

## 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  
193 Queens Avenue  
Public Participation Meeting

**Date:** June 21, 2021

## Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of Farhi Holdings Corporation relating to the property located at 193 Queens Avenue, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 6, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (1989), to change the zoning of the subject property from a Holding Downtown Area (h-3\*DA1\*D350) Zone and a Holding Downtown Area (h-3\*DA2\*D350) Zone to a Holding Downtown Area/Temporary (h-3\*DA1\*D350/T-\_) Zone and a Holding Downtown Area/Temporary (h-3\*DA2\*D350/T-\_) Zone.

## Executive Summary

### Summary of Request

The owner has requested a Zoning By-law amendment to recognize and permit the continued operation of the existing surface commercial parking lot for a period of three (3) years through the application of a new Temporary Use (T-\_) Zone.

### Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to apply a new Temporary Use (T-\_) Zone to recognize and allow for the continued operation of the existing surface commercial parking lot on the subject lands for a period not to exceed three (3) years.

### Rationale of Recommended Action

1. The recommended amendment is consistent with the PPS, 2020 as it ensures that sufficient parking is provided in the Downtown, promoting economic development by supporting existing economic activities and businesses that currently rely on this parking supply for workers;
2. The recommended amendment conforms to the 1989 Official Plan, including but not limited to, the Temporary Use By-law Policies;
3. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to, the Temporary Use Provisions;
4. The recommended Temporary Use (T-\_) Zone does not compromise the ability to achieve the long-term goals of Our Move Forward: London's Downtown Plan
5. The recommended amendment is appropriate to help maintain an adequate supply of parking to service businesses in the Downtown pending the gradual transition away from the use of surface commercial parking lots as transit ridership increases and as alternative parking spaces are provided;
6. The recommended amendment supports the intent of the Downtown Parking Strategy; and,
7. The parking lot has existed for several years and has 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

None.

#### 1.2 Property Description

The subject site is located on the south side of Queens Avenue, between Clarence Street and Richmond Street in the Central London Planning District. The site has been in use as a surface commercial parking lot since 2007. Approximately 0.17 hectares in area, the fully paved parking lot contains approximately 46 parking spaces. This parking lot services a variety of retailers, restaurants, offices and residences in the downtown core, particularly in the vicinity of the Dundas Street and Queens Avenue corridors. Trees and shrubs along the Queens Avenue frontage screen the parking lot from the street. The lot is visible from Clarence Street and the adjacent intervening commercial parking lot owned by others. Direct vehicular access is provided from and to Queens Avenue. Pedestrian access is directly available from Queens Avenue, and indirectly across intervening parking areas from Clarence Street and Richmond Street.



Figure 1: Parking Lot Viewed from Queens Avenue

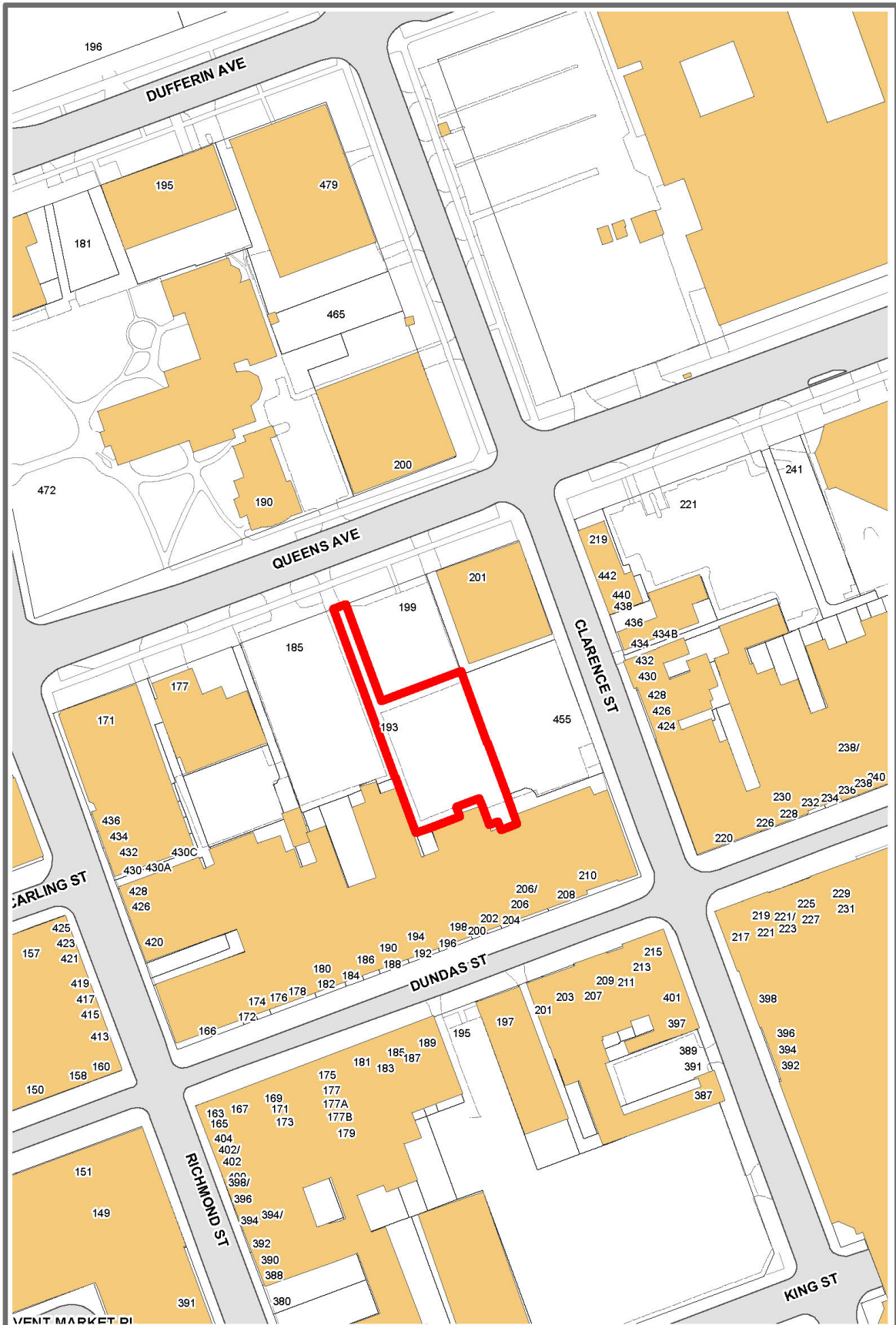
#### 1.3 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Downtown Area
- The London Plan Place Type – Downtown Place Type
- Existing Zoning – Holding Downtown Area (h-3\*DA1\*D350) Zone and a Holding Downtown Area (h-3\*DA2\*D350) Zone

#### 1.4 Site Characteristics

- Current Land Use – Surface commercial parking lot
- Frontage – 4.5 metres on Queens Avenue
- Depth – irregular
- Area – 0.17 hectares
- Shape – irregular

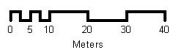
# 1.5 Location Map



## LOCATION MAP

Subject Site: 193 Queens Avenue  
 File Number: TZ-9327  
 Planner: Barb Debbert  
 Date: 02/06/2021






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



Scale 1:1500



## Legend

-  Subject Site
-  Buildings
-  Parks
-  Draft Approved Subdivisions
-  Driveways/Parking Lots

## **1.6 Surrounding Land Uses**

- North – Office, commercial, residential, institutional uses (with mixed-use formats), and Victoria Park
- East – Office, commercial, residential, institutional (with mixed-use formats)
- South – Dundas Street commercial corridor; office, commercial, residential, institutional uses (with mixed-use formats)
- West – Richmond Street commercial corridor; office, commercial, residential, institutional uses (with mixed-use format)

## **1.7 Intensification**

There is no residential component to this request.

## **2.0 Discussion and Considerations**

### **2.1 Proposal**

The applicant is proposing to add a temporary zone to the existing zoning on the site to allow for three (3) years of surface commercial parking. The proposed Zoning By-law Amendment would recognize and continue the use of the site as a commercial parking lot, in addition to all other uses currently permitted. No new development is proposed on-site. Access to the site will remain from Queens Avenue.

### **2.2 Requested Amendment**

The applicant has requested to rezone the land from a Holding Downtown Area (h-3\*DA1\*D350) Zone and a Holding Downtown Area (h-3\*DA2\*D350) Zone to a Holding Downtown Area/Temporary (h-3\*DA1\*D350/T-\_) Zone and a Holding Downtown Area/Temporary (h-3\*DA2\*D350/T-\_) Zone. The current permitted uses and regulations will remain the same. The only requested change is to add the Temporary Use (T) Zone to recognize and permit the operation of the existing surface commercial parking lot use for a period of three (3) years.

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

One written response was received, from the Architectural Conservancy of Ontario.

### **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 and maps that are under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) are not in force and effect, and are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject site is in the Downtown Place Type of The London Plan on a Civic Boulevard, as identified on Map 1\* — Place Types and Map 3\* — Street Classifications. The vision for the Downtown allows for the broadest range of uses and the most intense forms of development in the City, within highly-urban, transit-oriented environments (798\_). Queens Avenue is also identified as part of the Downtown Transit Loop, which will enhance Downtown as a critical hub for local transit and will serve as a connection point for bus service across the City.

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 (3) years, in accordance with the provisions of the Planning Act and subject to specific evaluation criteria (1671\_ and 1672\_). Additional criteria contained in Policy 1673A\_ provide further direction on applications for temporary zoning to permit surface commercial parking lots in the Downtown Place Type.

### *1989 Official Plan*

The subject lands are designated Downtown in the 1989 Official Plan. The Downtown designation is distinguished from other areas of the City by its concentration of employment and its intensive, multi-functional land use pattern. It is intended that the Downtown will continue to be the major office employment centre and commercial district in the city, and that its function as a location for new medium and high density residential development will be strengthened over time.

The 1989 Official Plan provides policy direction with regard to temporary uses under Section 19.4.5 of the Official Plan, stating that temporary use by-laws may be considered provided the general intent and purpose of the Official Plan is being maintained. These policies are essentially the same as the Temporary Use Provisions contained in the Our Tools section of The London Plan, which are not under appeal and are in force.

Section 4.1.10 of the 1989 Official Plan supports the provision of adequate and well-located off-street parking facilities that are sufficient to meet the demand generated by existing and proposed land uses in the Downtown. Policies specific to surface parking lots in the Downtown discourage the creation of new surface level commercial parking lots within the Downtown Shopping Area. Surface parking lots outside of the Downtown Shopping Area that require the demolition of significant heritage buildings will also be discouraged. With the severance of the parking area from the adjacent buildings located at 204 and 206 Dundas Street in 2009, these lands are considered to be outside the Downtown Shopping Area for the purposes of consideration of this application. These policies establish criteria for the evaluation of applications for temporary zoning to permit surface commercial parking lots.

### *Our Move Forward – London’s Downtown Plan*

London’s City Council adopted *Our Move Forward: London’s Downtown Plan*, on April 14, 2015 as a guideline document under Chapter 19 of London’s 1989 Official Plan and has been carried forward in Our Tools policy 1717\_ of The London Plan. The document identifies a number of strategic directions and “transformational projects”, along with implementation tools to assist in retaining and attracting businesses and investment to the downtown. Planning objective 5: “Build a great neighbourhood” encourages the redevelopment of vacant sites to increase the resident and worker population downtown by discontinuing temporary-use zoning on these sites (5.2, p. 63).

On May 8, 2018, Council resolved to include additional guidance in the Downtown Plan in regard to temporary surface parking lots, which included criteria for the evaluation of planning and development applications, as well as design considerations.

## *Downtown Parking Strategy, 2017*

The provision, management and supply of parking was identified as an area of special relevance to the successful implementation of *Our Move Forward: London's Downtown Plan*. The *Downtown Parking Strategy* was completed in 2017 and included a review of existing parking conditions and future development potential based upon the direction of *The London Plan*, the *2030 Transportation Master Plan* and other relevant policy documents. The long-term goals of the abovementioned plans are to achieve a decrease in single occupant vehicle travel into the Downtown that will in turn reduce the long term need for parking, particularly employee and commuter related parking. The key to the future success of the downtown will be the replacement of existing surface parking lots with new developments.

Determining how much parking is necessary for the functional and economic viability of downtown, as well as the manner and location in which the parking is provided, are key considerations coming out of the *Downtown Parking Strategy* study. Determining how much parking is required, how it is provided, what role the City should play in meeting future parking demand, the financial implications associated with providing new parking and the most appropriate municipal service delivery model to employ in order to maximize the return on investment of public funds are critical considerations in the development of a future Parking Management Strategy for the downtown.

## *Downtown Heritage Conservation District*

The subject property is located within the Downtown Heritage Conservation District and is subject to the objectives, policies and guidelines contained within the *Downtown Heritage Conservation District Plan*.

### **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: Demonstrated Need for Parking**

##### The Downtown Parking Strategy, 2017

The Council-approved *Downtown Parking Strategy* study provides direction on utilization rates of existing surface commercial parking lots operating in six sub-areas of the Downtown (figure 1). The *Downtown Parking Strategy* provides a number of recommendations for how the City should manage surface commercial parking lots in the downtown. One of these recommendations is a gradual approach to discontinuing temporary zone permissions for surface parking lots where utilization is low. The subject property is in sub-area 4, which has a high utilization rate of 81%.

To put this into perspective, 90% utilization is considered a maximum practical occupancy level at which there is still sufficient available parking across downtown, however certain areas may require drivers to search more for available parking and accept longer walking distances.

It should be noted that the occupancy rates in the central zones 3 & 4 are at 89% and 81% respectively, which may be making it difficult for visitors to conveniently find parking in these areas.



Figure 2: Parking utilization by sub-area, based on 2014 data.

In order to understand the potential parking implications associated with new development, an estimate of future parking supply and demand across the downtown study area has been created by using future growth estimates based on the 2014 Development Charges study. While the estimates should be viewed as approximate, they do serve to provide an indication of the potential parking challenges associated with meeting the City's desired development goals and objectives for the downtown as described in various planning documents.

An important factor regarding future parking requirements is the expected decrease in auto person trips from the existing level of 73.5% to 64% by year 2034 due to the substantial investment in new Bus Rapid Transit (BRT) service approved by Council. The expected increase in transit use equates to a decrease in parking demand of approximately 13%. Based on the estimated transportation mode split of 64% auto person use by 2034, sub-area 4 will have a projected parking supply deficit of 65 spaces by 2034.

#### Rapid Transit

The *Rapid Transit Environmental Project Report* was approved in 2019 and the detailed design for the Downtown Loop is currently underway. The detailed design for the East and South corridors are also underway. Investment is being made for cycling infrastructure including the implementation of an east-west cycle track on Dundas Street and improved connection to the Thames Valley Parkway. While these projects aim to shift mode-share away from automobiles, they will take time to fully implement. The construction of Rapid Transit is scheduled over multiple years, starting in 2021. Until the system is in place, there will still be demand for parking for both employees and customers in the Downtown. Similarly, at this time no public parking facilities are planned or have been developed in the area. If the existing commercial parking lot at 193 Queens Avenue is not recognized and permitted to continue for a period of three (3) years, the shortage of parking downtown could be exacerbated.

Based on the parking utilization data from 2014 and the rationale given by the applicant, it can be concluded that there is a demonstrated need for surface parking in sub-area 4. Although it is not intended to permit temporary uses to continue for an extended period of time, the Parking Strategy recommends a gradual approach to the discontinuation of temporary zone permissions, particularly in sub-areas of high demand. Since additional parking facilities and the implementation of Rapid Transit will not be completed in the short-term, staff is recommending the recognition of this parking lot through temporary zoning until additional facilities are provided.

Given that the parking lot has existed for many years and has significant screening with a low impact on the streetscape, staff is satisfied that the requested addition of a temporary zone on site to allow for three (3) years of surface commercial parking is appropriate.

## **4.2 Issue and Consideration #2: Use**

### *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. All decisions affecting land use planning matters shall be “consistent with” the policies of the PPS. *Section 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It directs cities to make sufficient land available to accommodate this range and mix of land uses to meet projected needs for a time horizon of up to 20 years. The PPS also directs planning authorities to promote economic development, the vitality and viability of Downtowns by providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

Ensuring that sufficient parking is provided in the Downtown supports existing economic activities and businesses that currently rely on this parking supply for workers. While the long-term use of the subject properties as surface commercial parking lots would encourage vehicle trips, staff is satisfied the recommended application of a temporary use zone for a period of three (3) years would not undermine future redevelopment of a high density, transit-oriented development. The interim use as a surface commercial parking lot would contribute to the short-term availability of parking in the core to serve the variety of retailers, restaurants, offices and residences in the downtown core, while allowing for future redevelopment.

### *The London Plan and the 1989 Official Plan*

#### Temporary Use Provisions (General)

The Our Tools policies of The London Plan provide guidance for temporary uses, in general, and provides criteria for the evaluation of all temporary uses (1672\_). These criteria are carried over from the 1989 Official Plan with the addition of two additional considerations.

The following criteria are provided to evaluate the appropriateness of a temporary use:

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 London Plan provides Key Directions that must be considered to help the City effectively achieve its vision for a highly urban and transit-oriented Downtown. The following uses may be permitted within the Downtown: *a broad*



*range of residential, retail, service, office, cultural, institutional, hospitality, recreational and other related uses may be permitted in the Downtown Place Type (800\_\*)).*

The London Plan policy 800\_4\* identifies that new accessory parking lots should not be permitted in the Downtown and new surface commercial parking lots shall not be permitted. Policy 800\_5\* states that *Where surface commercial parking lots have previously been established through temporary zoning and have been in place for an extended period of time, further extensions of such temporary uses should be discouraged where an adequate supply of parking exists in the vicinity of the subject lot.* [Emphasis added]. While this site has not previously been recognized through the application of a temporary zone, physically this is not a new parking lot resulting from the recent demolition of existing buildings and structures, and has been used as parking for many years.

As shown in the discussion of the demonstrated need for parking above, there is not an adequate supply of parking in this particular area of the Downtown. In that case, The London Plan policies allow Council to enact temporary use by-laws, and also generally discourage the long term extension of temporary uses. However, it supports a pragmatic approach to evaluating the appropriateness of temporary uses based on site-specific context and criteria (1672\_). An analysis of the subject site in relation to the temporary use provisions criteria is provided below.

The site fits reasonably well within its context. It is surrounded by surface parking lots, both privately and publicly-owned, to the east and west. It is located directly behind office and other commercial buildings that front Dundas Street, and is screened by plantings along the Queens Avenue frontage. The parking lot, while not previously recognized through a temporary use zone, is existing and no additional buildings, structures or connections to municipal services are proposed. The parking lot is located mid-block with existing vehicular and pedestrian access from Queens Avenue. The applicant is not proposing to increase the capacity of the lot, or provide any additional accesses, therefore there will be no additional impact on traffic or the streetscape.

While the existing surface parking lot has been operating for a number of years, there is a demonstrated need for parking in this area as illustrated in the *Downtown Parking Strategy* study and discussed above in this report.

With respect to the additional consideration of the impact on the pedestrian environment, the existing parking lot layout provides a suitable and easily identified pedestrian access to the sidewalk on Queens Avenue. It is also regularly accessed by pedestrians from Clarence Street and Richmond Street via other surface parking lots and spaces between buildings. This site technically has very little frontage on Queens Avenue which is taken up by the driveway providing access to the subject surface commercial parking lot and the private lot to the east (199 Queens Avenue) which serves 201 Queens Avenue. Existing landscape elements at 199 Queens Avenue including trees and bushes, serve to screen the view of parked cars from the street.

Finally, respecting the degree to which the temporary use may be frustrating the viability of the intended long-term use of the lands, *Our Move Forward: London's Downtown Plan* identifies 193 Queens Avenue and the surrounding adjacent parking lots as a "redevelopment opportunity site". 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." The Planning Justification Report submitted by the applicant states that "the site is being considered for future redevelopment opportunities, and Fahri Holdings Corporation will advance project planning for these lands in response to favourable market conditions. Until such time as a comprehensive development plan is designed for these lands, FHC intends to continue operating a commercial surface parking lot on this property to support local businesses,

*including those located along the Dundas Street corridor*". The option of not recognizing the existing surface commercial parking lot through a temporary use by-law for a period of three (3) years will not encourage the comprehensive redevelopment of the subject site in the short term.

#### Temporary Surface Parking in the Downtown

Both the Downtown designation in the 1989 Official Plan, and Downtown Place Type in The London Plan encourage retail and service facilities at street level to contribute to a pedestrian-oriented shopping environment. Surface parking lots are discouraged. However, both plans support the provision of adequate and well-located off-street parking facilities that are sufficient to meet the demand generated by existing and proposed land uses in the Downtown, and provide criteria for the evaluation of applications for new or extensions to existing temporary surface commercial parking lots (4.1.10 iv) of the 1989 Official Plan and 1673A of The London Plan). (These criteria are identical in both plans, and are reproduced and analysed below.

- 1. The demonstrated need for surface parking in the area surrounding the subject site. Utilization rates for sub-areas of the Downtown may be used to evaluate this need.*
- 2. The importance of any pedestrian streetscapes that are impacted by the surface commercial parking lot and the degree to which these streetscapes are impacted.*
- 3. The size of the parking lot, recognizing a goal of avoiding the underutilization of Downtown lands.*
- 4. The length of time that the surface commercial parking lot has been in place, recognizing it is not intended that temporary uses will be permitted on a long-term basis.*
- 5. Applicable guideline documents may be used to provide further, more detailed, guidance in applying these policies.*
- 6. Site plan approval will be required for all temporary surface commercial parking lots in the Downtown.*
- 7. Where Council does not wish to extend the temporary zoning for a surface commercial parking lot, a short-term extension of the temporary zone may be permitted for the purpose of allowing users of the lot to find alternative parking arrangements.*

As noted in the previous discussion on the demonstrated need for parking, the site is located in sub-area 4 of the *Downtown Parking Strategy* study, where the parking utilization rate was the second highest (81%). A healthy utilization rate is 71%. Based on the estimated transportation mode split by 2034, sub-area 4 will have a projected parking supply deficit of 65 spaces by 2034. This demonstrates a need for parking in this area.

The site is softened by landscaping on adjacent lands consisting of a grass boulevard, shrubs and mature deciduous trees along Queens Avenue. This landscaping helps to create a streetwall and lessen the impacts of the parking lot on the public realm. With a size of roughly 0.17 hectares, the parking lot is relatively small but has a centralized rectangular shape that would lend itself to redevelopment in the future. There is future potential for a comprehensive development on the subject site in the long term.

The surface parking lot has been in place since 2007, serving the various businesses and residents in the surrounding core area. It has not previously been recognized through temporary zoning but currently provides an important role in providing parking to support these uses until such time as the BRT is constructed and operational and the modal shift toward alternative transit modes occurs.

*Our Move Forward: London's Downtown Plan* was adopted under Chapter 19 of the 1989 Official Plan as a guideline document. Planning Policy 5.2 in the Tools section of the plan states: "*Encourage the redevelopment of vacant sites to increase the resident and worker population downtown by discontinuing temporary-use zoning on these sites*". In May 2018, this section was amended to add planning and design criteria specific to create a safe,

attractive pedestrian environment. These criteria are addressed separately in this report under the parking lot design discussion, below.

The applicant will be required to obtain site plan approval and register a development agreement on title.

As this application does not represent an extension of an existing temporary use by-law, Council has the option to refuse the requested amendment, potentially resulting in enforcement activities since the use, as existing, is not permitted.

Considering the above, the application to establish a new Temporary Use Zone meets the criteria for temporary surface commercial parking lots in the downtown (1989 Official Plan policy 4.1.10 iv) and London Plan 1673A). A three (3) year Temporary Use Zone is appropriate in the short-term to serve area residents and businesses in the Downtown core. 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 site is redeveloped and alternative parking and transportation options are available.

#### 4.3 Parking Lot Design

In May 2018, Council resolved that design criteria be added to *Our Move Forward: London's Downtown Plan* to assist in the planning and design of surface parking lots, when they are deemed to be appropriate in the Downtown, given the other evaluation criteria of the Official Plan.

The following criteria are provided to evaluate the physical design of surface parking lots in the downtown:

1. *Site plan approval will be required for all temporary surface commercial parking lots in the Downtown.*
2. *The importance of any pedestrian streetscapes that are impacted by the surface commercial parking lot and the degree to which these streetscapes are impacted.*
3. *The location, configuration and size of the parking area will be designed to support the provision of, and enhance the experience of pedestrians, transit users, cyclists and drivers.*
4. *The impact of parking facilities on the public realm will be minimized by strategically locating and screening these parking areas. Surface parking should be located in the rear yard or interior side yard.*
5. *Surface parking lots should be designed to include a sustainable tree canopy with a target of 30% canopy coverage at 20 years of anticipated tree growth.*
6. *Surface parking located in highly-visible areas should be screened by low walls and landscape treatments.*
7. *Lighting of parking areas will be designed to avoid negative light impacts on adjacent properties.*
8. *Large surface parking lots shall be designed with areas dedicated for pedestrian priority including landscaping to ensure safe pedestrian connectivity throughout the site. Surface parking areas will be designed to incorporate landscape/tree islands for visual amenity and to help convey stormwater and reduce the heat island effect.*
9. *Large surface parking areas will be designed to incorporate low impact development measures to address stormwater management.*

The Downtown Heritage Conservation District Plan also contains specific heritage guidelines for undeveloped lands and parking lots (Section 6.2.6). The guiding principle is that parking lots and permanent parking facilities respect the heritage aspects of the District through enhanced and carefully considered landscaping and screening. This can be achieved by the following guidelines relevant to this application:

- Landscape materials should have the same location as the front walls of adjacent buildings.
- Property owners are encouraged to enhance existing parking lots with appropriate landscape materials.

Heritage Alteration Permit (HAP) approval will be required as a condition of the required Site Plan approval.

The subject site is a temporary surface commercial parking lot that has been in operation for many years. Site Plan approval will be required and may include additional landscaping and other enhancements. These may be limited to improvements within the parking lot itself as the frontage of the property is limited to the vehicular access from Queens Avenue. The long-term intent is to have this property redeveloped, at which time on-site trees and landscape features and servicing infrastructure would have to be removed.

## **Conclusion**

The recommended recognition of the existing surface commercial parking lot through a temporary use zone is consistent with the PPS in regard to ensuring sufficient land to accommodate a mix and range of uses, and to promote economic development and the vitality and viability of downtowns. It conforms to the 1989 Official Plan policies, including but not limited to the Downtown designation and the criteria for evaluating temporary surface commercial parking lots (4.1.10 iv)). It conforms to the in-force policies of The London Plan, including the criteria for evaluating temporary uses (1671\_).

These provisions do not permit new surface commercial parking lots, and the extension of temporary zoning on existing surface commercial parking lots is discouraged. However, the subject site has operated as a surface parking lot since 2007 and, as there is a demonstrated need for additional parking in the central sub-areas, a gradual approach to the discontinuation of surface commercial parking lots in Downtown London is recommended. Staff is satisfied that the criteria that relate specifically to the review of a new temporary use zone for the existing surface commercial parking lot at 193 Queens Avenue have been met and will facilitate the necessary parking to serve the downtown core. The recommended Zoning By-law amendment will allow for an existing surface commercial parking lot which is compatible with surrounding land uses.

**Prepared by:** Barb Debbert  
Senior Planner, Development Services

**Reviewed by:** Michael Tomazincic, MCIP, RPP  
Acting Manager, Planning Implementation

**Recommended by:** Gregg Barrett, AICP  
Director, Planning and Development

**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 193 Queens Avenue.

WHEREAS Farhi Holdings Corporation has applied to rezone an area of land located at 193 Queens Avenue, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 193 Queens Avenue, as shown on the attached map comprising part of Key Map No. A107, from a Holding Downtown Area (h-3\*DA1\*D350) Zone and a Holding Downtown Area (h-3\*DA2\*D350) Zone to a Holding Downtown Area/Temporary (h-3\*DA1\*D350/T-\_) Zone and a Holding Downtown Area/Temporary (h-3\*DA2\*D350/T-\_) Zone.

2) Section Number 50.2. of the Temporary Use (T) Zone is amended by adding a new Temporary Use (T) Zone for the property known as 193 Queens Avenue:

) T-\_\_\_\_\_ 193 Queens Avenue

A commercial surface parking lot is permitted at 193 Queens Avenue, as shown on the map attached hereto comprising part of Key Map No. A107, for a temporary period not exceeding three (3) years from the date of the passing of this By-law beginning July 6, 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.

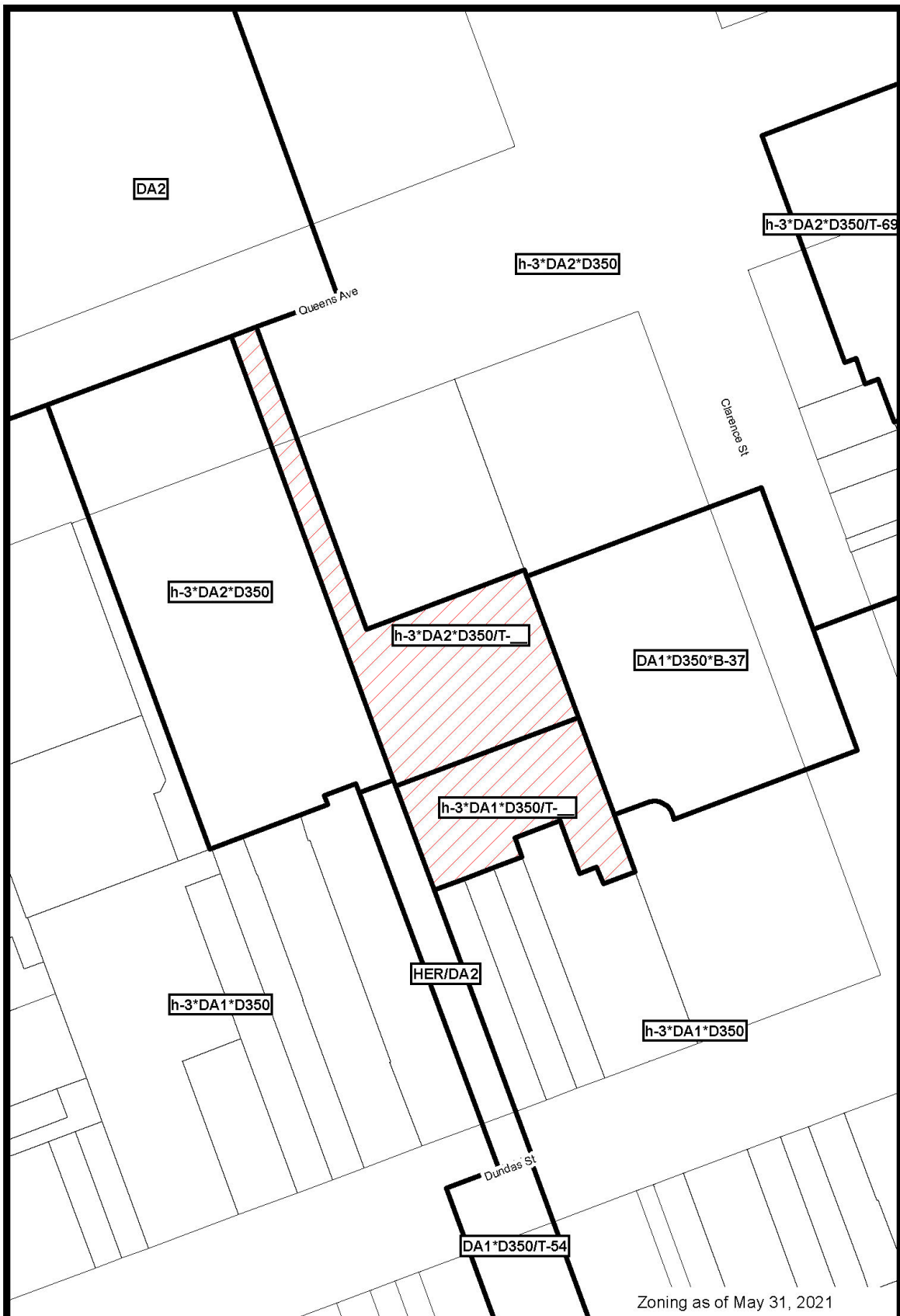
PASSED in Open Council on July 6, 2021.

Ed Holder  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 6, 2021  
Second Reading – July 6, 2021  
Third Reading – July 6, 2021

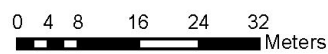
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: TZ-9327  
Planner: BD  
Date Prepared: 2021/06/02  
Technician: RC  
By-Law No: Z.-1-

SUBJECT SITE 

1:800



## Appendix B – Public Engagement

### Community Engagement

#### Notice of Application (March 17, 2021):

On March 17, 2021, Notice of Application was sent to 84 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 18, 2021. A “Planning Application” sign was also posted on the site.

One (1) reply was received.

**Nature of Liaison:** The purpose and effect of this zoning change is to recognize and permit the continued operation of the existing surface commercial parking lot use for a period of three years. Possible change to Zoning By-law Z.-1 **FROM** a Holding Downtown Area (h-3\*DA1\*D350) Zone and a Holding Downtown Area (h-3\*DA2\*D350) Zone **TO** a Holding Downtown Area/Temporary (h-3\*DA1\*D350/T-\_) Zone and a Holding Downtown Area/Temporary (h-3\*DA2\*D350/T-\_) Zone.

#### **Responses:**

The response received from the Architectural Conservancy of Ontario is reproduced below. The general concern was that when lands are being used for surface commercial parking lots, it creates greater pressure for the demolition of heritage properties in the Downtown to provide lands for redevelopment.

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

##### **Written**

Kelley McKeating  
Architectural Conservancy of Ontario  
Grosvenor Lodge  
1017 Western Road  
London ON N6G 1G5

Sandra Miller – contact Planner for e-mail address

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

April 11, 2021

Barb Debbert, Planner – [bdebbert@london.ca](mailto:bdebbert@london.ca)

Dear Ms. Debbert:

#### **Re: Notice of Planning Application – Zoning By-Law Amendment Commercial Parking Lot at 193 Queens Avenue (TZ-9327)**

The London Region Branch of Architectural Conservancy Ontario (ACO London) wishes to provide input regarding the application for a zoning by-law amendment to permit the continued operation of a surface parking lot at the above address.

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://lfpres.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 city staff, 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 of Ontario

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**From:** [Sandra Miller]

**Sent:** Friday, June 11, 2021 12:40 PM

**To:** Kayabaga, Arielle <akayabaga@london.ca>; Cassidy, Maureen <mcassidy@london.ca>; Helmer, Jesse <jhelmer@london.ca>; Squire, Phil <psquire@london.ca>; Turner, Stephen <sturner@london.ca>; van Holst, Michael <mvanholst@london.ca>; Salih, Mo Mohamed <msalih@london.ca>; Morgan, Josh <joshmorgan@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Pelosa, Elizabeth <epelosa@london.ca>; Hillier, Steven <shillier@london.ca>; Lewis, Shawn <slewis@london.ca>; Lehman, Steve <slehman@london.ca>; City of London, Mayor <mayor@london.ca>

**Cc:** Debbert, Barb <bdebbert@London.ca>; Maton, Catherine <cmaton@london.ca>; Development Services <DevelopmentServices@london.ca>; Planning <Planning@london.ca>; PEC <pec@london.ca>; info@urbanleague.ca; info@downtownlondon.ca; London Environmental Network

<hello@londonenvironment.net>; ACO London <info@acolondon.ca>

**Subject:** [EXTERNAL] Re: Proposed High-rise on Riverfront Parkland (OZ-9157) & Surface Parking Lots (TZ-9327)

Dear City Council

In advance of the important Council discussion and vote on the proposed Ridout Street North high-rise project I am writing a follow-up to my previous message to members of the Planning and Environment Committee (see below).

I and many other London city-builders have been deeply disappointed and frustrated by recent decisions to continue protecting surface parking lots over riverfront parkland floodplain. Despite all the talk of creating a vibrant city through policies and documents, including the *London Plan*, decisions continue to be made that often do just the opposite by perpetuating the asphalt status quo that has eroded the heart of our city.

Your decisions on Tuesday, June 15th and the Monday, June 21st Planning and Environment Committee — related to yet another [parking lot renewal for 193 Queens Ave](#) — are critical in helping to re-build our post-COVID city for this 21st century. Maintaining undervalued core land for surface parking lots is a wasted opportunity and wasted money.

The *Downtown Parking Strategy* adopted by Council in 2017, like other planning documents or our city, clearly *discourages* temporary surface parking lots and yet too many of you continue to go against these directives by continuing to protect these decades-old shovel-ready sites from the active development we need. A reminder that the applicant also owns the [67,000 sq ft surface lot across the street](#): “This parcel of land can accommodate a mixed-use of commercial and a **500-unit residential tower development, all zoning approved for such use.**” as well as the adjacent [43,000 sq ft lot at 74 Fullarton](#): “This parcel of land can accommodate a mixed-use of commercial and a **450-unit residential tower development, all zoning approved for such use.**”

Incentivize these sites with the legislative and policy tools at your disposal, and help build the vibrant city in which we all want to live and invest. Build a city for the many people who already *want* to be downtown, not those you’ve been trying to entice downtown with heavily subsidized parking. Build a sustainable modern city with open riverfront green-space AND multi-unit infill, and people will come. People will most definitely come.

In anticipation of a bold new chapter in London’s history, I look forward to your inspired voting leadership. If you would like to talk about this issue please don’t hesitate to reach out.

Regards,  
Sandra Miller

**Member, [Congress for the New Urbanism](#), [Strong Towns](#), and [Urban League of London](#)**

On May 31, 2021, at 2:06 PM, [Sandra Miller] wrote:

Dear members of Planning and Environment Committee

City building is a tricky thing isn’t it? Especially in these challenging times. Luckily we have the benefit of learning from best-practices from around the world — and hindsight close to home...

Progressive, visionary cities around the world have been leading the way for the rest of us as they rebuild and repair 20th century industrial and manufacturing cities. We can

tailor our local interpretations of those best-practices to what is best not only in the isolated context of individual proposals but what is best for our community as a whole, our children and grandchildren, our ecology, and ultimately the sustainability of our city.

**The proposal to build a high-rise looming over our riverfront parkland floodplain is dangerous and irresponsible, and would prove to be costly in every possible way.** It is especially egregious coming from Farhi Holdings who hoards acres of undervalued surface parking lots littering our downtown core, eroding its value and appeal along with the many deteriorating empty buildings they own.

I and many other Londoners were deeply disappointed and frustrated by the recent Council vote to extend *yet again* the licenses on three nearly 30 year old ‘temporary’ downtown surface parking lots owned by Mr. Farhi — lots that could be used to build housing, businesses, and — yes, would probably include parking. Sadly we were not surprised. Why would we be when parking is the addiction that our city has created and continues to perpetuate to rationalize our policies, budget allocation, and decision-making.

Our 20th century city building and thinking will never help us create the vibrant, thriving, 21st century city we *could* be — that we *say* we want to be. We will remain mired in a costly loop of self-imposed motor vehicle congestion and destruction of rich farmland and green space — unless we follow the vision of the London Plan and build the city our children need us to create.

**Make the bold choice, make the right choice. Protect our fragile riverfront parkland floodplain from overdevelopment instead of protecting our wasteland of asphalt surface parking lots.** Force the hand of land speculator(s) who continue to hoard shovel-ready sites where homes could be created. We *do* need urban infill, we *do* need housing, we *do* need some parking. We can have all of these AND protect the precious irreplaceable ecological assets that are shared by us all, not just those who hold real estate.

Regards,  
Sandra Miller  
Member, [Congress for the New Urbanism](#), [Strong Towns](#), and [Urban League of London](#)

## **Departmental and Agency Comments**

### Site Plan (April 6, 2021)

Site Plan Approval will be required. The applicant will be required to comply with the minimum standards of the Zoning By-law and Site Plan Control By-law, including providing parking area setbacks, standard drive-aisle and parking space dimensions, and landscaped islands.

### Transportation (April 7, 2021)

Transportation has no comment regarding this application. Widening are “As is” as per the Z1 in this section.

Sanitary (June 2, 2021)

The proposed is continued use of the existing surface commercial parking lot and has no sanitary component. Therefore, sewer engineering has no further comments.

Storm Drainage (June 4, 2021)

No comments

Water (March 18, 2021)

No comments

London Hydro (March 18, 2021)

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

## **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  
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.)

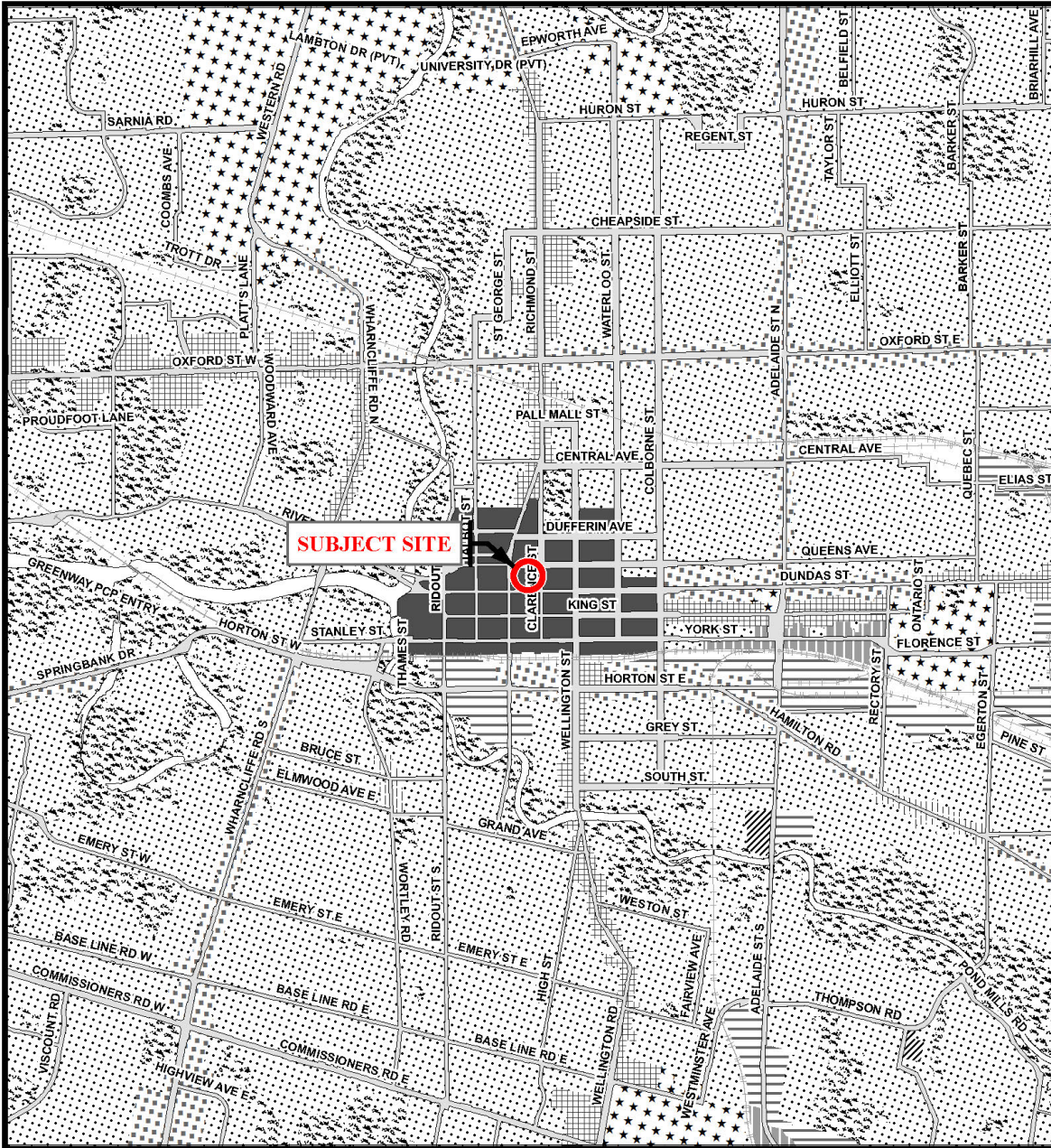
\*Map 1  
Map 3  
799  
\*800\_  
1671\_  
1672\_  
1673A\_

### Official Plan (1989)

Schedule A  
4.1.10 iv)  
19.4.5

# Appendix D – Relevant Background

## The London Plan – Map 1 – Place Types



### 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.

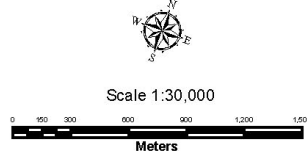
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

### CITY OF LONDON

Planning Services /  
Development Services

### LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



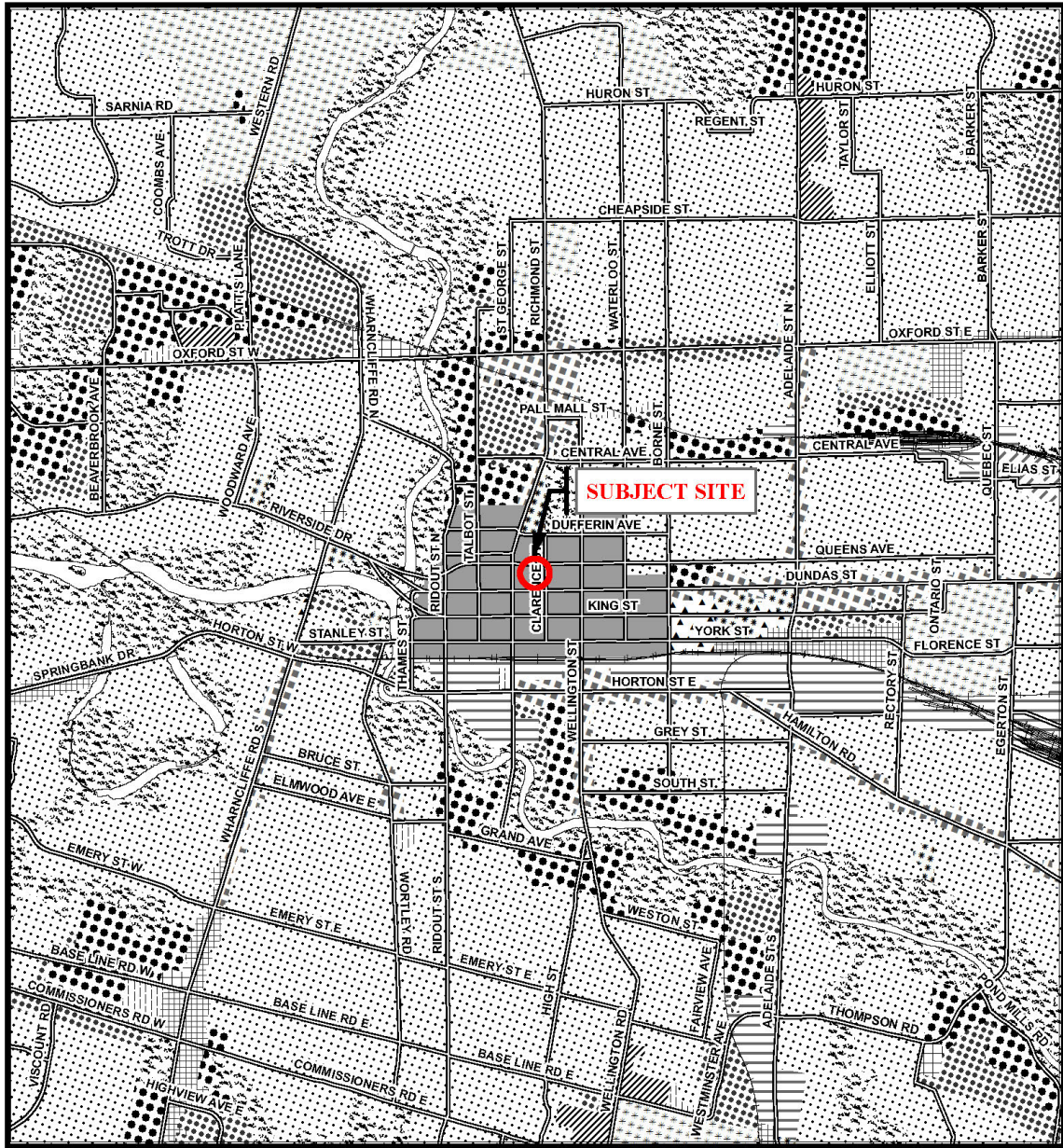
File Number: TZ-9327

Planner: BD

Technician: RC

Date: June 2, 2021

# 1989 Official Plan – Schedule A – Land Use



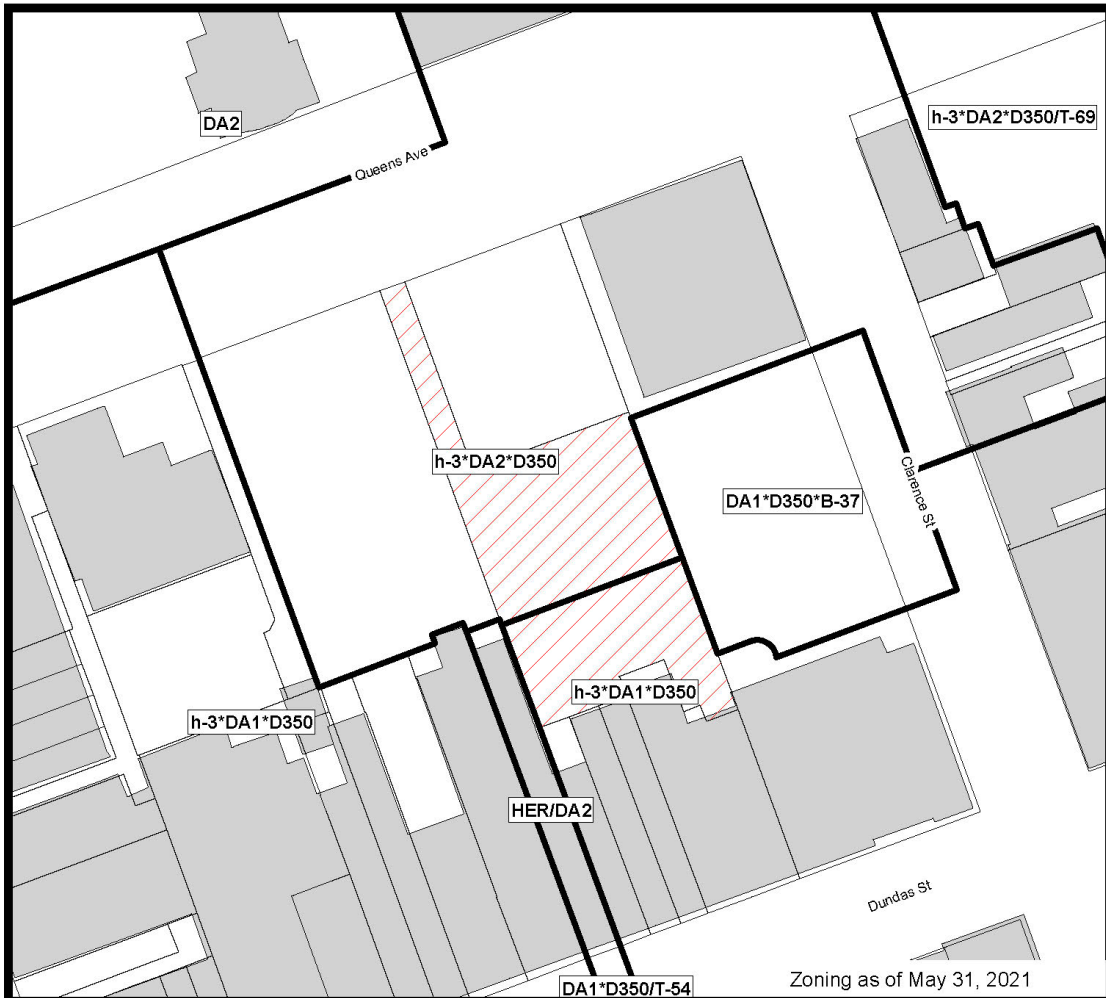
Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial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

<p align="center"><b>CITY OF LONDON</b></p> <p align="center">Planning Services / Development Services</p> <p align="center">OFFICIAL PLAN SCHEDULE A - LAND USE -</p> <p align="center">PREPARED BY: Graphics and Information Services</p>	<p align="center">Scale 1:30,000</p> <p align="center">Meters</p>	<p>FILE NUMBER: TZ-9327</p> <p>PLANNER: BD</p> <p>TECHNICIAN: RC</p> <p>DATE: 2021/06/02</p>
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PROJECT LOCATION: e:\planning\projects\p\_officialplan\work\consol\00\excerpts\mxd\_templates\scheduleA\_b&w\_8x14\_with\_SWAP.mxd

# Zoning By-law Z.-1



**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         |
| DA - DOWNTOWN AREA                        | LI - LIGHT INDUSTRIAL             |
| RSA - REGIONAL SHOPPING AREA              | GI - GENERAL INDUSTRIAL           |
| CSA - COMMUNITY SHOPPING AREA             | HI - HEAVY INDUSTRIAL             |
| NSA - NEIGHBOURHOOD SHOPPING AREA         | EX - RESOURCE EXTRACTIVE          |
| BDC - BUSINESS DISTRICT COMMERCIAL        | UR - URBAN RESERVE                |
| AC - ARTERIAL COMMERCIAL                  |                                   |
| HS - HIGHWAY SERVICE COMMERCIAL           | AG - AGRICULTURAL                 |
| RSC - RESTRICTED SERVICE COMMERCIAL       | AGC - AGRICULTURAL COMMERCIAL     |
| CC - CONVENIENCE COMMERCIAL               | RRC - RURAL SETTLEMENT COMMERCIAL |
| SS - AUTOMOBILE SERVICE STATION           | TGS - TEMPORARY GARDEN SUITE      |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | RT - RAIL TRANSPORTATION          |
| 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:

TZ-9327

BD

MAP PREPARED:

2021/06/02

RC

1:1,000

