

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Scott Mathers MPA, P. Eng.,
Deputy City Manager, Planning and Economic Development
Subject: 1200 Commissioners Road East
Public Participation Meeting
Date: March 28, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Pond Mills Square Realty Inc. relating to the property located at 1200 Commissioners Road East:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting April 12, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (The London Plan, 2016) and the Official Plan for the City of London (1989), to change the zoning of the subject property **FROM** a Community Shopping Area Special Provision (CSA5(2)) Zone, **TO** a Community Shopping Area Special Provision (CSA5(_)) Zone;

Executive Summary

Summary of Request

The applicant has requested to rezone the subject site to add Place of Worship as an additional permitted use within one of the existing buildings totalling 1,585.00 square metres (17,060.80 square feet).

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit Place of Worship.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020;
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 Community Commercial Node designation;
4. The recommended amendment would facilitate reuse of the existing building with a use that is appropriate for the context of the site.

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

OZ-7894: July 18, 2011 – Report to Built and Natural Environment Committee- request for an Official Plan and Zoning By-law Amendment at 1200 Commissioners Road East.

1.2 Planning History

In 2011, the subject site was rezoned from a Community Shopping Area (CSA5) Zone which allows for a wide range of community scale, commercial retail and service uses, as well as some office uses to Community Shopping Area Special Provision (CSA5(_)) Zone to permit an increase in business office uses to a maximum gross floor area of 5,000 square metres or 53,9321 square feet.

1.3 Property Description

The subject lands are located on the east of Deveron Crescent and north side of Commissioners Road East. The subject site is currently occupied by three standalone buildings, one with a coffee shop, the second with retail/office units and a grocery store, and the third building with an office unit, a lab and a vacant unit. The subject lands have a total area of approximately 7.3 hectares (18.0 acres) and frontage of approximately 154.70 metres along Commissioners Road. The remainder of the subject lands consist of surface parking, pedestrian pathways and landscaping strips throughout the site and around the perimeter.



Figure 1: Photo of Subject Site and current use (Existing Vacant unit)



Figure 2: Photo of Subject Site (facing East on Deveron Crescent)

1.4 Current Planning Information

- The London Plan Place Type – Shopping Area Place Type
- Official Plan Designation – Community Commercial Node
- Existing Zoning – Community Shopping Area (CSA5(2)) Zone

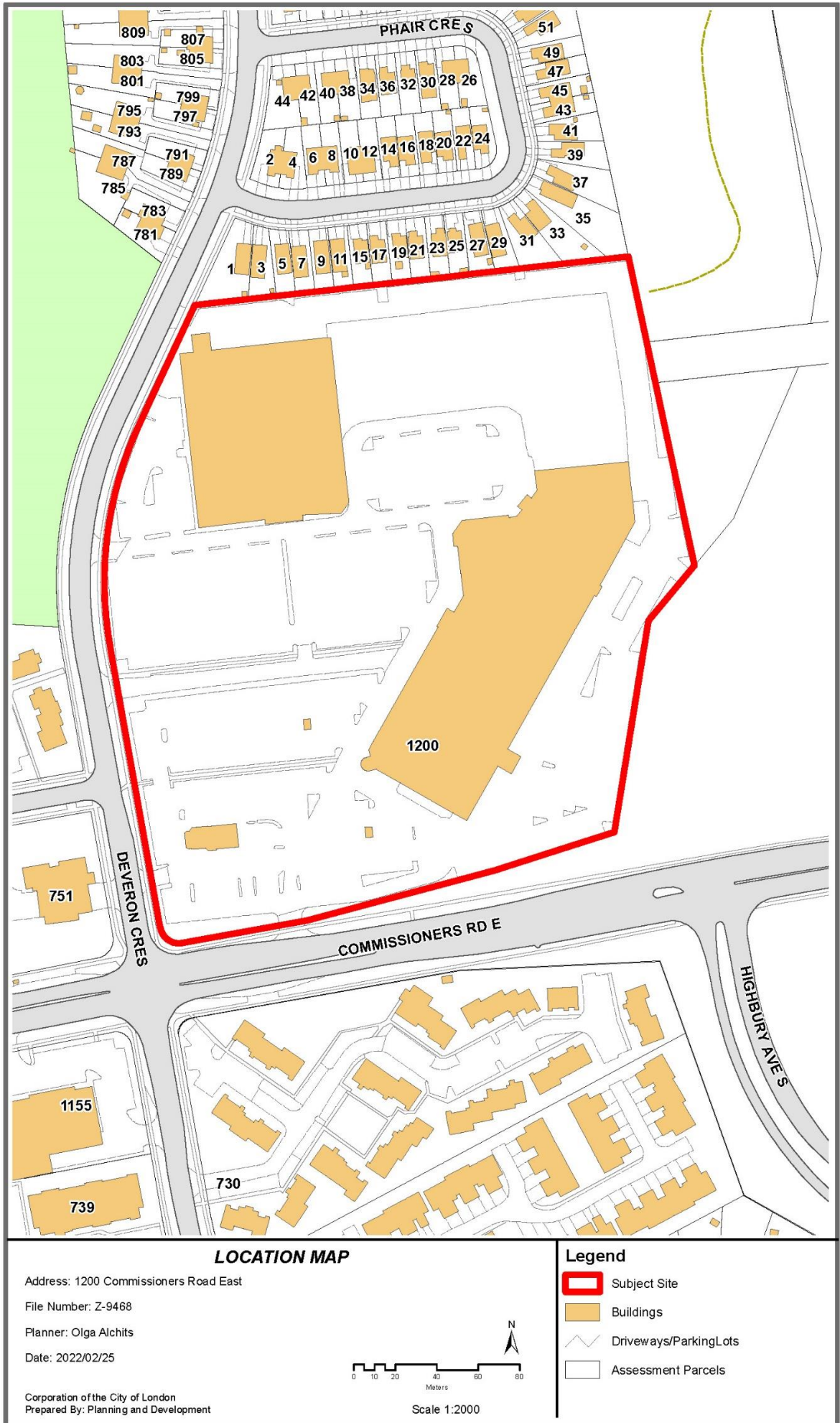
1.5 Site Characteristics

- Current Land Use – Existing Community Shopping Centre, Office Space, Lab and Vacant Unit
- Frontage – 154.7 metres
- Depth – approximately 295 metres
- Area – approximately 7.3 hectares (18.0 acres)
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Semi-detached and fully detached Low Density Residential
- East – Expressway, Open Space
- South – Commercial, Low Density Residential
- West – Semi-detached and fully detached Low Density Residential

1.7 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The applicant has requested to rezone the subject lands to add Place of Worship to the range of permitted uses, with special provisions to recognize existing site conditions. No additional development or site alteration is proposed.

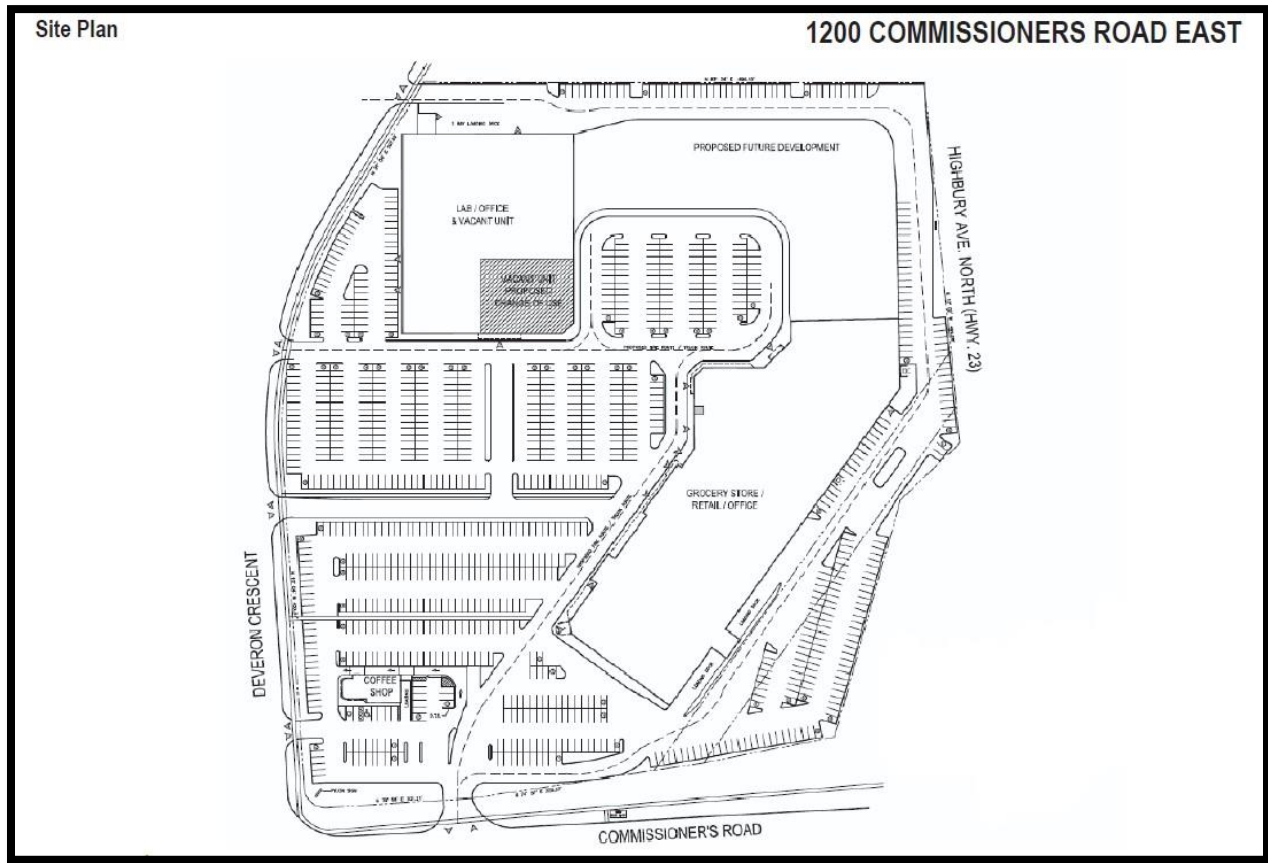


Figure 3: Existing conditions plan

2.2 Requested Amendment

The applicant has requested to rezone the lands to Community Shopping Area Special Provision (CSA5(2)) Zone to add Place of Worship as an additional permitted use within one of the existing buildings totalling 1,585.00 square metres (17,060.80 square feet). No additional development or site alterations are proposed as part of this amendment. The existing Special Provision will continue to apply on the site: the total Gross Floor Area (G.F.A) for Office Uses will be permitted in excess of 15%, to a maximum Gross Floor Area (G.F.A) of 5,000 square metres (53,921 square feet) within the existing central shopping plaza building.

2.3 Community Engagement (see more detail in Appendix B)

Through the community engagement process, no phone calls or emails were received.

2.4 Policy Context

Provincial Policy Statement, 2020

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

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that

the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council but are not determinative for the purposes of this planning application.

The London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

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

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

The proposed use supports these Key Directions by providing a convenient service to Londoners in the urban area of the city.

The site is in the Shopping Area Place Type, as identified on *Map 1 – Place types.

1989 Official Plan

The subject site is designated Community Commercial Node in accordance with Schedule ‘A’ of the 1989 Official Plan. Community Commercial Nodes are intended to provide a wide range of goods and services which are needed on a regular basis. Community Commercial Nodes are smaller in size than Enclosed and New Format Regional Commercial Nodes and there is less emphasis on comparison shopping needs and more emphasis on community specialized services (4.3.7.1).

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Provincial Policy Statement, 2020

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

Settlement areas are directed to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which efficiently use land and resources and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

Planning authorities shall promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader

mixed uses to meet long-term needs (1.3.1). Lastly, the PPS encourages long-term economic prosperity to be supported by promoting opportunities for economic development and community investment-readiness (1.7.1 a)).

The recommended amendment is in keeping with the PPS 2020 as it facilitates the introduction of a new use that is suitable within existing site context. The proposed Place of Worship would be located within the existing building, making use of existing building stock and efficiently using existing infrastructure and services. The recommended amendment contributes to an appropriate mix and range of uses by providing for an institutional use within the broader range of commercial and residential use in the community. The amendment will promote opportunities for economic development and community investment-readiness. Lastly, the recommended amendment provides a use or service in close proximity to residential neighbourhoods, thereby reducing the number of vehicle trips.

4.2 Issue and Consideration #2: Use, Intensity, and Form

The London Plan

The Shopping Area Place Type permits a broad range of retail, service, office, entertainment, recreational, institutional, and residential uses (877_1). Mixed-use buildings are encouraged and uses that are not compatible with residential and retail uses will not be permitted (877_2 and 822_3). A maximum intensity of four storeys, or six storeys with Type 2 Bonus Zoning, is contemplated (878_2).

The London Plan also identifies that smaller institutional uses are to be embedded within Neighbourhoods and a variety of other place types throughout the city. Schools, places of worship, facilities for community groups and faith-based organizations, and small health care services are examples of uses that are integrated into our communities (1083).

The proposed Place of Worship is contemplated in the Shopping Area Place Type as an institutional use. The proposed use complements the existing mixed uses such as commercial, office, lab on the subject site as well as the residential uses in the vicinity and is considered appropriate with the existing neighbourhood context. The existing one storey building is within the intensity contemplated by the Shopping Area Place type, and no changes to the intensity or form are proposed. The subject lands continue to be an appropriate shape and size to accommodate the existing uses. The proposed use is not anticipated to have any negative impacts on the neighbouring commercial sites or residential neighbourhood.

1989 Official Plan

Areas designated Community Commercial Node are primarily intended to provide a range of goods and services which are needed on a regular basis. The designation permits all types of retail outlets such as department stores, home improvement and furnishing stores, supermarkets, food stores and pharmacies, 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; and commercial and private schools (4.3.7.3).

A Place of Worship is considered a community facility use which is contemplated by the Community Commercial Node designation. The requested amendment would facilitate the conversion of the existing building to a use that is considered compatible within the surrounding context.

4.3 Issue and Consideration #3: Zoning

The applicant has requested to rezone the lands from the existing Community Shopping Area Special Provision (CSA5(2)) Zone to a new Community Shopping Area Special Provision (CSA5(_)) Zone to add Place of Worship as an additional permitted use within one of the existing buildings totalling 1,585.00 square metres (17,060.80 square feet).

The existing range of uses and the existing special provision permitting Gross Floor Area (G.F.A) for office uses in excess of 15%, to a maximum Gross Floor Area of 5,000 square metres within the existing central shopping plaza building will continue to apply to the site.

The proposed amendment to add Place of Worship as an additional permitted use does not seek any site alteration or additional special provisions as the existing site conditions can accommodate the proposed use and will continue to conform to the current zoning regulations.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan and the 1989 Official Plan. The recommended amendment would facilitate the reuse of the existing building with a use that is appropriate and compatible within its surrounding context.

Prepared by: Olga Alchits
Planner I

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

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

Submitted by: Scott Mathers, MPA, P. Eng
Deputy City Manager, Planning and Economic
Development

Appendix A

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

By-law No. Z.-1- _____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1200
Commissioners Road East

WHEREAS Pond Mills Square Realty Inc. has applied to rezone an area of land located at 1200 Commissioners Road East, 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 the lands located at 1200 Commissioners Road East, as shown on the attached map comprising part of Key Map No. A108, from a Community Shopping Area Special Provision (CSA5(2)) Zone to a Community Shopping Area Special Provision (CSA5(_)) Zone.
- 2) Section Number 22.4 d) of the Community Shopping Area (CSA5) Zone is amended by adding the following Special Provision:

CSA5(_) 1200 Commissioners Road East

a) Additional Permitted Uses:

i) Place of Worship

b) Regulations:

i) Gross Floor Area
For Place of Worship
(Maximum) 1,585.00 square metres
(17,060.80 square feet)

ii) Notwithstanding the provisions of Table 22.3 of this By-law to the contrary, the total Gross Floor Area (G.F.A) for Office Uses will be permitted in excess of 15%, to a maximum Gross Floor Area (G.F.A) of 5,000 square metres (53,921 square feet) within the existing central shopping plaza building.

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.

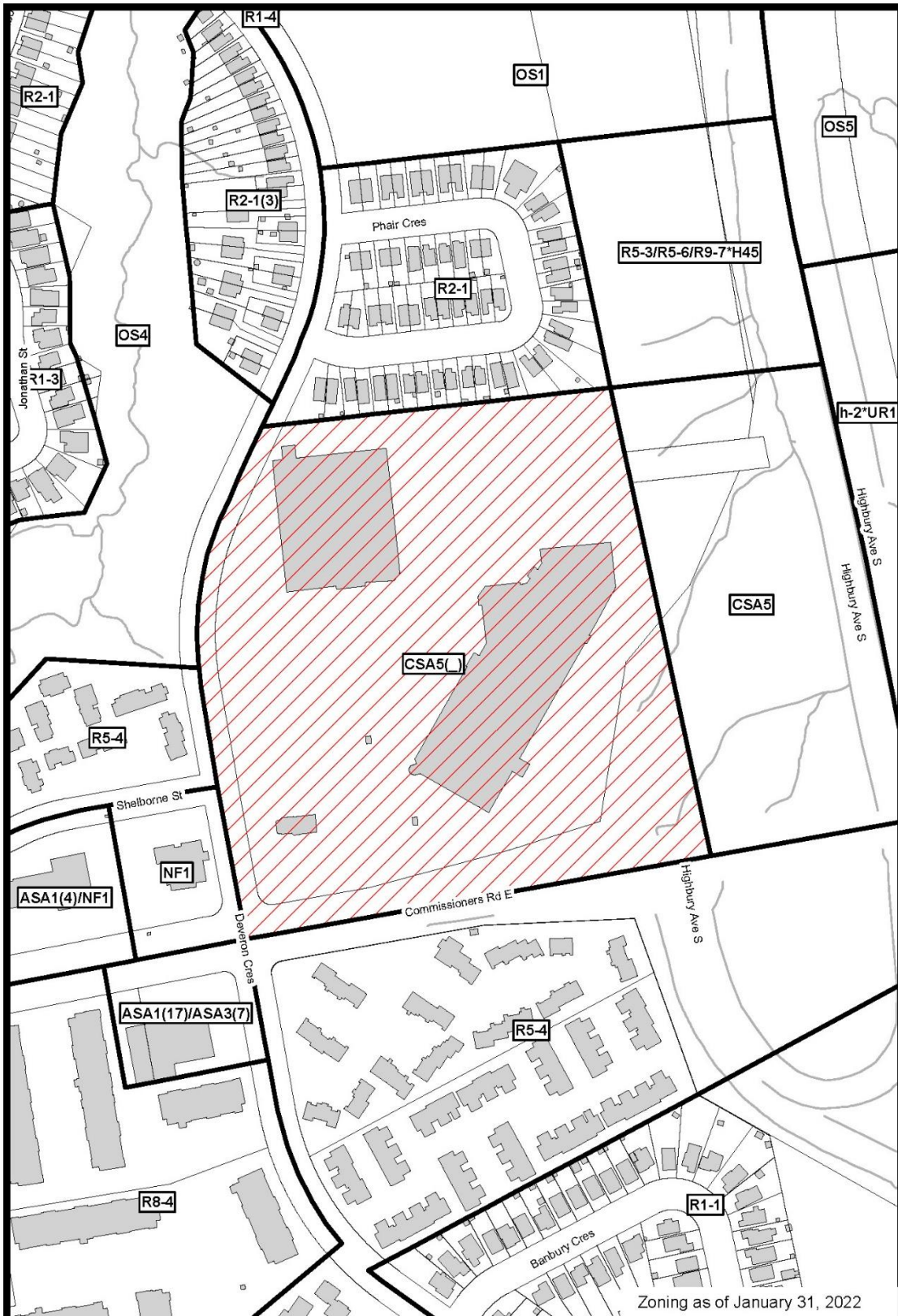
PASSED in Open Council on April 12, 2022.

Ed Holder
Mayor


Michael Schulthess
City Clerk

First Reading – April 12, 2022
Second Reading – April 12, 2022
Third Reading – April 12, 2022

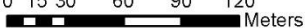
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)




File Number: Z-9468
 Planner: OA
 Date Prepared: 2022/25/02
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters 



Appendix B – Public Engagement

Community Engagement

Public liaison: On February 9, 2023, Notice of Application was sent to property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 10, 2022. A “Planning Application” sign was also posted on the site.

No public replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to permit A Place of Worship. Possible change to Zoning By-law Z.-1 **FROM** a Community Shopping Area Special Provision (CSA5(2)) Zone **TO** a Community Shopping Area Special Provision (CSA5(_)) Zone. The following existing Special Provision will continue to apply on the site: the total Gross Floor Area (G.F.A) for Office Uses will be permitted in excess of 15%, to a maximum Gross Floor Area (G.F.A) of 5,000 square metres (53,921 square feet) within the existing central shopping plaza building. The City may also consider additional special provisions.

Responses: None.

Agency/Departmental Comments

February 10, 2022: Urban Design

Urban Design has no concerns with the change of use. No review/no comment on the submitted concept plan.

February 14, 2022: Water Engineering

No comments.

February 17, 2022: Parks Planning and Design

No comments.

February 22, 2022: Engineering

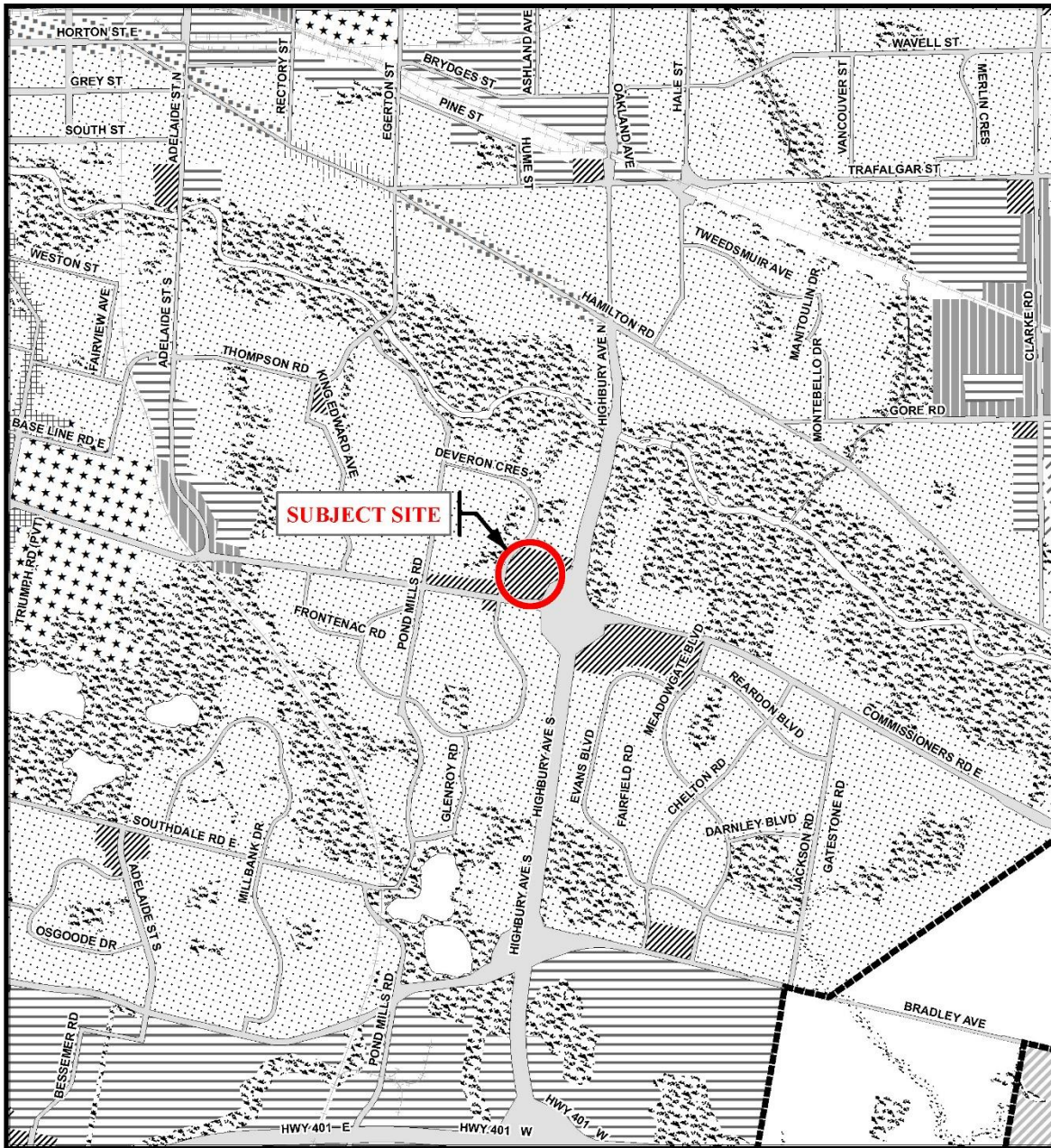
No comments.

February 10 2022: London Hydro

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

Appendix C – 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



Scale 1:30,000



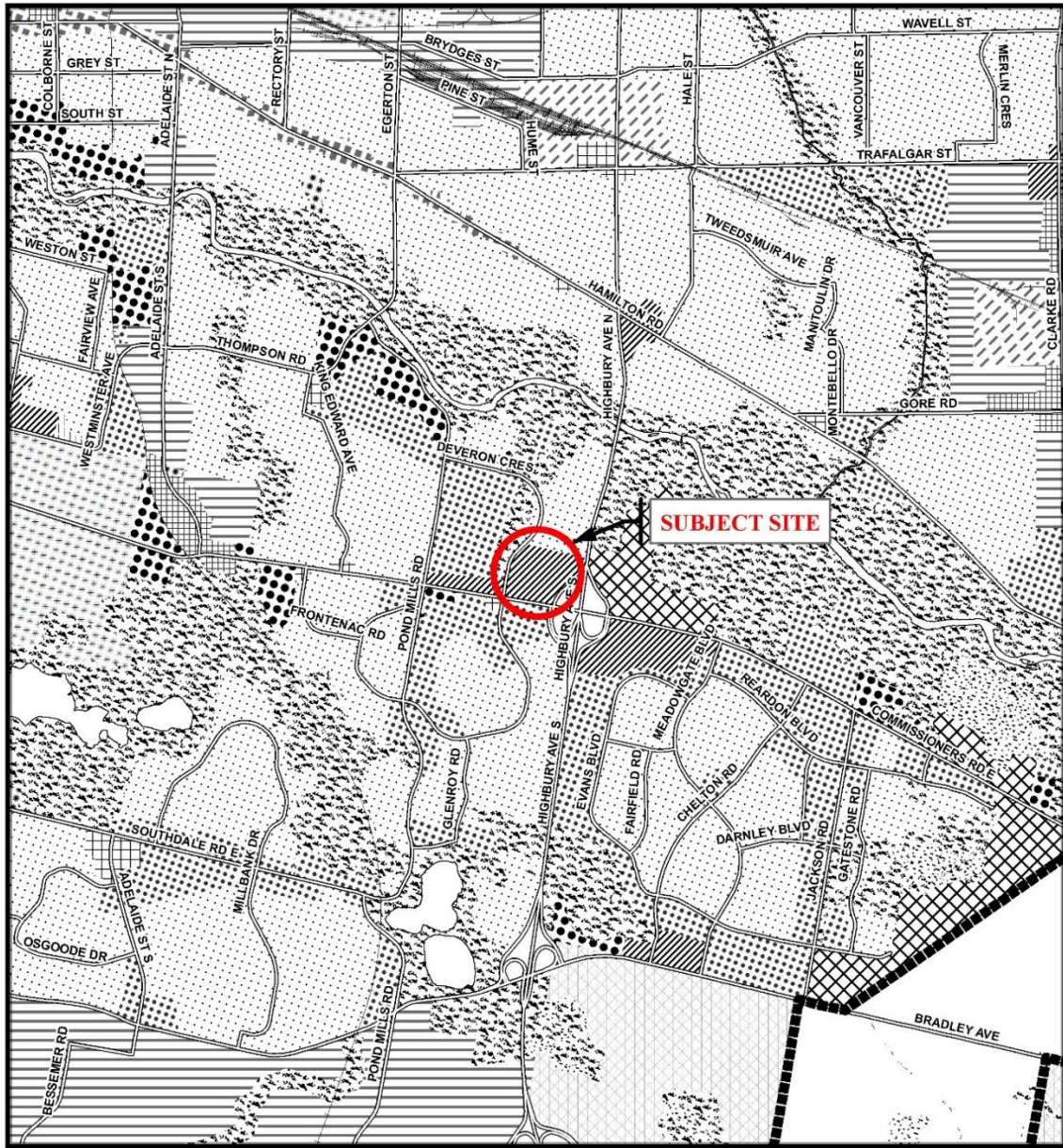
File Number: Z-9468

Planner: OA

Technician: RC

Date: February 16, 2022

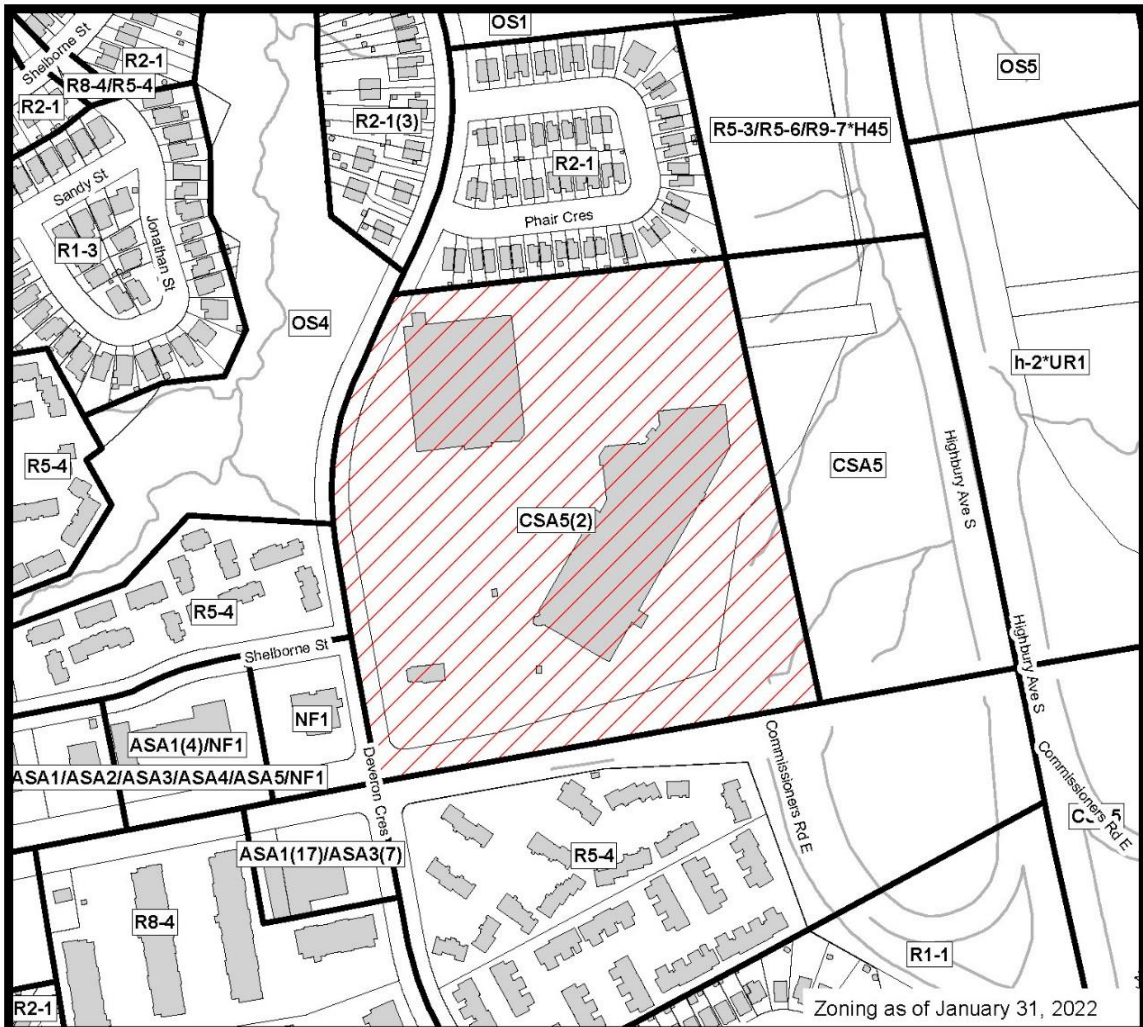
1989 Official Plan – Schedule A – Land Use



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>Meters</p>	FILE NUMBER: Z-9468
		PLANNER: OA
		TECHNICIAN: RC
		DATE: 2022/02/25

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

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:
Z-9468

OA

MAP PREPARED:
2022/02/25

RC

1:4,000

0 20 40 80 120 160
Meters

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