

## 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:** Richmond Hyland Centre Inc. c/o Westdell Development  
Corporation  
1701-1737 Richmond Street  
Public Participation Meeting

**Date:** April 26, 2021

## Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Richmond Hyland Centre Inc. c/o Westdell Development Corporation relating to the property located at 1701-1737 Richmond Street the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 4, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone **TO** an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(\_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone.

## Executive Summary

### Summary of Request

The owner has requested to rezone the subject site add Food Store as a permitted use and to permit a maximum gross floor area of 17,950 square metres and a minimum parking supply of 550 spaces for all permitted uses.

### Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to add Food Store to the list of permitted uses. Special provisions would recognize the existing gross floor area of 17,950 square metres, inclusive of patios, and permit a minimum parking supply of 550 spaces for all permitted uses. The existing range of permitted uses and special provisions would continue to apply to the site.

### Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Transit Village Place Type and Key Directions;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Enclosed Regional Commercial Node designation.

## Linkage to the Corporate Strategic Plan

Building a Sustainable City – London’s growth and development is well planned and sustainable over the long term.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

None.

#### 1.2 Planning History

The site has been subject to previous planning approvals through Minor Variance and Site Plan applications. In 2002, a Minor Variance application (A.127/02) was submitted to permit: two outdoor storage containers in connection with the user at 1737 Richmond Street - Michaels Arts and Crafts; and a total of 700 parking spaces, whereas 707 parking spaces were required. This Minor Variance was refused by the Committee of Adjustment on September 16, 2002.

In 2019, a Site Plan application was submitted (SPA19-017) to amend the existing Development Agreement to facilitate the development of three new office/commercial buildings on site. Construction of one of these buildings is complete, while the other two are currently under construction.

A Minor Variance application was also submitted in 2019 (A.042/19) to permit: a lot coverage of 35.2%, whereas a maximum of 30% is permitted; a gross floor area of 17,056 square metres, whereas 15,704 square metres (existing) is the maximum permitted; 641 parking spaces, whereas 700 parking spaces are required; 45 bicycle parking spaces, whereas 57 bicycle parking spaces are required; a drive-through facility for a coffee shop with 8 stacking spaces, whereas 15 stacking spaces are required; and a drive-through facility for a fast-food restaurant with 11 stacking spaces, whereas 12 stacking spaces are required. This Minor Variance was approved by the Committee of Adjustment on May 13, 2019.

Most recently, a Minor Variance application was submitted in 2020 (A.034/20) to permit: a lot coverage of 36%, whereas a maximum lot coverage of 35.2% is permitted, a height of 15.0 metres, whereas a maximum height of 12.0 metres is permitted; a gross floor area of 17,337 square metres, whereas a maximum gross floor area of 17,056 square metres is permitted; and 630 parking spaces, whereas 641 parking spaces are the minimum number of parking spaces required. This Minor Variance was approved by the Committee of Adjustment on July 16, 2020.

#### 1.3 Property Description

The subject site is located in the Sunningdale Planning District at the north west corner of Richmond Street and Fanshawe Park Road West. The subject site has an area of approximately 4.6 hectares with frontages along Richmond Street, Fanshawe Park Road West, and North Centre Road. The subject site is developed with an existing shopping centre comprised of five buildings, one of which is newly constructed and partially occupied. Two additional buildings are currently under construction.

#### 1.4 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Enclosed Regional Commercial Node
- The London Plan Place Type – Transit Village Place Type
- Existing Zoning – Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone

## 1.5 Site Characteristics

- Current Land Use – Shopping centre
- Frontage – 155.91 metres (511.5 feet)
- Depth – 262.59 metres (861.5 feet)
- Area – 4.6 hectares (11.37 acres)
- Shape – Irregular

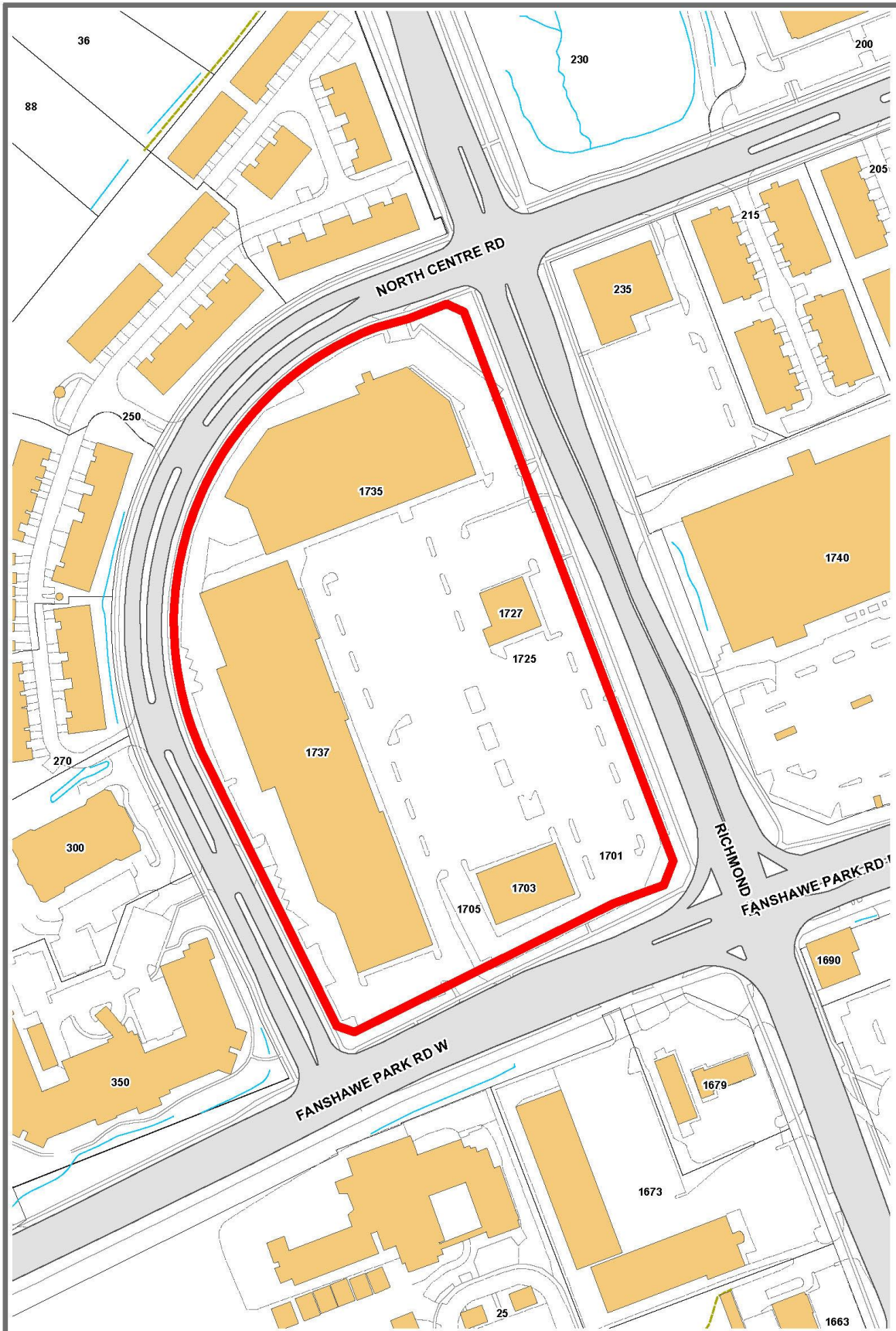
## 1.6 Surrounding Land Uses

- North – Townhouses
- East – Commercial
- South – Commercial
- West – Retirement home and townhouses



Figure 1: Subject site (view from corner of Richmond St and Fanshawe Park Rd W)

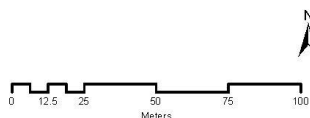
# 1.7 Location Map



### LOCATION MAP

Subject Site: 1701-1737 Richmond Street  
 File Number: Z-9291  
 Planner: Catherine Maton  
 Date: 22/03/2021

Corporation of the City of London  
 Prepared By: Planning and Development



Scale 1:2000

### Legend

-  Subject Site
-  Buildings
-  Submitted Under Review Subdivisions
-  Driveways/Parking Lots



## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The owner is proposing to add Food Store to the range of permitted uses on site and to recognize existing site conditions related to gross floor area and parking. No new development or expansions to the existing buildings are proposed, as the Food Store use is proposed to be located within existing gross floor area.

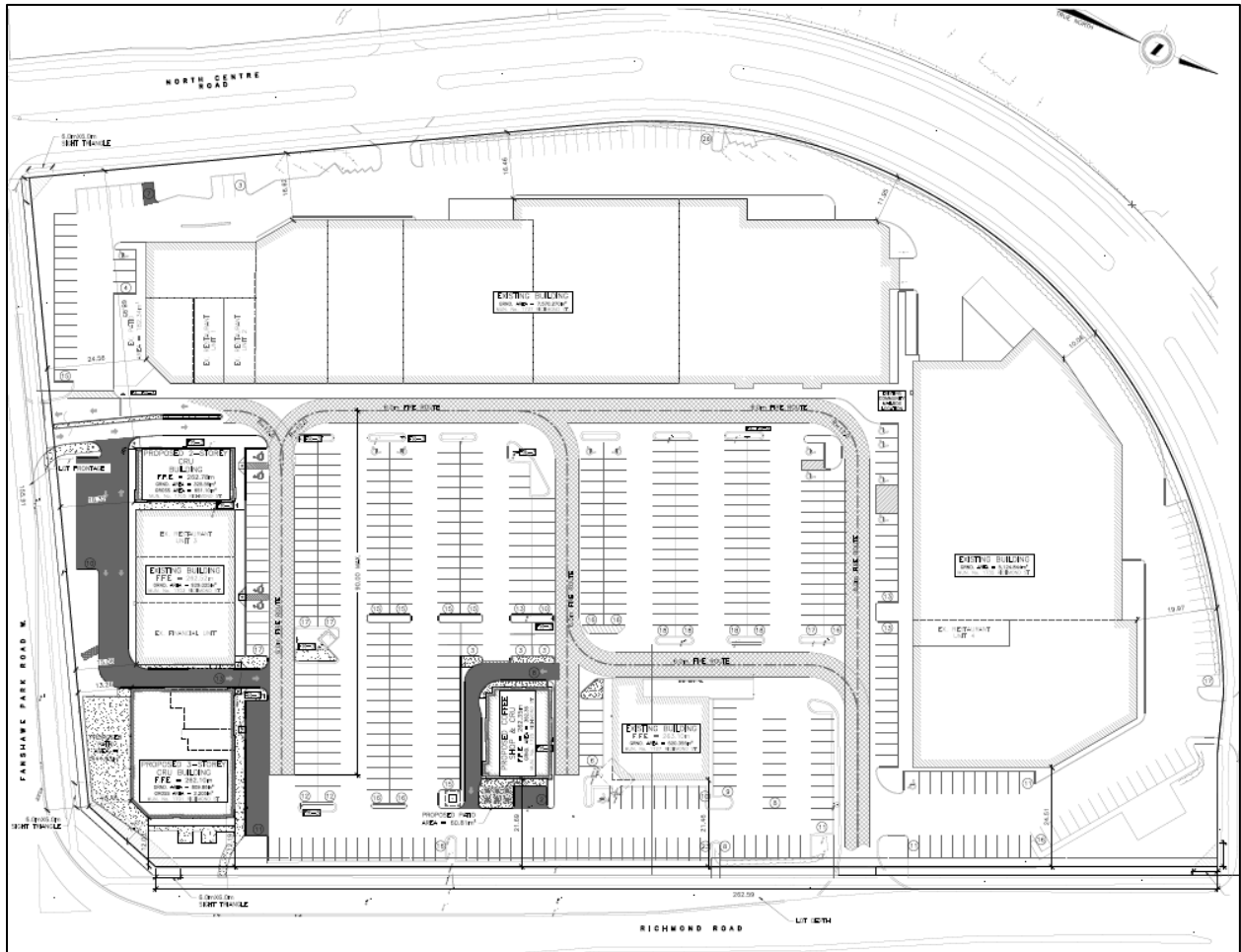


Figure 2: Site concept plan

### 2.2 Requested Amendment

The applicant has requested to change the zoning on the subject site from an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone to an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(\_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone. Special provisions would permit the proposed Food Store use and permit a maximum gross floor area of 17,950 square metres and a minimum parking supply of 550 spaces for all permitted uses. The existing range of permitted uses and special provisions prohibiting grocery store and supermarket uses, and regulating office uses, would continue to apply to the site.

The applicant had originally requested an increased maximum gross floor area of 17,337 square metres, a reduced parking supply of 630 spaces, and a reduced setback of 1.5 metres between existing parking and the ultimate road allowance. However, through the review of the application, it was realized that existing patio spaces were not captured in the original request and that there are existing parking spaces located in the City's road allowance. While these parking spaces are captured in an executed Boulevard Parking Agreement, they cannot contribute to the legal parking provided on site. It was further determined that the reduced setback between existing parking spaces and the road allowance is not required, as existing parking spaces located wholly on-site post-dedication are already deemed to comply under Section 4.14 of

Zoning By-law Z.-1. The application was amended accordingly.

### **2.3 Community Engagement (see more detail in Appendix B)**

Two written responses were received from two interested parties, which will be addressed later in this report. No concerns were raised.

### **2.4 Policy Context (see more detail in Appendix C)**

#### *Provincial Policy Statement, 2020*

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (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 London Plan provides Key Directions (54\_) that must be considered to help the City effectively achieve its vision. 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 of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to build a mixed-use compact city by:

- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward. (Key Direction #5, Directions 2 and 4).

The site is in the Transit Village Place Type, as identified on \*Map 1 – Place Types. A broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses are contemplated in the Transit Village Place Type (811\_1).

#### *1989 Official Plan*

The site is designated Enclosed Regional Commercial Node in accordance with Schedule ‘A’ of the 1989 Official Plan. The Enclosed Regional Commercial Node designation permits all types of large and small-scale retail outlets, including food stores (4.3.5.3). The subject site is also subject to a specific area policy in Chapter 10 of the 1989 Official Plan, which applies to the former Associated Shopping Area Commercial designation and regulates office uses while also prohibiting supermarkets and grocery stores.

### **3.0 Financial Impact/Considerations**

There are no direct municipal financial expenditures associated with this application.

### **4.0 Key Issues and Considerations**

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

*Provincial Policy Statement, 2020*

The PPS promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

Settlement areas are directed to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through 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). Policy 1.6.7.4 of the PPS encourages land use patterns, densities and a mix of uses that reduces the length and number of vehicle trips and support current and future use of transit and active transportation. Lastly, the PPS encourages long-term economic prosperity to be supported by promoting opportunities for economic development and community investment-readiness (1.7.1 a)).

The requested amendment facilitates the introduction of a complementary land use to the existing shopping centre development. The proposed Food Store would occupy existing floor area within the existing buildings on site, making use of existing underutilized building stock. The proposed Food Store would contribute to a range of uses and services available to the public and surrounding residential neighbourhoods. In addition, the requested parking reduction facilitates a transit-oriented development by encouraging alternative modes of transportation, reducing the number and length of vehicle trips to and from the site.

*The London Plan*

The vision of the Transit Village Place Type is to become exceptionally designed, high-density mixed-use urban neighbourhoods connected by rapid transit to other Transit Villages and to the Downtown. They will be occupied by extensive retail and commercial services and will allow for substantial office spaces, resulting in complete communities (806\_). Second only to the Downtown in terms of the mix of uses and intensity of development that is permitted, Transit Villages are major mixed-use destinations with centrally located rapid transit stations and are intended to support the rapid transit system by providing a higher density of people living, working, and shopping in close proximity to high-quality transit service (807\_ and 808\_).

The Transit Village Place Type contemplates a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses (811\_1). Buildings will be a minimum of either two storeys or eight metres

in height and will not exceed 15 storeys in height (\*813\_1). Increased building heights, up to 22 storeys, may be considered through Type 2 Bonus Zoning (\*813\_1). The Form policies of the Transit Village Place Type direct buildings and the public realm to be pedestrian, cycling and transit-supportive through building orientation, location of entrances, clearly marked pedestrian pathways, widened sidewalks, cycling infrastructure, and general site layout that reinforces pedestrian safety and easy navigation (814\_3).

The proposed Food Store use is a contemplated use in the Transit Village Place Type and complements the existing range of commercial and office uses, contributing to a complete community. No changes to the Intensity or Form are proposed, as the requested special provisions serve only to recognize the existing gross floor area and legal parking on site. Active uses at grade, including restaurants with patio spaces, as well as the new building currently under construction at the corner of Richmond Street and Fanshawe Park Road West, contribute to a pedestrian-oriented development.

#### *1989 Official Plan*

Enclosed Regional Commercial Nodes are intended to provide for a wide range of commercial uses and are to be developed to promote the integration of uses, encourage multi-purpose shopping trips, minimize the interface between commercial and residential development and reduce the disruption to traffic flow on adjacent streets (4.3.5.1).

A broad range of large and small-scale retail outlets are contemplated, including: department stores; retail warehouses, building supply, and home improvement and furnishings stores; specialized retail outlets and supermarkets and food stores; convenience commercial uses; personal services; restaurants; commercial recreation establishments; financial institutions and services; a limited range of automotive services; service-oriented office uses; community facilities, such as libraries or day care centres; and professional and medical/dental offices. (4.3.5.3).

Enclosed Regional Commercial Nodes are encouraged to develop with an enclosed shopping centre focus, with free-standing structures encouraged along the street edge (4.3.5.4). Commercial development within the Node shall normally range from 50,000 square metres to 120,000 square metres (4.3.5.5). Zoning of individual Nodes will normally be restricted to the existing zoned gross floor area and any expansions require a Zoning By-law Amendment (4.3.5.5).

Minor expansions to existing commercial nodes and/or intensification of existing development may be permitted, provided that the intent of the policies are not compromised (4.3.10). In addition, the following conditions must be met:

- i) the proposed expansion or enlargement does not significantly affect the scale, location, form or function or the expanded node;
- ii) the implementing zoning by-law and site plan address the size and nature of specific uses and the impacts relating to noise, vibration, emissions, lighting, parking and traffic generation resulting from the expansion; and,
- iii) the neighbouring uses are protected where necessary by provisions for landscaping, buffering or screening, as well as measures to reduce impacts which may be provided through site plan control and zoning provisions.

The proposed Food Store use is a contemplated use in the Enclosed Regional Commercial Node. By definition in Zoning By-law Z.-1, this use is restricted to a maximum gross floor area of 2,000 square metres. The requested increase in aggregate gross floor area for all uses and buildings on site would only recognize the existing gross floor area, inclusive of patio space. No new development is proposed at this time. The requested parking reduction facilitates a transit-oriented development and encourages patrons of the shopping centre to utilize alternative modes of transportation. The site is not contiguous to neighbouring uses, as it is separated by North Centre Road from the townhouses to the north and retirement facility to the west. However, landscaping and buffering currently exists on site to provide screening and has demonstrated compatibility over time.



In addition to the policies of the Enclosed Regional Commercial Node, the site is subject to a Specific Area Policy in Chapter 10 of the 1989 Official Plan. Policy 10.1.3 xxxii), which applies to the Northwest Quadrant of Richmond Street and Fanshawe Park Road, states the following:

*In the Associated Shopping Area Commercial designation in the northwest quadrant of Richmond Street and Fanshawe Park Road, in addition to the permitted Associated Shopping Area Commercial uses listed under section 4.5.2., all types of office uses may be permitted. Notwithstanding section 4.5.4., offices may be located in multi-use buildings or purpose-designed buildings at a greater scale and height than would normally be permitted in areas designated Associated Shopping Area Commercial. All such multi-use buildings and purpose-designed buildings constructed at such greater scale or height shall not, taken as a whole, exceed a maximum gross floor area of 4,645 square metres (50,000 square feet) or exceed a maximum height of 16 metres (52.5 feet). Furthermore, notwithstanding Section 4.5.2 i), supermarkets and grocery stores shall not be permitted uses in the area designated Associated Shopping Area Commercial.*

Staff acknowledge that the above noted policy references the Associated Shopping Area Commercial designation, a designation which no longer exists in the 1989 Official Plan. However, staff have given regard for this policy given its intent to apply to the subject lands. The specific policies related to office uses are currently implemented through the existing Associated Shopping Area Commercial Special Provision (ASA3(1)) Zone, which applies to the southerly portion of the site. No change to this special provision is requested and it would continue to apply to the site.

In addition, Policy 10.1.3 xxxii) prohibits Supermarkets and Grocery Stores which are also prohibited by the current zoning. These uses are specifically defined in the Zoning By-law and are differentiated from the definition of Food Stores. In other words, because they are separately defined, Supermarkets and Grocery Stores cannot be interpreted to be a Food Store. No changes to the special provisions prohibiting Supermarkets and Grocery Stores are proposed; the prohibitions would continue to apply to the site. Policy 10.1.3 xxxii) is silent on Food Store uses, which by definition in the Zoning By-law are a smaller scale use, and are specifically permitted in the Enclosed Regional Commercial Node designation. Given the foregoing, staff is satisfied the intent of this policy is maintained and that Food Stores continue to be a contemplated use.

#### *Draft Masonville Secondary Plan*

The subject site is located in the Masonville Secondary Plan study area. To date, staff have held a variety of engagement activities and have prepared the First Draft of the Masonville Secondary Plan. At the time of preparation of this report, the Public Participation Meeting to discuss the First Draft is scheduled for March 29, 2021.

#### **4.2 Issue and Consideration #5: Parking**

In addition to the special provisions permitting the proposed Food Store use and maximum gross floor area of 17,950 square metres, the owner has requested a parking reduction to permit 550 spaces for all permitted uses. Currently, there are 622 functional parking spaces available on site. However, approximately 72 of these spaces encroach into the City's road allowance and are captured through an executed Boulevard Parking Agreement. While this agreement allows for the continued use of these spaces in the interim, their long-term availability is not guaranteed due to planned future improvements to Richmond Street and Fanshawe Park Road West. As such, these spaces cannot be recognized as legal parking spaces to satisfy the Zoning By-law requirement, therefore the requested reduction is required.

Staff have no concerns with the requested parking reduction given the site's location in a Transit Village. The intent of the Transit Villages is to transform to higher intensity, mixed-use, transit-oriented communities. As such, long-term reliance on surface parking

is not envisioned and the requested parking reduction would facilitate a more transit-oriented development and encourage alternative modes of transportation.

In accordance with Section 4.19.4c) of Zoning By-law Z.-1, a minimum setback of 3 metres is required between parking spaces and the ultimate road allowance in commercial zones. The applicant had originally requested a reduced 1.5 metre setback to accommodate the location of existing parking spaces post-dedication of the road widening. In consultation with Site Plan staff, it was determined this special provision is not required as existing parking spaces are already recognized by Section 4.14 of Zoning By-law Z.-1, which deems setbacks to existing parking spaces reduced by road widening dedication to comply. While the existing parking spaces are recognized by this provision, any new parking spaces in the future would be required to meet the minimum 3 metre setback to facilitate a more pleasant pedestrian experience and an improved gateway into the city.

## **Conclusion**

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Transit Village Place Type. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the Enclosed Regional Commercial Node designation and Chapter 10 Specific Area Policies. The recommended amendment will facilitate the introduction of a new use that is complementary to the existing uses on site and will serve the surrounding neighbourhoods, while also recognizing existing site conditions until such time as comprehensive redevelopment occurs.

**Prepared by:** Catherine Maton, MCIP, RPP  
Senior Planner, Development Services

**Recommended by:** Paul Yeoman, RPP, PLE  
Director, Development Services

**Submitted by:** George Kotsifas, P. Eng  
Managing Director, Development & Compliance Services  
and Chief Building Official

## Appendix A

Bill No. (number to be inserted by Clerk's Office)  
2021

By-law No. Z.-1-21\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 1701-  
1737 Richmond Street.

WHEREAS Richmond Hyland Centre Inc. c/o Westdell Development Corporation has applied to rezone an area of land located at 1701-1737 Richmond Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1701-1737 Richmond Street, as shown on the attached map comprising part of Key Map No. A102, from an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone to an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(\_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone.
- 2) Section Number 24.4a) of the Associated Shopping Area Commercial (ASA1) Zone is amended by repealing and replacing the following Special Provision:

ASA1(5) 1701-1737 Richmond Street

a) Prohibited Use:

- i) Grocery stores

b) Additional Permitted Use:

- i) Food Store

c) Regulations:

- i) Gross Floor Area (Maximum) 17,950 sq.m (193,212.19 sq.ft), inclusive of patios
- ii) Parking (Minimum) 550 spaces for all permitted uses

- 3) Section Number 24.4b) of the Associated Shopping Area Commercial (ASA2) Zone is amended by repealing and replacing the following Special Provision:

ASA2(3) 1701-1737 Richmond Street

a) Prohibited Use:

- i) Supermarkets

b) Additional Permitted Use:

- i) Food Store

c) Regulations:

- |     |   |   |
|-----|---|---|
| i)  | Gross Floor Area for Supermarkets (Maximum) | Not Applicable                                      |
| i)  | Gross Floor Area (Maximum)                  | 17,950 sq.m (193,212.19 sq.ft), inclusive of patios |
| ii) | Parking (Minimum)                           | 550 spaces for all permitted uses                   |

- 4) Section Number 24.4c) of the Associated Shopping Area Commercial (ASA3) Zone is amended by repealing and replacing the following Special Provision:

ASA3(1) 1701-1737 Richmond Street

a) Additional Permitted Use:

- i) Food Store

b) Regulations:

- i) In addition to the permitted uses of the ASA3 Zone, offices are a permitted use subject to a maximum gross floor area of 4,645 square metres (50,000 square feet) for all office uses and a maximum height of 16 metres (52.5 feet) for office buildings.
- ii) The application of the maximum gross floor area requirements of office use shall be to the ASA3(1) Zone and not to the individual properties contained within the zone. Gross floor area shall be allocated in proportion to the lot size as it relates to the total area zoned.
- |      |                            |   |
|------|----------------------------|---|
| iii) | Gross Floor Area (Maximum) | 17,950 sq.m (193,212.19 sq.ft), inclusive of patios |
| iv)  | Parking (Minimum)          | 550 spaces for all permitted uses                   |

- 5) Section Number 24.4c) of the Associated Shopping Area Commercial (ASA3) Zone is amended by adding the following Special Provision:

ASA3(\_) 1701-1737 Richmond Street

b) Additional Permitted Use:

- i) Food Store

c) Regulations

- |     |                            |   |
|-----|----------------------------|---|
| i)  | Gross Floor Area (Maximum) | 17,950 sq.m (193,212.19 sq.ft), inclusive of patios |
| ii) | Parking (Minimum)          | 550 spaces for all permitted uses                   |

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.

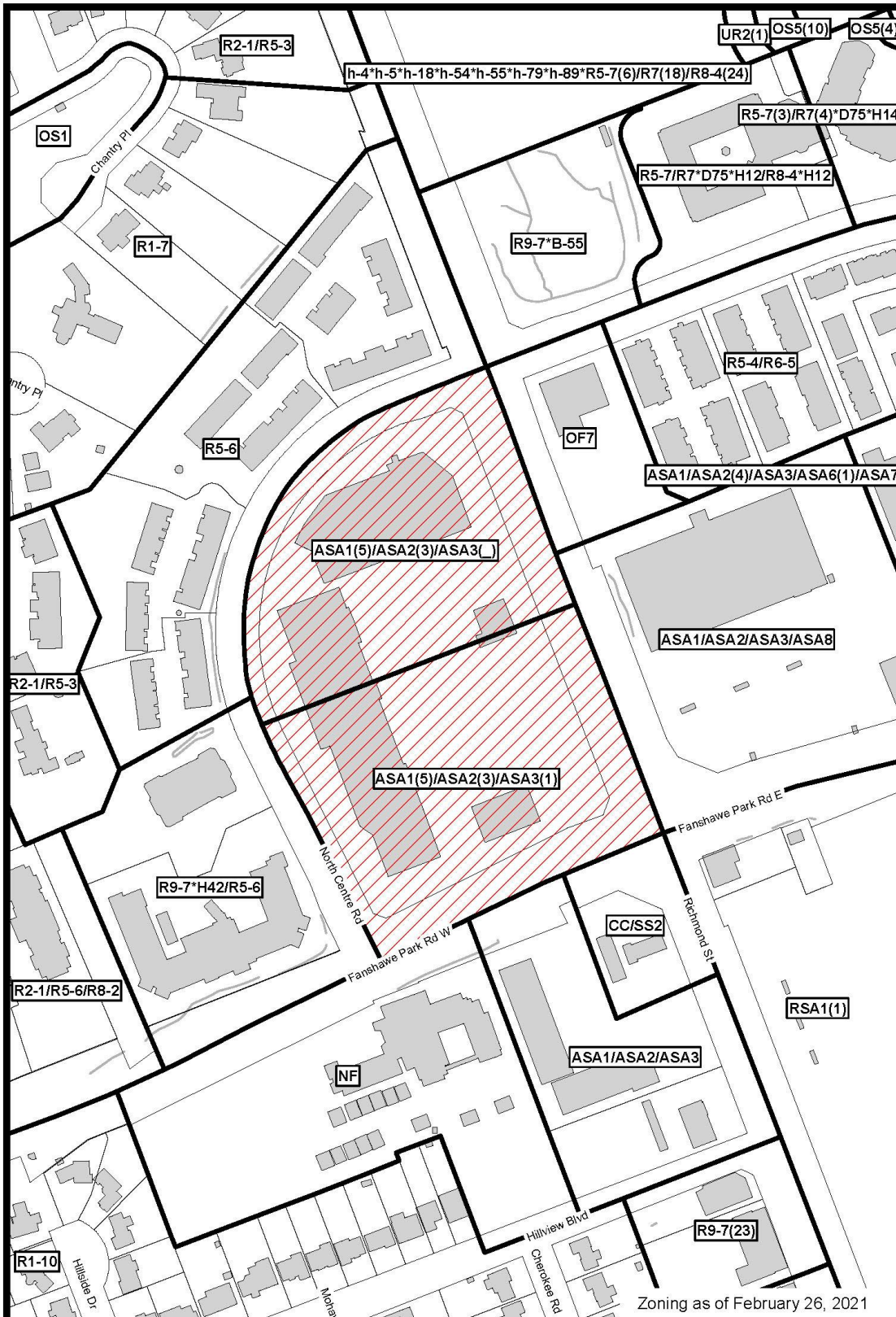
PASSED in Open Council on May 4, 2021.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – May 4, 2021  
Second Reading – May 4, 2021  
Third Reading – May 4, 2021

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



File Number: Z-9291  
 Planner: CM  
 Date Prepared: 2021/03/22  
 Technician: rc  
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters





## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On December 22, 2020, Notice of Application was sent to 134 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 24, 2020. A “Planning Application” sign was also posted on the site.

Two replies from two interested parties were received.

**Nature of Liaison:** The purpose and effect of this zoning change is to permit a food store. Possible change to Zoning By-law Z.-1 **FROM** an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone **TO** an Associated Shopping Area Commercial Special Provision (ASA1(\_)/ASA2(\_)/ASA3(\_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(\_)/ASA2(\_)/ASA3(\_)) Zone to permit a food store. Special provisions would permit: the proposed food store as an additional permitted use; an increased maximum gross floor area of 17,362 square metres, whereas 17,337 square metres is the maximum; a reduced minimum parking supply of 630 spaces, whereas a minimum of 632 spaces is required; and to permit parking to be located 1.5 metres from the ultimate road allowance, whereas a minimum of 3 metres is required. The existing special provisions would continue to apply to the site.

**Public liaison:** On March 31, 2021, Notice of Revised Application and Notice of Public Meeting was sent to 134 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 1, 2021.

**Nature of Liaison:** The purpose and effect of this zoning change is to permit a food store. Possible change to Zoning By-law Z.-1 **FROM** an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone **TO** an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(\_)) Zone and an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone to permit a Food Store. Special provisions would permit: the proposed Food Store as an additional permitted use; an increased maximum gross floor area of 17,950 square metres, whereas 17,337 square metres is the maximum; and a minimum parking supply of 550 spaces for all permitted uses. The existing special provisions and range of permitted uses would continue to apply to the site.

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

#### Concern for:

No concerns were raised by interested parties. The interested parties who provided responses requested clarification and status updates on the requested amendment.

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

Telephone	Written
	Piper Kearney
	Harry Froussios Zelinka Priamo Ltd. 318 Wellington Road London, ON N6C 4P4

**From:** Piper Kearney  
**Sent:** Saturday, December 26, 2020 12:40 PM  
**To:** Maton, Catherine <cmaton@london.ca>  
**Subject:** [EXTERNAL] Hi

Hi Catherine,

My name is Piper Kearney, and I live close to Masonville Mall. I was wondering if I could get more information on 1701-1737 Richmond Street (File number Z-9291).

Thank you,

Piper

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**From:** Harry Froussios  
**Sent:** Monday, January 4, 2021 4:38 PM  
**To:** Maton, Catherine <cmaton@london.ca>  
**Subject:** [EXTERNAL] 1701-1737 Richmond St (Z-9291)

Hi Catherine,

Could you please provide the following information (if available) for the proposed food store:

- Floor area of food store
- Tenant (if disclosed)
- Location (existing or new space)
- Planning justification report in support of ZBA

Thank you for your assistance. If you have any questions, please do not hesitate to contact me.

Regards  
Harry

**Harry Froussios**, BA, MCIP, RPP  
Senior Associate

**ZELINKA PRIAMO LTD.**  
**A Professional Planning Practice**  
318 Wellington Road  
London, ON N6C 4P4

#### **Agency/Departmental Comments**

January 4, 2021: London Hydro

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. **Note:** Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

January 15, 2021: Upper Thames River Conservation Authority

Dear Ms. Maton:

**Re: Application to Amend the Zoning By-law - File No. Z-9291**  
**Applicant: Richmond Hyland Centre Inc. c/o Westdell Development Corporation**

## 1701 to 1737 Richmond Street, London, ON

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Board approved policies contained in *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. Finally, UTRCA has provided advisory comments related to policy applicability and to assist with implementation of the *Thames Sydenham Source Protection Plan* under the *Clean Water 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 by the UTRCA and a Section 28 permit application will not be required. The UTRCA has no objections to this application.

#### January 18, 2021: Stormwater Engineering

SWED staff have no additional SWM related comment to this zoning amendment.

#### March 12, 2021: Transportation

Based on the information provided and our discussion today related to the items outlined in your email below Transportation supports the reduction as outlined. With the understanding that the gross floor area is not actually increasing beyond the previous applications and that the further reduction is a result of parking that is technically in the City ROW with an agreement, and some patio space that was already installed, which has now come to our attention.

#### March 29, 2021: Sewers Engineering

SED has no objection for this proposal as a commercial intensification and as indicated in Z-9291- Notice of Planning Application.

#### March 31, 2021: CN Rail

Thank you for circulating CN the proposed project mentioned in subject. This is to confirm that we have reviewed the information and site location. CN Rail does not have any comments or objections to this application.

#### April 13, 2021: Parks Planning and Design

The City of London's Parks Planning & Design (PP&D) Section would like to flag that the attached OP/Zoning application is within the Draft Masonville Secondary Plan. That Draft Secondary Plan identifies a need for parkland within this development parcel. The PP&D Section would be interested in discussing opportunities, with the land owner, to incorporate parkland into future development applications that supports the intent of the Draft Secondary Plan (and as required by Planning Act and City of London By-law CP-9).

## 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, 2020

1.1  
1.1.1 e)  
1.1.3  
1.1.3.2  
1.1.3.3  
1.6.7.4  
1.7.1

### The London Plan

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

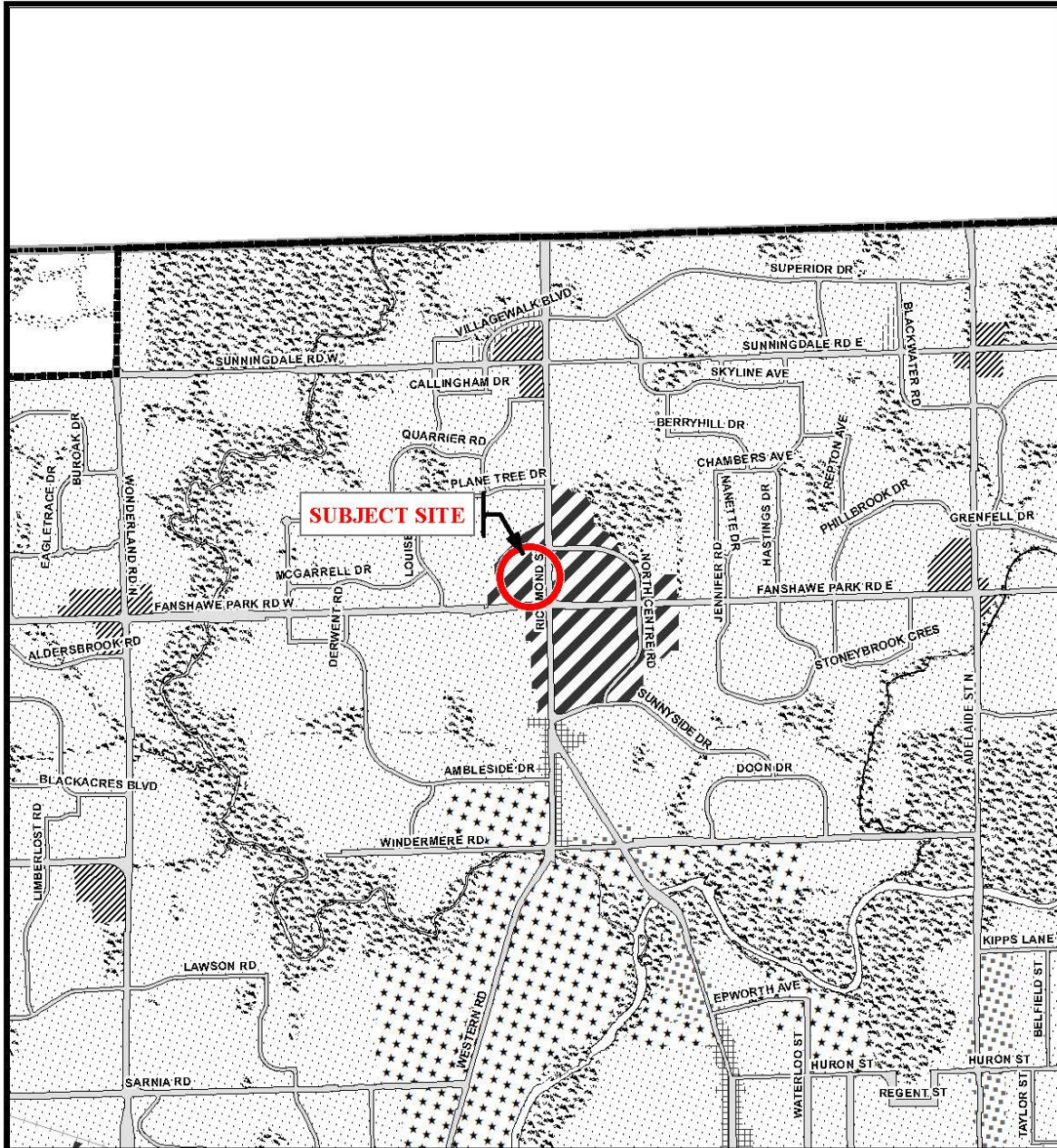
\*Map 1  
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### Official Plan (1989)

4.3.5.1  
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4.3.5.10  
10.1.3xxxii)

# Appendix D – Relevant Background

## Additional Maps



### 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.*

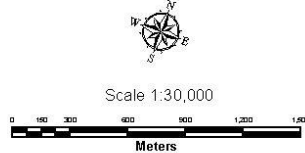
*At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.*

### CITY OF LONDON

Planning Services /  
Development Services

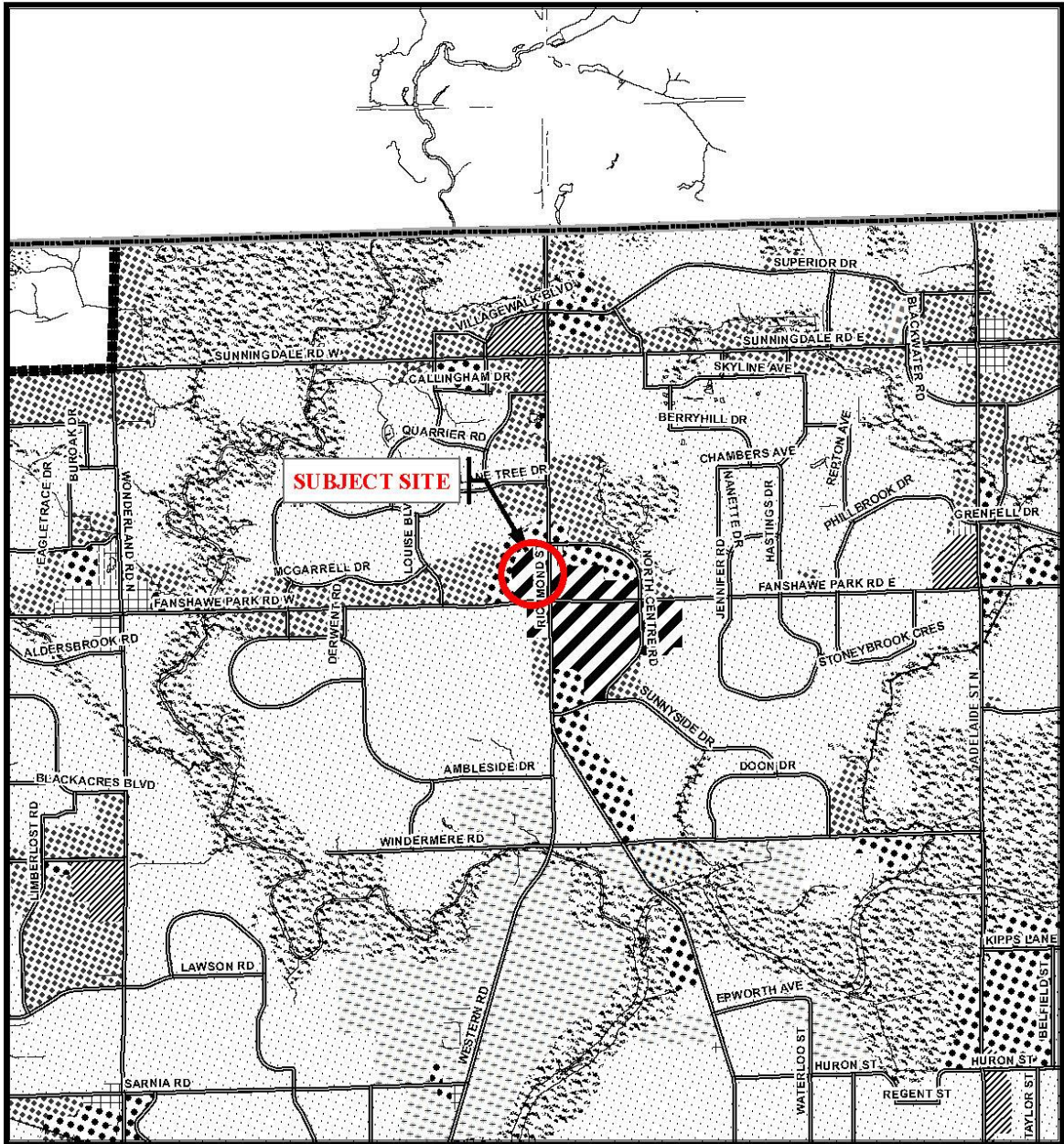
### LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



**File Number:** Z-9291  
**Planner:** CM  
**Technician:** RC  
**Date:** March 22, 2021





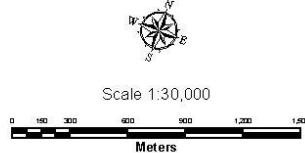
**Legend**

- |  |                                   |
|--|-----------------------------------|
| Downtown                                 | Office Business Park              |
| Enclosed Regional Commercial Node        | General Industrial                |
| New Format Regional Commercial Node      | Light Industrial                  |
| Community Commercial Node                | Regional Facility                 |
| Neighbourhood Commercial Node            | Community Facility                |
| Main Street Commercial Corridor          | Open Space                        |
| Auto-Oriented Commercial Corridor        | Urban Reserve - Community Growth  |
| Multi-Family, High Density Residential   | Urban Reserve - Industrial Growth |
| Multi-Family, Medium Density Residential | Rural Settlement                  |
| Low Density Residential                  | Environmental Review              |
| Office Area                              | Agriculture                       |
| Office/Residential                       | Urban Growth Boundary             |
|  | Enterprise                        |

**CITY OF LONDON**  
 Department of  
 Planning and Development

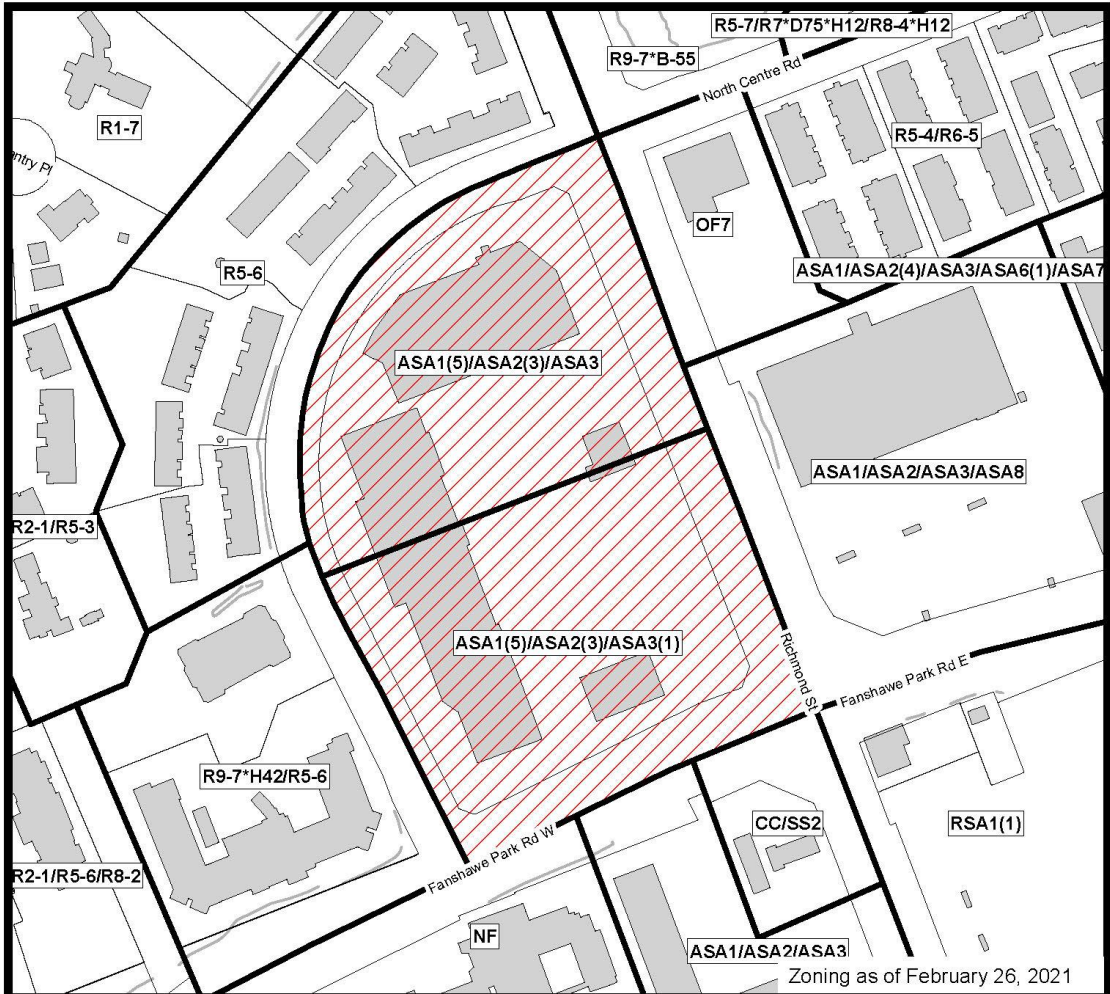
OFFICIAL PLAN SCHEDULE A  
 - LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9291  
 PLANNER: CM  
 TECHNICIAN: RC  
 DATE: 2021/03/22





**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            |                                   |
| R7 - SENIOR'S HOUSING                     | OS - OPEN SPACE                   |
| R8 - MEDIUM DENSITY/LOW RISE APTS.        | CR - COMMERCIAL RECREATION        |
| R9 - MEDIUM TO HIGH DENSITY APTS.         | ER - ENVIRONMENTAL REVIEW         |
| R10 - HIGH DENSITY APARTMENTS             |                                   |
| R11 - LODGING HOUSE                       | OB - OFFICE BUSINESS PARK         |
|   | LI - LIGHT INDUSTRIAL             |
| DA - DOWNTOWN AREA                        | GI - GENERAL INDUSTRIAL           |
| RSA - REGIONAL SHOPPING AREA              | HI - HEAVY INDUSTRIAL             |
| CSA - COMMUNITY SHOPPING AREA             | EX - RESOURCE EXTRACTIVE          |
| NSA - NEIGHBOURHOOD SHOPPING AREA         | UR - URBAN RESERVE                |
| BDC - BUSINESS DISTRICT COMMERCIAL        |                                   |
| AC - ARTERIAL COMMERCIAL                  | AG - AGRICULTURAL                 |
| HS - HIGHWAY SERVICE COMMERCIAL           | AGC - AGRICULTURAL COMMERCIAL     |
| RSC - RESTRICTED SERVICE COMMERCIAL       | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL               | TGS - TEMPORARY GARDEN SUITE      |
| SS - AUTOMOBILE SERVICE STATION           | RT - RAIL TRANSPORTATION          |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL |                                   |
| OR - OFFICE/RESIDENTIAL                   | "h" - HOLDING SYMBOL              |
| OC - OFFICE CONVERSION                    | "D" - DENSITY SYMBOL              |
| RO - RESTRICTED OFFICE                    | "H" - HEIGHT SYMBOL               |
| OF - OFFICE                               | "B" - BONUS SYMBOL                |
|   | "T" - TEMPORARY USE SYMBOL        |

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9291

CM

MAP PREPARED:

2021/03/22

rc

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Meters