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File No: Z-8180
Planner: L. Mottram

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES and CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: NICHOLSON SHEFFIELD ARCHITECTS INC. 1956 SHORE ROAD PUBLIC PARTICIPATION MEETING ON JUNE 20, 2013 @ 4:00 P.M.

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application of Nicholson Sheffield Architects Inc. relating to the lands located at 1956 Shore Road, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 25, 2013 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** a holding Residential R6/Neighbourhood Facility (h•R6-5/NF) Zone which permits, subject to removal of a holding (“h”) provision, a range of cluster housing and neighbourhood facilities including single detached and semi-detached dwellings, townhouses, low-rise apartment buildings, churches and elementary schools, **TO** a Neighbourhood Facility (NF1) Zone to permit such uses as churches, elementary schools, community centres, day care centres, libraries, private schools, private clubs, fire stations, and police stations.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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February 5, 2013 – Planning and Environment Committee Agenda Item # 7 – Application by Sifton Properties Limited re: portion of 1956 Shore Road and portion of 1585 Riverbend Road (Riverbend Park) (File No. Z-8113)

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended action is to change the zoning to permit the use of the lands for a day care centre in addition to the proposed elementary school.

RATIONALE

1. The recommended zoning amendment to permit a broader range of neighbourhood facility uses, including elementary school and day care uses, is appropriate and compatible with existing and planned uses within the surrounding area.
2. The zoning is appropriate and the permitted uses are compatible and in keeping with the character of the surrounding area.
3. The recommended zoning conforms with the Official Plan and meets the policies for community facilities within residential land use designations.

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Location Map

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BACKGROUND

Date Application Accepted: May 1, 2013	Agent: n/a
REQUESTED ACTION: Amendment to Zoning By-law Z.-1 to add Neighbourhood Facility NF1 to permit elementary school and child day care centre.	

SITE CHARACTERISTICS:
<p>Current Land Use – vacant</p> <ul style="list-style-type: none"> • Frontage – 160 m (525 ft.) • Depth – 128 m (420 ft.) • Area – 2 ha (5 ac.) • Shape – regular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – public park and open space • South – vacant undeveloped lands • East – low density and medium density residential • West – public park and open space; future medium density residential

OFFICIAL PLAN DESIGNATION: (refer to map on page 4)
<ul style="list-style-type: none"> • Multi-family, Medium Density Residential
EXISTING ZONING: (refer to map on page 5)
<ul style="list-style-type: none"> • holding Residential R6/Neighbourhood Facility (h•R6-5/NF)

PLANNING HISTORY

On April 11, 2012, the City of London Consent Authority granted Sifton Properties Limited consent to sever 2.02 hectares for a future elementary school and retain 0.91 hectares for future single detached dwellings and parkland (File No. B.003/12). The lands in question, Municipal Number 1956 Shore Road located at the north west corner of Shore Road and Riverbend Road, was comprised of block within a registered plan of subdivision (Block 50 Plan 33M-549) which was registered in July 2006. The block was set aside as a site for a future elementary school or alternatively medium density residential cluster housing. The severed portion was transferred to the London District Catholic School Board on November 25, 2012. The retained portion of lands fronting Riverbend Road, including a strip of land adjacent Riverbend Park, was the subject of a subsequent application for consent to sever nine (9) single detached lots of 488m² and one (1) lot of 668 m² for a total of ten (10) lots for future residential uses, and approximately 0.43 ha for future residential, park and open space uses (File No. B.031/12). A zoning by-law amendment to permit the proposed residential single detached lots along Riverbend Road was recently adopted by Municipal Council on February 12, 2013 (File Z-8113).

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Official Plan Map

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Zoning Map

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PUBLIC LIAISON:	On May 15, 2013, a combined Notice of Application to Amend the Zoning By-law and Notice of Public Meeting was sent to 89 surrounding property owners. Notice was published in the "Londoner" on May 30, 2013.	1 reply received
Nature of Liaison: see "Requested Action" section.		
Responses: One telephone call was received with the caller expressing opposition. The main concern is the negative impacts of additional activity and increased traffic volumes on the residential neighbourhood.		

ANALYSIS

Existing Conditions

The subject lands consist of a vacant, open field which was previously in agricultural use. These lands were part of a block within a registered plan of subdivision (Block 50 Plan 33M-549) registered in 2006. Block 50 was approximately 3 hectares (7 ac.) in size, and was originally intended as an elementary school site set aside for the Thames Valley District School Board. In 2011, the TVDSB advised the City that they would not be completing the purchase of the property. Recently, an application for a severance was approved resulting in a smaller block of approximately 2 hectares (5 ac.) which was transferred by Sifton Properties Limited to the London District Catholic School Board for a new Catholic elementary school. An application for site plan approval was accepted on April 12, 2013 for a proposed elementary school and child care centre.

Does the recommended zoning conform with the Official Plan?

These lands are designated as "Multi-family, Medium Density Residential" in the Official Plan. Residential uses that typically comprise medium density development include row houses, cluster houses, low-rise apartment buildings, and certain specialized residential facilities such as small-scale nursing homes, homes for the aged and rest homes.

The Official Plan policies also provide for certain non-residential uses under Section 3.3.1(iv) – Secondary Uses and Section 3.6.4 - Community Facilities. The policies state that: *"The residential land use designations shall permit a range of non-residential community facilities that are normally associated with, and integral to, a residential environment. Where they are determined to be appropriate the following community facilities permitted in all Residential land use designations include churches; day care centres; branch libraries; schools; community centres; public parks; and public recreation facilities."*

Staff reviewed the recommended zoning change and applied the policy criteria for community facilities under Section 3.6.4, which is summarized as follows:

- i) **Residential Amenity** – The proposed elementary school and associated child day care centre does not represent a concentration of facilities within an established residential neighbourhood. This is a newly developing area of the City and the use would not detract from the residential amenity and character of area.
- ii) **Compatibility** – The proposed facilities will be compatible with and sensitive to the scale and appearance of surrounding residential uses. Information from the site plan indicates the elementary school will be one storey in height with 3838 square metres of building area, and the day care centre also one storey with 830 square metres of building area. Surrounding uses include future low density residential development to the east consisting of single detached dwellings fronting Riverbend Road, public

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- park and open space to the north and west (Riverbend Park), and future medium to high density residential development south of Shore Road.
- iii) **Function** – The site plan for the proposed elementary school and day care centre is currently being reviewed in conjunction with the City’s Site Plan Control Area By-law and guidelines to ensure that there is sufficient off-street parking, circulation, drop-off and pick-up facilities, and access to minimize traffic on abutting area streets.
 - iv) **Site Plan Approval** – The site is large enough to accommodate the required number of parking spaces. The site plans shows 54 spaces to be provided and well above the 27 minimum required under the Zoning By-law. Designated parking is proposed within the east side yard of the elementary school, and a school bus loading bay at the front of the school with access from Shore Road. The site plan information indicates that a buffer strip will be provided between the parking area and the rear of future adjacent single detached homes to the east consisting of a 1.8 metre concrete sidewalk, 1.2 metre wide planted landscape strip (cedar hedge), and 1.5 metre high chain link fence.

Based on our review, staff are satisfied the recommended Neighbourhood Facility NF1 zoning to permit the proposed elementary school and day care uses is appropriate and in conformity with the Official Plan.

Is the recommended zoning appropriate?

The City’s zoning by-law applied a dual zoning to the site at the time the subdivision was first approved. The holding Residential R6/Neighbourhood Facility (h•R6-5/NF) Zone permits various forms of cluster housing and neighbourhood facilities including single detached and semi-detached dwellings, townhouses, low-rise apartment buildings, churches and elementary schools, subject to removal of the holding “h” symbol which requires that a subdivision agreement or development agreement be entered into. The LDCS Board is actively advancing their plans for the proposed school/day care facility, and given their progress it is not necessary to maintain a holding (‘h’) provision. The existing Residential R6-5 zone variation is no longer required and should also be deleted as part of this amendment.

The recommended Neighbourhood Facility (NF1) Zone would permit a range of uses such as churches, elementary schools, community centres, day care centres, libraries, private schools, private clubs, fire stations, and police stations. Although the church and elementary school are already permitted uses under the current zoning, the day care use which falls under the NF1 zoning, is also considered appropriate.

Is the recommended amendment consistent with the Provincial Policy Statement?

The recommended zoning is consistent with the PPS, as summarized as follows:

1. Building Strong Communities

The subject lands are located within the Urban Growth Boundary. The recommended zoning continues to meet objectives of creating healthy, liveable, safe, and sustainable communities by promoting efficient development patterns, and accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet long-term needs.

2. Wise Use and Management of Resources

There are no identified Natural Heritage, Water, Agriculture, Minerals and Petroleum, or Mineral Aggregate Resource issues. The subject lands are currently vacant and are part of a block within a registered plan of subdivision. The subject lands are located on the edge of the groundwater divide for the Tributary ‘C’ Environmental Assessment Study. The proposed land use change is expected to have no impact on tributary fish habitat.

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3. Protecting Public Health and Safety

There are no Natural Hazards or Human-Made Hazard issues associated with this development.

CONCLUSION

Based on our review, the recommended rezoning to permit a broader range of neighbourhood facility uses, including elementary school and day care uses, is appropriate and compatible with existing and planned uses within the surrounding area. The recommended zoning is also consistent with the PPS, and conforms with the Official Plan.

PREPARED and RECOMMENDED BY:	REVIEWED BY:
LARRY MOTTRAM, MCIP, RPP SENIOR PLANNER – DEVELOPMENT SERVICES	BRUCE HENRY MANAGER, DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
TERRY GRAWAY, MCIP, RPP MANAGER, DEVELOPMENT SERVICES AND PLANNING LIAISON	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

June 7, 2013
GK/TG/BH/LM/lm
"Attach."

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

Telephone

Written

James Mitchell
1430 Riverbend Road

None

- Opposed to day care use
- Was aware of proposed school
- Not good location for child day care
- Concerned about impact of additional traffic potentially all year round

Bibliography

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Jim Sheffield, Nicholson Sheffield Architects Inc., dated April 2, 2013

Reference Documents:

City of London Official Plan, June 19, 1989, as amended

City of London, Zoning By-law No. Z.-1, May 21, 1991, as amended

Ontario Ministry of Municipal Affairs and Housing, *Planning Act, R.S.O. 1990, CHAPTER P. 13*, as amended

Ontario Ministry of Municipal Affairs and Housing, *Provincial Policy Statement*, March 1, 2005

City of London Development Services – Application for Site Plan Approval - File No. SP13-010029 – Nicholson Sheffield Architects Inc. for the London District Catholic School Board - 1956 Shore Road

City of London Development Services – Application for Amendment to Zoning By-law - File No. Z-8113 – Sifton Properties Limited - portion of 1956 Shore Road and portion of 1585 Riverbend Road (Riverbend Park)

City of London Development Services - Consent Application Files No. B.003/12 and B.031/12 - Applications for Consent to sever land for a future elementary school, single detached dwellings, and parkland; and application for Consent to sever ten (10) residential lots fronting the west side of Shore Road

City of London Department of Planning and Development – Riverbend Community Plan - April 22, 1998 and updated June 18, 2001

Correspondence: (located in City of London File No. Z-8113 unless otherwise stated)

Manager Realty Services report to Corporate Services Committee, January 8, 2013 re: Declaration of Surplus Land and Land Exchange with Sifton Properties Limited - Riverbend Road (File No. P-2382)

Various e-mail correspondences

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Bill No. (number to be inserted by Clerk's Office)
2013

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to
rezone lands located at 1956 Shore Road.

WHEREAS Nicholson Sheffield Architects Inc. has applied to rezone lands located at 1956 Shore Road, 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:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1956 Shore Road, as shown on the attached map, from a Holding Residential R6/Neighbourhood Facility (h•R6-5/NF) Zone to a Neighbourhood Facility (NF1) Zone.

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 subsection 34(21) of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

PASSED in Open Council on June 25, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - June 25, 2013
Second Reading – June 25, 2013
Third Reading - June 25, 2013