

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: George Kotsifas, P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: 1767289 Ontario Inc.
150 King Edward Avenue
Public Participation Meeting

Date: January 10, 2022

Recommendation

That, on the recommendation of the Director, Planning & Development, the following actions be taken with respect to the application of 1767289 Ontario Inc., relating to the property located at 150 King Edward Avenue:

- (a) the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting on January 25, 2022, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** a Neighbourhood Shopping Area (NSA1) Zone **TO** a Neighbourhood Shopping Area Special Provision (NSA3(_)) Zone and a Residential R6 Special Provision (R6-5(_)) Zone
- (b) **IT BEING NOTED** that the following Site Plan matters have been raised through the application review process for consideration by the Site Plan Approval Authority:
 - i) Orient the ground floor active uses, including commercial units and primary entrances to residential units, towards the King Edward Avenue frontage
 - ii) Ensure the public entrance(s) of commercial unit(s) are easily distinguished from residential entrances. Consider locating commercial signages above the commercial units to provide distinction between type(s) of entrance and consider incorporating weather protection (e.g., canopies) above entrances
 - iii) Provide direct walkway access from ground floor units (Commercial and Residential) to the public sidewalk along King Edward Avenue frontage
 - iv) Ensure that the design of any fourplex end units with elevations flanking the public street are oriented to the street by providing enhanced architectural details, such as wrap-around porches, entrances and a similar number of windows, materials, and articulation as is found on the front elevation
 - v) Provide safe, convenient, and direct pedestrian connections throughout the site between unit entrances, amenity spaces, parking areas and the city sidewalk

Executive Summary

Summary of Request

The owner has requested an amendment to the Zoning By-law Z.-1 to change the zoning of 150 King Edward Avenue from a Neighbourhood Shopping Area (NSA1) Zone to a Neighbourhood Shopping Area Special Provision (NSA3(_)) Zone and a Residential R6 Special Provision (R6-5(_)) Zone with the intent of constructing a three-storey mixed-use building fronting onto King Edward Avenue with ground floor commercial/office uses and 17 residential units on the second and third floors, and 17 fourplex buildings with a total of 68 units at the rear of the property.

The requested change permits medium density development in various forms of cluster housing including single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, townhouse dwelling, stacked townhouse dwelling, apartment buildings, and fourplex dwelling. Further, the requested change permits an apartment building with commercial/office uses on the first and/or second floor.

Zoning special provisions were requested including:

For the mixed-use building:

- A minimum lot depth of 36.0 metres
- A minimum interior (south) side yard setback of 5.0 metres
- A maximum height of 11 metres
- A minimum of 48 parking spaces
- A minimum front yard depth of 1.0 metre
- A maximum front yard depth of 3.0 metres
- A maximum density of 85 units per hectare

For the fourplexes:

- A minimum front yard setback of 4.5 metres
- A maximum density of 70 units per hectare

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit the development of a three-storey mixed-use building fronting onto King Edward Avenue with ground floor commercial/office uses and 17 residential units on the second and third floor, and 17 fourplex buildings with a total of 68 units at the rear of the property

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment
2. The recommended amendment conforms to the in-force policies of The London Plan including but not limited to the Key Directions and Shopping Area Place Type
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Neighbourhood Commercial Node designation
4. The recommended amendment facilitates the redevelopment of an underutilized parcel of land within the Built-Area Boundary and the Primary Transit Area with an appropriate form of infill development

Linkage to the Corporate Strategic Plan

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

Climate Emergency

On April 23, 2019, Municipal Council declared a Climate Emergency. The City of London is committed to reducing and mitigating climate change by encouraging intensification and growth at appropriate locations.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject site is located on King Edward Avenue, approximately 55 metres south of Thompson Road. The site has a frontage of roughly 119 metres along King Edward Avenue and a total area of 1.29 hectares. The site is developed with a nearly vacant commercial plaza and large surface parking lot currently being used for storing road construction material and soil.

King Edward Avenue is a secondary collector road with an average daily traffic volume of 3,000 vehicles per day. The road classification in The London Plan is a Neighbourhood Connector.



Figure 1: 150 King Edward Avenue Plaza looking east



Figure 2: 150 King Edward Avenue Plaza looking west



Figure 3: 150 King Edward Avenue parking lot

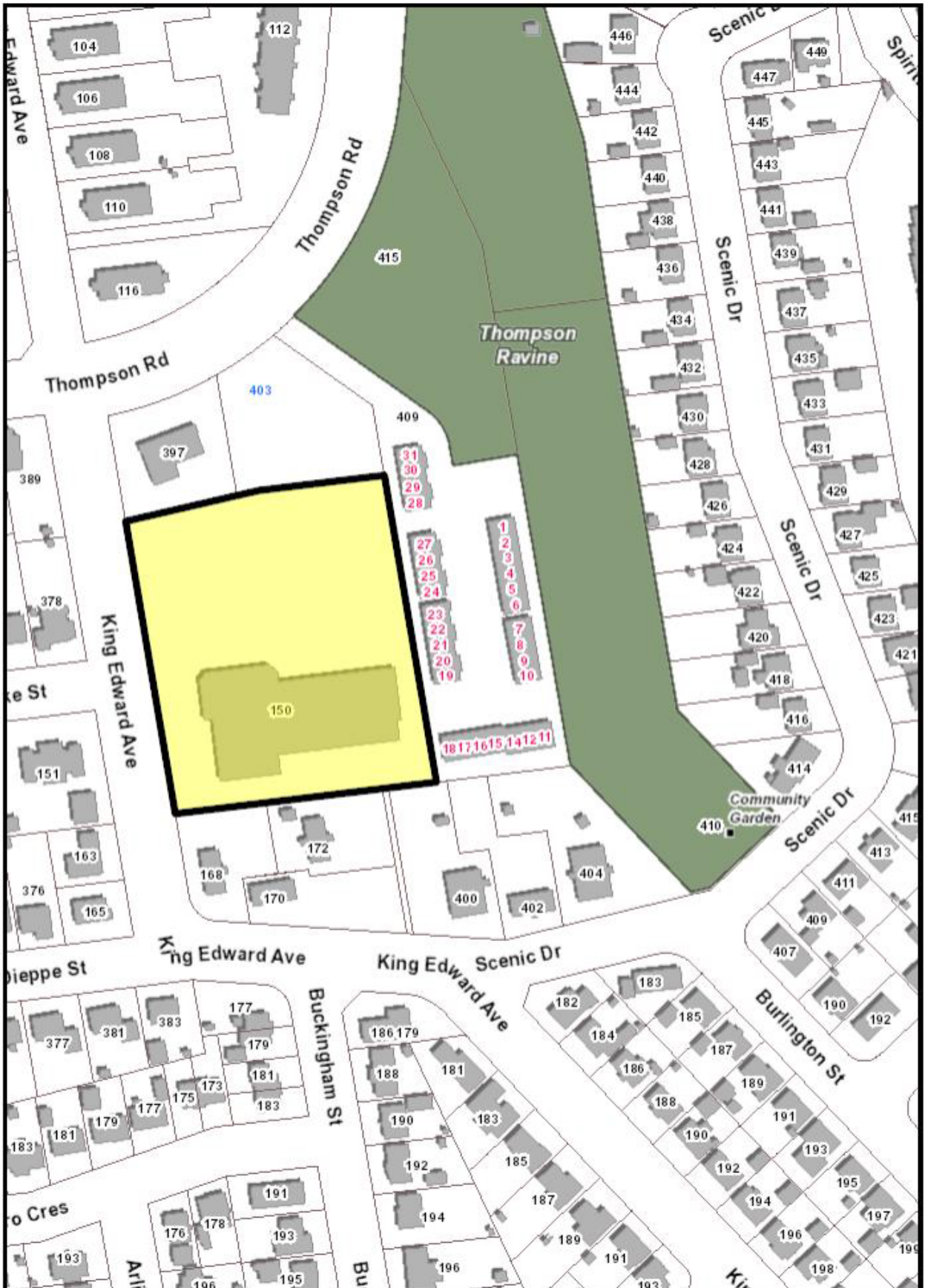
1.3 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Neighbourhood Commercial Node
- The London Plan Place Type – Shopping Area
- Existing Zoning – Neighbourhood Shopping Area 1 (NSA1)

1.4 Site Characteristics

- Current Land Use – Nearly vacant commercial plaza and surface parking lot
- Frontage – 119 metres
- Depth – Irregular
- Area – 1.29 hectares
- Shape – Irregular

1.5 Location Map



Location Map

Subject Property: 150 King Edward Avenue
 Applicant: STRIK BALDINELLI MONIZ
 File Number: Z-9398
 Created By: Graham Bailey
 Date: 11/2/2021
 Scale: 1:2000

Legend

-  Subject Property
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



1.6 Surrounding Land Uses

- North – Convenience store, laundromat, and vacant residential zoned land. Across Thompson Road, low-rise apartment buildings and a gas station
- East – Two-storey townhouses and green space
- South – Low-rise apartment buildings
- West – Single detached dwellings and a place of worship

1.7 Intensification

The proposed 85 residential units represent intensification with the Primary Transit Area and the Built-Area Boundary.

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing to develop a three-storey mixed-use building fronting onto King Edward Avenue with ground floor commercial/office uses and 17 residential units on the second and third floors, and 17 fourplex buildings with a total of 68 units at the rear of the property. The site concept plan is shown in Figure 4. Building renders are shown in Figures 5 and 6.

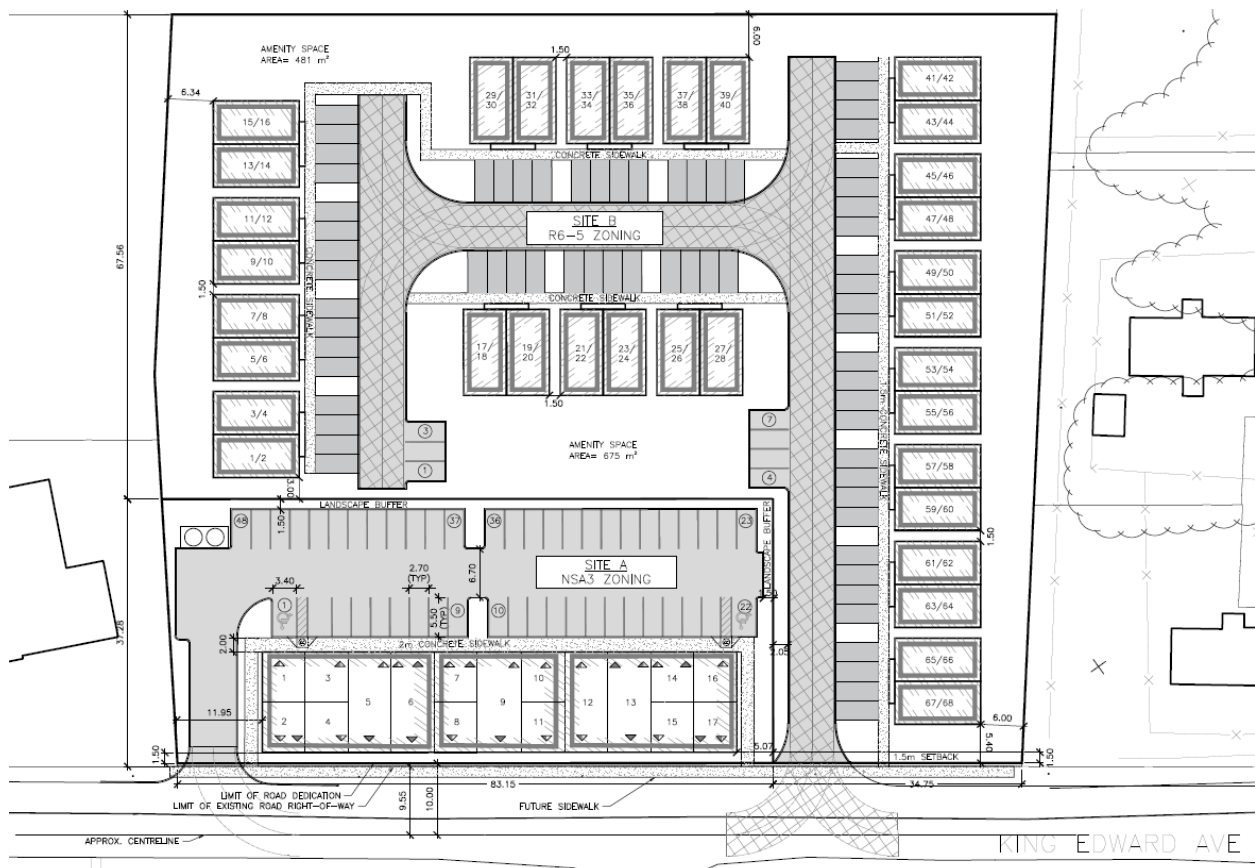


Figure 4: Site Concept Plan



Figure 5: Concept Rendering - North View



Figure 6: Concept Rendering - South View

2.2 Requested Amendment

The applicant has requested to change the zoning on the subject site from a Neighbourhood Shopping Area (NSA1) Zone to a Neighbourhood Shopping Area Special Provision (NSA3(_)) Zone and a Residential R6 Special Provision (R6-5(_)) Zone. The NSA1 Zone permits bake shops, catalogue stores, clinics, convenience service establishments, day care centres, duplicating shops, financial institutions, food stores, libraries, medical/dental offices, offices, personal service establishments, restaurants, retail stores, service and repair establishments, studios, video rental establishments, and brewing on premises establishments.

The NSA3 Zone permits any use permitted in the NSA1 Zone and an apartment building with any or all the other permitted uses on the first and/or second floor. The R6-5 Zone permits a single detached dwelling, semi-detached dwelling, duplex dwelling, triplex dwelling, townhouse dwelling, stacked townhouse dwelling, apartment building, and fourplex dwelling in a cluster form.

Special zoning permissions have been requested. For the NSA3 Special Provision (NSA3(_)) Zone:

- A minimum lot depth of 36.0 metres
- A minimum interior (south) side yard setback of 5.0 metres

- A maximum height of 11 metres
- A minimum of 48 parking spaces

Civic Administration identified additional special provisions for the NSA3 Special Provision (NSA3(_)) Zone through the review of the application:

- A minimum front yard depth of 1.0 metre
- A maximum front yard depth of 3.0 metres
- A maximum density of 85 units per hectare

Further, through discussion with the applicant, the originally submitted conceptual site plan was slightly reworked resulting in the removal of two special provisions related to lot coverage and parking setback that were included in the Notice of Application.

The special zoning provisions requested for the Residential R6 Special Provision (R6-5(_)) Zone are:

- A minimum front yard setback of 4.5 metres
- A maximum density of 70 units per hectare

2.3 Community Engagement (see more detail in Appendix B)

Written responses were received from one household:

The letter supported the residential intensification but did not support the commercial units included in the proposed mixed-use building.

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. The PPS sets the policy foundation for regulating the development and use of land. The PPS is issued under the authority of section 3 of the *Planning Act*. The *Planning Act* requires that decisions affecting planning matters “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, liveable, and safe communities by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. Section 1.1. also supports accommodating an appropriate affordable and market-based range and mix of residential types and employment uses to meet long-term needs. Section 1.1.3 identifies settlement areas as the focus of growth and development including ensuring the vitality and regeneration of settlement areas being critical to the long-term economic prosperity of the community. Section 1.4 of the PPS provides for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents.

The London Plan

The London Plan constitutes the Official Plan for the City of London. It contains goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment of the city.

The London Plan was adopted by Municipal Council on June 23, 2016 and approved by the Province on December 28, 2016. The majority of The London Plan is now in force and effect, but numerous policies do remain under appeal to the Local Planning Appeals Tribunal. The London Plan policies under appeal 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 Municipal Council but are not determinative for the purposes of this planning application.

Eight key directions serve as the foundation for The London Plan. These directions give focus and a clear path forward to the exciting, exceptional, and connected London collectively envisioned for 2035.

Key Direction #1 Plan strategically for a prosperous city identifies the importance of revitalizing the city's urban neighbourhoods and business areas (55_4).

Key Direction #5 Build a mixed-use compact city outlines the importance of achieving a compact, contiguous pattern of growth – looking “inward and upward” (59_2), sustaining, enhancing, and revitalizing our downtown, main streets, and urban neighbourhoods (59_3), and planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward (59_4).

Key Direction #8 Make wise planning decisions identifies ensuring new development is a good fit within the context of an existing neighbourhood (62_9).

The site is in the Shopping Area Place Type and adjacent to a Neighbourhood Connector (King Edward Avenue) as identified on *Map 1 – Place Types and Map 3 – Street Classifications. Permitted uses with the Shopping Area Place Type include a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses (877_1). Mixed-use buildings will be encouraged (877_2). Buildings within the Shopping Area Place Type will not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted (878_2).

1989 Official Plan

The subject site is designated Neighbourhood Commercial Node in accordance with Schedule 'A' of the 1989 Official Plan. Permitted uses in the Neighbourhood Commercial Node include small retail stores, food stores, pharmacies, convenience commercial uses, personal services, financial institutions, service-oriented office uses such as real estate, insurance and travel agencies, community facilities such as libraries or day care centres, professional and medical/dental offices, small-scale restaurants, commercial recreation establishments, and similar uses that draw customers from a neighbourhood-scale trade area. Residential units above ground floor commercial uses may be allowed. Multi-family high or medium density residential uses may also be permitted through a zoning by-law amendment application, concurrent site plan application, and consideration of design features which allow integration of the two uses (4.3.8.3). Outside of Central London, a multi-family high density residential development will not exceed an approximate net density of 150 units per hectare (3.4.3) and a multi-family medium density residential development will not exceed an approximate net density of 75 units per hectare (3.3.3).

Neighbourhood Commercial Nodes generally have a strip plaza focus with a combination of small free-standing uses or small uses in a plaza format but can be applied to a collection of small stores intended to serve the surrounding neighbourhood. Free-standing structures along the street frontage should be developed to improve the design of the street edge, provide access to transit stops and reduce the visual impact of large open parking lots (4.3.8.4).

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 Provincial Policy Statement, 2020 (PPS) encourages accommodating an appropriate affordable and market-based range and mix of residential types and

commercial employment (1.1.1 b)). The PPS also 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 serving costs (1.1.1 e)). The PPS also requires planning authorities to direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (1.4.3 c)).

The London Plan

Key Direction #1 – plan strategically for a prosperous city – identifies revitalizing London’s urban neighbourhoods and business areas (55_4) and Key Direction #5 – building a mixed-use compact city – directs a mix of housing types within our neighbourhoods so that they are complete communities and support aging in place (59_5).

Policy 871_ outlines The London Plan’s vision for the Shopping Area Place Type. Shopping areas will constitute an important part of London’s complete communities, providing commercial centres with a wide range of uses, and over time will re-format to become mixed-use areas.

Policy 876_ encourages the repurposing, reformatting, infill, and intensification of existing centres to take advantage of existing services, use land more efficiently, and reduce the need for outward expansion.

Policy 877_1 of the Shopping Area Place Type permits a broad range of retail service, office, entertainment, recreational, educational, institutional, and residential uses. Policy 877_2 encourages mixed-use buildings.

1989 Official Plan

The subject property is designated Neighbourhood Commercial Node in the 1989 Official Plan. This designation contemplates small retail stores, food stores, pharmacies, convenience commercial uses, personal services, financial institutions, service-oriented office uses such as real estate, insurance and travel agencies, community facilities such as libraries or day care centres, professional and medical/dental offices, small-scale restaurants, commercial recreation establishments, and similar uses that draw customers from a neighbourhood-scale trade area. Residential units above ground floor commercial uses may be allowed. Multi-family high or medium density residential uses may also be permitted through a zoning by-law amendment application, concurrent site plan application, and consideration of design features which allow integration of the two uses (4.3.8.3).

Analysis

Consistent with the PPS and conforming to the 1989 Official Plan and The London Plan, the recommended mixed-use building and fourplexes will contribute to and diversify the existing range and mix of housing types in the area, which consist of low-rise apartment buildings to the south, townhouses to the east, and one- and two-storey single detached dwellings to the west. The recommended amendment facilitates the development of an underused site within a settlement area. Further, the recommended amendment ensures the shopping area remains a neighbourhood-oriented shopping destination by maintaining commercial uses in the mixed-use building.

The recommended amendment reformats and intensifies the existing shopping area without requiring new public infrastructure and makes efficient use of the land and existing services.

While the recommended mixed-use building and fourplexes have a different intensity and built form than surrounding development, the analysis of intensity and form below shows that the subject lands can be developed in a way that is appropriate for the site and adjacent neighbourhood.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The PPS identifies that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of communities (1.1.3). The PPS further dictates that planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodate a significant supply and range of housing options through intensification and redevelopment (1.1.3.3). Also, appropriate development standards should be promoted which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety (1.1.3.4).

Planning authorities shall provide for an appropriate range and mix of housing options and densities (1.4.3) including permitting and facilitating all types of residential intensification, including residential units and redevelopment (1.4.3 b) and promoting densities for new housing which efficiently use land, resources, infrastructure, and public service facilities (1.4.3 d).

The London Plan

The London Plan places an emphasis on growing “inward and upward” to achieve a compact form of development (79_). Residential intensification will play a large role in achieving our goals for growing “inward and upward” (80_). Further, the London Plan directs that intensification may occur in all place types that allow for residential uses (84_).

The intent of The London Plan is to allow for the more intense and efficient use of Shopping Area sites through redevelopment, expansion, and the introduction of residential development (878_1). Development within the Shopping Area Place Type will be sensitive to adjacent land uses and employ such methods as transitioning building heights and providing sufficient buffers to ensure compatibility (878_4). Further, lots will be of sufficient size and configuration to accommodate the proposed development and help mitigate planning impacts on adjacent uses (878_5).

The London Plan also uses height as a measure of intensity. In the Shopping Area Place Type, the minimum height is one-storey with a maximum height of up to four-storeys, with bonusing up to six-storey (Table 8 – Summary of Minimum and Maximum Heights by Place Type*).

1989 Official Plan

In the Neighbourhood Commercial Node designation in the 1989 Official Plan, commercial development within the node shall normally range in size from 1,000 square metres to 13,000 square metres gross floor area (4.3.8.5).

The 1989 Official Plan identifies that several of the existing commercial nodes have sufficient vacant land areas and/or older, existing developments which are conducive to redevelopment and intensification. Redevelopment within these areas should be considered where the integration of additional uses, such as residential, with retail functions could achieve a more mixed-use commercial environment (4.3.3). Policies 4.3.3. i) to ix) address and prevent conflict between the different land uses with and adjacent to the commercial node.

As noted in Section 4.1 on Use, multi-family high or medium density residential uses may also be permitted in a Neighbourhood Commercial Node through a zoning by-law amendment application, concurrent site plan application, and consideration of design features which allow integration of the two uses (4.3.8.3). Outside of Central London, a multi-family high density residential development will not exceed an approximate net density of 150 units per hectare (3.4.3) and a multi-family medium density residential development will not exceed an approximate net density of 75 units per hectare (3.3.3).

Analysis

Consistent with the PPS and conforming to the 1989 Official Plan and The London Plan, the recommended intensification will support the vitality of the neighbourhood by ensuring a compact form of development that uses existing infrastructure and services. Further, the recommended amendment facilitates the redevelopment of an underutilized site within a settlement area.

The recommended intensification will redevelop a largely vacant shopping area by providing new residential uses and reformatted commercial uses.

The subject lands lie within an area characterized by a mix of various housing forms ranging from single detached dwellings to low-rise apartment buildings. Further, the site is adjacent to existing commercial uses. The site is large enough to accommodate a more intensive redevelopment of an underutilized site within a settlement area.

The site is in an area where both the 1989 Official Plan and The London Plan direct and support residential intensification and redevelopment. The proposal complies with the height standards in The London Plan for the Shopping Area Place Type and the requested density of development conforms to the maximum density of 75 units to 150 units per hectare contemplated in the 1989 Official Plan for the Neighbourhood Commercial Node designation.

The proposed development of 68 units in 17 fourplexes equates to 70 units per hectare. The proposed 17 residential units and 735 square metres of commercial space in the mixed-use building equates to 82 units per hectare (rounded to 85 units per hectare for the requested special provision). On a site-wide basis, the 85 residential units and commercial space equates to 79 units per hectare. The proposed densities are within the maximum density of 75 to 150 units per hectare contemplated in the 1989 Official Plan.

The proposed 735 square metres of commercial space is slightly less than the minimum 1,000 square metres contemplated in the 1989 Official Plan; however, the existing commercial plaza often had frequent vacancies. The shrinking of the commercial footprint will still maintain the required commercial uses in the Neighbourhood Commercial Node designation while offering tenants a new street-oriented format.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

The PPS promotes efficient development and land use patterns which sustain the financial well-being of the Province and the municipalities over the long term (1.1.1 a)). Further, the PPS promotes appropriate development standards which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety (1.1.3.4). The PPS also supports long-term economic prosperity by encouraging a sense of place by promoting well-designed built form (1.7.1 e)).

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing growth (66_). Further, The London Plan places an emphasis on growing “inward and upward” to achieve a compact form of development (79_). Key Direction #5 of The London Plan accommodates opportunities for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce the need to grow outward (59_4).

Within the Shopping Area Place Type, all planning and development applications will conform with the City Design policies of The London Plan (879_1). Further, sites should be designed to screen any large fields of parking from the street and parking between the buildings and the street will be discouraged (879_4).

The London Plan Our Tools policies provide direction on reviewing potential impacts on adjacent and nearby properties (1578_6) and the degree to which the proposal fits within its context (1578_7).

1989 Official Plan

The 1989 Official Plan identifies that Commercial Nodes be developed in accordance with the general principles of urban design as noted in Chapter 11 and the Commercial Urban Design Guidelines (4.3.2.). Specifically, Neighbourhood Commercial Nodes generally have a strip plaza focus with a combination of small free-standing uses or small uses in a plaza format but can be applied to a collection of small stores intended to serve the surrounding neighbourhood. Free-standing structures along the street frontage should be developed to improve the design of the street edge and reducing the visual impact of large open parking lots. The design, appearance, and scale shall be in harmony with the surrounding residential area with adequate screening and buffering between uses (4.3.8.4). Appendix D of this report includes a complete Planning Impact Analysis addressing matters of form.

Analysis

Consistent with the PPS and conforming to the 1989 Official Plan and The London Plan, the recommended development proposal will optimize the use of land and existing infrastructure in the area. The subject site is located within a developed area of the city and the redevelopment of the subject site will contribute to achieving a more compact form of growth. The proposed mixed-use building and fourplexes represent a more compact form of development than the commercial plaza and large surface parking lot that currently occupy the site.

The location and massing of the mixed-use building and the fourplexes is consistent with urban design policies. The mixed-use building fronts King Edward Avenue and frames the street providing for a street-oriented design. Entrances to the commercial units face the street. To help reduce the requirement for encroachment agreements for building elements such as canopies, balconies, and the opening of doors, a one (1.0) metre minimum to three (3.0) metre maximum front yard depth have been included in the recommended zoning for the mixed-use building. This front yard depth will continue to allow the building to be located close to the street.

The parking area is located behind the mixed-use building. There is no parking between the street and the mixed-use building. The parking for the fourplexes is appropriately located throughout the site providing parking to the units and for visitors.

The proposed mixed-use building and fourplexes are of similar height to the surrounding buildings and can be considered harmonious with the surrounding residential neighbourhood. The proposed building placements provide for separation between the proposed development and neighbouring homes and commercial buildings, mitigating compatibility concerns including loss of privacy and shadowing. Sufficient space is available to provide for appropriate screening and buffering along the north, east, and south property boundaries adjacent to the existing homes and businesses.

Comments from Urban Design staff highlighted various considerations for more detailed design to be completed at site plan approval. These include:

- Ensure to direct the ground floor active uses including commercial units, primary entrances to residential units towards the King Edward Avenue frontage
- Ensure the public entrance(s) of commercial unit(s) are easily distinguished from residential entrances by providing definitions through signage, canopies, and architectural features. Consider locating commercial signages above the commercial units and do not extend beyond that to provide distinction between type(s) of entrance. Incorporate weather protection (e.g., canopies) above entrances

- Provide direct walkway access from ground floor units (commercial and residential) in the mixed-use building to the public sidewalk along King Edward Avenue
- Ensure that the design of any end units with elevations flanking the public street are oriented to the street by providing enhanced architectural details, such as wrap-around porches, entrances and a similar amount of windows, materials and articulation as is found on the front elevation
- Provide an accessible outdoor amenity space for the residents of the mixed-use building
- Provide safe, convenient, and direct pedestrian connections throughout the site between unit entrances, amenity spaces, parking areas and the city sidewalk.

These comments have been included for consideration during the site plan approval process in the staff recommendation.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and the Shopping Area Place Type. Further, the recommended amendment conforms with the in-force policies of the 1989 Official Plan, including but not limited to the Neighbourhood Commercial Node designation. The recommended amendment will facilitate the development of an underused site within the Built-Area Boundary and the Primary Transit Area with a use, intensity, and form that is appropriate for the site.

Prepared by: **Graham Bailey, MCIP, RPP**
Senior Planner, Core Area and Urban Regeneration

Reviewed by: **Michael Tomazincic, MCIP, RPP**
Manager, Strategic Land Development

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

Submitted by: **George Kotsifas, P. Eng**
Deputy City Manager, Planning and Economic Development

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications be obtained from Planning and Economic Development.

Appendix A

Bill No.(number to be inserted by Clerk's Office)
2022

By-law No. Z.-1-22_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 150
King Edward Avenue

WHEREAS 1767289 Ontario Inc. has applied to rezone an area of land located at 150 King Edward 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 150 King Edward Avenue, as shown on the attached map comprising part of Key Map No. A108 from Neighbourhood Shopping Area (NSA1) Zone to a Neighbourhood Shopping Area Special Provision (NSA3(_)) Zone and a Residential R6 Special Provision (R6-5(_)) Zone.

2) Section Number 23.4 of the Neighbourhood Shopping Area (NSA3) Zone is amended by adding the following Special Provision:

) NSA3() 150 King Edward Avenue

a) Regulations

i) Lot Depth (Minimum)	36.0 metres (118.11 feet)
ii) Front Yard Depth (Minimum)	1.0 metres (3.28 feet)
iii) Front Yard Depth (Maximum)	3.0 metres (9.84 feet)
iv) Interior Side Yard Setback (south) (Minimum)	5.0 metres (16.40 feet)
v) Height (Maximum)	11.0 metres (36.09 feet)
vi) Parking Spaces (Minimum)	48 spaces
vii) Density (Maximum)	85 units per hectare

3) Section Number 10.4 of the Residential (R6-5) Zone is amended by adding the following Special Provision:

) R6-5() 150 King Edward Avenue

a) Regulations

i) Front Yard Setback (Minimum)	4.5 metres (14.76 feet)
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ii) Density
(Maximum)

70 units per hectare

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.

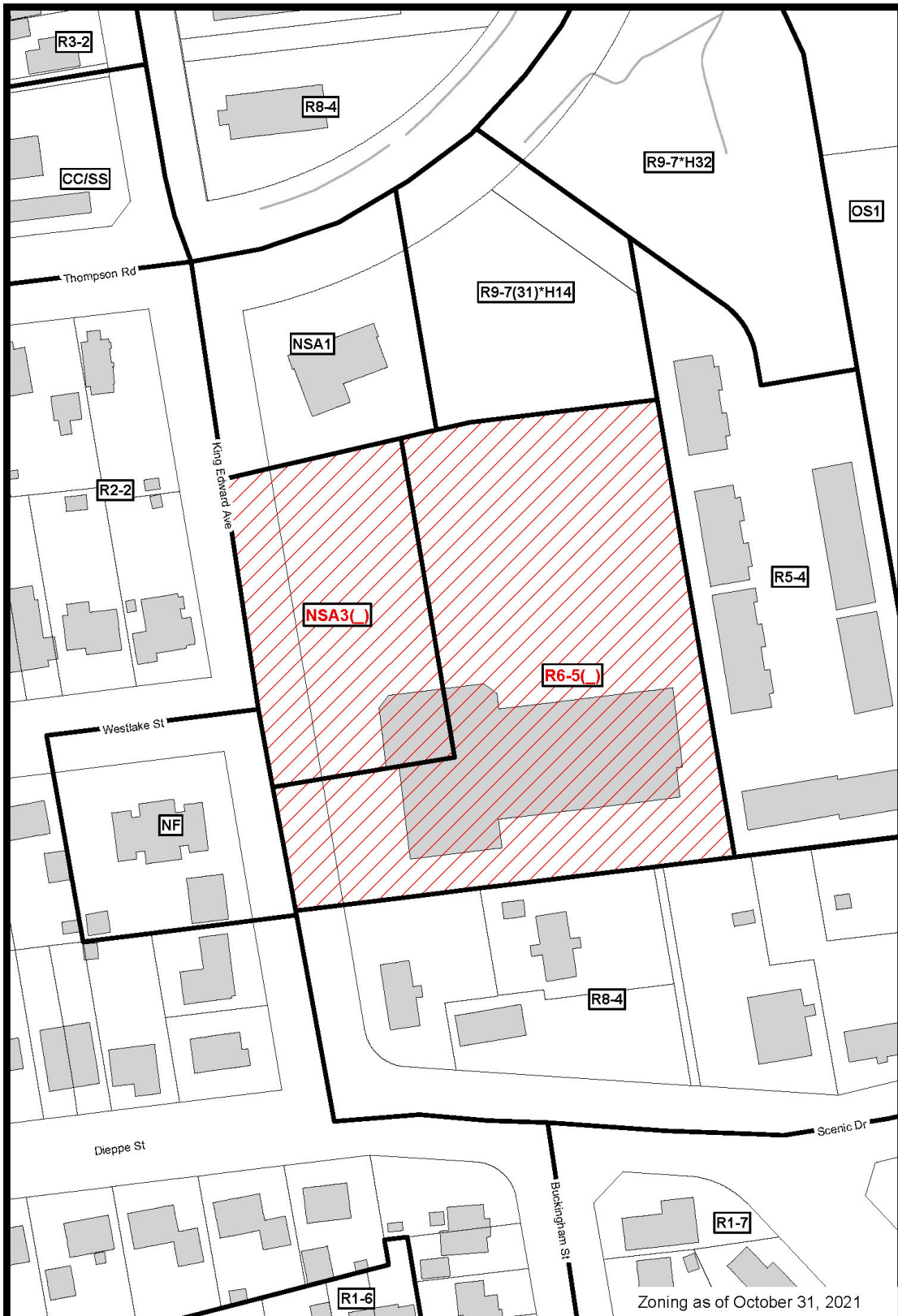
PASSED in Open Council on January 25, 2022.

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – January 25, 2022
Second Reading – January 25, 2022
Third Reading – January 25, 2022

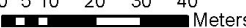
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9398
Planner: GB
Date Prepared: 2021/11/10
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40
 Meters



Appendix B – Public Engagement

Community Engagement

Notice of Application (September 2, 2021)

On September 2, 2021, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the Public Notices and Bidding Opportunities section of The Londoner on September 2, 2021. A “Planning Application” sign was also posted on the site.

One replied was received.

Nature of Liaison: The purpose and effect of this zoning change is to permit: (1) a three-storey mixed-use building fronting onto King Edward Avenue with ground floor commercial/office uses and a total of 17 residential units above and (2) to the rear of the site, 17 fourplex buildings with a total of 68 units. Possible change to Zoning By-law Z.-1 **FROM** a Neighbourhood Shopping Area Zone **TO** a Neighbourhood Shopping Area Special Provision (NSA3(_)) Zone and a Residential R6 Special Provision (R6-5(_)) Zone. Special provisions for the NSA3 Special Provision (NSA3(_)) Zone include a minimum lot depth of 36m, a minimum south side yard setback of 5m, a maximum lot coverage of 31%, a maximum height of 11m, a minimum of 48 parking spaces, and a minimum parking setback of 1.35m. Special provisions for the Residential R6 Special Provision (R6-5(_)) Zone include a minimum front yard setback of 4.5m and a maximum density of 70 units per hectare.

Responses:

Support for:

Residential intensification

Support for the residential intensification on the site to improve the neighbourhood.

Concern for:

Commercial units

Concern that the commercial units will continue to experience constant turnover and vacancies like the existing plaza on the site.

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

RE: FILE#Z-9398 (150 KING EDWARD AVENUE, LONDON, ON, N5Z 3T4)

Dear Mr. Bailey,

We are the property owners at 397 Thompson Road, London, ON. We agree with 100% residential intensification. However, we do not agree with a three-storey mixed-use commercial building. The proposed application envisions a redevelopment of a commercial plaza to include a 3-storey mixed-use building fronting onto King Edward Avenue with ground-floor commercial retail uses makes absolutely no sense.

The reason is because a planning justification report submitted by Strik, Baldinelli, and Moniz has already been evaluated. On page 2, under Contents 3: Site Description of the report states, "the subject property is a former commercial plaza that once offered several day-to-day retail and service opportunities for the community. Presently, the subject site consists of a surface parking lot and a single storey commercial building that is mainly vacant."

The site has experienced constant turnovers not because of the price of low rent but because commercial tenants do not survive the long haul. It has been proven that this location is unfit for brick and mortar retail establishments. It is like a revolving door, in and out, over and over again and therefore the building always remains vacant. Furthermore, it negatively impacts the commercial vacancy rate especially in the Southeast area of London, ON.

The framework is to improve residential intensification in the community of Glencairn. The City of London is expanding and requires accommodation by supporting future residential strategic growth.

We believe that by attempting to revive an already underperforming commercial property is pointless.

Mr. Bailey, we may be able to see success with a 100% residential development project. However, we may not be able to see it within our lifetime if these types of applications are not approved.

I can be contacted by email: [REDACTED] Thank you very much for your time and warm consideration,


Michael Nam
2533772 Ontario Inc.

Urban Design (September 22, 2021)

- The applicant is commended for providing a building design that incorporates the following design features; a mixed-use building that establishes a built edge along the King Edward Avenue street frontage with residential/commercial unit entrances from the public street frontage and locates all parking at the rear of the site.
- Consistent with the previous staff comments, please consider the following in establishing appropriate zoning regulations (i.e. setbacks) and as direction to the Site Plan authority.
 - Ensure to include a special provision for a minimum and maximum setback of the proposed mixed-use building in Site 'A' from the west property line along King Edward Avenue.
 - Include a 1-3m setback from the King Edward Avenue frontage in order to avoid the requirement for encroachment agreements for building elements such as canopies, balconies, opening of doors, etc.
 - Ensure to direct the ground floor active uses including commercial units, primary entrances to residential units towards the King Edward Avenue frontage.
 - Ensure the public entrance(s) of commercial unit(s) are easily distinguished from residential entrances by providing definitions through signage, canopies and architectural features. Consider locating commercial signages above the commercial units and do not extend beyond that to provide distinction between type(s) of entrance. Incorporate weather protection (e.g., canopies) above entrances.
 - Provide direct walkway access from ground floor units (Commercial and Residential) in Site 'A' to the public sidewalk along King Edward Avenue frontage.
 - Ensure that the design of any end units (67/68) in Site 'B' with elevations flanking the public street are oriented to the street by providing enhanced

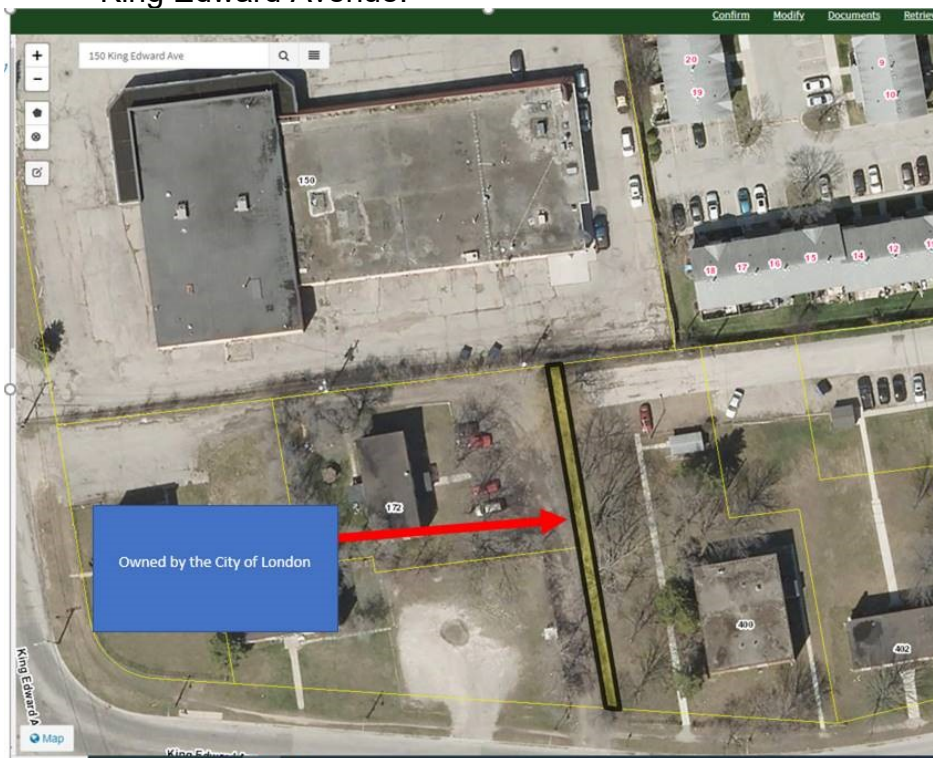
architectural details, such as wrap-around porches, entrances and a similar amount of windows, materials and articulation as is found on the front elevation.

- If the property is to be severed as Site 'A' and Site 'B', provide an accessible outdoor amenity space for the residents of the mixed-use building portion.
- Provide safe, convenient and direct pedestrian connections throughout the site between unit entrances, amenity spaces, parking areas and the city sidewalk.

Parks Planning and Design (September 17, 2021)

Parks Planning and Design staff have reviewed the submitted notice of application and offer the following comments:

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.
- There is an existing City owned walkway block on the south property line that runs south to connect to King Edward Avenue. Through this development process consideration for this walkway should be upgraded and connected to King Edward Avenue.



London Hydro (September 20, 2021)

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.
- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

Appendix C – Policy Context

Provincial Policy Statement, 2020

Section 1.1 – Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 a), b), c), d), e)

1.1.3

1.1.3.1

1.1.3.2

1.1.3.3

1.1.3.4

Section 1.4 – Housing

1.4.3

Section 1.7 – Long Term Economic Prosperity

The London Plan

Policies subject to London Planning Appeals Tribunal Appeal PL170100 indicated with asterisk)

7_ - Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

54_ to 62_ - Our Strategy, Key Directions

66_ - Our City, Planning for Growth and Change

79_ - Our City, The Growth Framework, Intensification

80_ - Our City, The Growth Framework, Intensification

83_ - Our City, The Growth Framework, Intensification

84_ - Our City, The Growth Framework, Intensification

90_ - Our City, The Growth Framework, Primary Transit Area

126_ - Our City, The Economic Framework

129_ - Our City, The Economic Framework, Downtown, Transit Villages, Rapid Transit Corridors, and Shopping Areas

153_ and 154_ - Our City, Urban Regeneration

193_ - City Design, What Are We Trying to Achieve?

235_ - City Design, Streetscapes

252_, 255_, 256_, 259_, 268_, and 269_ - City Design, Site Layout

271_, 272_, 277_, 278_, 279_, 280_, 281_, 282_, and 283_ - City Design, Parking

286_, 291_, and 295_ - City Design, Buildings

789_ 4. – Urban Place Types, General Framework

*Table 8 – Urban Place Types, Framework of Heights, Minimum and Maximum Heights by Place Type

871_, and 872_ - Shopping Area, Our Vision for the Shopping Area Place Type

874_ - Shopping Area, Role Within the City Structure

876_ 3. and 4., Shopping Area - How Will We Realize Our Vision?

877_ 1., 2., and 4., Shopping Area - Permitted Uses

878_ 1., 4., 7., Shopping Area - Intensity

879_ 3., Shopping Area - Form

1578_ - Our Tools, Evaluation Criteria for Planning and Development Applications

*Map 1 – Place Types

Map 3 – Street Classifications

1989 (Official Plan)

4. Downtown and Commercial Land Use Designations

4.2 Commercial Land Use Designations

4.2.1 Planning Objectives for all Commercial Land Use Designations

4.2.2 Urban Design Objectives for all Commercial Land Use Designations

4.3 Commercial Nodes

4.3.1 Planning Objectives

4.3.2 Urban Design Objectives

4.3.3 Mixed-Use Development, i) through ix)

4.3.8 Neighbourhood Commercial Node

4.3.8.2 Permitted Uses

4.3.8.4 Form

4.3.8.5 Scale

4.5 Planning Impact Analysis

11. Urban Design Principles

11.1.1 ii), iv), vi), vii), viii), ix), x), xi), xiii), xiv), xv), xix),

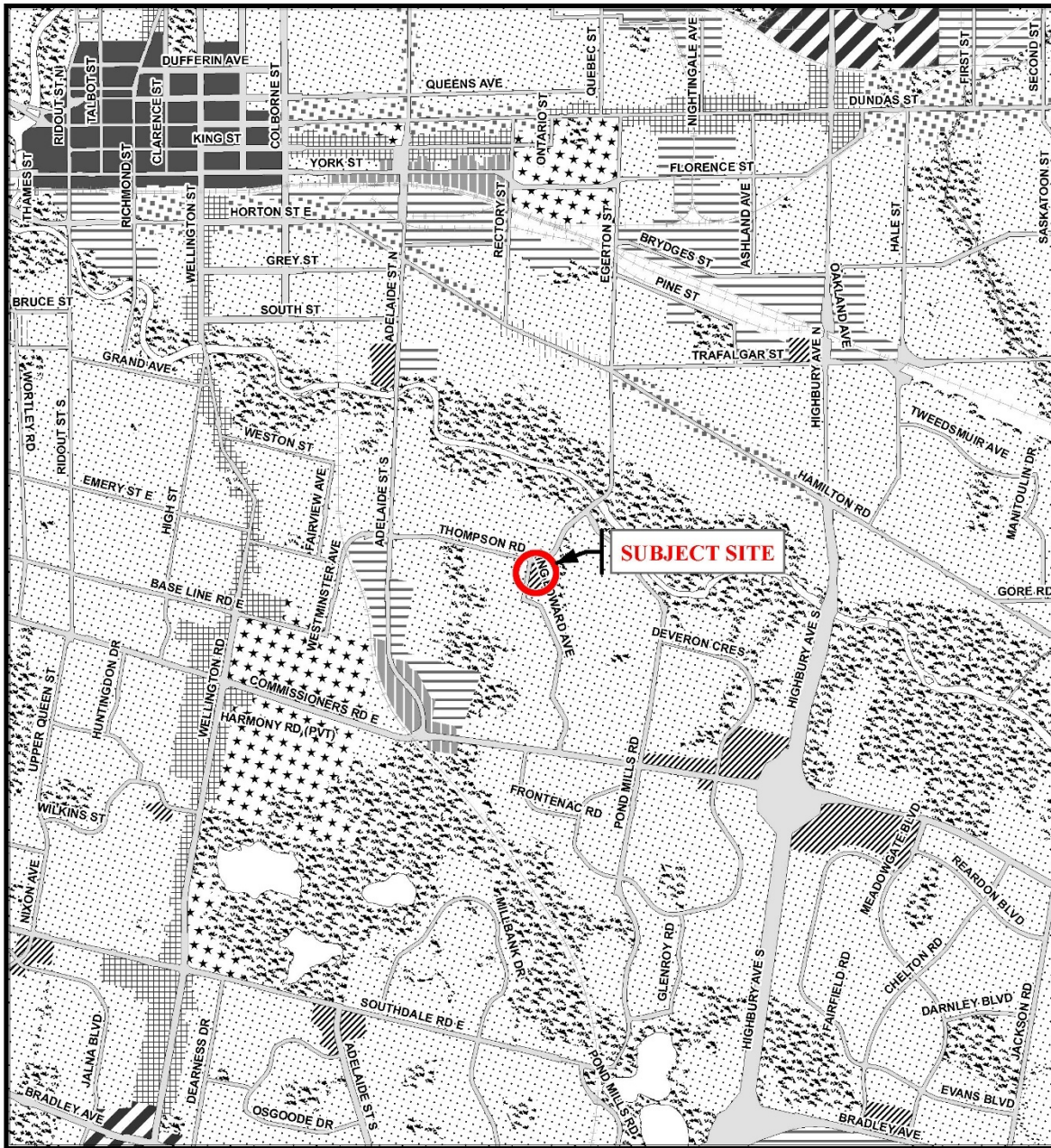
19. Implementation

4.5 Planning Impact Analysis	
Criteria	Response
The policies contained in the Section relating to the requested designation	The proposed land use conforms with the in-force policies of Section 4 of the Official Plan
Compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;	The proposed land use is a contemplated use in the Official Plan, like other uses in the area, and contributes to a variety of housing forms
The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed uses	The parcel of land is large enough to accommodate the intensity of the proposed use without an adverse effect on the surrounding uses
The supply of vacant land or vacant buildings in the area which is designated and/or zoned for the proposed uses	The subject land and building are nearly vacant and is zoned for some of the proposed uses (commercial, not residential). Other vacant land in the area was recently rezoned for residential uses
The potential traffic generated by the proposed change, considering the most intense land uses that could be permitted by such a change, and the likely impact of this additional traffic on City streets, pedestrian, and vehicular safety, and on surrounding properties	A Traffic Impact Assessment or similar study was not required as part of a complete application. City staff did not identify any need for traffic controls to mitigate any increase in potential traffic from the proposed change
The height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses	The height of the proposed mixed-use building and fourplexes is similar to and compatible with the surrounding land uses. Suitable setbacks are on all four sides of the proposed development further reducing any potential impact on the surrounding land uses
The location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties	A Traffic Impact Assessment or similar study was not required as part of a complete application. City staff did not identify any need for traffic controls to mitigate any increase in potential traffic from the proposed change. No concerns were identified with vehicular access points during circulation of the application

Where adjacent to sites under separate ownership, access and traffic circulation should be co-ordinated	The proposed form of development and the surrounding land uses is not conducive to the coordination of access and traffic circulation
The exterior design in terms of bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;	The applicant is commended for providing a building design that incorporates the following design features; a mixed-use building that establishes a built edge along the King Edward Avenue, street frontage with residential/commercial unit entrances from the public street frontage and locates all parking at the rear of the site. At the site plan, additional attention should be paid to detailed design criteria to further urban design goals
The potential impact of the proposed development on surrounding natural features and heritage resources	Not applicable
Constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration, and rail safety may limit development	Not applicable
Compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law	The requested amendment conforms with the in-force policies of the Official Plan. The requirements of the Site Plan Control By-law will be considered through the design of the site to ensure functionality, including provision of amenity space, drive aisle widths, sidewalk widths, garbage storage, and long-term bicycle storage through the site plan approval process
Compliance with Ministry of the Environment (MOE) noise guidelines	Not applicable
Measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis	Landscaping and privacy fencing, in combination with building massing and setbacks are expected to mitigate adverse impacts on the surrounding land uses
Impacts of the proposed change on the planned transportation system, including transit	The residential intensification of the subject lands will have a negligible impact on the transportation system and provide a more transit-supportive form of development

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.

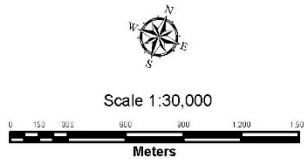
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



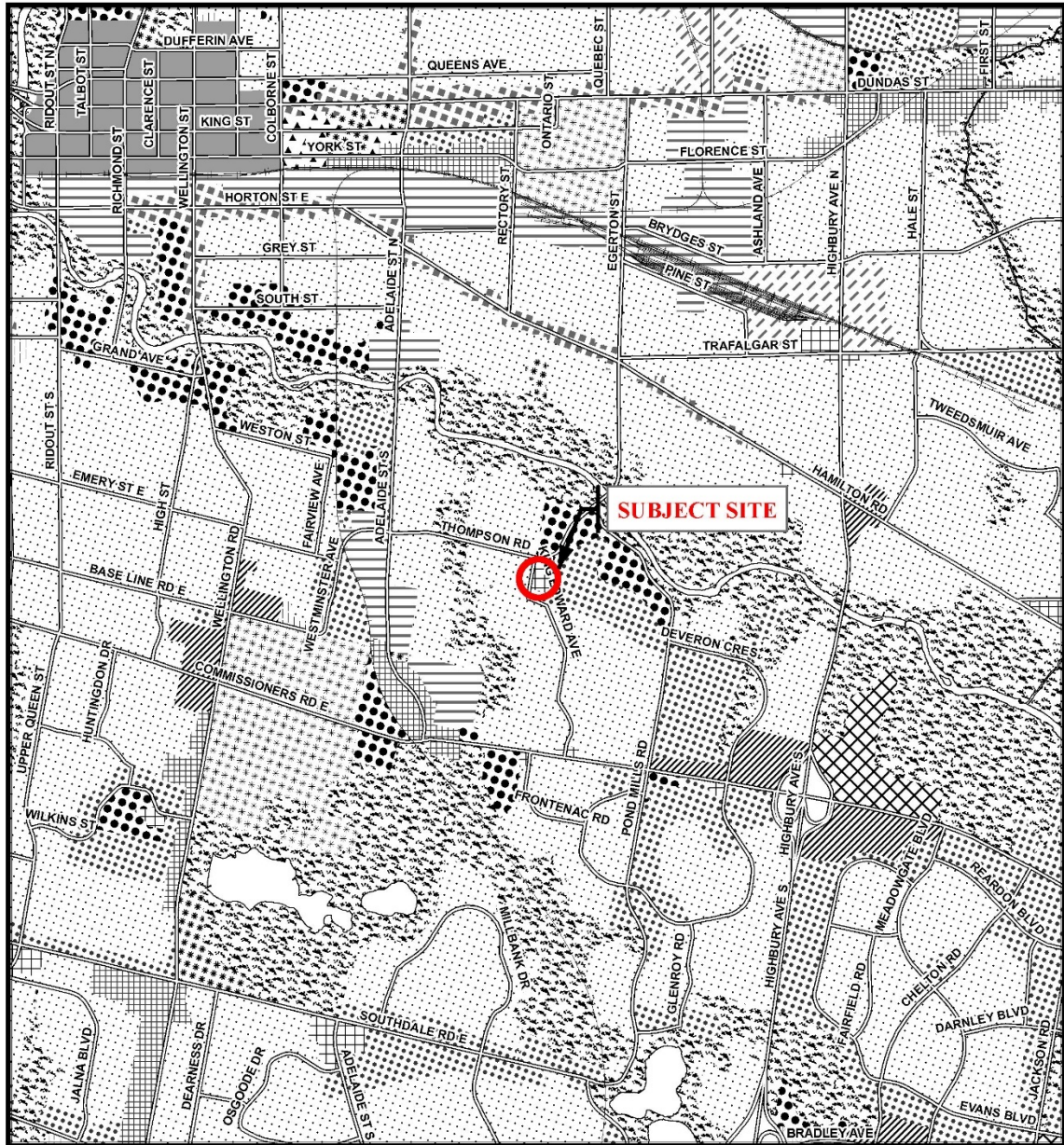
File Number: Z-9398

Planner: GB

Technician: RC

Date: November 10, 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>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500</p> <p>Meters</p>	FILE NUMBER: Z-9398
		PLANNER: GB
		TECHNICIAN: RC
		DATE: 2021/11/10

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9398

GB

MAP PREPARED:

2021/11/10

RC

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