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**File: OZ-8121  
Nicole Musicco**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: FARHI HOLDING INC. 754 and 764 WATERLOO STREET and 354 OXFORD STREET EAST PUBLIC PARTICIPATION MEETING ON JULY 23, 2013</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Farhi Holdings Inc. relating to the properties located at 754 and 764 Waterloo Street and 354 Oxford Street East:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2013 to amend Appendix "1" the Official Plan to change the identification of the subject property **FROM** a Service Station **TO** a Convenience Commercial and Service Station identification;
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on July 30, 2013 to amend Zoning By-law No. Z-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Convenience Commercial/Service Station (CC/SS) Zone and a Residential R2 (R2-2) Zone and a Residential R3/Office Conversion (R3-1/OC5) Zone which permits such uses as Convenience service establishments without a drive-through facility, Convenience stores without a drive-through facility, Financial institutions without a drive-through facility, Personal service establishments without a drive-through facility, Gas Bars, single-detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings, fourplex dwellings, dwelling units, medical dental offices and offices **TO** a Holding Convenience Commercial Special Provision (h-\*)\*h-5\*h-103\*CC6( )) Zone to allow for such uses as Bake shops without drive-through facilities; Commercial schools without drive-through facilities; Florist shops without drive-through facilities; Pharmacies without drive-through facilities; Eat-in Restaurants, without drive-through facilities, Brewing on Premises Establishment, including a minimum front yard setback of (0.8 m.), a minimum exterior side yard setback of (0.4 m.), a maximum lot coverage of (35%) a maximum gross floor area of 948 m<sup>2</sup> and a minimum of 28 parking spaces. The holding h-\*) provision is to ensure landscaping enhancements are implemented within the abutting Oxford Street and Waterloo Street road allowances to achieve high quality landscaping and the creation of an attractive street edge at this strategic gateway location. The holding (h-5) provision is to ensure that development takes a form compatible with adjacent land uses, by requiring a public site plan review meeting. The holding (h-103) provision is to ensure that urban design is addressed at site plan;
- (c) Subject to Policy 19.1.1 of the Official Plan, the subject lands at 764 Waterloo Street **BE INTREPRETED** to be located within the "Multi-Family, Medium Density Residential" designation; and,
- (d) The Site Plan Approval Authority **BE REQUESTED** to consider the following design elements through the site plan approval process:
  - Rotate the building (general design, function and floor plate can remain the same), as illustrated in Appendices 'C' and 'D', clockwise by 90 degrees to engage the intersection and create active street frontages along Waterloo and Oxford Streets such that the proposed east elevation be situated on the south elevation (along Oxford Street) & the

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proposed south elevation be situated on the west elevation (along Waterloo Street) and incorporate the following design elements:

- i) Consider an entrance at the southwest corner facing the intersection of Waterloo Street and Oxford Street to service those travelling by foot or transit, with a secondary entrance located at the southeast corner of the building to service those coming from the parking lot;
  - ii) Create a height element at the southwest corner of the building (at the intersection) to announce the entrance as well as address the intersection;
  - iii) Create a corner plaza at the intersection of Oxford and Waterloo Streets between the building entrance and the intersection of the public sidewalks including enhanced landscaping in order to create a welcoming forecourt that engages the intersection;
  - iv) Ensure that the majority of windows located along the Oxford and Waterloo Street corridors are transparent glass to activate the street frontages;
  - v) Ensure that the sign band is integrated into the building and below the height of the parapet in order to allow for the southwest corner parapet (at the intersection and entrance into the building) to act as the height element for the building;
  - vi) Ensure that the materials used on all facades and the level architectural detailing are in keeping with the heritage district. In accordance with the Bishop Hellmuth Heritage District Plan materials should include brick and masonry and architectural details are to include brick soldier courses and corbelling; and
  - vii) Provide enhanced landscaping to screen all exposed parking lots from Oxford and Waterloo Streets in order to create a positive edge condition and enhance the pedestrian experience. This may be achieved using a landscape wall and landscaping that includes, but not limited to, shrubs, tall grasses, and trees.
- Install a 1.83 metre (6 feet) minimum sound attenuation fence along the property line directly abutting St. George Public School (the north property line of 354 Oxford Street East) in order to ensure continued student safety.

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

The requested amendment will allow for the development of a new Pharmacy.

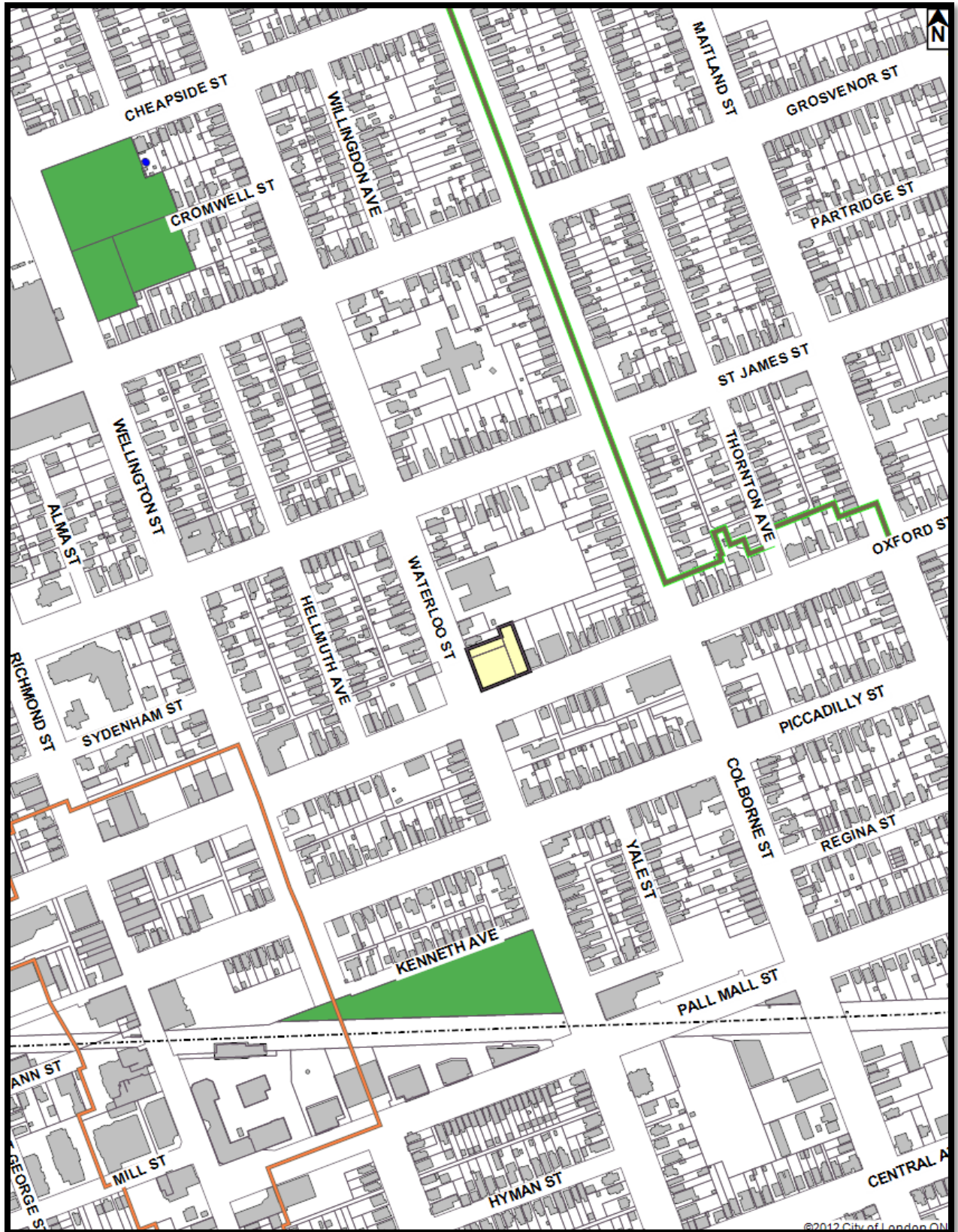
**RATIONALE**

1. The recommended amendment is consistent with the policies of the Provincial Policy Statement (2005).
2. The recommended zone allows for an appropriate development that is consistent with the character and density of the neighbourhood.
3. The subject lands are of a size and shape to accommodate the proposal. The recommended Zoning By-law amendment provides appropriate regulations to control the use and intensity of the building and limits the development.
4. The proposed use for the subject site is for a Pharmacy, contributing to the range and mix of employment uses in the area. Given that the subject site currently sits vacant within an established built-up area, the proposed use represents an efficient development and land use pattern.
5. The recommended amendment is consistent with the Bishop Hellmuth Conservation District, as it reflects the streetscape character and complements the historic context of the surrounding neighbourhood.

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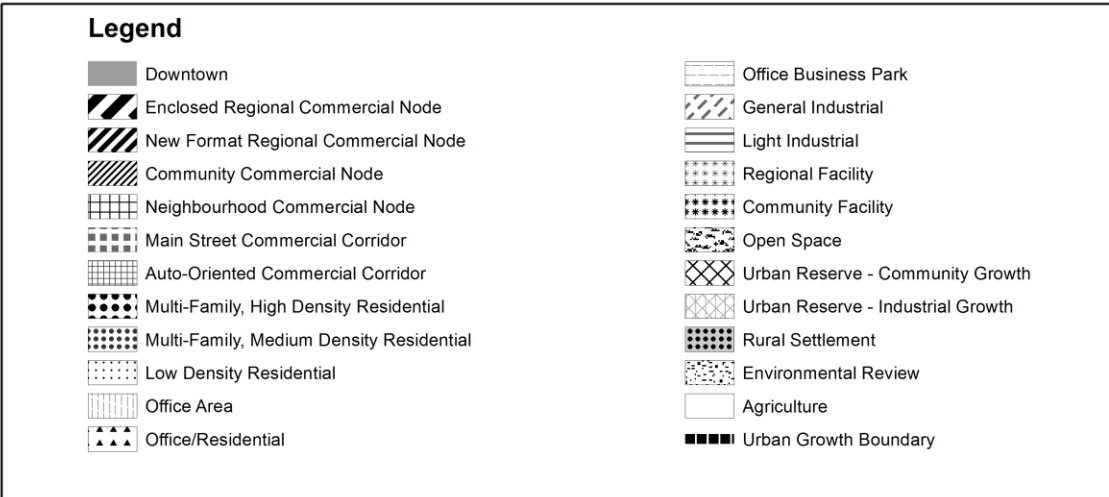
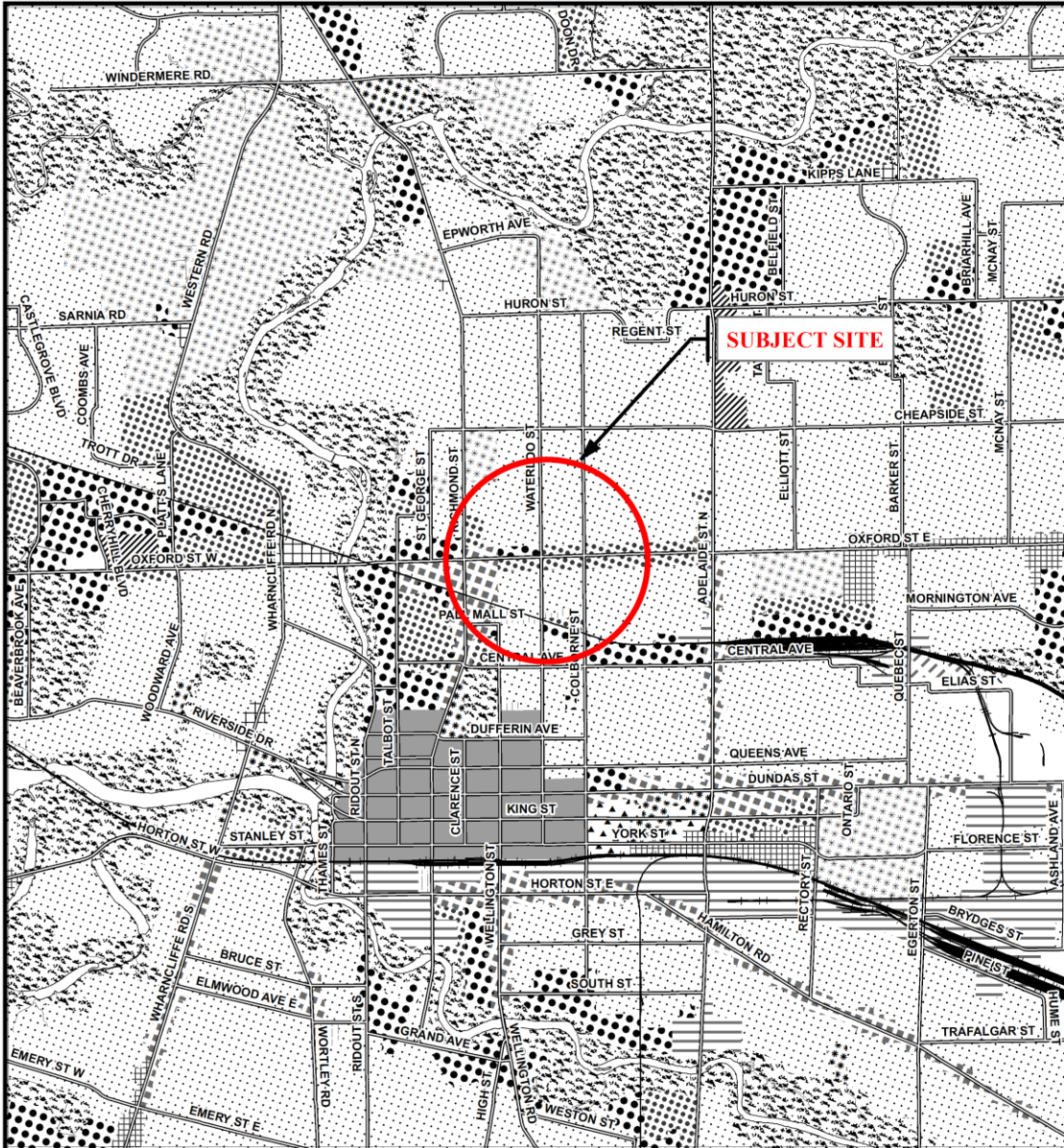
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**LOCATION MAP**

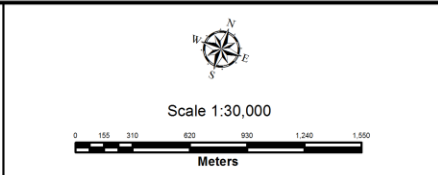


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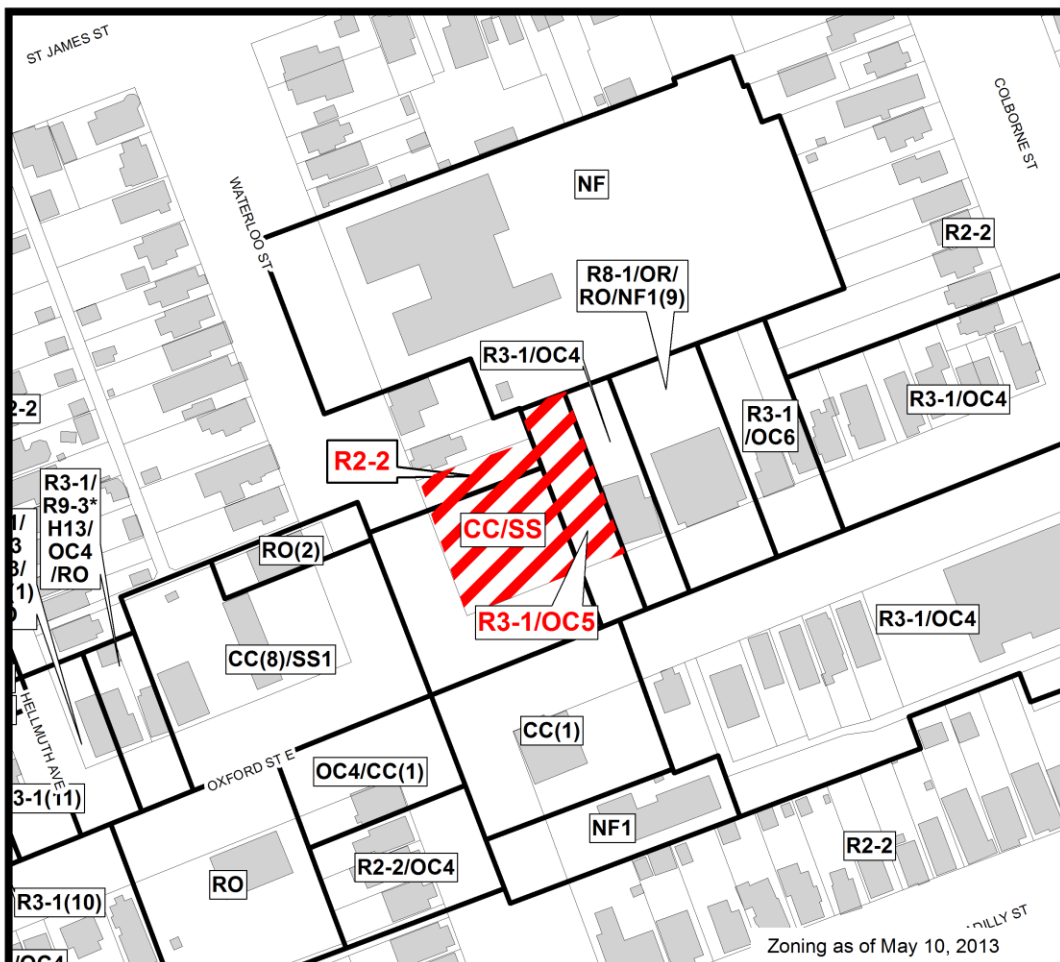
**CITY OF LONDON**  
 Department of  
 Planning and Development  
 OFFICIAL PLAN SCHEDULE A  
 - LANDUSE -  
 PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8121  
 PLANNER: NM  
 TECHNICIAN: CK  
 DATE: 2013/06/07

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**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R2-2, CC/SS & R3-1/OC5**

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
  
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE
  
- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE
  
- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW
  
- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
  
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION
  
- "h" - HOLDING SYMBOL
- "d" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APPEALED AREAS

**CITY OF LONDON**  
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:  
OZ-8121 NM

MAP PREPARED:  
2013/06/07 CK

1:1,800  
0 510 20 30 40  
Meters

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

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<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> November 8, 2012	<b>Agent:</b> Zelinka Priamo Limited
<p><b>REQUESTED ACTION:</b> The requested Official Plan amendment will amend the list of convenience commercial and service station location uses within residential designations found in Section 3.6.5 (vi) of the Official Plan, and as shown on Appendix “1” of the Official Plan. Possible amendment to the Zoning By-law Z.-1 <b>FROM</b> a Convenience Commercial/Service Station (CC/SS) Zone and a Residential R2 (R2-2) Zone and a Residential R3/Office Conversion (R3-1/OC5) Zone which permits Convenience service establishments without a drive-through facility, Convenience stores without a drive-through facility, Financial institutions without a drive-through facility, Personal service establishments without a drive-through facility, Gas Bars, single-detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings, fourplex dwellings, dwelling units, medical dental offices and offices <b>TO</b> a Convenience Commercial Special Provision (CC6( )) Zone to allow for such uses as Bake shops without drive-through facilities; Commercial schools without drive-through facilities; Florist shops without drive-through facilities; Pharmacies without drive-through facilities; Restaurants, eat-in without drive-through facilities, Brewing on Premises Establishment, including a minimum front yard setback of (0.8 m.), a minimum exterior side yard setback of (0.4 m.), a maximum lot coverage of (35%) and a maximum gross floor area of 948 m<sup>2</sup>.</p>	

<p><b>SITE CHARACTERISTICS:</b></p> <ul style="list-style-type: none"> <li>• <b>Current Land Use</b> - vacant</li> <li>• <b>Frontage</b> – 54.9m.</li> <li>• <b>Depth</b> – 46.4m.</li> <li>• <b>Area</b> – 2,703 m<sup>2</sup></li> <li>• <b>Shape</b> - Irregular</li> </ul>
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<p><b>SURROUNDING LAND USES:</b></p> <ul style="list-style-type: none"> <li>• <b>North</b> - Residential / St. George’s Public School</li> <li>• <b>South</b> - Residential/ Office Conversion and Convenience Commercial</li> <li>• <b>East</b> - Residential/ Office Conversion and Convenience Commercial</li> <li>• <b>West</b> - Residential/ Office Conversion and Convenience Commercial</li> </ul>
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<p><b>OFFICIAL PLAN DESIGNATION:</b> Multi-family Medium Density Residential.</p> <p>Multi-family Medium Density Residential</p> <p>The Multi-Family, Medium Density Residential designation may serve as a suitable transition between Low Density Residential areas and more intense forms of land use. It will also provide for greater variety and choice in housing at locations that have desirable attributes but may not be appropriate for higher density, high-rise forms of housing. Residential Policies permit limited Convenience Commercial uses in appropriate locations.</p> <p><u>3.6.5 ii) a - Permitted Uses – Convenience Commercial</u></p> <p>Variety stores; video rental outlets; film processing depots; financial institutions; medical/dental offices; small take-out restaurants, small food stores; and gasoline sales associated with a variety store. For convenience commercial sites with a gross floor area in excess of 500m<sup>2</sup>, additional uses including offices, studios, commercial schools, day care centres, bake and florist shops, pharmacies, restaurants eat-in and convenience business service establishments may be permitted.</p>
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**EXISTING ZONING:**

Convenience Commercial/Service Station (CC/SS) Zone  
Residential R2 (R2-2) Zone  
Residential R3/Office Conversion (R3-1/OC5) Zone.

**PLANNING HISTORY**

**Bishop Hellmuth Heritage Conservation District Plan**

The Bishop Hellmuth Heritage Conservation District Plan (the “District Plan”) was established in 2001 to “conserve and enhance a beautiful and historic residential enclave in the City of London”. The relevant goals of the District Plan are “to guide the design of new work to be compatible with the old” and “to encourage innovative and complementary development on Oxford Street East in the district in accordance with the new development policies of the Plan”. The District Plan identifies the subject lands as the location of the former gas bar, and recognized the facility as significantly different from the historic streetscapes. While the District Plan accepts that the previous gas bar (demolished in 2006) building style was not “historic” in appearance, the District Plan requires new buildings or major redevelopment considered for these lands to be consistent with its new building policies.

The guiding principles of the new building policies of the District Plan encourage new development to reflect the streetscape context, reflect the building character, and for contemporary architecture to blend in and complement the historic context.

While the District Plan allows for continuation of the “prevailing gas station style” as acceptable and alterations and additions to them may be in the prevailing style if a new gas station is proposed, they also state, “Where new buildings or major redevelopment are considered for the site, the building polices in sub-section 4.5 shall be followed where they are appropriate.”

Section 4.5 of the Hellmuth Guidelines deals with such matters as:

Guiding Principles

- *Reflect the streetscape character*
- *Reflect the building character (relates more to residential properties)*
- *Contemporary architecture – is encouraged and “constitutes tomorrow’s new heritage.” An important principle is to ensure that contemporary architecture blends in and complements the historic context. It should not be conspicuous and stand out.”*

In section 4.5 New Building Policies are as listed as follows:

- *Setback - consistent with adjacent buildings and streetscape as a whole.*
- *Style – traditional or contemporary*
- *Height – should be in the prevailing building height range of the district – 1 & 1/2 -2 & 1/2 stories*
- *Materials – brick is recommended –vinyl or metal sidings are discouraged.*
- *Roofs- steeply pitched*
- *Windows- wood double hung is predominant*
- *Doors –encouraged to have a look and colour to comply with heritage design objectives*
- *Signs & Awnings- traditional signs and awnings are encouraged-traditional awnings are canvas- City’s sign by-law shall apply.*
- *Car Parking – provided to side or rear of building-should be landscaped with a hedge or traditional wood fence.*
- *Colours – should complement the heritage character of the district.*

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<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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<b>PUBLIC LIAISON:</b>	On November 9, 2012 Notice of Application was sent to 93 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on November 15, 2012. A "Possible Land Use Change" sign was also posted on the site.	8 replies were received 4 calls 4 emails
<b>Nature of Liaison:</b>		
The requested Official Plan amendment is intended to amend the list of convenience commercial and service station location uses within residential designations as per Section 3.6.5 (vi) of the Official Plan, and as shown on Appendix "1" of the Official Plan. Possible amendment to the Zoning By-law Z.-1 <b>FROM</b> a Residential R5 (R5-4) Zone which permits cluster townhouse dwellings and cluster stacked townhouse dwellings <b>TO</b> a Convenience Commercial Special Provision (CC6( )) Zone to permit Medical/dental offices, Clinics, Offices, Laboratories, Pharmacies, Financial institutions, Personal service establishment, Restaurants – take-out and Restaurants – eat-in		

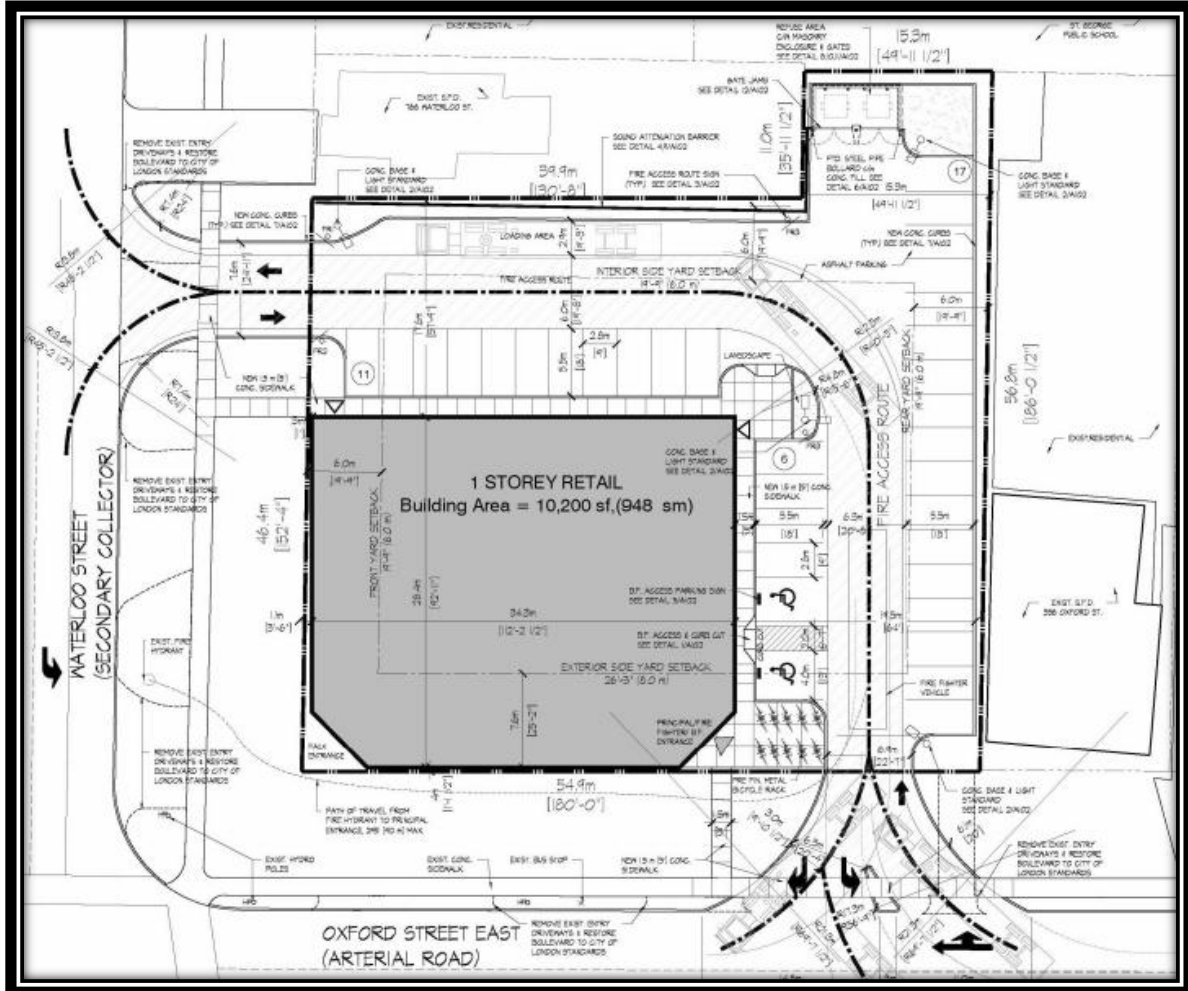
**Public Responses received with 1<sup>st</sup> concept plan:**

- There was support for the application provided that the rezoning includes consultation with the community and inclusion of heritage features on the site plan.
- The pharmacy would be a welcome business in our community.
- Architectural features and landscaping should be in keeping with the heritage designated community.
- Proper architectural notes such as roof line, gables, windows and doors could make the key entrance way into the Bishop Hellmuth Historical district an enhancement to the visual integration of the area.
- Managing noise and traffic flow, both pedestrian and vehicle was a concern.
- The proposed limitations upon the site are reasonable. It would be positive if there is a decision to require some "heritage" details without causing undue hardship to the business(es) involved.
- Objection to the site plan and elevation view presented by Zelinka Priamo Limited for 754 and 764 Waterloo Street and 354 Oxford Street East specifically to the esthetics of the frontage on Oxford Street
- Concern that the larger pharmacy will lead to a larger methadone dispensary.
- The south elevation of the building fronting Oxford Street is more appropriate for a suburban strip mall than a historic district.
- The straight, flat roof line and the brown brick with blue details do not blend with or complement the neighbouring historic structures.
- The access to Waterloo Street will direct more traffic into a residential neighbourhood and school zone.



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**First Concept Plan:**



**First Elevation**



**Public Responses received with 2nd concept plan (Attached as Appendix "C" and "D"):**

- There have been a few improvements made.
- The building is still not compatible with the neighbourhood.
- The overall look is still that of a suburban strip mall and not suitable for an historic downtown neighbourhood.
- The signage is far too large and prominent, particularly on the east and west sides.



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- The flat roofline does not blend with the neighbouring buildings and is not consistent with surrounding architecture.
- The ingress/egress onto Waterloo Street will direct far too much traffic into the residential neighbourhood and particularly in front of St. George's School.
- The knee wall on the northwest corner of Oxford/Waterloo should be replicated to balance the entrance to the neighbourhood.

Urban Design – City of London – November 29, 2012 (In response to First Concept Plan).

- *Locate the principal entrance at the southwest corner of the building facing the intersection of Waterloo Street and Oxford Street. Emphasize this entrance architecturally (e.i. canopy, height element).*
- *Introduce a pedestrian forecourt between the principle building entrance and the intersecting sidewalks. Within the forecourt include landscape features such as plantings, trees, and seating.*
- *Ensure vision glass is used for all windows on all elevations fronting public streets.*
- *Provide enhanced landscaping to screen all exposed parking lots from the street, this may be achieved using a landscape wall.*
- *Ensure all materials used for the exterior of the building are consistent with the Bishop Hellmuth Heritage Conservation District Plan. Brick should be used as the primary cladding material along with other forms of masonry.*
- *Further articulate the building mass to add interest to the design of the building and to break up the horizontal massing.*

Urban Design – City of London - June 4, 2013 (In response to Second Concept Plan).

*Urban design staff have reviewed the revised site plan concept included with the application for the above mentioned property and provide the following comments:*

- *Rotate the building (general design and function, floor plate can remain the same) clockwise by 90 degrees to better address the comments in the urban design memo dated December 19, 2012.*
- *The proposed east elevation would be best suited as the south elevation (along Oxford Street) & the proposed south elevation would be best suited as the west elevation (along Waterloo Street) as these facades include all the elements discussed in the previous memo such as:*
  - *Including an entrance at the southwest corner facing the intersection of Waterloo Street and Oxford Street, the second entrance at the southeast corner would service those coming from the parking lot.*
  - *A height element at the southwest corner (at the intersection).*
  - *Transparent glass windows on the majority of windows along Oxford Street and Waterloo Street.*
  - *Lower the sign band by 4' in order to better integrate it into the building roofline which will allow for the corner parapet to act as the height element for the building.*
  - *Provide enhanced landscaping to screen all exposed parking lots from Oxford Street and Waterloo Street in order to create a positive edge condition and enhance the pedestrian experience. This may be achieved using a landscape wall and landscaping such as shrubs, tall grasses, trees, etc...*

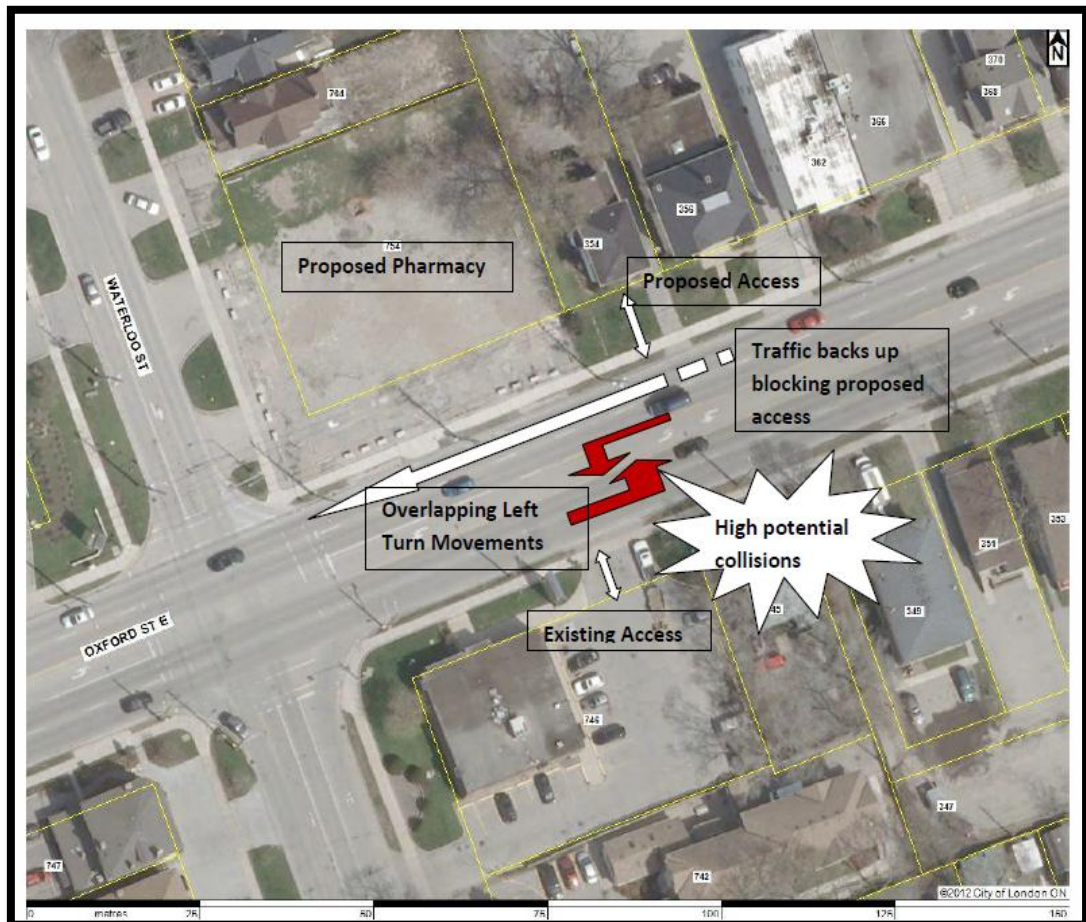
Transportation (City of London)

- *Although Transportation initial response was to allow Rights-out only on Oxford St due to safety concerns, Transportation has agreed for a restricted access (R-IN/R-OUT) and left out access to Oxford Street using a pork-chop treatment. It is staff intention to reach a common interest with the developer that addresses the City's road safety concerns and access convenience for business customers.*
- *The schematic plan (below) shows the traffic movement conflicts and the proposed recommendations.*

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- *It was not the intention of Transportation Staff to ask for a traffic study to be submitted during the site plan process if access arrangements are proposed in the site plan as recommended by transportation staff.*
- *If a traffic study is to be conducted, the traffic consultant should meet with City staff to discuss the scope and assumptions of the study, otherwise staff will ask the consultant to revise the study if it didn't meet City's guidelines.*



Water Engineering (City of London)

*There is a 250mm PVC watermain on Waterloo Street and a 300mm PVC watermain on Oxford Street East for the subject lands. Transportation Planning and Design Division is advising the developer that either all servicing must come from Waterloo Street or connections to services on Oxford Street must be completed prior to the City's work. Transportation's contractor will be directed to complete the City's work between July and August of summer 2013. Transportation Planning and Design is planning on rehabilitating Oxford Street East from Richmond Street to Thornton Ave next summer (2013). Their current plans are to mill and repave the existing roadway with localized repairs to curb & gutter and sidewalk.*

Wastewater and Drainage Engineering (City of London)

No objection.

Urban Forestry (City of London)

No concerns.

Parks Planning and Design (City of London)

*Parkland dedication has not yet been collected for the subject lands and will be required at the time of site plan approval. Consistent with the regulations of the Ontario Planning Act, the applicant shall provide cash-in-lieu of parkland equal to 2% of the value of the property assessed on the day before the day of issuance of a building permit for the site.*

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*An appraisal undertaken by an Accredited Appraiser (AACI) is to be submitted to Development Services for their review and the value of payment is to be included as a condition of site plan approval.*

London Hydro  
*No objection.*

Thames Valley District School Board

*While it is understood that this is an existing dispensary, which falls under the category of Pharmacy and not methadone clinic/pharmacy and does not therefore meet the current City of London by-law requiring a distance from any school, the TVDSB has concerns regarding the direct proximity to St. George Public School. Student safety is a priority for the TVDSB. In order to ensure continued student safety, the TVDSB respectfully requests that the sound attenuation fence along any and all property directly abutting St. George Public School and that it be a minimum of six feet in height.*

Urban Design Peer Review Panel (In response to First Concept Plan).

*The following comments from the Panel are based on the submitted Urban Design Brief and questions asked by the Panellists to the Applicant on December 19, 2012:*

- This is an important corner and a gateway into a heritage district, as such defining the corner of this site is of significance to the urban design of the area. Consider locating the entrance to the project at the corner of Waterloo Street and Oxford Street.*
- If the entrance cannot be located at the corner of the site, perhaps it could be located in the centre of the Oxford Street facade, similar to the existing building across the street. This maintains a strong Oxford Street presence and mimics the doors of existing building facing Oxford Street. Given the desire to have an entrance adjacent to the parking lot, perhaps two entrances could be considered.*
- Should an entrance not be possible directly at the corner consider marking the corner with an architectural feature and not a false entry into the building.*
- Consider using yellow brick on the building to keep this building in character with the surrounding historical district.*
- Consider the addition of awnings above the windows, as suggested in the heritage guidelines, to further address the heritage character of the area.*
- Transparent windows on the project facing the street are important in order to maintain a successful streetscape.*
- Review the functionality of the parking space closest to the garbage enclosure to ensure proper manoeuvrability is maintained.*
- The land between the building and the sidewalk, on Oxford Street and Waterloo Street, should be developed to include landscaping and potentially a forecourt at the corner of the site. We recommend discussing the development of this area with the City.*
- There is a nearby bus stop and a lot of pedestrian traffic along the sidewalk. Consider connecting this bus stop with the development and how this traffic flow may affect the location of the building's entrance.*
- This building will be experienced from all four sides. We recommend developing all four elevations to the same extent and detail as the Oxford Street elevation.*

*On behalf of the Panel, I thank you for your submission. We ask that this project be resubmitted to the Panel and include a landscape plan and all four building elevations during the Applicants next submission to the City. We trust the foregoing comments are helpful in creating a successful project when moving forward.*

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The following comments from the Panel are based on the submitted Urban Design Brief, questions directed to and responses by the Applicant on June 19, 2013:

- *The Applicant is commended for taking comments received from their first submission into consideration.*
- *As noted in the previous memo from the Panel, this is an important corner and a gateway into a heritage district, as such defining the corner of this site is of significance to the urban design of the area. Consider locating the entrance to the project at the corner of Waterloo Street and*
- *Oxford Street. This could be achieved by rotating the building 90 degrees.*
- *Consider mirroring the plaza shown at the south-east corner to the south-west corner and connect the two with a walkway for a much stronger connection to the intersection of Oxford and Waterloo streets and to the community.*
- *Ensure enhanced landscaping at this intersection that includes architectural features such as low landscape walls or planters to complement the plaza, define the street edge and reinforce the notion of a gateway.*
- *As noted in the previous memo from the Panel, transparent windows on the elevations facing the street are important in order to maintain a successful streetscape. Should this not be feasible for the full height of the windows consider transparent transoms in lieu of spandrel panels.*
- *Consider the use of awnings and transparent glazing where possible on the north elevation. Ensure that the brick piers and awnings have sufficient depth to animate the facades.*
- *The proposed business signs on the building dominate the facades to the detriment of the architecture. Ensure the signs are reduced in size and brought below the height of the parapet.*
- *Use materials in context of the heritage district such as brick soldier courses and corbelling.*
- *Consider awnings at the north-east corner of the building in lieu of the canopy shown.*
- *Consider eliminating the lay-by at the north property line and provide a landscape buffer to the adjacent property. This would also allow the building to be moved to the north and awnings with a greater depth could be accommodated along the Oxford Street facade.*
- *Review the functionality of the parking space closest to the garbage enclosure to ensure proper manoeuvrability is maintained.*
- *Include enhanced landscaping to screen the garbage enclosure where it can be seen from Oxford Street.*
- *Ensure that any rooftop mechanical units are screened from view.*

*On behalf of the Panel, I thank you for your submission. We trust the foregoing comments are helpful to you in creating a successful project.*

**Bishop Hellmuth Community Association**

*The Bishop Hellmuth Community Association, representing the community of the Bishop Hellmuth Heritage Conservation District, is responding Application OZ-8121, after consulting with our community members. Our Association does not oppose the development of a suitable business on these vacant lots that fits in with our family neighbourhood and compliments the heritage architecture in the area. Indeed, development of a business is preferable to the current state of the lots that are an eyesore. Following the hurried demolition of a heritage home at 764 Waterloo, Mr. Farhi had promised the community and City of London to provide landscaping on these lots. This has not occurred, and we have been left with empty gravel lots.*

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Nicole Musicco**

*Our Association does not oppose, in principle, rezoning of these properties to CC6 to permit the development of a pharmacy. However, we are not in support of the proposed elevations for the building. The current elevations provide no detail on the Waterloo Streetscape, and have no architectural details to match the Heritage Conservation District. Given that our community recently lost a beautiful heritage home on this site, and given that two of the properties are within the Heritage Conservation District, our Association would oppose a building that does not provide architectural details to match the neighbourhood.*

*Such elements could include (but are not limited to):*

- *peaked roof with gables, or faux gabled roof to conceal rooftop HVAC and mechanical units*
- *use of yellow brick to match neighbourhood.*
- *use of vertical elements and vertical sash-style windows.*
- *use of historic lighting fixtures and signage.*

*There are a variety of ways to implement such elements to create a building that preserves the heritage characteristics of the neighbourhood. The renovation of the Shell station across the street provides an example where the property owner/developer worked with the community to install elements including brick exterior, peaked roof with gables, and landscaping including our gateway wall.*

*In summary, although our Association does not oppose, in principle, the rezoning of these properties we request that any approval include a provision that*

- *new construction must follow guidelines laid out in the Bishop Hellmuth Heritage Conservation District Plan*
- *development of the site plan should proceed in consultation with the Bishop Hellmuth Community and its representative Community Association*

*At a minimum, we view compliance with the Heritage Conservation District Plan to include use of brick in the exterior, the use of a pitched roof along the Oxford and Waterloo streetscape, and the use of traditional signs and awnings (section 4.5 of the Plan).*

**ANALYSIS**

**The Application**

The Official Plan and Zoning By-law amendment application was submitted in November 2012. The Notice of Application was subsequently circulated to all property owners within 120 meters of the subject property and advertised in the Londoner. On December 19, 2012 the application was presented to the Urban Design Peer Review Panel (UDPRP). Based on the comments received from the UDPRP and the Community, Planning Staff requested a revised set of elevations and a landscape plan be submitted that were more in keeping with the surrounding Bishop Hellmuth Heritage Conservation District, before proceeding with the application. On May 21, 2013 the agent on behalf of the applicant, submitted the revised elevations, landscape plan and brick color sample. The revised plans were circulated to all members of the public that had initially commented on the first circulation.

**Subject Site**

The subject lands are located on the northeast corner of Waterloo Street and Oxford Street East, and include 754 , 764 Waterloo Street and 354 Oxford Street East. The lands are approximately 2,689 m2 (0.66 acre) in area with 54.9m (180ft) of frontage along Oxford Street East and approximately 46.4m (152.3ft) of frontage along Waterloo Street. The lands are currently vacant, although previously included a gas bar on 754 Waterloo Street (demolished in 2006) as well as single detached dwellings which were recently demolished on both 764 Waterloo Street and 354 Oxford Street.

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The subject site is located at the southeastern boundary of the Bishop Hellmuth Heritage Conservation District. This area was largely developed between 1895 and 1910 but records show structures in the area as early as the 1870's. Most of the homes in the area are of the Queen Anne Revival style of architecture that feature highly decorative gables, verandas, and stained glass windows. The area also features a network of rear lanes providing access to carriage houses, which later became garages when personal vehicles became common. Front yards are typically small, with houses set close to the road allowance. Minor alterations have been made to the houses in the area, as can be expected with 100+ year old homes, but the vast majority of homes still retain their original architectural features and historical character.

The dominant land use throughout the district's history has been single detached dwellings as well as a limited number of institutional properties, such as St. George's Public School which lies to the north of the subject site.

The intersection of Oxford Street East and Waterloo Street has traditionally functioned with commercial uses on all four quadrants: a pharmacy and post office located on the southeast corner, gas bar with convenience and accessory retail located on the northwest corner and a retail store and a Montessori school (day care centre) located at the southwest corner. The subject lands were originally a grocery store and butcher shop, and later a service station and gas bar. The Oxford Street frontage to the east and west of the site consists of predominately offices, office conversions and dwelling conversions. Uses beyond the immediate intersection and Oxford Street corridor include a range of low-density residential uses.

**Nature of the Proposed Development**

The proposed development consists of a 948sq.m (10,200 sq.ft) pharmacy with 37 associated parking spaces. A full-turns access is proposed off Waterloo Street while a three-quarter access is proposed off Oxford Street East. The four existing full-turns accesses and two private driveways will be closed. The proposed building is to be constructed with minimum building setbacks to maintain the established "street wall" and provide parking at the rear in conformity with the District Plan. However, it has a faux entrance provided at the intersection while providing a main entrance located at the southeast corner of the building with a direct pedestrian connection from the sidewalks on Oxford Street and Waterloo Street

**Provincial Policy Statement**

The Provincial Policy Statement, 2005 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. As it relates to this application, the PPS provides some direction to this matter.

Policy 1.1.1 of the PPS requires that healthy, liveable and safe communities be sustained by such methods as, (*"promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term" and "accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet the long-term needs"*).

Policy 1.3.1 of the PPS requires planning authorities to promote economic development and competitiveness by means as, (*"providing for an appropriate mix and range of employment to meet long-term needs"*) and (*"providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses"*).

**Does the proposed development conform to the Provincial Policies?**

- The requested amendment is consistent with these policies;
- The amendment is consistent with the stated intent that *'accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space to meet the long-term needs helps to sustain healthy, livable and safe communities'*),

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- The subject lands are located within the City of London Settlement Area and are connected to full municipal services and as such, the proposed development promotes cost-effective development to minimize land consumption and servicing costs by reusing existing facilities;
- The proposed development utilizes existing infrastructure;
- The site is already connected to full municipal services;
- The proposed development promotes the use of existing infrastructure and public transit
- The proposed development promotes the use of alternative modes of transportation being located in proximity to institutions, office employment areas and residential neighbourhoods.
- The proposal results in the redevelopment of a vacant commercial/residential site.

**Official Plan Policies**

The Official Plan contains Council's objectives and policies to guide the short-term and long term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for social, economic and environmental matters

**Multi-Family, Medium Density Residential**

*The Multi-Family, Medium Density Residential designation permits multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-Family, High Density Residential designation. 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.*

**3.3.1 Permitted Uses**

*The primary permitted uses in the Multi-Family, Medium Density Residential designation shall include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. These areas may also be developed for single-detached, semi-detached and duplex dwellings. Zoning on individual sites would not normally allow for the full range of permitted uses.*

**Convenience Commercial and Service Stations**

*ii) Existing convenience commercial and service station uses which meet the criteria established in policy 3.6.5. are recognized as permitted uses within the Multi-Family, Medium Density Residential designation, and may be recognized as permitted uses in the Zoning By-law. Existing uses which do not meet the criteria in this Plan are legal non-conforming uses and may also be recognized as permitted uses in the Zoning By-law. New convenience commercial and service station uses are encouraged to locate in the Commercial designations. However, they are also permitted in the Multi-Family, Medium Density Residential designation, by Official Plan amendment and zone change subject to the criteria in policy 3.6.5. of this Plan.*

**3.6.5 - Convenience Commercial and Service Stations**

*The preferred location for convenience commercial uses and service stations is within the various Commercial land use designations. However, it is recognized that on some sites in Residential designations where specific locational and land use compatibility criteria are met, this type of development may be appropriate as a secondary use. The policies of the Plan recognize existing convenience commercial uses and service stations that are appropriately located in Residential designations. New convenience commercial uses and service stations within the Residential designations will require an Official Plan amendment and zone change*



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*Function*

- i) Convenience commercial uses and service stations should be designed to function at a neighbourhood scale while providing services to surrounding residential areas and the travelling public.*

*Permitted Uses*

- ii) Convenience commercial and service station uses permitted within the Residential designations include the following:*

*Convenience Commercial*

*(a) Variety stores; video rental outlets; film processing depots; financial institutions; medical/dental offices; small take-out restaurants, small food stores; and gasoline sales associated with a variety store. For convenience commercial sites with a gross floor area in excess of 500m<sup>2</sup>, additional uses including offices, studios, commercial schools, day care centres, bake and florist shops, pharmacies, restaurants eat-in and convenience business service establishments may be permitted. In special circumstances, Council may permit low impact uses such as small commercial schools and day care centres in convenience commercial sites smaller than 500m<sup>2</sup> in size through a Zoning By-law Amendment. A variety store, or personal service establishment located on the ground floor of an apartment building may be permitted provided it is oriented towards serving the needs of the*

*3.6.5 iv) Scale of Development*

The size of individual convenience commercial uses and service stations will be specified in the Zoning By-law, and will be at a scale which is compatible with surrounding land uses.

- (a) Convenience commercial centres or stand-alone uses should not exceed 1,000 square metres (10,764 square feet) of gross leasable area.*

*3.3.2 Location*

*In addition to areas predominantly composed of existing or planned medium density residential development, the preferred locations for the Multi-Family, Medium Density Residential designation include lands in close proximity to Shopping Areas, Commercial Districts, designated Open Space areas or Regional Facilities; lands adjacent to a Multi-Family, High Density Residential designation; and, lands abutting an arterial, primary collector or secondary collector street. Consideration will also be given to the following criteria in designating lands for Multi-Family, Medium Density Residential uses:*

*Compatibility*

- i) Development of the site or area for medium density residential uses shall take into account surrounding land uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area.*

*Municipal Services*

- ii) Adequate municipal services can be provided to accommodate the needs of the development.*

*Traffic*

- iii) Traffic to and from the location should not have a significant impact on stable, low density residential areas.*

*Buffering*

- iv) The site or area is of suitable shape and size to accommodate medium density housing and to provide for adequate buffering measures to protect any adjacent low density residential uses.*

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**3.5.9 North London/Broughdale**

*The North London/Broughdale Neighbourhood is generally bounded by the Thames River on the north and west, Oxford Street on the south and Adelaide Street on the east, but does not include the St. George/Grosvenor Neighbourhood, which is defined separately in policy 3.5.3. of the Plan. North London/Broughdale is characterized by predominantly low rise, low density residential development, with some higher density residential, institutional and office uses located along the Oxford, Richmond and Adelaide Street corridors. It is anticipated that there will be demand for residential intensification and infill development within portions of the North London/Broughdale Neighbourhood during the planning period. Area-specific guidelines are required which will direct future residential development to suitable locations, and protect the character of the existing low-rise, low density residential community.*

**Does the proposed development conform to the Official Plan?**

The subject property is designated “Multi-Family Medium Density Residential” on Schedule ‘A’ to the Official Plan, and the primary permitted uses in areas with this designation 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. Although, the Multi-Family Medium Density Residential policies encourage new convenience commercial and service station uses to locate in the Commercial designations, such uses (“are also permitted in the Medium Density Residential designation by Official Plan amendment and zone change subject to the criteria in policy 3.6.5.”). The subject site at 754 Waterloo Street is within the Low Density Residential designation as it did not have frontage onto Oxford Street East where the Medium Density Residential designation had been applied. It will now be incorporated with the larger development block fronting Oxford Street East and as a result it is recommended that this site be interpreted to be Medium Density Residential. It should be noted that the site is identified on Appendix “1” as a permitted ‘service station’.

Although Convenience Commercial uses are permitted in Multi-Family Medium Density Residential designation, the proposed pharmacy use requires an amendment to Appendix “1” of the Official Plan to add a “Convenience Commercial” location identifier in addition to the “Service Station” location identifier which is already identified for the subject lands

The subject property is located at the intersection of an arterial road and a secondary collector road identified as a preferred location for CC uses in the Residential designations in the Official Plan policies. The proposed development is small in scale and will accommodate a use that primarily caters to the surrounding neighbourhood, employment areas and the traveling public. The proposed pharmacy use is identified as a secondary permitted use within the residential designation. The subject lands have historically contained commercial uses and the GFA of the proposed pharmacy is 984m<sup>2</sup> which conforms to the maximum of 1000m<sup>2</sup> requirements in the Medium Density policies.

**Current Zoning**

**Convenience Commercial/Service Station (CC/SS) Zone.**

The Convenience Commercial Zone provides for and regulates a limited range of commercial uses which services the day-to-day convenience needs of the immediate neighbourhood. Uses permitted in the CC Zone are differentiated through the use of zone variations on the basis of their function, intensity and potential impacts. The main CC Zone variation permits a restricted range of low impact uses which are considered to be appropriate for all Convenience Commercial Zone variations. An expanded range of uses is permitted in the other zone variations.

The Service Station Zone provides for and regulates a limited range of automotive related uses which provide a service to the immediate neighbourhood. The only use permitted in the main SS Zone variations gas bars which is the least intensive of the automotive uses.

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Residential R2 (R2-2) Zone

The R2 Zone variation is slightly less restrictive than the R1 Zone. The R2 Zone variation provides for and regulates low density residential development in the form of single detached dwellings, semi-detached dwellings, duplex dwellings and converted dwellings (to a maximum of 2 units).

Residential R3/Office Conversion (R3-1/OC5) Zone.

The R3 Zone provides for and regulates low to low-medium density residential development permitting single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, fourplex dwellings; and allows for the conversion of an existing dwelling (to a maximum of 4 units).

The Office Conversion Zone provides for and regulates both the total and partial conversion of existing residences to office uses. The range of uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts. This Zone shall be compounded with the appropriate Residential Zone. The Office Conversion OC5 zone permits dwelling units/ medical/dental offices and offices in existing buildings.

Proposed Zoning

The proposed zoning is a Convenience Commercial Special Provision (CC6( )) Zone. The Convenience Commercial Zone provides for and regulates a limited range of commercial uses which service the day-to-day convenience needs of the immediate neighbourhood. Uses permitted in the CC Zone are differentiated through the use of zone variations on the basis of their function, intensity and potential impacts. The main CC Zone variation permits a restricted range of low impact uses which are considered to be appropriate for all Convenience Commercial Zone variations. An expanded range of uses is permitted in the other zone variations. Application of zone variations will be dependent on compatibility with the surrounding area and shall not detract from neighbouring residential uses.

The permitted uses include such uses as Bake shops without drive-through facilities; Commercial schools without drive-through facilities; Florist shops without drive-through facilities; Pharmacies without drive-through facilities; Eat-in Restaurants, without drive-through facilities, Brewing on Premises Establishments

Holding Provisions

The applicant has proposed enhanced landscaping on City property. The holding h-(\*) provision is to ensure landscaping enhancements are implemented within the abutting Oxford Street and Waterloo Street road allowances and the "h-(\*)" symbol shall not be deleted until a development agreement, associated with a site plan which provides for the creation of an attractive street edge at this strategic gateway location, is entered into with the City of London, to achieve high quality landscaping and the creation of an attractive street edge at this strategic gateway location.

The holding (h-5) provision is to ensure that development takes a form compatible with adjacent land uses and will require that a public site plan review is held at a future meeting of PEC specifying the issues allowed for under Section 41 of the *Planning Act*, followed by the applicant entering into a Development Agreement with the City of London.

A holding (h\*103) provision has been added to ensure that urban design is addressed at site plan, a site plan will be approved and a development agreement will be entered into which, to the satisfaction of the Managing Director, Planning and City Planner, incorporates the design objectives as identified in the Council resolution. A requirement of the site plan submission will include an urban design brief and building elevations which detail how the objectives have been achieved.

Is the proposed Zoning By-law Amendment Appropriate?

- The Zoning By-law Amendment proposed implements the Official Plan policies with respect to convenience commercial uses within residential designations.

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- The proposed site specific Convenience Commercial (CC6(\*)) zone will permit the proposed pharmacy as well as the site specific regulations for the site and building.
- The CC6 zone also permits the site to accommodate a use that is more compatible with, and will impose fewer impacts on the surrounding land uses than the previous, and currently permitted, gas bar.
- The subject lands are also subject to site plan approval. Additional potential land use impacts between the proposed use and the surrounding properties can be mitigated through that process.
- The proposal requires two special provisions. The applicant is seeking a lot coverage of 35%, whereas 30% is the maximum, which is considered minor in nature.
- The second special provision is for off street parking. A zoning referral record was completed as part of the application review. A total of 38 parking spaces are required. The applicant is able to provide 34 auto spaces and 15 bicycle parking spaces for a total of 37. A special provision will be required since more spaces will be eliminated through the site plan approval process due to clear throat distance and shifting the garbage location. The special provision will include a reduction from 38 parking spaces to 28 parking spaces.
- Holding Provisions will ensure that Urban Design matters are addressed through the Site Plan process after a public meeting.

### **Submitted Studies**

#### **Urban Design Brief – Zelinka Priamo Limited – June 22, 2012**

As part of the complete Official Plan/Zoning By-law amendment application, an Urban Design Brief was submitted. The applicant has outlined the following:

*The design objectives of the project include establishing a built form and site design which:*

- *is visually and functionally integrated into the larger community;*
- *provides for the extension of the existing pedestrian street environment;*
- *maintains the privacy of the adjacent residential land use to the north;*
- *screens the loading area and a portion of the parking area from the pedestrian environment along Oxford Street East; and*
- *assists in enhancing the “gateway” into the Bishop Hellmuth District.*

#### *High Design Standards*

*The proposal is located in a prominent location along a major arterial roadway, close to central London. A high standard of design is appropriate for the site, and therefore the site has been designed to have the building close to the existing road allowances. The design also incorporates oversized brick-clad projections around the most prominent corners of the building, at the intersection and at the main entrance into the building.*

#### *Architectural Continuity*

*The surrounding neighbourhood has a distinctive and attractive visual identity that has been recognized by the establishment of the Bishop Hellmuth Heritage Conservation District Plan.*

#### *Redevelopment*

*The proposal represents the redevelopment of the existing vacant property, as is intended to be encouraged.*

#### *Streetscape*

*The new building has been positioned close to both road allowances to maintain the building lines established by existing development along Oxford Street East and Waterloo Street and provides a continuous edge to the streetscape.*

*The proposed building façades facing the street incorporate a variety of building materials and fenestration to provide detail and variety to the pedestrian experience of the street environment.*

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*Pedestrian Traffic Areas*

*The corner of Waterloo Street and Oxford Street East is part of an area experiencing a significant amount of pedestrian traffic. As an alternative to canopies, awnings, landscaped setbacks and sitting areas, the building has been located close to both street frontages to animate the street.*

*Landscaping*

*The proposed site plan includes a landscaped strip along the northerly property boundary to contribute to the blending of the proposed new development with the neighbouring residential use.*

*Enhances Accessibility Standards*

*Two accessible parking spaces are proposed at the main entrance of the building. The design is consistent with the City of London Facility Accessibility and design standards.*

*Parking and Loading*

*The proposed parking facilities have been designed to facilitate maneuverability on the site. Although no designated loading spaces are required for the proposed use, the truck egress for the planned use is onto Waterloo Street, to minimize traffic flow disruptions on the arterial road.*

*Privacy*

*Fencing along the northerly property line is proposed to mitigate loss of privacy for the adjacent residential property.*

*Gateways*

*As the subject lands are located at a main entrance to the Bishop Hellmuth district, the proposed development can serve as part of a gateway to this community. The proposed building is to be positioned in a prominent location close to the intersection, and would create a continuous street edge matching that established by older development along both Waterloo Street and Oxford Street East.*

**Response to Neighbourhood Concerns**

A majority of the neighbourhood and public concerns were related to the Urban Design of the proposed building. Planning Staff requested that the applicant consult with the designer to submit a revised plan that was more reflective of the surrounding Bishop Hellmuth Heritage Conservation District Council approved guidelines. On May 15, 2013 the applicant submitted revised elevations, a landscape plan and a brick color sample as a result of Staff and neighbourhood design concerns, since the application is within the Bishop Hellmuth Heritage Conservation District.

In response to the design concerns the applicant has explained that:

*“Each of the elevations has been developed with significant features given the prominent location of the site at the entrance of the bishop Hellmuth District, as well as the visibility of each elevation from the streetscape. The revised drawings reflect a change to the orientation of the proposed entrance at the southeast corner of the building as well as introduce a second entrance at the northeast corner of the building. The southerly entrance has been located along the streetscape to enhance the Oxford Street façade and provide a direct entrance for pedestrian traffic along Oxford Street. A large awning has been incorporated above the door to articulate the entrance. The northerly entrance will accommodate a majority of the customers that will be arriving by vehicle to the site and is highlighted with an overhead canopy. The interior layout of the floor plan, in particular the location of the checkout area, has made it possible for the two entrances to be accommodated.*

*An enhanced architectural feature has been provided at the southwest corner of the building with a raised parapet and large awnings have been provided above the spandrel panel windows.*

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*A landscape plan has also been prepared (see Appendix "C") to provide an enhanced landscape feature within the Oxford Street and Waterloo Street forecourt that will further anchor the corner.*

*Transparent windows have been provided around the building where possible, in particular along the south elevation (facing Oxford Street) and the east elevation. Since the storage area on the interior of the building is located along the west side of the building, all of the windows along Waterloo Street are spandrel panels. Many of the windows along the north side of the building are also spandrel panels resulting from the storage area, as well as due to the interior racking within the store. To further enhance the landscape, raised parapets, building projections and awnings above each of the windows have been provided.*

*In order to better integrate the proposed building into the Bishop Hellmuth District, materials similar to the area have now been incorporated into the exterior of the building. The majority of the building features a yellow brick, a grey stone base (made up of two different types of stone) and charcoal colored awnings.*

*Wall mounted light fixtures have been located to articulate the brick pillars on the building and soften the look of the building at night. In additions to the landscape feature at the corner, a bench adjacent to the bus stop has been provided with surrounding plant materials to further enhance the Oxford Street streetscape. Plantings have also been incorporated to screen the parking areas from both Waterloo Street and Oxford Street.*

### **Urban Design Consideration**

As part of the urban design review of this application, the proposed development was vetted by Urban Design Staff (see comments on page 10) and the Urban Design Peer Review Panel (see comments on page 12). Given the urban context and being situated at an important gateway into the Bishop Hellmuth Heritage Conservation District, it was strongly recommended that the building be oriented toward the Oxford and Waterloo Street corridors.

It should be noted that Gammage Flowers, located at the southwest corner of this intersection, as well as the existing Wilton Pharmacy, directly opposite the subject site on the south side of Oxford Street, are oriented toward the adjacent streets and their respective street-orientation have served these locations well over several decades and facilitated the creation of a positive urban environment.

Furthermore, in a July 2012 memo, Planning Staff provided the applicant with the urban design principles to be achieved with any proposed future development on the subject site (see Appendix "E"). In the memo, Planning Staff indicate three urban design principles to be achieved:

- Locate the building along the Oxford and Waterloo Street frontages
- Provide a primary building entrance at the Oxford/Waterloo street corner
- Provide direct routes for pedestrians from the parking areas to the building

In terms of the future built form, the Planning Staff recommend in the memo that:

- Transparent glass be provided along the street frontages to allow pedestrians to see into the interior of the building and for store employees to provide passive surveillance of the street
- Architectural façade detail should be consistent with the neighbourhood context, with special attention at corners and ornamental elements over windows
- Building corners that are highly visible from the public realm should have a high degree of architectural detail with the corner of Oxford/Waterloo requiring special architectural attention and should consider a height element

The proposed development submitted by the applicant depicts a building that is oriented east, toward the parking lot. This results in a building that is functionally oriented toward the interior side yard, effectively situating the rear of the building along Waterloo Street, with storage and

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back office uses located along the Waterloo Street corridor and a portion of the Oxford Street corridor. This is contrary to the intent of creating active street frontages and precludes the use of transparent glass along these corridors.

As a result, while the elevations submitted by the applicant have received general support, it is important to note that Urban Design Staff, the Urban Design Peer Review Panel, as well as Planning Staff are unanimous in their recommendation that the elevations and orientation of the proposed development be rotated clockwise by 90 degrees which will facilitate pedestrian and transit usage while still accommodating vehicular usage, consistent with the established urban context in this area, and create an attractive gateway into the Bishop Hellmuth Heritage Conservation District.

**Planning Impact Analysis**

Planning Impact Analysis is used to evaluate applications for an Official Plan amendment and/or Zoning By-law amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding land uses.

Planning Impact Analysis is intended to document the criteria reviewed by municipal staff through the application review process to assess an application for change. Depending upon the situation, other criteria may also be considered. The criteria considered include the following:

- i) the policies contained in the Section relating to the requested designation;*

The proposed uses are identified as secondary permitted uses with the Residential designations of the Official Plan.

- ii) 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 uses are compatible with the surrounding land uses. The proposed development would establish a pharmacy at a compatible scale to the surrounding single-detached commercial and institutional uses and the facility would primarily serve the surrounding residential areas.

- iii) 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 proposal requires two special provisions. The applicant is seeking a lot coverage of 35%, whereas 30% is the maximum, which is considered minor in nature. The second special provision is for off street parking. A zoning referral record was completed as part of the application review. A total of 38 parking spaces are required. The applicant is able to provide 34 auto spaces and 15 bicycle parking spaces for a total of 37. A special provision will be required since more spaces will be eliminated through the site plan approval process due to clear throat distance and shifting the garbage location. The special provision will include a reduction from 38 parking spaces to 28 parking spaces.

The applicant will also be required to go through the Site Plan Approval process to ensure high quality site design, engineering efficiency, building architecture and landscape design. Site plan control is intended to improve efficiency of land use and servicing, and to encourage attractive and compatible forms of development.

- iv) 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;*

*No concerns were identified about the potential traffic generated by the proposed change.*

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- v) *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses.*

The proposed development is less than the maximum 1000m2 of gross leaseable area permitted by the Official Plan and meets the scale of development requirement in the Medium Density designation. The proposed development is small in scale and will accommodate a use that primarily caters to the surrounding neighbourhood, employment areas and the traveling public.

- vi) *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;*

*Transportation Staff have indicated that they do not oppose the use a restricted access (R-IN/R-OUT) and left out access to Oxford Street using a pork-chop treatment. It is Staff's intention to reach a consensus with the developer that addresses the City's road safety concerns and access convenience for business customers.*

- ix) *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 and its conformity with the City's commercial urban design guidelines;*

In December 2012, the proposed development was presented to the Urban Design Peer Review Panel. The applicant was requested to resubmit the elevations and landscape plan. The revised plans were presented to the Panel on July 19, 2013. The matters addressed by the Panel will be addressed at the Site Plan Approvals Stage. (See UDPRP comments on page 10.) It has been recommended that the proposed building be rotated clockwise by 90 degrees and that the Site Plan Staff be requested to implement this recommendation.

- x) *the potential impact of the proposed development on surrounding natural features and heritage resources;*

There are no natural features surrounding the subject lands.

- xi) *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;*

The site was previously zoned for commercial convenience / service station uses. The applicant will have to comply with any remediation requirements, if any.

**CONCLUSION**

The subject site is currently vacant and the proposed use represents an efficient development and land use pattern. The proposed pharmacy development is compatible with the surrounding land uses and complies with the appropriate policies. The proposed development meets the criteria listed in the Planning Impact Analysis and in turn restores the commercial planned function of the subject site. The proposed pharmacy will function at a neighbourhood scale while providing services to surrounding residential areas and the travelling public.



Agenda Item #    Page #

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**File: OZ-8121  
Nicole Musicco**

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>NICOLE MUSICCO – PLANNER II COMMUNITY PLANNING &amp; DESIGN</b>	<b>JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING &amp; DESIGN</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING &amp; CITY PLANNER</b>	

/nm

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**Responses to Public Liaison Letter and Publication in “Living in the City”**

**Written Response**

Kylene Dube  
784 Hellmuth Avenue

Steve Barre  
774 Hellmuth Avenue

Barb Leblanc  
765 Waterloo Street

Craig Martin  
735 Waterloo Street

Tim Cobban  
BHCD

Laura Kaufman  
778 Hellmuth Avenue

Mark Parks  
778 Hellmuth Avenue

Nancy Tausky

Bishop Hellmuth Community Association  
802 Hellmuth Avenue

Mike Hammond

**Telephone Response**

Nicholas Callender  
774 Waterloo Street

Richard Yake  
Area resident

Tim Cobban  
Bishop Hellmuth Community Association

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**Bibliography of Information and Materials  
Z-8121**

**Request for Approval**

City of London Official Plan and Zoning Bylaw Application Form, completed by Zelinka Priamo Limited, October 30, 2012

**Reference Documents**

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. *Official Plan*, June 19, 1989, as amended.

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

Notice of Application – November 9, 2012

Living in the City – Notice of Application - November 15, 2012

Notice of Public Meeting – March 1, 2013

Living in the City – Notice of Public Meeting – March 7, 2013

**Correspondence: (all located in City of London File OZ-8121 unless otherwise stated)**

**City of London**

Memo to N. Musicco from J. Smolarek – UD – November 29, 2012.

N. Musicco to N. Branscombe – November 7, 2012.

N. Musicco and R. Postma. Email to N. Musicco - December 6, 2012.

N. Musicco and E. Elmadhoon - Various emails (October 2012 to March 2013).

N. Musicco and B. Page – Parks Planning – November 12, 2012.

N. Musicco to J. Fleming – November 7, 2012.

J. Leunissen to M. Tomazincic – September 28, 2012.

R. Moore to M. M. Tomazincic – September 28, 2012.

B. Masschelein to M. Tomazincic – September 28, 2012.

**Departments and Agencies**

Doyle, R.O., London Hydro. Memo to N. Musicco. November 12, 2012

Various emails to M. Doornbosch. October 2012 to March 2013.

**Other**

Planning Justification Report – October 29, 2012 – Zelinka Priamo Limited.

Urban Design Brief – October 29, 2012 – Zelinka Priamo Limited.

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**File: OZ-8121  
Nicole Musicco**

**Appendix "A"**

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

By-law No. C.P.-1284-\_\_\_\_\_

A by-law to amend the Official Plan for the City of London, 1989 relating to 754 and 764 Waterloo Street and 354 Oxford Street East

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 30, 2013.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading – July 30, 2013  
Second Reading – July 30, 2013  
Third Reading – July 30, 2013

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**File: OZ-8121  
Nicole Musicco**

**AMENDMENT NO.**

**to the**

**OFFICIAL PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To change the identification of the subject lands from a Service Station to a Convenience Commercial and Service Station on Appendix "1", Convenience Commercial and Service Stations, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 754 and 764 Waterloo Street and 354 Oxford Street East in the City of London.

C. BASIS OF THE AMENDMENT

The amendment is consistent with the policies of the *Provincial Policy Statement, 2005* and is consistent with the Multi-family, Medium Density Residential policies of the Official Plan. The recommended amendment recognizes the existing Service Station identifier applied to the subject lands while adding a Convenience Commercial identifier to facilitate the development of a pharmacy to service the adjacent community.

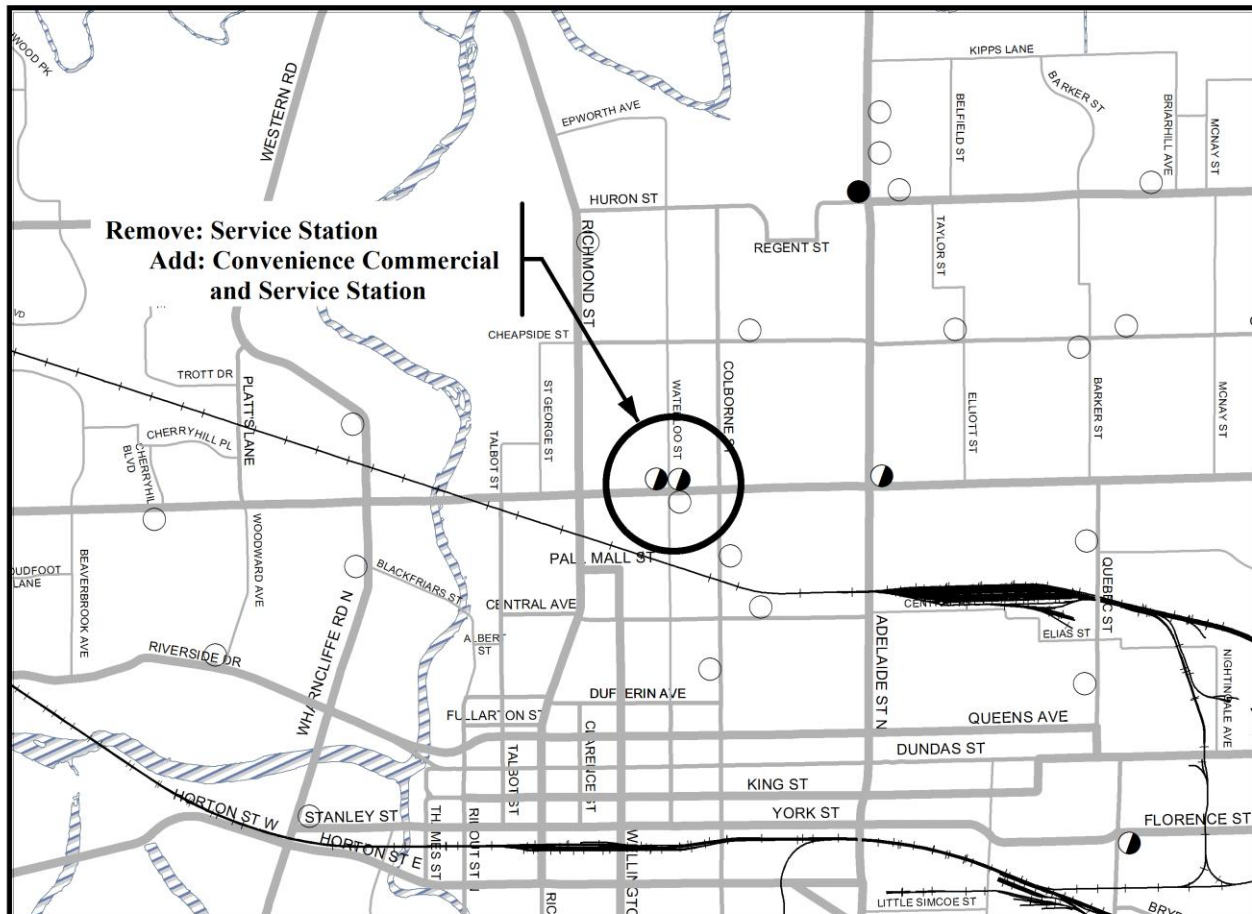
D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:





Appendix "1", Convenience Commercial and Service Stations, to the Official Plan for the City of London Planning Area is amended by identifying those lands located at 754 and 764 Waterloo Street and 354 Oxford Street East in the City of London, as indicated on "Schedule 1" attached hereto, from Service Station to Convenience Commercial and Service Station.

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AMENDMENT NO:



**Legend**

-  Convenience Commercial
-  Convenience Commercial and Service Station
-  Service Station
-  Urban Growth Boundary

**Base Map Features**

- Streets (refer to Schedule C)
-  Secondary Collectors
  -  Primary Collectors
  -  Arterials
  -  Freeways/Expressways
  -  Railways
  -  Rivers/Streams

*This is an excerpt from the Planning Division's working consolidation of Appendix 1 to the City of London Official Plan, with added notations.*

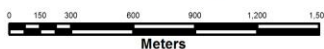
**SCHEDULE 1  
TO  
OFFICIAL PLAN**

AMENDMENT NO. \_\_\_\_\_

PREPARED BY: Graphics and Information Services



Scale 1:30,000



FILE NUMBER: OZ-8121

PLANNER: NM

TECHNICIAN: CK

DATE: 2013/06/10

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**Appendix "B"**

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

By-law No. Z.-1-13\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 754 and 764 Waterloo Street and 354 Oxford Street East.

WHEREAS Farhi Holding Inc. has applied to rezone an area of land located at 754 and 764 Waterloo Street and 354 Oxford Street East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

(a) Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to lands located at 754 and 764 Waterloo Street and 354 Oxford Street East, as shown on the attached map comprising part of Key Map No. A 102, **FROM** a Convenience Commercial/Service Station (CC/SS) Zone and a Residential R2 (R2-2) Zone and a Residential R3/Office Conversion (R3-1/OC5) Zone **TO** a Holding Convenience Commercial Special Provision ((h-\*)h-5\*h-103\*CC6( )) Zone.

1) Section Number 3.8 (2) of the Holding Provisions Section to By-law No. Z.-1 is amended by adding the following holding provision:

h-\*) Purpose: To ensure landscaping enhancements are implemented within the abutting Oxford Street and Waterloo Street road allowances, the "h-\*)" symbol shall not be deleted until a development agreement associated with a site plan which provides for the creation of an attractive street edge at this strategic gateway location is entered into with the City of London, to achieve high quality landscaping and the creation of an attractive street edge at this strategic gateway location.

2) Section Number 29 of the Convenience Commercial (CC6) Zone is amended by adding the following Special Provision:

29.4\_ CC6( ) 754 and 764 Waterloo Street and 354 Oxford Street East

a) Regulations

Lot Coverage (maximum)	35%
Maximum GFA for Pharmacy use	948 m2
Number of off-street parking spaces(minimum)	28
Minimum front yard setback	0.8 m
Minimum exterior side yard setback	0.4 m

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.

Agenda Item # Page #

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**File: OZ-8121  
Nicole Musicco**

PASSED in Open Council on July 30, 2013

Joe Fontana  
Mayor

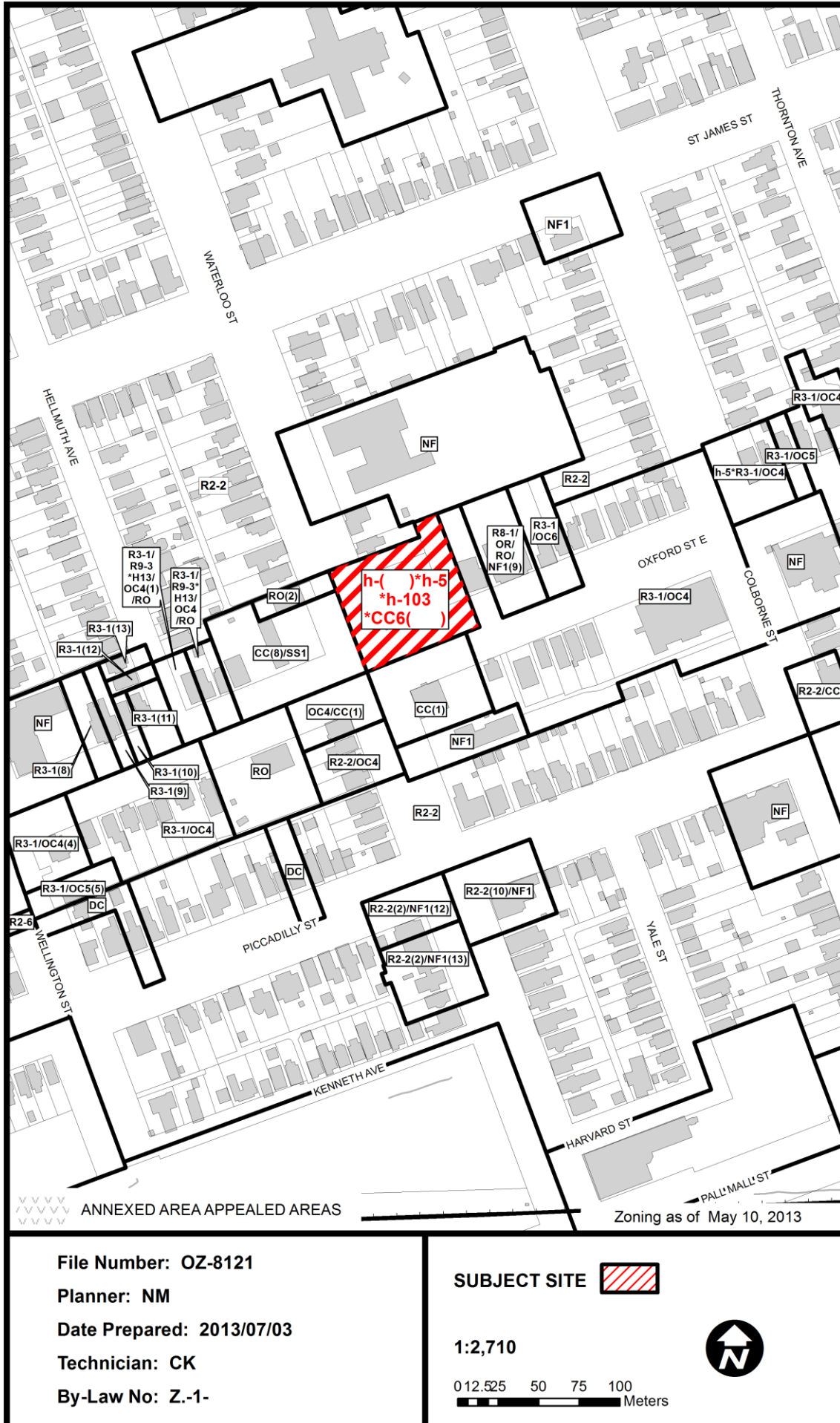
Catharine Saunders  
City Clerk

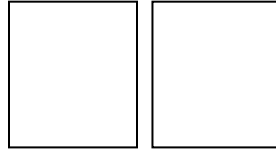
First Reading - July 30, 2013  
Second Reading - July 30, 2013  
Third Reading – July 30, 2013



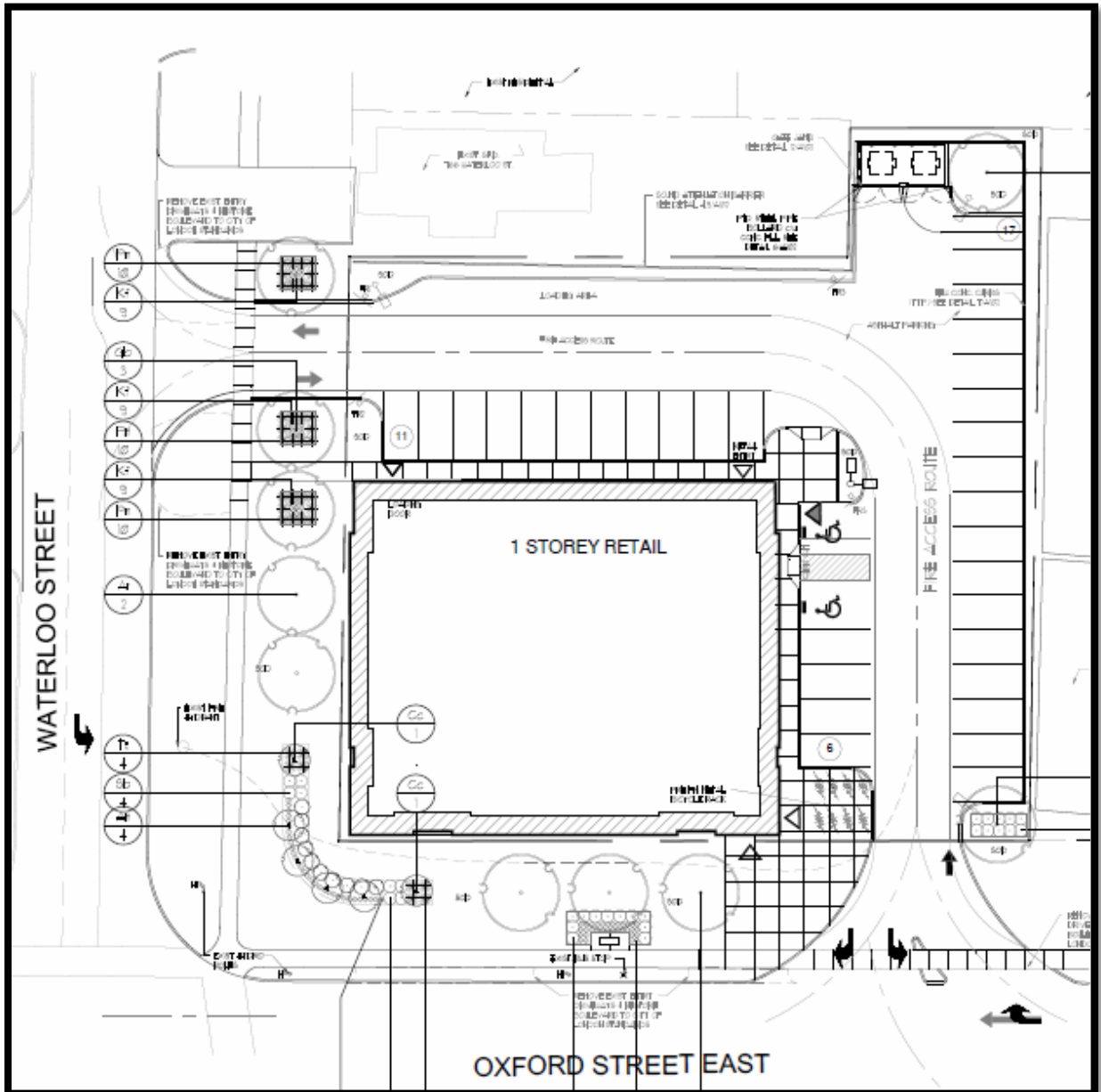
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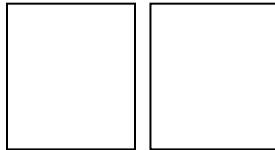
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



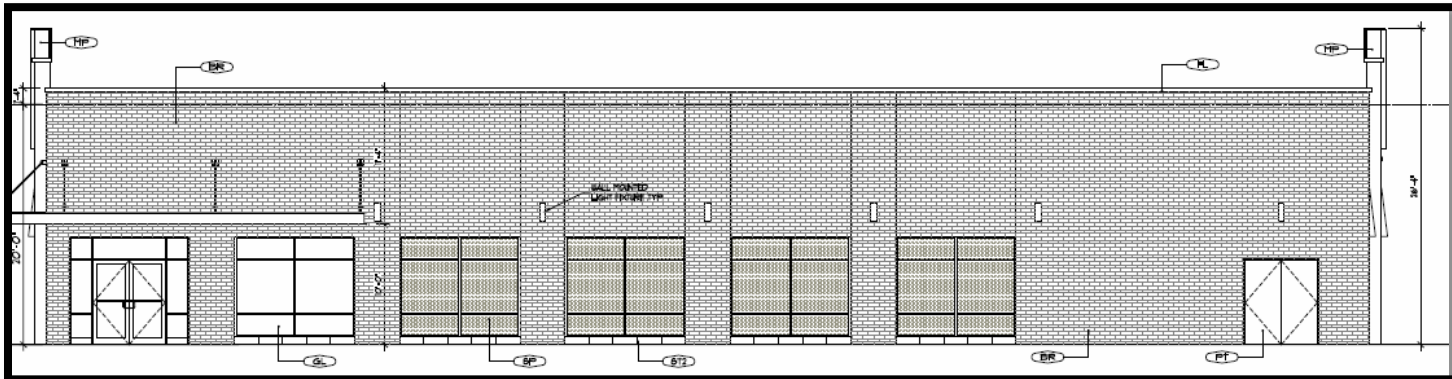


**Appendix "C"**  
**Landscape Plan – Concept Two (May 2013)**

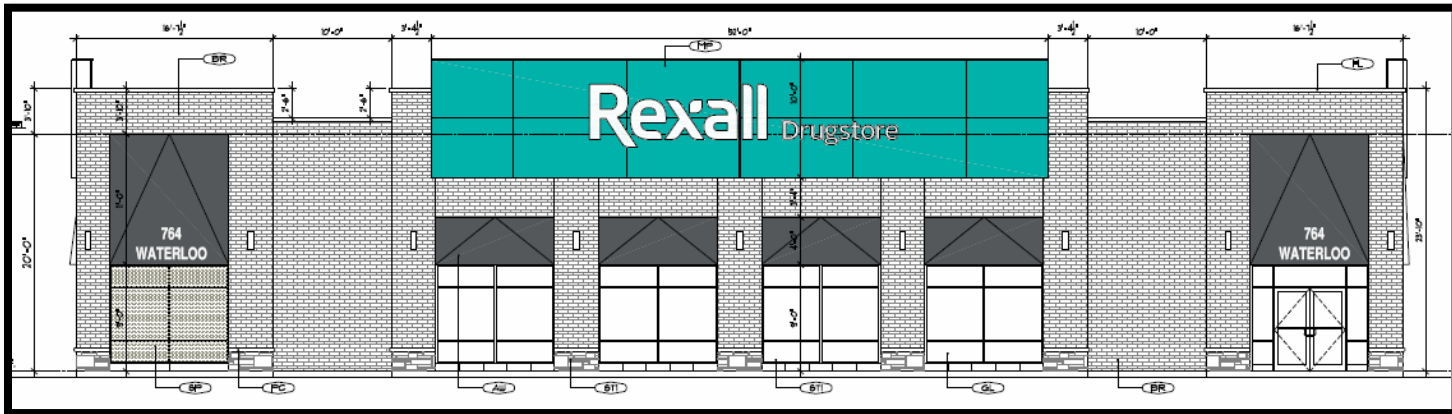




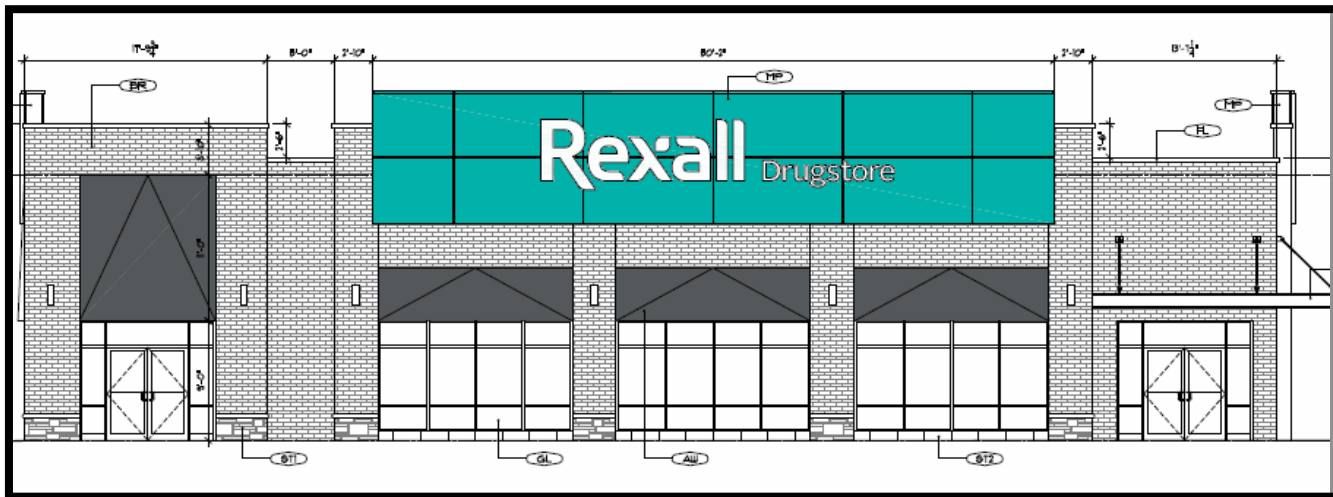
**Appendix "D"**  
**North Elevation – Concept Two (May 2013)**



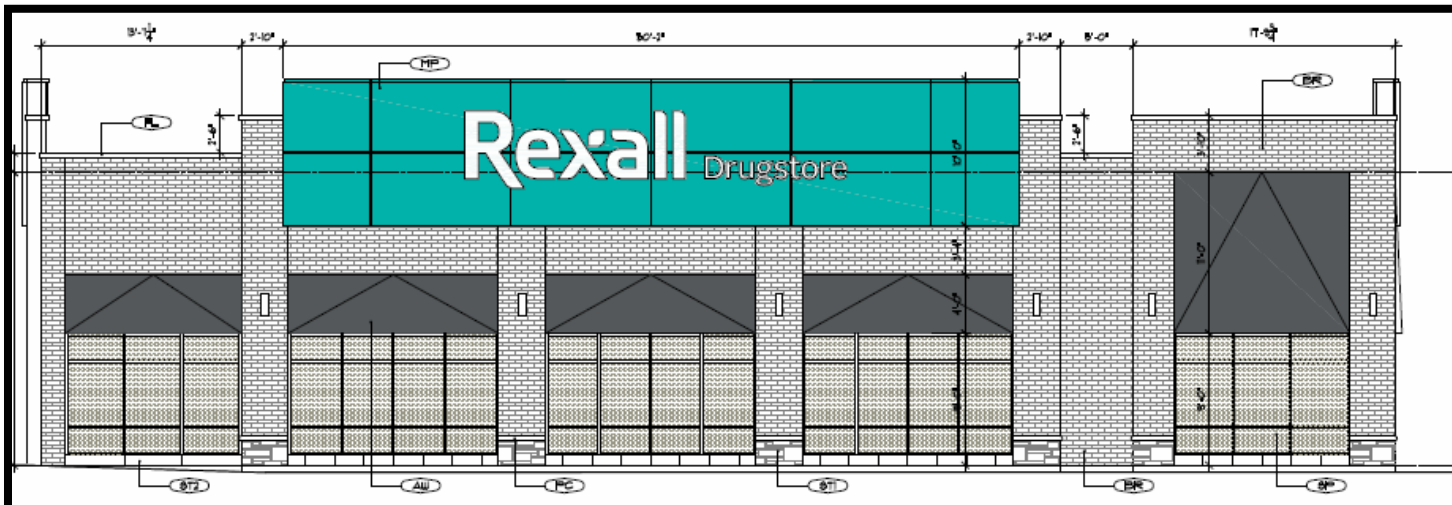
**South Elevation - May 2013**



**East Elevation – May 2013**



**West Elevation – May 2013**



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**Appendix "E"**  
**Urban Design Principles (Staff Memo - July 2012)**



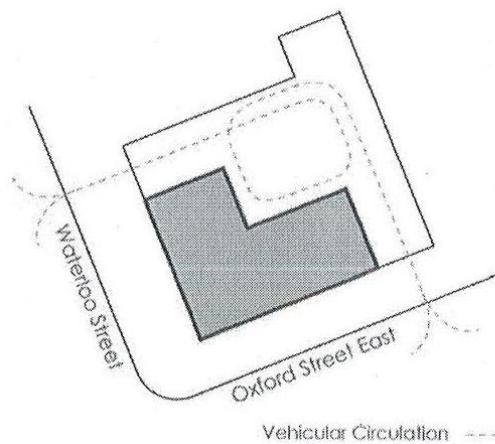
# Memo

**To:** Shmuel Farhi  
**From:** Michael Tomazincic, Planner II  
 Jordan Martin, Urban Design Technician  
**Date:** July 9, 2012  
**RE:** Oxford and Waterloo Street:  
 Building Siting and Design Principles

**Design Principles:**

**Site Organization**

1. Locate the building along the Oxford Street East and Waterloo Street frontages.
2. Provide a 'primary' building entrance at the Oxford Street East and Waterloo Street corner to provide an active pedestrian environment. If opportunities exist, 'secondary' entrances should be located on the street facades along Oxford and Waterloo Street and/or at the rear of the building.
3. Arrange pedestrian circulation to provide direct routes from parking areas to entrances. Define pedestrian walkways through the use of contrasting materials/colours.



Site Area: 29,150 sf  
 Building Area: 11,000 sf  
 Parking Spaces: 35 +/-

**Built Form**

4. Design building façades to express a defined base at approximately one third of the height of the building, in addition to a defined middle and top that contributes to a human-scaled pedestrian environment.
5. Provide transparent glass along commercial frontages to allow for pedestrians to see into the interior of the buildings and for store employees to provide passive surveillance of the street.
6. Use a variety of high quality building materials, such as brick and stone that are compatible within the context of the existing streetscape and neighbourhood.
7. Architectural facade detail should be consistent with the neighbourhood context, with special attention at corners and ornamental elements over windows.
8. Building corners that are highly visible from the public realm should have a high degree of architectural detail. The built corner at the intersection of Oxford Street East and Waterloo Street requires special architectural attention and should consider a height element.

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**File: OZ-8121  
Nicole Musicco**

**Landscaping**

9. Use a variety of landscaping elements to shield the parking from the public realm and to define the pedestrian circulation pattern throughout the site. This should include a low landscape wall of material that is consistent with the main building's material.
10. Enhanced landscaping elements should be applied at corners and near primary and secondary points of entry, where applicable. This should include hard surface treatment supplemented by soft landscaping.
11. Provide landscaped islands to define and break up the parking and help manage storm water. Within the islands a variety of landscaping elements should be used, such as trees, grasses, and other planting.
12. Provide an outdoor amenity space for employee and public use.

Sincerely,

Michael Tomazincic  
Planner II