## **Report to Planning and Environment Committee**

To: Chair and Members

**Planning & Environment Committee** 

From: George Kotsifas P. Eng.,

**Deputy City Manager, Planning and Economic Development** 

Subject: Farhi Holdings Corporation

192-196 Central Avenue, 193-197 Central Avenue, and 200

Albert Street

**Public Participation Meeting** 

Date: May 10, 2021

#### Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Farhi Holdings Corporation relating to the properties located at 192-196 Central Avenue, 193-197 Central Avenue, and 200 Albert Street the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 25, 2021 to amend Zoning By-law Z.-1, in conformity with the Official Plan, by extending the Temporary Use (T-70) Zone for a period not exceeding three (3) years.

#### **Summary of Request**

The owner has requested to extend the existing Temporary Use (T-70) Zone to allow for the continued use of three (3) existing surface commercial parking lots for a period not to exceed three (3) years.

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

The purpose and effect of the requested Zoning By-law amendment is to extend the existing Temporary Use (T-70) Zone to allow for the continuation of three existing surface commercial parking lots on the subject lands for a period not to exceed three (3) years.

#### **Rationale of Recommended Action**

- 1. The recommended extension to the Temporary Use (T-70) Zone is consistent with the Provincial Policy Statement, 2020;
- The recommended extension to the Temporary Use (T-70) Zone conforms to the in-force policies of the 1989 Official Plan, including but not limited to, the Temporary Use By-law policies;
- 3. The recommended extension to the Temporary Use (T-70) Zone conforms to the in-force policies of The London Plan, including but not limited to, the Temporary Use Provisions;
- 4. The recommended extension to the Temporary Use (T-70) Zone does not compromise the ability to achieve the long-term goals of Our Move Forward: London's Downtown Plan;
- 5. The recommended extension to the Temporary Use (T-70) Zone is appropriate to help maintain an adequate supply of parking to service businesses in the Downtown and on Richmond Row pending the gradual transition away from the use of surface commercial parking lots as transit ridership increases and as alternative parking spaces are provided; and,
- 6. The parking lots have existed for periods ranging from 15-28 years and have achieved a measure of compatibility with the surrounding land uses.

## 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

Z-7528 – June 16, 2008 - Report to Planning Committee supporting an application related to 192 – 196 Central Avenue and 193 – 197 Central Avenue, to permit the temporary parking lot use for a period of three (3) years.

Z-8336 – June 17, 2014 - Report to Planning Committee supporting an application by Farhi Holdings to permit the temporary parking lot use for all three (3) properties for a period of three (3) years.

TZ-8802 – October 23, 2017 - Report to Planning and Environment Committee supporting an application by Farhi Holdings to permit an extension to the existing Temporary Use (T-70) Zone to allow for the continuation of three (3) existing surface commercial parking lots on the subject lands for a period not to exceed three (3) years.

## 1.2 Planning History

**192-196 Central Avenue** – On January 20, 1992, City Council passed a Zoning By-law amendment to permit a parking lot on the subject land for a period of two years. The temporary use expired in 1994 and subsequent Zoning By-law amendments were approved in 1997, 2000, 2008 and 2011 to allow use of the property for a temporary surface commercial parking lot.

**193-197 Central Avenue** – On August 29, 2005, City Council passed a Zoning By-law amendment to permit a parking lot on the subject land for a period of three years and allowed a setback reduction from 3.0 metres to 0.0 metres from the original street line. The temporary zone was then extended until 2011.

**200 Albert Street** – A temporary zone to allow a commercial parking lot was approved in 2004 and expired in 2007.

All three properties – In 2014 Council approved a new temporary use (T-70) zone to permit surface commercial parking lots on all three properties, and recognized the existing condition of a front yard setback for the parking lots of 0.0 metres. Most recently, in 2017, Council passed a by-law to extend the existing Temporary Use (T-70) Zone to allow for the continuation of three existing surface commercial parking lots on the subject lands for a period not to exceed three (3) years. This extension expired on October 30, 2020.

On December 12, 2017, Council approved the Downtown Parking Strategy which provides guidance for requests to extend surface commercial parking lots, and its recommendations provide additional criteria to be considered. Subsequently on May 8, 2018, Council approved amendments to the 1989 Official Plan, The London Plan, and Our Move Forward: London's Downtown Plan to include specific evaluation criteria for requests to extend temporary zones for surface commercial parking lots. The policies, as well as the Downtown Parking Strategy, are now in force and effect.

#### 1.3 Property Description

The subject sites are three separate properties located behind the commercial properties lining Richmond Row. Having a combined area of approximately 0.63 hectares, these fully paved properties provide just over 200 delineated parking spaces used by downtown businesses and visitors. The sites have functioned as surface commercial parking lots for periods ranging from 15 to 28 years. Each property is accessed via one or more direct driveways on Central Avenue and Albert Street. Users can access 200 Albert Street from 193-197 Central Avenue and vice versa via a drive aisle linking the two. Landscaping consists of landscape stone and robust perennial plantings which in the Spring to Fall months, provide interest and soften the view of the parking lots from the streets. There are

no delineated pedestrian pathways, however, the three lots combined with other parking lots and developments in the area provide for easy pedestrian movements behind the Richmond Street frontage from Albert Street to Hyman Street.

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

#### 192-196 Central Avenue

- Official Plan Designation Multi-Family, High Density Residential
- The London Plan Place Type Neighbourhoods Place Type within the High Density Residential Overlay
- Existing Zoning Residential R10/Office Residential/Temporary (R10-4\*H-26/OR5\*D303\*H26/T-70) Zone

#### 193-197 Central Avenue

- Official Plan Designation Multi-Family, High Density Residential
- The London Plan Place Type Neighbourhoods Place Type within the High Density Residential Overlay
- Existing Zoning Holding Residential R3/Residential R4/Residential R8/Office Conversion/Restricted Office/Temporary (h-5\*R3-1/R4-1/R8-4/OC7/RO3/T-70) Zone

#### 200 Albert Street

- Official Plan Designation Multi-Family, High Density Residential
- The London Plan Place Type Rapid Transit Corridor Place Type
- Existing Zoning Residential R10/Office Conversion/Temporary (R10-3\*H24/OC7/T-70) Zone

#### 1.5 Site Characteristics

#### 192-196 Central Avenue

- Current Land Use Temporary Surface Commercial Parking Lot
- Frontage 48.46 metres
- Depth 38 metres
- Area 0.18 ha
- Shape Rectangular

#### 193-197 Central Avenue

- Current Land Use Temporary Surface Commercial Parking Lot
- Frontage 21 metres
- Depth 46 metres
- Area 0.10 ha
- Shape Rectangular

#### 200 Albert Street

- Current Land Use Temporary Surface Commercial Parking Lot
- Frontage 44.81 metres
- Depth 229.7 metres
- Area 0.34 ha
- Shape Rectangular

## 1.6 Surrounding Land Uses

- North Residential/Commercial
- East Commercial (Richmond Row)
- South Residential/Commercial
- West Residential



Figure 1: 192-196 Central Avenue (north view)

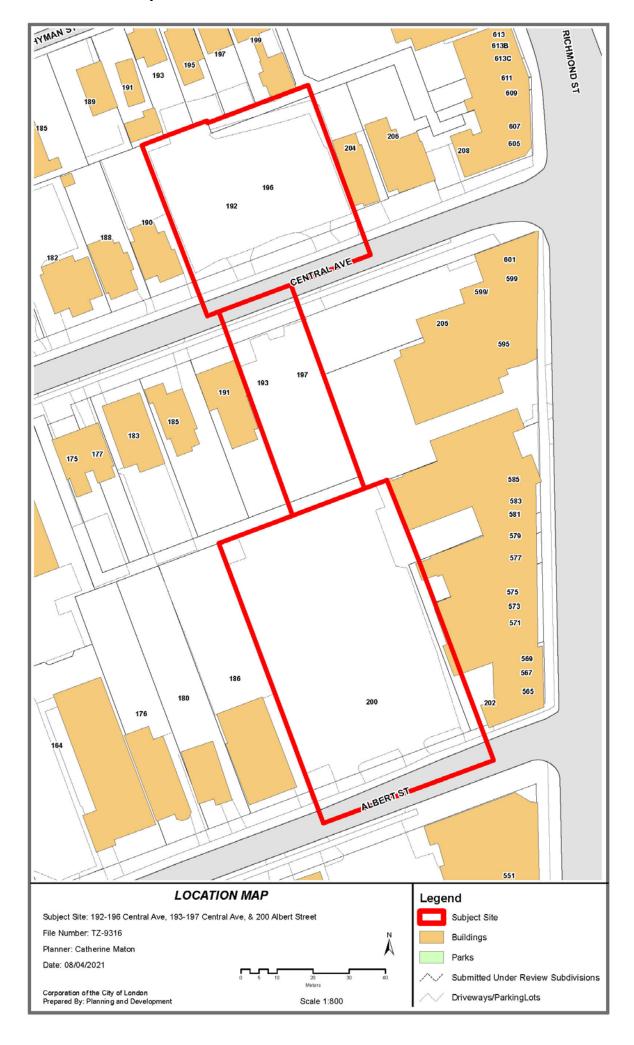


Figure 2: 193-197 Central Avenue (south view)



Figure 3: 200 Albert Street (north view)

## 1.7 Location Map



#### 2.0 Discussion and Considerations

#### 2.1 Development Proposal

No development is proposed.

#### 2.2 Requested Amendment

The applicant has requested an extension to the Temporary Use (T-70) Zone to allow for the continued operation of three (3) surface commercial parking lots for an additional three (3) years.

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

15 written responses were received from 13 members of the public, which will be addressed later in this report. The concerns raised were with respect to perpetuation of surface parking lots in downtown and on Richmond Row and the need for more comprehensive redevelopment of the subject sites with apartment buildings and underground parking.

### 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.

192-196 Central Avenue and 193-197 Central Avenue are in the Neighbourhoods Place Type on a Neighbourhood Connector as identified on \*Map 1 – Place Types and Map 3 – Street Classifications. A range of low-rise residential uses are contemplated up to a maximum height of 2.5-storeys in accordance with Tables 10 and \*11. The sites are also in the High Density Residential Overlay as idenfiied on \*Map 2 – High Density Residential Overlay, and the Talbot Mixed Use Specific Policy Area as identified on \*Map 7 – Specific Policy Areas.

200 Albert Street is in the Rapid Transit Corridor Place Type in the Richmond Row Main Street Specific Segment, as identified on \*Map 1 – Place Types and \*Map 7 – Specific Policy Areas. This Place Type encourages a range of residential, retail, service, office, cultural, recreational, and institutional uses in mixed-use buildings with retail and service uses fronting the street at grade (\*837\_).

The Our Tools section of The London Plan establishes a policy framework for the consideration of temporary use by-laws. Provided the general intent and purpose of The London Plan is maintained, City Council may pass by-laws to authorize the temporary use of land, buildings, or structures for a purpose that is otherwise prohibited by this

Plan, for renewable periods not exceeding three years, in accordance with the provisions of the Planning Act (1671\_). Additional criteria contained in Policy 1673A\_ provides further direction on applications for temporary zoning to permit surface commercial parking lots in the Downtown Place Type, but are not applicable as the sites are located outside of Downtown.

#### 1989 Official Plan

All three properties are designated Multi-family, High Density Residential in accordance with Schedule 'A' of the 1989 Official Plan and are within the Talbot Mixed-Use Area pursuant to Section 3.5.1.

The 1989 Official Plan also provides policy direction with regard to enabling provisions for temporary uses under Section 19.4.5 of the Official Plan, which states temporary use bylaws may be considered provided the general intent and purpose of the Official Plan is being maintained. These policies are essentially verbatim to the Temporary Use Provisions contained in the Our Tools section of The London Plan, which are not under appeal and are in force.

#### Our Move Forward: London's Downtown Plan

Our Move Forward: London's Downtown Plan serves as a guideline document adopted under Chapter 19 of the 1989 Official Plan. The Downtown Plan identifies specific sites in the downtown that are opportunity sites for redevelopment and sites that are currently underutilized; many of which are currently used as surface commercial parking lots.

#### Downtown Parking Strategy

The Downtown Parking Strategy was approved by Council in December 2017. The comprehensive study considers a number of factors including: existing downtown parking supply and usage; future development implications; the City's role in the provision of shared public parking resources; financial implications; and recommendations on an approach to surface commercial parking lots.

The subject sites are located outside of the Downtown and therefore are not captured within the Downtown Parking Strategy study boundary, as demonstrated in Figure 4. The Downtown Parking Strategy study boundary is delineated in red while the subject sites are identified with yellow stars.



Figure 4: Downtown Parking Strategy study boundary

#### 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

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 (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, and by maintaining and enhancing the vitality and viability of downtowns and main streets (1.7.1 a) and d)).

While the long-term use of the subject properties as surface commercial parking lots would encourage vehicle trips, staff is satisfied the recommended extension of three (3) years would not undermine future redevelopment of a high density, transit-oriented development. The interim use as surface commercial parking lots would contribute to the short-term availability of parking in the core to serve area residents and businesses along Richmond Row, while allowing for future redevelopment.

#### The London Plan

192-196 Central Avenue and 193-197 Central Avenue are in the Neighbourhoods Place Type in Central London with a High Density Residential Overlay. Central Avenue is classified on Map 3 as a Neighbourhood Connector. Key elements of vibrant, exciting places to live include a strong neighbourhood character, sense of place and identity, and attractive streetscapes, buildings and public places (916\_). The range of permitted uses identified in Table 10 include housing types ranging from single detached dwellings through fourplexes, stacked townhouses and low-rise apartments, along with small-scale community facilities. While development is encouraged to conform with the underlying place type, the High Density Residential Overlay permits residential development up to 12-storeys in height on these properties (\*954\_). The policies do not permit large amounts of on-site parking to accommodate the parking requirements of mixed-use buildings. Front yard parking is not permitted on properties fronting Neighbourhood Connectors (936\_).

192-196 Central Avenue and 193-197 Central Avenue are also in the Talbot Mixed-Use Specific Policy Area, as identified on \*Map 7 – Specific Policy Areas. Sites within the High Density Residential Overlay within the Talbot Mixed-Use Area may be considered for high and medium density residential forms of development, as determined through the zoning by-law amendment process, that involve substantial land assembly and provide a high standard of site and building design with emphasis on landscaped open space and underground or appropriately screened parking areas (1027\_). The lands fronting onto the north and south side of Central Avenue, between Talbot Street and the Richmond Row Commercial District, are appropriate for the development of a mixed-use corridor with a low profile which provides a transition between the higher intensity uses to the south and

the lower intensity uses to the north (1030\_).

200 Albert Street is in the Rapid Transit Corridor Place Type in the Richmond Row Main Street Specific Segment, encouraging a range of residential, retail, service, office, cultural, recreational, and institutional uses in mixed-use buildings with retail and service uses fronting the street at grade (\*837\_). Buildings in the Main Street Specific Segments are permitted up to a maximum height of 12-storeys (847\_2). The policies of the Rapid Transit Corridor Place Type generally encourage an intensive built form that conforms with the City Design policies, creates a strong street wall along corridors, is transit and pedestrian oriented and locates surface parking areas in rear and interior side yards or integrated as underground or structured parking integrated within the building design (841\_).

The Our Tools section of The London Plan establishes a policy framework for the consideration of temporary use by-laws (1672\_):

In enacting a temporary use by-law, City Council will have regard for the following matters:

- 1. Compatibility of the proposed use with surrounding land uses.
- 2. Any requirement for temporary buildings or structures in association with the proposed use.
- 3. Any requirement for temporary connection to municipal services and utilities.
- 4. The potential impact of the proposed use on mobility facilities and traffic in the immediate area.
- 5. Access requirements for the proposed use.
- 6. Parking required for the proposed use, and the ability to provide adequate parking on-site.
- 7. The potential long-term use of the temporary use.
- 8. In the case of temporary commercial surface parking lots in the Downtown, the impact on the pedestrian environment in the Downtown.
- 9. The degree to which the temporary use may be frustrating the viability of the intended long-term use of the lands.

The subject properties have operated as surface commercial parking lots for periods between 15 and 28 years. Over the years, they have attained a measure of compatibility with surrounding land uses. These lands provide some relief for the parking needs of the commercial corridor along Richmond Street. The lots were improved to meet municipal standards as part of the previous applications to permit the temporary use. The recommended three (3) year extension to the Temporary Use (T-70) Zone does not require or propose any new temporary buildings or structures. Automated parking "pay and display" machines, lighting, fencing and enhanced landscaping are being maintained. The recommended extension of the Temporary Use (T-70) Zone does not require any additional municipal services or utilities other than what currently exist.

No changes to the existing surface parking area are proposed, therefore there are no short-term impacts on transportation facilities or traffic in the immediate area. Over the longer term, 193-197 Central Avenue and 200 Albert Street are identified as priority sites for redevelopment, and 200 Albert Street is identified as an opportunity site where new development could bridge street wall gaps and/or link activity generators (Our Move Forward: London's Downtown Plan). There are no concerns with the existing accesses to the subject lands, which are to be maintained. The recommended extension to the Temporary Use (T-70) Zone is for surface commercial parking purposes, therefore there is no concern relating to the provision of adequate parking for the temporary use.

The three (3) year extension of the Temporary Use (T-70) Zone is appropriate in the short-term to serve area residents and businesses along Richmond Row. While the site is outside of the Downtown Parking Strategy area, the gradual phasing out of surface commercial parking lots is recommended to avoid parking shortages while the Strategy comes to fruition. As such, the short-term extension would continue to provide parking in the core to serve area residents and businesses, until such time as the sites are redeveloped and alternative parking and transportation options are available.

#### 1989 Official Plan

The subject properties are designated Multi-family, High Density Residential in the 1989 Official Plan, which contemplates low-rise and high—rise apartment buildings, apartment hotels, multiple-attached dwellings, emergency care facilities, nursing homes, rest homes, homes for the aged and rooming and boarding houses as the main permitted uses. The preferred locations for this designation are lands adjacent to major employment centres, shopping areas, major public open space, and transportation routes, and where high density residential development will not adversely affect surrounding land uses (3.4 and 3.4.1)

The subject properties are also identified as being within the Talbot Mixed-Use Area pursuant to Section 3.5.1 of the Official Plan. This policy supports high and medium density forms of development that involve substantial land assembly and provide a high standard of site design with emphasis on landscaped open space and underground or appropriately screened parking areas. It also identifies the Multi-family, High Density Residential lands fronting onto Albert Street and both sides of Central Avenue behind Richmond Street as being appropriate for development as a mixed-use area, including such uses as offices, retail, personal service, financial institutions, eat-in restaurant and business services uses.

The review criteria for temporary uses in the 1989 Official Plan were perpetuated through the Temporary Use Provisions policies in the Our Tools section of The London Plan. These policies are essentially verbatim to the Temporary Use Provisions contained in the Our Tools section of The London Plan, which are not under appeal and are in force.

#### Our Move Forward: London's Downtown Plan

On April 14, 2015, Municipal Council adopted Our Move Forward: London's Downtown Plan as a Guideline Document to the Official Plan. According to Section 19.2.2 of the Official Plan, guideline documents "...provide detailed direction for the implementation of Official Plan policies." Section 19.2.2. of the Official Plan continues stating that "...depending on the nature of the guideline document, they will provide specific direction for the preparation and review of development proposals, the identification of conditions to development approval, or the planning of improvements to public services and facilities...".

Of particular relevance to the current request to extend the Temporary Use (T-70) Zone for an additional three (3) years, Our Move Forward: London's Downtown Plan:

- Identifies both 200 Albert Street and 193-197 Central Avenue as underutilized sites, and also identifies 200 Albert Street as a "redevelopment opportunity site", as shown in Figure 5 below. The Plan notes that "....surface parking lots, in particular, present ideal locations for redevelopment, as there is little site work needed before new construction can begin. There is no net loss of the parking anticipated in the redevelopment of these parking lots, as parking can be regained by incorporating underground parking and structured parking into the design of the new development.";
- States that "there are opportunity sites where new development could bridge streetwall gaps and/or link activity generators. These strategic locations are priority sites for redevelopment."

Our Move Forward: London's Downtown Plan recognizes the long-term development opportunities offered by two of the subject properties. Extending the Temporary Use (T-70) Zone for an additional three (3) years will have no impact on the potential for the long-term redevelopment of the site.

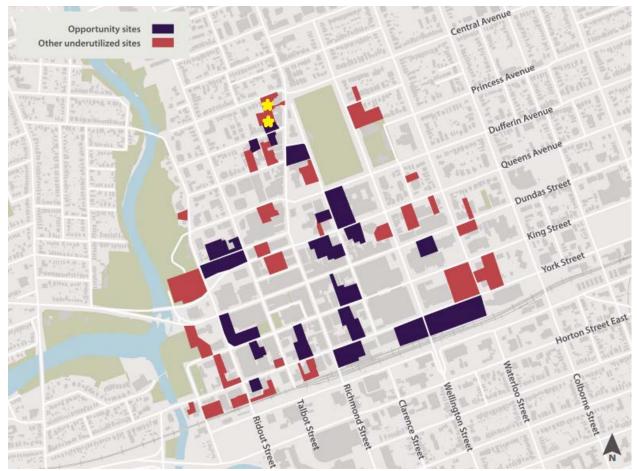


Figure 5: Map 5 – Priority Sites for Redevelopment (Our Move Forward: London's Downtown Plan)

### Conclusion

The recommended amendment is consistent with the policies of the Provincial Policy Statement (2020) and is in conformity with the policies of The London Plan and the 1989 Official Plan. Permitting surface commercial parking on a temporary basis allows for the continuation of an existing use which has achieved a measure of compatibility with the area and surrounding land uses, and which currently serves a purpose in supporting the Downtown and Richmond Row. The temporary continuation of this use will continue to permit redevelopment of the lands in the future and allows for a temporary use that does not conflict with Our Move Forward: London's Downtown Plan in the short term.

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

**Deputy City Manager, Planning and Economic** 

Development

## **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 192-196 Central Avenue, 193-197 Central Avenue, and 200 Albert Street.

WHEREAS Fahri Holdings Corporation has applied to extend the Temporary Use (T-70) Zone as it applies to lands located at 192-196 Central Avenue, 193-197 Central Avenue, and 200 Albert Street for a period not to exceed three (3) years;

AND WHEREAS the Municipal Council of the Corporation of the City of London, by By-law No. Z.-1-142297 approved the Temporary Use for 192-196 Central Avenue, 193-197 Central Avenue, and 200 Albert Street for a period not exceeding three (3) years beginning June 24, 2014;

AND WHEREAS the Municipal Council of the Corporation of the City of London, by By-law No. Z.-1-172623 approved an extension the Temporary Use for 192-196 Central Avenue, 193-197 Central Avenue, and 200 Albert Street for a period not exceeding three (3) years beginning October 30, 2017;

AND WHEREAS the Municipal Council of the Corporation of the City of London deems it advisable to extend the Temporary Use for the said properties for a period not exceeding three (3) years;

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 50.2(70) of the Temporary Use (T) Zone is amended by adding the following subsection for the properties known municipally as 192-196 Central Avenue, 193-197 Central Avenue, and 200 Albert Street:

T-70

This Temporary Use is hereby extended for an additional three (3) years beginning May 25, 2021.

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.

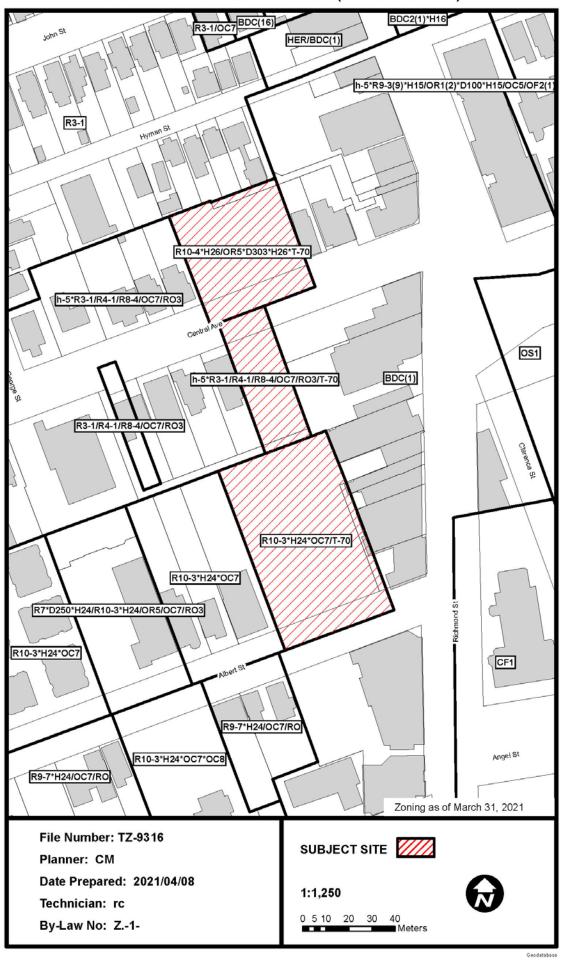
PASSED in Open Council on May 25, 2021.

Ed Holder Mayor

Catharine Saunders City Clerk

First Reading – May 25, 2021 Second Reading – May 25, 2021 Third Reading – May 25, 2021

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



## **Appendix B – Public Engagement**

## **Community Engagement**

**Public liaison:** On March 3, 2021, Notice of Application was sent to 125 property owners and 238 occupants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 4, 2021. A "Planning Application" sign was also posted on the site.

15 replies from 13 members of the public were received.

**Nature of Liaison:** The purpose and effect of this zoning change is to is to permit the continued operation of the existing surface commercial parking lots for an additional three (3) years. Possible change to Zoning By-law Z.-1 **BY AMENDING** the temporary use provisions of the existing Residential R10/Office Residential/Temporary (R10-4\*H26/OR5\*D303\*H26/T-70) Zone at 192-196 Central Avenue, Holding Residential R3/Residential R4/Residential R8/Office Conversion/Restricted Office/Temporary (h-5\*R3-1/R4-1/R8-4/OC7/RO3/T-70) Zone at 193-197 Central Avenue, and Residential R10/Office Conversion/Temporary (R10-3\*H24/OC7/T-70) Zone at 200 Albert Street **TO EXTEND** the temporary surface commercial parking lot use for an additional three (3) years.

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

#### **Concern for:**

The continued use of the subject lands as parking lots preventing long-term, comprehensive redevelopment with apartment buildings and underground parking.

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

Telephone	Written
Charlene Jones	Robert Patrick and Susan Flaxman 152 Albert Street Unit 20 London, ON N6A 1M1
	Lisa Sallabank 579 Richmond Street London, ON N6A 3G2
	Joellen Curtis
	Steve Gray 566 Winblest Avenue London, ON N6C 3C3
	Esther Gratton
	Charlene Jones 191 Central Avenue London, ON N6A 1M6
	Rick Page
	Allyson Taylor
	Joanna Wyszomirskki

Debby Bairos
Robert Noel 9612 Argyle Street Ailsa Craig, ON NOM 1A0
Kelley McKeating Architectural Conservancy of Ontario – London Region Branch Grosvener Lodge 1017 Western Road London, ON N6G 1G5
Heenal Rajani

From:

**Sent:** Tuesday, March 9, 2021 1:19 PM **To:** Maton, Catherine <cmaton@london.ca>

**Cc:** Kayabaga, Arielle <akayabaga@london.ca>; Susan Flaxman **Subject:** [EXTERNAL] File TZ-9316 Farhi Parking Lots T-70 extension

Hello Catherine and Arielle...

My wife, Susan Flaxman and I are residents at 152 Albert St. Unit 20. We would like to register our objection to the zoning amendment for the extension of surface parking.

I think the residents of down town would be better served by providing retail space or housing on the sites indicated. Frankly the down town looks like an asphalt desert.

There are a large number of new high density apartment buildings under construction in the down town. A grocery store such as Sunripe or Remark or Farm Boy or perhaps a bakery, delicatessen, green grocery and butchers shop

would be a very welcome addition to this site. Part of the site could be used to provide some parking for the retailers. It is walking distance to these developments.

If the city is committed to a reduction in the use of private automobiles and an increased use of low carbon public transportation like the BRT then a reduction in parking spaces would be an incentive.

These lots are usually empty during the day and only partially used at night by people drinking at the bars. Since they are partially hidden from the main thoroughfare, drunken patrons cut through as the go from bar to bar. They are a gathering places for drug dealers and other ne'er do wells. We have had

fights, shots fired and other crimes committed in these locations.

Drunken people use the lots to travel from bar to bar late at night and they disturb the peace with shouting, screaming and fighting after the bars shut down.

In short, turning them into an asset for the neighborhood rather than providing a continuing tax write off for Farhi Holdings would serve the public to a much greater benefit.

Thank you

Robert Patrick and Susan Flaxman

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From: Lisa Sallabank Salon Entrenous Sent: Friday, March 12, 2021 12:33 PM To: Maton, Catherine <cmaton@london.ca> Subject: [EXTERNAL] 192-196 central Ave

Hi Catherine!

I own the business and the building at 579 Richmond st.

I would love to see some high rise buildings in those lots with underground parking (maybe for residents and for public)

Just wanted to chime in!

Have a great weekend!

Lisa Sallabank

Salon Entrenous 579 Richmond st London Ontario N6A 3G2

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From: Joellen Curtis

Sent: Friday, March 19, 2021 1:40 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Fwd: Parking lots TZ-9316

Please Stop the continuous renewal of the parking lot permits. It's time to to develop London downtown what high-rise condos and underground parking. We need people living downtown now more than ever with people working from home they are not coming downtown. we need people living here, we need to make the downtown beautiful, more prosperous for all the business or we will loose them. Downtown london it's dying. And don't get me started on the tax dollars, the parking lots pay minimum taxes into the city compared to the tax revenue condos create, lessening the burden for all of us paying into the city tax pool. It's time say NO to empty parking lots and YES to a well developed downtown.

From: steve328 steve328

Joellen Curtis

**Sent:** Friday, March 19, 2021 2:32 PM **To:** Maton, Catherine <cmaton@london.ca>

Subject: [EXTERNAL] Zoning

Please explain to me how any company can request permits to demolish existing housing ,for the purpose of rebuilding on those properties, better housing, gets the required permits to demolish and then does NO REBUILDING AT ALL and pays very little in taxes for said properties and is going to be GRANTED extensions ,so they do NOT now or perhaps EVER have to use this land for the purpose they proposed......sounds like our city politicians don't care or perhaps pandering to the major land owners?

\_\_\_\_\_

From: Esther Gratton

Sent: Sunday, March 21, 2021 8:22 PM

To: Kayabaga, Arielle <akayabaga@london.ca>; Maton, Catherine

<cmaton@london.ca>
Subject: [EXTERNAL]

Catherine Maton Arielle Kayabaga Hello,

I am contacting you in regards to the parking lots located on at 192-196 Central Ave, 193-197 Central Av and 200 Albert St. I have been an employee at Artistic Spa for the last 8 years and have noticed during that time the lots are typically nearly empty. From what I've heard the houses were torn down to allow for redevelopment, and to allow for more apartments and condos in the downtown core. London has been waiting for a few years for something to happen with these lots. We need housing downtown with a parking garage underneath them. A lot of offices have closed downtown, leaving the parking lots even emptier then they were before. So in my opinion developing these sites would be a great benefit to downtown and the businesses that rely on the people especially now.

Thank you kindly,

Artistic Spa Employee

\_\_\_\_\_

From: Charlene Jones

**Sent:** Tuesday, March 23, 2021 10:41 AM **To:** Maton, Catherine <cmaton@london.ca>

Subject: [EXTERNAL] TZ-9316

Good morning,

I think the approval of all these parking lots should be denied or at least postponed. Farhi owns so much that he just sits on, with city tax payers picking up the slack on all his parking lots and empty properties. I have operated my business downtown for 32 years now. I'm so tired of the promises from counsel to improve downtown. Counsel can't seem to address the main problem of all the buildings left empty or torn down for parking lots with failed promises to develop. As a business owner of 32 years, I say enough is enough. If counsel can't stand up for what is right for our city and start marking the tough decision and HELP this land owner development. Business will leave the downtown area.

#### Charlene

From: Rick Page

**Sent:** Tuesday, March 23, 2021 11:03 AM **To:** Maton, Catherine <cmaton@london.ca>

Subject: [EXTERNAL] TZ-9316

STOP the parking lot extension!! Times up, develop or sell!

Enough all ready city council if you want to help downtown you need development it. No more iron trees and cobble stones. DEVELOPMENT we need people living downtown. With more people paying into property taxes to help our city. Instead of always raising the taxes for the people working so hard to pay for there homes and businesses. Rick

\_\_\_\_\_

From: Charlene Jones

**Sent:** Tuesday, March 23, 2021 12:29 PM **To:** Maton, Catherine <cmaton@london.ca>

Subject: [EXTERNAL] TZ-9316 plan

Catherine Maton and Arielle Kayabaga

Good afternoon,

I am contacting you both, with reference to the parking lots located at 192-196 Central Avenue, 193-197 Central Avenue and 200 Albert Street, London.

The beautiful heritage houses that once stood on these spacious lots are no more. They were torn down to allow for the redevelopment of these areas, which in turn would also assist in the revitalization of the downtown sector. At the time of the application, the approval was based on a proposal to build condominiums on these sites, a plan that would provide much needed housing, thereby encouraging people to take up residency in the downtown areas. The parking lot that *still* remains today, *nine plus years later*, was originally permitted on a three year plan, a timeframe that has long since elapsed and in fact, *has been extended* several times now.

If we knew at that time, that the parking lot would still remain almost ten years later, I don't think it would have been so easily approved. What message does this send to fellow Londoners, when land owners are allowed to submit proposals for future development, but are never expected, encouraged or forced to complete and/or follow through with their approved plans?

London desperately needs accessible downtown housing; we need high-rise buildings to accommodate more people, thus encouraging increased presence and shopping in the area. Condominiums would not only support downtown residency, but would also provide additional secure underground parking that would be available to residents and the public alike. This in turn would provide safer parking alternatives for the community as a whole.

Our downtown area needs businesses and the businesses need people downtown to survive!

In the present climate, with so many people working from home, we see less and less people venturing out and coming downtown to shop and/or dine out. Now more than ever, we need to make better decisions ... and that means that we need to make better use of our precious downtown property, including the vacant areas - areas such as under-utilized, inefficient, half-empty parking lots.

I've attached photos that depict these specific parking lots on a busy Thursday afternoon. Even <u>pre-Covid</u>, these three parking lots were not full to capacity. There is just so much wasted potential, when these areas remain as parking only. These unsupervised lots exist as unattractive downtown landscapes, that only serve to attract more crime to the area, while becoming a place for drug addicts to hang out. Surrounding businesses deal with losses due to break-ins, thefts and property damage, not to mention the constant littering that happens on a daily basis.

I keep hearing about all these wonderful plans to make our city beautiful again. Why don't we start here? Why don't we hold the land owners accountable to the agreements that were made, when their applications were approved. If you want to better the downtown, then why not encourage and help grow the downtown, through development that was originally promised. Stop extending temporary parking lot permits! Encourage these land owners to develop their property, rather than continually stalling the process.

Sincerely.

Charlene Jones

From: Allyson Taylor

Sent: Tuesday, March 23, 2021 1:26 PM

To: Maton, Catherine <cmaton@london.ca>; Kayabaga, Arielle

<akayabaga@london.ca>

Subject: [EXTERNAL] 192-196 central Ave

I am contacting you in-regards to the parking lots located on at <u>192-196 Central Ave</u>, 193-197 Central Av and <u>200 Albert St.</u> To my knowledge the houses were torn down to allow for redevelopment, the application was to build condos and provide much needed

housing for people to live downtown. The parking lot was a three year plan and it's been extended a few times now. What message does this tell Londoners? London needs housing downtown they need high-rise buildings with parking garage underneath them. Now with so many people working from home the need for all these parking lots is not as it was before. They are empty most of the time. Most cities that develop residential living downtown also provide underground parking. So in my opinion developing these sites would be a great benefit to downtown and the businesses that rely on the people especially now.

Regards,

Allyson Taylor

From: Joanna Wyszomirski

**Sent:** Wednesday, March 24, 2021 10:19 AM **To:** Maton, Catherine <cmaton@london.ca> **Cc:** Kayabaga, Arielle <akayabaga@london.ca>

Subject: [EXTERNAL] File:TZ-9316

Hi Catherine and Arielle,

I am writing with concerns regarding the empty parking lots at 192-196 Central Ave 193-197 Central Ave and 200 Albert St. its time for change as the parking lots can be an opportunity for development. condos would be a great addition to bring more residents downtown and local shopping for the businesses. Parking could be added underground for both residents and public parking. lets make our downtown vibrant again!

Thank you,

Joanna Wyszomirskki

From: Debby Bairos

**Sent:** Wednesday, March 24, 2021 1:19 PM **To:** Maton, Catherine <cmaton@london.ca> **Cc:** Kayabaga, Arielle <akayabaga@london.ca>

Subject: [EXTERNAL] TZ-9316

Hi Catherine and Arielle,

As a downtown employee it would be nice if something was built where these empty parking lots sit. Condos or even a commercial building to create more jobs and residents to the downtown core. Why have this area empty for another 3 years when it's hardly used? Most people now work from home and hardly shop downtown. Why not create a space to attract more locals to support small businesses? Parking can be built with any developing structure still offering that to those who wish to park for festivals, shopping etc. Let's rebuild an appealing downtown.

Thank you, Debby Bairos.

From: robert noel

**Sent:** Thursday, March 25, 2021 1:49 PM **To:** Maton, Catherine <cmaton@london.ca> **Subject:** [EXTERNAL] Albert st parking

Hello,

I own 565-569 Richmond st and 204 Albert st, the building on the corner. I agree that it's time to develop that lot. Why give endless extensions for a predatory parking lot? If you

must one year rather than three would make sense but with the boom in building and the need for more housing there is no reason to leave this prime lot as parking. The time to act is now.

Regards,

Robert Noel

Architectural Conservancy Ontario – London Region Branch Grosvenor Lodge 1017 Western Road London, ON N6G 1G5

April 8, 2021

Members of the Planning and Environment Committee:

Phil Squire (Chair) – psquire@london.ca Steven Hillier – shillier@london.ca Anna Hopkins – ahopkins@london.ca Steve Lehman – jlehman@london.ca Shawn Lewis – slewis@london.ca

Mayor Ed Holder – mayor@london.ca Arielle Kayabaga, Ward 13 Councillor – akayabaga@london.ca Catherine Maton, Planner – cmaton@london.ca

Dear Councillors, Mayor Holder, and Ms. Maton:

Re: Notice of Planning Application – Zoning By-Law Amendment Commercial Parking Lots at 192-196 Central Avenue, 193-197 Central Avenue, 200 Albert Street (TZ-9316)

The London Region Branch of Architectural Conservancy Ontario (ACO London) wishes to provide input regarding the applications for zoning by-law amendments to permit the continued operation of surface parking lots at the above three addresses. Many developers are willing, even anxious, to construct high-rise apartment buildings in downtown London to provide density as prescribed in *The London Plan*. Heritage buildings and heritage streetscapes are under routine threat from this development pressure. One of the key reasons for this is that owners of the surface parking lots in the downtown core appear unwilling to sell to interested developers. In response, these developers feel that they must purchase and then demolish heritage buildings.

According to a January 15, 2017 article in the *London Free Press*, "Developers in the city who declined to be identified have said they approached Farhi to buy land, but he will not sell".

(https://lfpress.com/2017/01/15/pressure-may-be-building-but-shmuel-farhi-isnt--yet)

Seemingly little has changed in the last four years, and the serial renewal of these "temporary" zoning provisions diminishes the letter and the spirit of temporary zones. We encourage the Planning & Environment Committee, and City Council, to put an end to temporary use provisions that encourage land owners to hold on to vacant land and profit from it, thereby steering development pressure to less desirable locations in the downtown core (e.g., land where construction cannot occur unless a heritage building is demolished).

In conjunction with the soon-to-be-constructed Bus Rapid Transit system, we Londoners must become accustomed to using public transit on a more consistent basis after the pandemic is behind us. As ridership increases, service frequency and scheduling will improve. Weaning us from our reliance on downtown parking is one step in the direction of improved public transit for all. Fewer parking spaces will encourage more public transit users and fewer automobile commuters. With less competition from surface parking lots, developers may become more interested in constructing high-quality

parking garages (such as these primarily US examples:

https://architizer.com/blog/practice/materials/house-of-cars/). Developers might also decide to include more extensive (commercial) underground parking in proposed developments.

Denial of this zoning application would be a helpful step towards encouraging more appropriate downtown development. At the same time, it may help – by encouraging more use of public transit – alleviate some of the considerable motor vehicle congestion in the downtown core, thus improving quality of life for those who live, work, and/or play downtown.

Thank you for considering our comments. If you would like to discuss this matter further, please contact me.

Yours truly,

Kelley McKeating President, London Region Branch Architectural Conservancy Ontario The past. Our present. Your future.

From: Allyson Taylor

**Sent:** Monday, April 26, 2021 11:38 AM **To:** Maton, Catherine <cmaton@london.ca>

Subject: [EXTERNAL] File: TZ-936

Good Morning Catherine,

I hope you are well through this crazy time. I hope Farhi Holdings don't get the extension for three years.

The downtown needs more than parking lots and I think its about time he starts building to help the down town or let someone else build.

Allyson Taylor Co/Owner Artistic Spa

From: Heenal Rajani

**Sent:** Thursday, April 29, 2021 11:39 AM **To:** Maton, Catherine <cmaton@london.ca>

Subject: [EXTERNAL] Question regarding surface parking lots item at the next PEC

**Dear Catherine** 

I am a downtown London resident and business owner, and I hope you can help me with this matter.

I found this item on the City's website regarding a matter that is to be discussed at the PEC meeting on May 10: <a href="https://london.ca/sites/default/files/2021-04/TZ-9316-Notice%20of%20Public%20Meeting.pdf">https://london.ca/sites/default/files/2021-04/TZ-9316-Notice%20of%20Public%20Meeting.pdf</a>

It is my understanding that these parking lots have been subject to multiple extensions. I heard that there used to be a building on the north side of central that was demolished in order for Farhi to build there but still, 20 years later, nothing has been built there.

It strikes me that the repeated granting of extensions to surface parking lots does nothing to improve the walkability and liveability of downtown London and in fact contravenes and undermines the City's declaration of a Climate Emergency.

Please could you tell me more about the City's policy with regard to such "temporary" extensions?

Will staff be recommending to PEC that the temporary zone be extended again?

If council turns down the extension, what would happen?

Thank you in advance for your help with this! Please feel free to call me to discuss instead of email.

Many thanks

Heenal Rajani

Heenal Rajani (he/him) Co-founder, Reimagine Co www.reimagineco.ca

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

March 4, 2021: 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.

March 9, 2021: Upper Thames River Conservation Authority

Dear Ms. Maton:

Re: Application to Temporarily Amend the Zoning By-law - File No. TZ-9316 Applicant: Farhi Holdings Corporation 196 to 196 Central Avenue, 193 to 197 Central Avenue, and 200 Albert 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* 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. Thank you for the opportunity to comment.

Yours truly, UPPER THAMES RIVER CONSERVATION AUTHORITY

## March 23, 2021: Stormwater Engineering

SWED staff have no SWM related requirements to the above-noted application for the purpose of permitting the continued operation of the existing parking lot use, primarily due to no site alterations being proposed.

## **Appendix C – Policy Context**

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

## Provincial Policy Statement, 2020

1.1

1.1.1

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

\*Map 2

Map 3

\*Map 7

Table 10

\*Table 11

\*837\_

841\_

847\_

916\_

936\_

\*954\_

1027\_

1030\_

1671\_ 1672\_

1673A

#### Official Plan (1989)

#### Schedule A

3.4

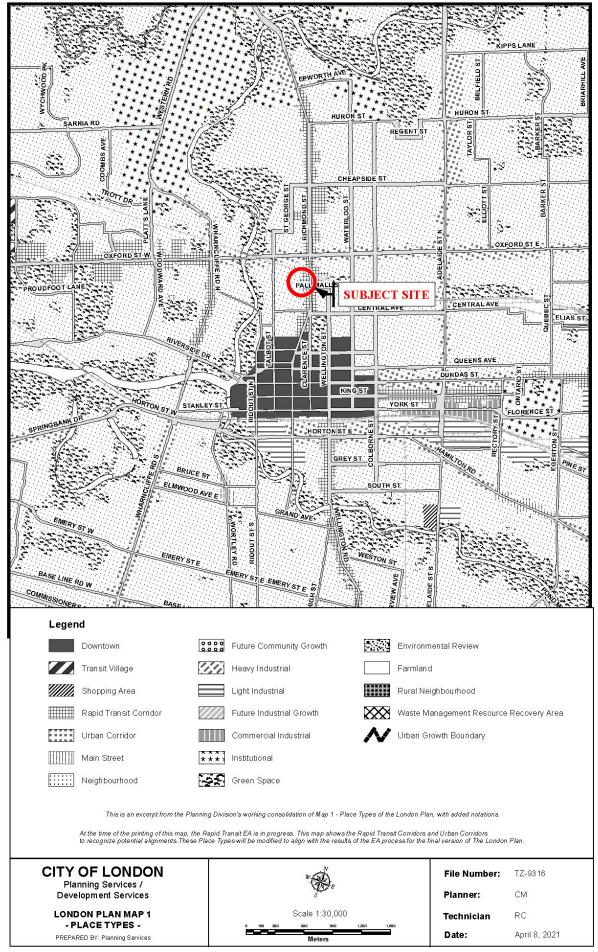
3.4.1

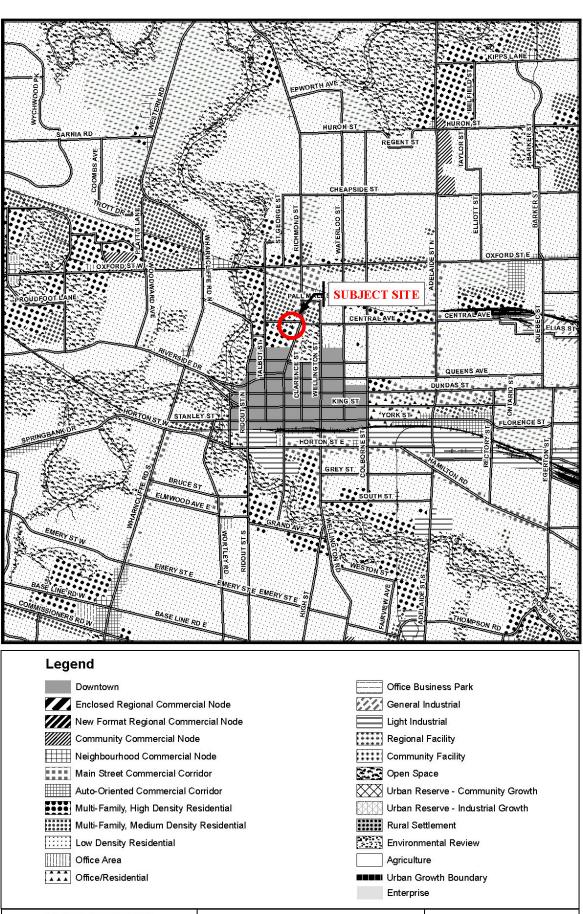
3.5.1

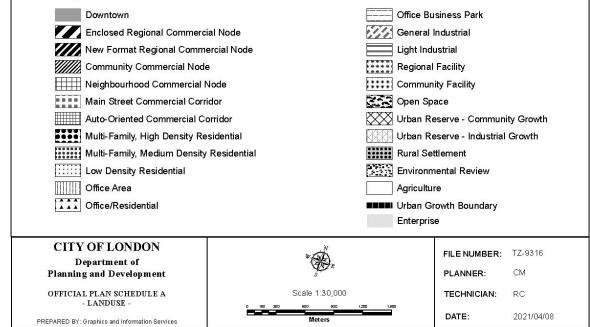
19.4.5

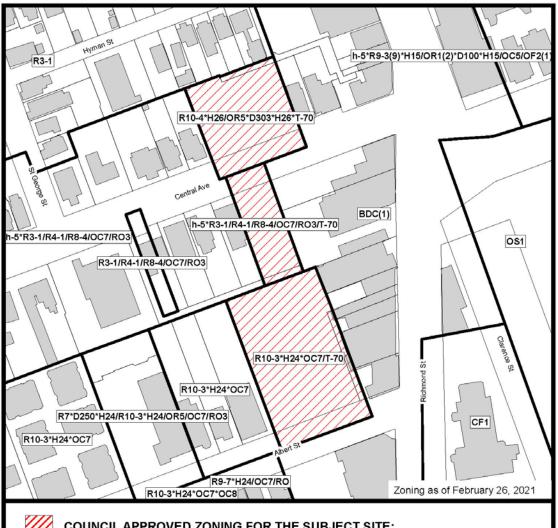
# Appendix D – Relevant Background

## **Additional Maps**









1)

#### COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

#### LEGEND FOR ZONING BY-LAW Z-1

R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS

R2 - SINGLE AND TWO UNIT DWELLINGS
R3 - SINGLE TO FOUR UNIT DWELLINGS
R4 - STREET TOWNHOUSE
R5 - CLUSTER TOWNHOUSE
R6 - CLUSTER HOUSING ALL FORMS
R7 - SENIOR'S HOUSING
R8 - MEDIUM DENSITY/LOW RISE APTS.
R9 - MEDIUM TO HIGH DENSITY APTS.
R10 - HIGH DENSITY APARTMENTS
R11 - LODGING HOUSE

DA - DOWNTOWN AREA
RSA - REGIONAL SHOPPING AREA
CSA - COMMUNITY SHOPPING AREA
NSA - NEIGHBOURHOOD SHOPPING AREA
BDC - BUSINESS DISTRICT COMMERCIAL
AC - ARTERIAL COMMERCIAL
HS - HIGHWAY SERVICE COMMERCIAL
RSC - RESTRICTED SERVICE COMMERCIAL
CC - CONVENIENCE COMMERCIAL
SS - AUTOMOBILE SERVICE STATION
ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

OR - OFFICE/RESIDENTIAL
OC - OFFICE CONVERSION
RO - RESTRICTED OFFICE
OF - OFFICE

OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE

AG - AGRICULTURAL
AGC - AGRICULTURAL COMMERCIAL
RRC - RURAL SETTLEMENT COMMERCIAL
TGS - TEMPORARY GARDEN SUITE
RT - RAIL TRANSPORTATION

RF - REGIONAL FACILITY
CF - COMMUNITY FACILITY
NF - NEIGHBOURHOOD FACILITY
HER - HERITAGE
DC - DAY CARE

OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW

"h" - HOLDING SYMBOL
"D" - DENSITY SYMBOL
"H" - HEIGHT SYMBOL
"B" - BONUS SYMBOL
"T" - TEMPORARY USE SYMBOL

## CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



1:1,500 0 5 10 20 30 40 Meters

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

FILE NO: TZ-9316 CM

rc

MAP PREPARED: 2021/04/08