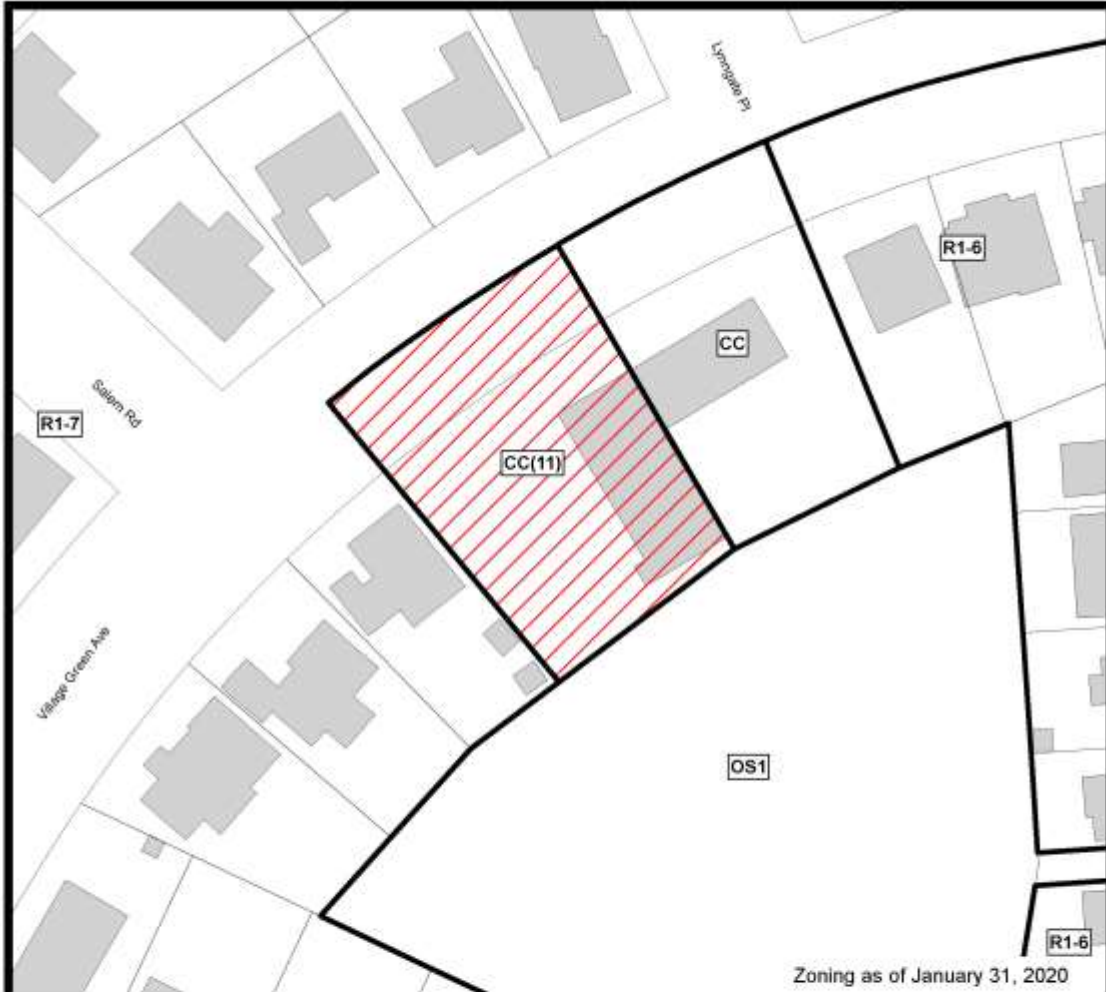
Planning Services /
 Development Services

**LONDON PLAN MAP 1
 - PLACE TYPES -**

PREPARED BY: Planning Services



File Number: Z-9134
Planner: CL
Technician: RC
Date: February 7, 2020



Zoning as of January 31, 2020



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | OB - OFFICE BUSINESS PARK |
| R10 - HIGH DENSITY APARTMENTS | LI - LIGHT INDUSTRIAL |
| R11 - LODGING HOUSE | GI - GENERAL INDUSTRIAL |
| DA - DOWNTOWN AREA | HI - HEAVY INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| CSA - COMMUNITY SHOPPING AREA | UR - URBAN RESERVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | AG - AGRICULTURAL |
| BDC - BUSINESS DISTRICT COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| AC - ARTERIAL COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| RSC - RESTRICTED SERVICE COMMERCIAL | RT - RAIL TRANSPORTATION |
| CC - CONVENIENCE COMMERCIAL | "H" - HOLDING SYMBOL |
| SS - AUTOMOBILE SERVICE STATION | "D" - DENSITY SYMBOL |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "H" - HEIGHT SYMBOL |
| OR - OFFICE/RESIDENTIAL | "B" - BONUS SYMBOL |
| OC - OFFICE CONVERSION | "T" - TEMPORARY USE SYMBOL |
| RO - RESTRICTED OFFICE | |
| OF - OFFICE | |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:

Z-9134

CL

MAP PREPARED:

2020/02/07

RC

1:800

0 4 8 16 24 32 Meters

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

Additional Reports

Z-8072: October 15, 2012 – Report to Planning and Environment Committee: Request for Zoning By-law Amendment for 699 Village Green Avenue