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OZ-7962
L. Mottram

TO:	CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE
FROM:	D.N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING D. AILLES MANAGING DIRECTOR – DEVELOPMENT APPROVALS BUSINESS UNIT
SUBJECT:	APPLICATION BY: DEVCOM DEVELOPMENTS INC. 1155 COMMISSIONERS ROAD EAST AND MIDDLESEX CONDOMINIUM CORPORATION NO. 156 733-739 DEVERON CRESCENT PUBLIC PARTICIPATION MEETING ON NOVEMBER 28, 2011 @ 6:00 P.M.

RECOMMENDATION

That, on the recommendation of the Director of Development Planning, based on the application of Devcom Developments Inc. and Middlesex Condominium Corporation No. 156 relating to the property located at 1155 Commissioners Road East and a portion of the property located at 733-739 Deveron Crescent:

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 5, 2011 to amend the Official Plan by changing the designation on Schedule "A" - Land Use **FROM** "Multi-family, Medium Density Residential" **TO** "Neighbourhood Commercial Node".
- b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on December 5, 2011 to amend Zoning By-law Z.-1 (in conformity with the Official Plan, as amended in Part (a) above), to change the zoning of the subject lands **FROM** an Associated Shopping Area Commercial Special Provision (ASA1(9)/ASA3(2) Zone which permits a range of retail/commercial uses such as convenience stores, financial institutions, restaurants, grocery stores, pharmacies, dry cleaning and laundry plants, personal service establishments, day care centres, clinics, and medical/dental offices; and **FROM** a Residential R8 (R8-4) Zone which permits such uses as low-rise apartment buildings, senior citizens apartment buildings, and stacked townhouses, **TO** an Associated Shopping Area Commercial Special Provision (ASA1()/ASA3()) Zone to permit the current range of retail/commercial uses, together with special provisions for an interior side yard depth abutting a residential zone of 1.5 metres, a rear yard depth abutting a residential zone of 2.45 metres, a maximum lot coverage of 36 percent, and a minimum 59 parking spaces for a pharmacy use.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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January 25, 1999 - Planning Committee Public Participation Meeting – Application by Devcom Developments for Official Plan and Zoning By-law Amendments - southwest corner of Commissioners Road East and Deveron Crescent (File No. OZ-5640)

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended action is to permit an expansion of an existing pharmacy use (Shoppers Drug Mart) at 1155 Commissioners Road East. In order to accommodate the proposed expansion, the requested amendments will allow for a future severance and conveyance of land from 733-739 Deveron Crescent to 1155 Commissioners Road East. The area of land proposed to be severed is approximately 0.089 hectares (0.22 ac).

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RATIONALE

1. This proposal is considered a minor expansion of an existing commercial development which has existed for over ten years.
2. Based on the Official Plan criteria and its application to an already functioning and zoned neighbourhood commercial use, the nature of the proposed expansion, and the effect on surrounding lands, the recommended amendments are appropriate.
3. The recommended zoning is appropriate and will permit the same range of uses which are currently permitted on the Shoppers Drug Mart site. Special provisions in the zoning are recommended in order to address specific site plan issues for the proposed expansion, including special parking rate, coverage, and building setbacks.

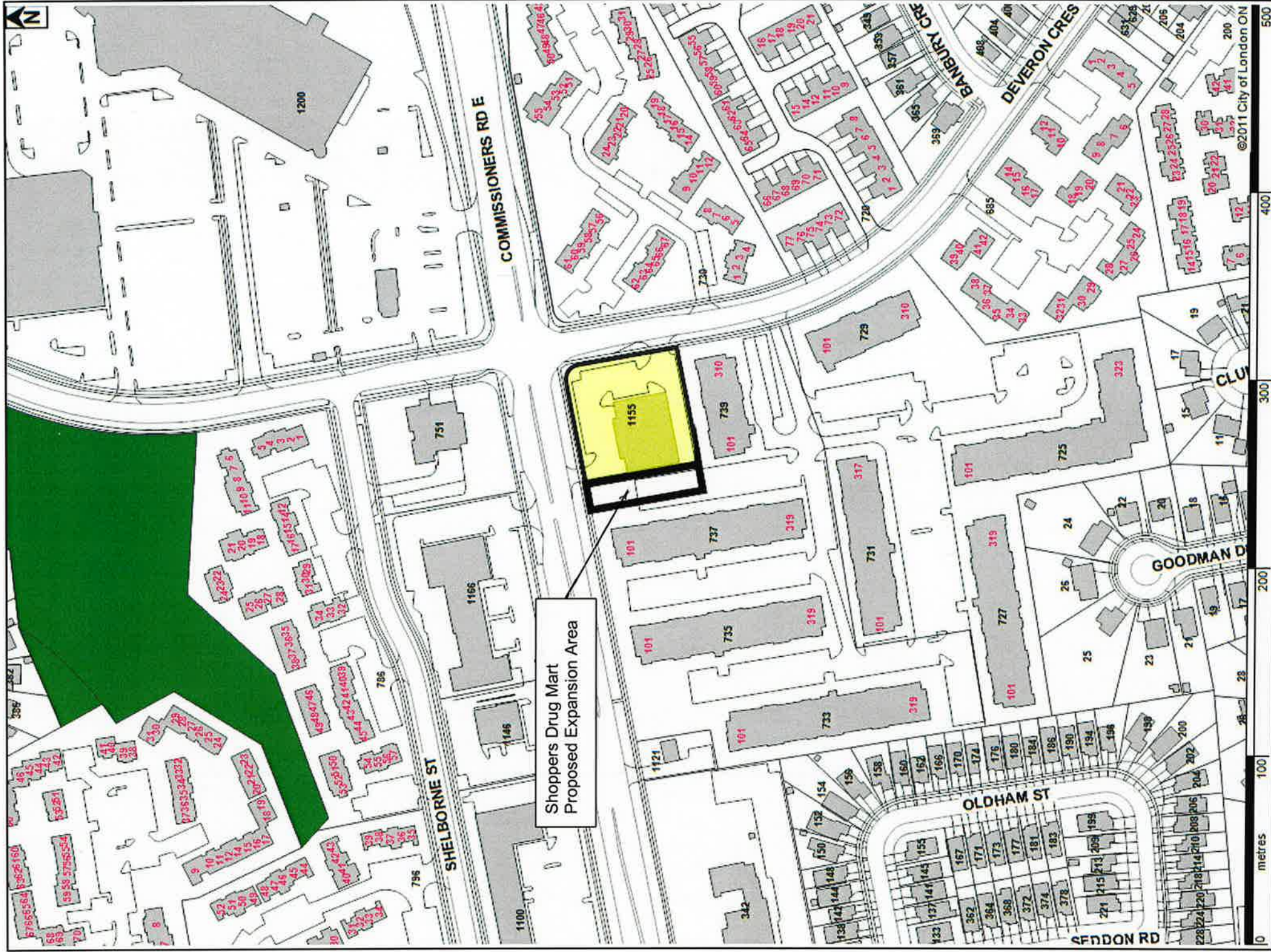
BACKGROUND

Date Application Accepted: Sept. 14, 2011	Agent: Southside Construction Management Ltd.
<p>REQUESTED ACTION: Amend the Official Plan designation from Multi-Family, Medium Density Residential to a designation that reflects the current use of the property, and additional land to be subdivided from residential parcel and added to commercial parcel. Amend the Zoning By-law from an Associated Shopping Area Commercial (ASA1(9)/ASA3(2)) Zone and a Residential R8-4 Zone to Associated Shopping Area Commercial Special Provision (ASA1()/ASA3()) Zone with special provisions for minimum interior yard depth, maximum lot coverage, and minimum parking requirements.</p>	

SITE CHARACTERISTICS:		
	1155 Commissioners Rd E	733-739 Deveron Crescent
• Current Land Use	commercial (Shoppers Drug Mart pharmacy)	residential low-rise apartment condominiums
• Area (Total site area 4686 sq.m. (50,425sq.ft.))	3793 sq.m (40,817 sq.ft.)	893 sq.m. (9,608 sq.ft.)
• Frontage	59 metres (194 ft.) on Deveron Crescent	14.6 metres (48 ft.) on Commissioners Road East
• Depth	62.4 m (205 ft.)	61 m (200 ft.)
• Shape	regular	regular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North – commercial • South – residential • East – residential • West – residential

OFFICIAL PLAN DESIGNATION: (refer to map on page 4)
<ul style="list-style-type: none"> • Multi-Family, Medium Density Residential
EXISTING ZONING: (refer to map on page 5)
<ul style="list-style-type: none"> • Associated Shopping Area Commercial Special Provision (ASA1(9)/ASA3(2)) • Residential R8 (R8-4)



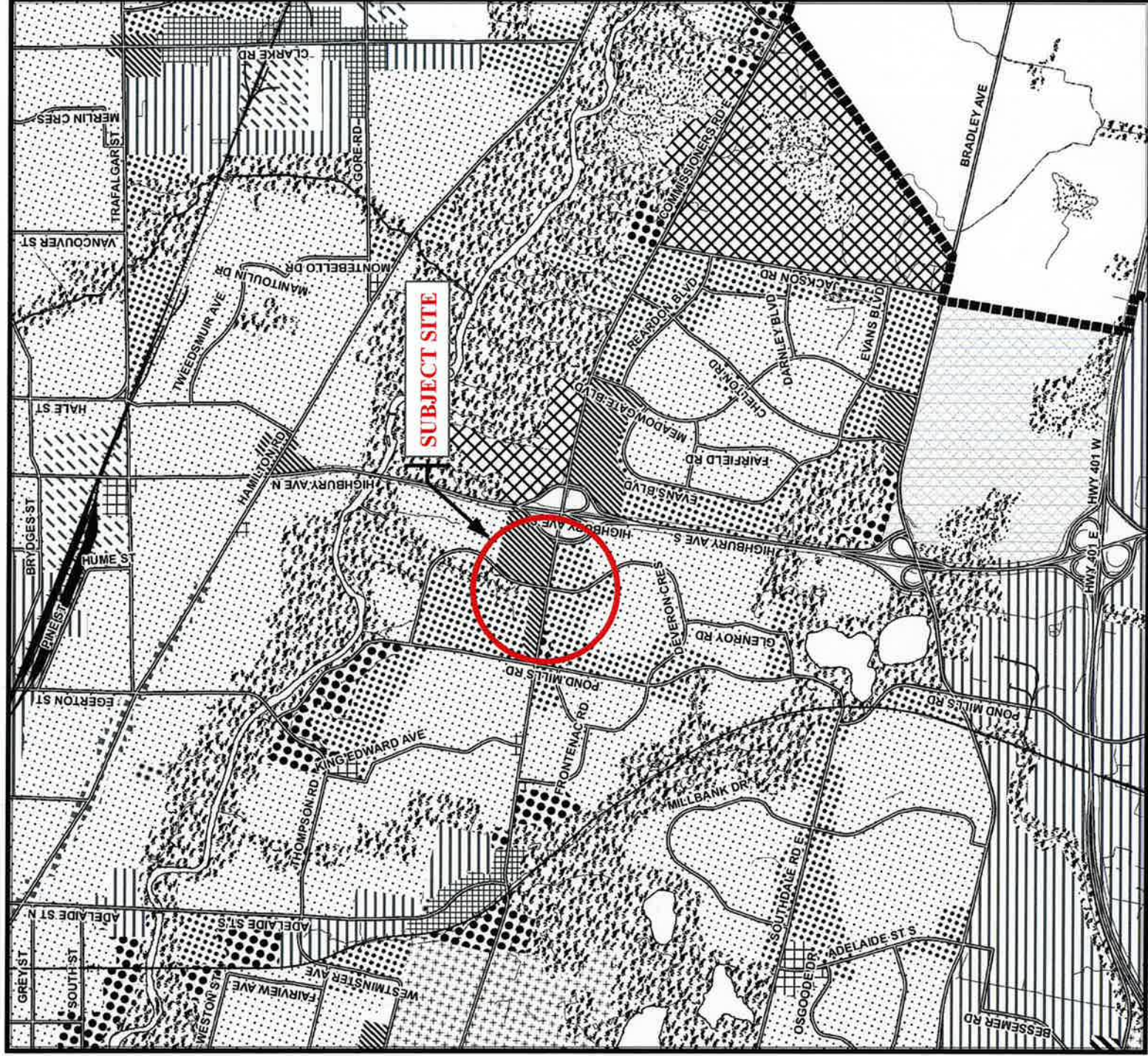
Shoppers Drug Mart
Proposed Expansion Area

LOCATION MAP

File Number: OZ-7962
 Created By: LM
 Date: 2011-09-20
 Scale: 1:2500

LEGEND

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



Legend

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

CITY OF LONDON
 Department of
 Planning and Development
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -



Scale 1:30,000
 0 100 200 300 400 500 600 700 800 900 1,000
 Meters

FILE NUMBER: OZ-7962
 PLANNER: LM
 TECHNICIAN: MB
 DATE: 2011 Oct 21

PREPARED BY: Graphics and Information Services

PLANNING HISTORY

On February 1, 1999, Municipal Council adopted a resolution on the recommendation of the Commissioner of Planning and Development with respect to an application by Devcom Developments (File No. OZ-5640) for amendments to the Official Plan and Zoning By-law relating to the property located on the southwest corner of Commissioners Road East and Deveron Crescent. The Official Plan designation was amended from Multi-Family, Medium Density Residential to Associated Shopping Area Commercial to permit a range of commercial uses such as convenience commercial uses, personal service uses, automotive services, pharmacies, retail stores, restaurants, service and medical/dental offices and commercial recreation establishments. The Official Plan was also amended to delete Section 3.6.5.(vii)(6) which allowed convenience commercial and service station uses on the southwest corner of Commissioners Road East and Deveron Crescent.

The zoning by-law was amended from a Convenience Commercial (CC2(10)) Zone which permitted convenience stores, convenience service establishments, financial institutions, personal service establishments, dwelling units together with any other permitted use, medical/dental offices, food stores and take-out restaurants, but prohibited drive-through facilities, to an Associated Shopping Area Special Provision (ASA1()/ASA3()) Zone to permit a range of uses including convenience stores, financial institutions, grocery stores, restaurants, retail stores, personal service establishments, pharmacies, day care centres, clinics and offices; together with a special provision to permit a rear yard setback adjacent to a Residential Zone of 1.5 metres (5 feet) in place of 10 metres (32.8 feet).

At the time of the OPA and ZBA application, Devcom Developments Inc. also applied for site plan approval for a proposed 1100 square metre pharmacy/convenience store, medical office building. A building permit was subsequently issued to erect the building currently occupied by Shoppers Drug Mart in June 1999.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

No significant department/agency comments or concerns received.

PUBLIC LIAISON:	On September 21, 2011, a Notice of Application to Amend the Official Plan and Zoning By-law was sent to 517 surrounding property owners. Notice was published in the Living in the City section of the London Free Press on October 1, 2011.	7 replies received.
Nature of Liaison: see "Requested Action" section.		
Responses: The Development Approvals Business Unit received five telephone calls and two written responses. The responses received indicated a mix of support for the proposed amendments from residents of the adjacent condominium corporation, as well as concern about reducing the parking and landscaped open space, and need for expansion to the existing store when there is enough commercial development in the immediate area.		

ANALYSIS

Existing Conditions

Devcom Developments Inc. have entered into negotiations with Middlesex Condominium Corporation No. 156 (733-739 Deveron Crescent) adjacent the Shoppers Drug Mart (1155 Commissioners Road East) to acquire an approximate 15 metres (49 ft.) by 61 metres (200 ft.) strip of land from the condominium corporation to accommodate a proposed westward expansion of the Shoppers Drug Mart. The applicant has advised that the terms of the

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Agreement of Purchase and Sale are subject to numerous conditions including compliance with both the Condominium Act and the Planning Act and the requisite rezoning and severance of the expansion strip, as well as site plan approval for the expanded retail premises designed and sized to the merchandising requirements of the existing retailer. The approval process involves a number of steps including amending the Official Plan and Zoning By-law, obtaining a consent for a severance and conveyance of the strip to become joined to and placed in the same title as the abutting property, site plan approval and a development agreement being entered into, and amending the declaration and description for the existing plan of condominium.

The existing Shoppers Drug Mart building is approximately 1069 sq.m. gross floor area. The proposed retail addition and a loading facility is 604.5 sq.m., for a total proposed gross floor area of approximately 1673 sq.m. The expansion also includes additional vehicular and bicycle parking, while two access driveways will remain in their existing locations. There is a rights-in / rights-out only access on Commissioners Road East and full turning access on Deveron Crescent.

The condominium complex to the west and south of Shoppers Drug Mart consists of several low-rise (3 storey) apartment buildings. The area proposed to be severed is a common area currently occupied by surface parking and a landscaped lawn. A portion of the parking lot is proposed to be removed affecting 28 parking spaces. The retained lands would be restored with new landscaping to replace a portion (approximately half) of the current parking area and a 2.4 metre high noise attenuation fence along the new lot line.

All of the required changes are being brought forward as a result of a business transaction entered into between Middlesex Condominium Corporation No. 156 and Devcom Developments Inc.

Is the recommended amendment to the Official Plan appropriate?

The lands at the southwest corner Commissioners Road East and Deveron Crescent are currently identified on Schedule 'A' - Land Use as Multi-Family, Medium Density Residential. This includes the Shoppers Drug Mart property at 1155 Commissioners Road East which was previously designated Associated Shopping Area Commercial in the Official Plan.

As part of the Five-Year Official Plan Review, a comprehensive review of the City's commercial land use designations and policies was undertaken and resulted in revisions to the commercial land classifications. Consequently, the former Associated Shopping Area Commercial land use designation was deleted and replaced by other designations under the new policies.

The applicants have expressed a desire to reinstate the commercial designation as it was prior to the last Official Plan Review. They have requested an amendment to the Official Plan designation from Multi-Family, Medium Density Residential to a designation that reflects the current use of the property, and additional land to be subdivided from the residential parcel and combined with the commercial parcel. Given the nature of the current use and zoning, and the request to expand the use, the "Neighbourhood Commercial Node" policies are considered the best fit.

Under Section 4.3.8.1 of the Official Plan, Neighbourhood Commercial Nodes are intended to provide for the daily or weekly convenience shopping and service needs of nearby residents and, to a lesser extent, passing motorists. They should contain uses that are convenience-oriented and unlikely to draw customers from beyond the local area.

The range of permitted uses includes small retail stores; food stores; pharmacies; convenience commercial uses; personal services; financial institutions; service-oriented office uses such as real estate, insurance and travel agencies; community facilities such as libraries and day care centres; professional and medical/dental offices; small-scale restaurants; commercial recreation establishments; and similar uses that draw customers from a neighbourhood-scale trade area. The Associated Shopping Area Commercial (ASA) zoning presently in place on the Shoppers Drug Mart site permits a similar range of uses to the Neighbourhood Commercial Node policies, and the current use draws business from residents in the surrounding neighbourhoods as well as the travelling public. In addition, the policies also allow multi-family high or medium density residential uses through a zoning by-law amendment, and subject to site plan approval and

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incorporation of design features that allow integration of the two uses. The current use has achieved a reasonable level of compatibility with the adjacent multi-family, medium density residential uses over time, and its corner location provides for an appropriate land use transition from residential to commercial to the north.

The site meets the locational criteria for Neighbourhood Commercial Node areas (Section 4.3.8.2.) given its location at the intersection of an arterial and secondary collector road, the site provides good pedestrian access and connectivity via public sidewalks, and is located on public transit routes as well a designated bicycle route. The site is large enough to accommodate a small-scale free standing development, plus parking and loading facilities with measures to provide adequate buffering and setbacks from adjacent residential uses.

In terms of buffering and setbacks, the detailed landscaping and planting plans are not yet available; however, the concept site plan provides information with respect to building setback and perimeter fencing. The concept plan shows a 2.44 metre high noise attenuation fence is to be erected along the mutual property line (as proposed) with the condominium corporation. There is currently a wood board privacy fence in place along the westerly property line, and an existing 2.44 metre high noise attenuation fence along the southerly property line. A 2.45 metre passive landscape strip is proposed on the westerly side of the proposed expansion. The residential apartment building facing to the west (municipal number 737 Deveron Crescent) would be approximately 13 metres back from the new lot line and the units facing to the south (municipal number 739 Deveron Crescent) are approximately 9 metres from the existing southerly lot line. The setbacks for the three storey apartment buildings would continue to remain well within the minimum interior yard depth requirements of the R8-4 Zone and is considered satisfactory to buffer the residential uses.

The residential units to the west of the expanded Shoppers Drug Mart will be separated by passive landscaped open space to replace a portion of the area currently occupied by parking. At the present time these units overlook the west elevation of the Shoppers Drug Mart building and parking lot with an existing 1.8 metre high wood privacy fence providing minimal screening. The residential units to the south currently face out to an off-loading area which will remain; however, the expansion plans indicate a new enclosed loading dock will be incorporated as part of the addition to the building on the south. Screening is currently provided for the residential units along the southerly property line with a 2.4 metre high wood noise attenuation fence on top a retaining wall, combined with a landscape strip of trees. The detailed landscaping and planting plan will be provided when the proponents apply for site plan approval. Building elevations will also be required to be reviewed at that time in order to ensure the design, appearance and scale of the addition will be in harmony with the existing building. There are no provisions of the zoning by-law which require amendments for lands owned by the condominium corporation.

In accordance with the policies under Section 4.3.8.4, Neighbourhood Commercial Node designations should comprise lands that are in a nodal configuration. The proposed expanded Shoppers Drug Mart site will continue to maintain a nodal configuration at the intersection of Commissioners Road East and Deveron Crescent. This nodal form of development is reinforced by existing commercially designated and developed lands on both northwest and northeast quadrants of the intersection, and medium density residential uses on the southeast quadrant. In terms of scale, the proposed expansion adding 604.5 square metres for a total of 1673 square metres of gross floor area is at the low end of the scale of development permitted under Section 4.3.8.5. Commercial development within the Neighbourhood Commercial Node shall normally range in size from 1000 square metres to 13,000 square metres gross floor area.

This proposal is considered a minor expansion of an existing commercial development which has existed for over ten years. The proposed expansion does not significantly affect the scale, location, form or function of the existing commercial node. The implementing zoning and site plan will address size, uses, and any potential impacts relating to noise, lighting, and parking resulting from the expansion. Impacts on neighbouring uses can be minimized by landscaping, buffering and screening protection measures which will be approved through the site plan review and approval process. The majority of those most affected by any increased impacts support the proposal. Based on our review of the criteria and its application to an already functioning and zoned neighbourhood commercial use, the nature of the proposed expansion, the effect on surrounding lands, and support for the proposal from the adjacent condominium

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corporation, the recommended amendment to the Official Plan is considered to be appropriate.

Is the recommended zoning and special provisions appropriate?

Yes. The recommended zoning is appropriate and will permit the same range of uses which are currently permitted on the Shoppers Drug Mart site. Special provisions in the zoning are recommended in order to address specific site plan issues for the proposed expansion, including special parking rate, coverage, and building setbacks. The current zoning for Shoppers Drug Mart already includes a special provision for a rear yard depth abutting a residential zone of 1.5 metres (4.9 ft.). The recommended zoning will maintain a minimum 1.5 metre yard depth from the southerly property line (interior side yard) and a minimum 2.45 metre yard depth from the westerly property line (rear yard). The lot coverage maximum based on the proposed concept site plan shows building coverage at 36 percent of the area of the site, which is more than the standard ASA zone maximum of 30 percent. However, it is a one storey development purpose-designed for the needs of a single user for which the excess coverage requested is not considered unreasonable.

The proposed reduced parking rate which will apply specifically for the pharmacy use is also considered appropriate given the nature of the use and its location. 59 off-street parking spaces are shown on the plan whereas 67 would be required under the standard parking rate in the zoning by-law of 1 per 25 square metres gross floor area. There will be facilities for bicycle parking included as a significant component of the expansion plans, including 12 new bike spaces near the main entrance to the store. The proposed and recommended zoning by-law amendments represents good land use planning and provides reasonable zoning provisions to accommodate the proposed expansion.

What is the impact on parking reduction to the condominium corporation?

The applicant has provided a parking analysis plan to demonstrate the net reduction in the number of spaces for the adjacent condominium corporation at 733-739 Deveron Crescent (MCC 156), as follows:

- Number of existing residential condominium units = 187 units
- Parking required @ 1.25 spaces per unit = 234 spaces
- Parking provided = 277 spaces
- Number of excess parking spaces provided = 43 spaces
- Number of spaces removed to accommodate
- Shoppers Drug Mart land acquisition = 28 spaces
- Condo parking provided
- after land acquisition = 249 spaces
- Revised number of excess parking provided = 15 spaces

The zoning regulations require 1.25 spaces per unit and the above calculations demonstrate that even with the reduction of 28 spaces the parking will continue to comply with the minimum requirements of the zoning by-law. The overall effect of the removal of parking as proposed is expected to be minimal. From the information supplied, the parking requirements applicable to the MCC #156 property exceed the minimum parking spaces for the parcel after the lands are conveyed to the abutting commercial site.

Are the recommended amendments consistent with the Provincial Policy Statement?

The recommended Official Plan and Zoning By-law amendments are consistent with the PPS, as summarized as follows:

1. **Building Strong Communities**
The subject lands are located within the Urban Growth Boundary within an existing built up area of the City, and are adequately supported by existing municipal services and infrastructure. The recommended amendments implement the objectives for promoting efficient land use and development, and sustainability over the long term; and providing an appropriate range and mix of employment (including industrial, commercial, and institutional uses) to meet long term needs.

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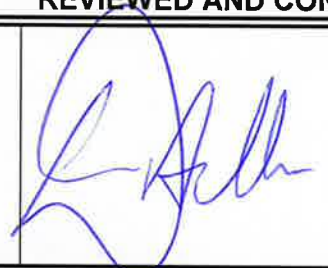
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2. **Wise Use and Management of Resources**
There are no identified Natural Heritage, Water, Agriculture, Minerals and Petroleum, Mineral Aggregate Resource, or Cultural Heritage issues.

3. **Protecting Public Health and Safety**
There are no Natural Hazards or Human-Made Hazards issues associated with this development.

CONCLUSION

Based on our review, the recommended Official Plan and Zoning By-law amendments are found to be appropriate to allow for the proposed expansion of an existing commercial development, and represents good land use planning. The proposed severance and conveyance of a strip of land from the adjacent residential condominium development to the Shoppers Drug Mart site will accommodate a relatively minor expansion. The remaining residential parcel owned by MCC No.156 still meets all the provisions of the zoning by-law. The recommended amendments are necessary in order to facilitate the business transaction between the two property owners, and the proponent's further applications for severance, site plan approval, and amendments to the registered plan of condominium which will be forthcoming.

PREPARED BY:	SUBMITTED BY:
	
LARRY MOTTRAM MCIP, RPP SENIOR PLANNER	JEFF LEUNISSEN MCIP, RPP MANGER, DEVELOPMENT PLANNING
RECOMMENDED BY:	REVIEWED AND CONCURRED BY:
	
D.N. STANLAKE DIRECTOR OF DEVELOPMENT PLANNING	D. AILLES, P. Eng. MANAGING DIRECTOR, DEVELOPMENT APPROVALS BUSINESS UNIT

FOR

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Responses to Public Liaison Letter and Publication in "Living in the City"

Telephone

Bob Collins

105 – 739 Deveron Crescent

Issue summary:

- Why is building at 733 Deveron Crescent included when it's further away?

Elaine Stewart

111 - 727 Deveron Crescent

Issue summary:

- Does the permitted use "clinic" also include a methadone clinic?

Muriel Halle

214 – 735 Deveron Crescent

Issue summary:

- Supports proposal

Cliff Trainor

108 - 729 Deveron Crescent

Issue summary:

- His building's parking will be impacted by parking spaces lost to Shoppers Drug Mart expansion
- Loss of landscaped open space from the condo corporation

Geri Freeborn

305 – 731 Deveron Crescent

Issue summary:

- Loss of parking and impact on parking available for the condo complex
- Questions need to expand when there is enough commercial land in the area

Written

Gregg Payne

201 – 737 Deveron Crescent

Issue summary:

- Supports plan

Wendy and Gary Veen

203 - 729 Deveron Crescent

Issue summary:

- No problems with Shoppers Drug Mart expanding
- Concern about loss of parking spaces for the residents of buildings at 737 and 739 Deveron Crescent

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Bibliography

Request for Approval:

City of London Official Plan and Zoning By-law Amendment Application Form, completed by Southside Construction Management Limited, submitted September 6, 2011

Site Plan (Drawing No. A101) dated 2011-03-01 for proposed addition to Shoppers Drug Mart - 1155 Commissioners Road East, London, Ontario – prepared by Philip Agar Architects Inc. for Southside Group

Parking Analysis Context Plan (Sheet No. SP:2), dated August 2009, for proposed commercial development 1155 Commissioners Rd E and Deveron Crescent; includes residential condos (MCC No. 156) municipal numbers 733, 735, 737, & 739 Deveron Crescent – prepared by Stanford Consulting and Design Ltd.

Reference Documents:

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

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

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

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

City of London – Planning Division application file no. OZ-5640 – An application by Devcom Developments for Official Plan and Zoning By-law Amendment - southwest corner of Commissioners Road East and Deveron Crescent

City of London – Planning Division application file no. Z-5379 – An application by London Partner Group Inc. for Zoning By-law Amendment - southwest corner of Commissioners Road East and Deveron Crescent

Correspondence: (located in City of London File No. Z-7933 unless otherwise stated)

Wendy and Gary Veen, 203-729 Deveron Crescent, October 5, 2011

Gregg Payne, 201-737 Deveron Crescent, September 28, 2011

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2011

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to lands located at 1155 Commissioners Road East and 733-739 Deveron Crescent.

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 December 5, 2011.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – December 5, 2011
Second Reading – December 5, 2011
Third Reading – December 5, 2011

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AMENDMENT NO.
to the
OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To change the designation of certain lands described herein from Multi-Family, Medium Density Residential to Neighbourhood Commercial Node on Schedule "A", Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 1155 Commissioners Road East and a portion of lands located at 733-739 Deveron Crescent, in the City of London.

C. BASIS OF THE AMENDMENT

The applicant Devcom Developments Inc. have entered into negotiations with Middlesex Condominium Corporation No. 156 (733-739 Deveron Crescent) adjacent the Shoppers Drug Mart (1155 Commissioners Road East) to acquire an approximate 15 metres (49 ft.) by 61 metres (200 ft.) strip of land from the condominium corporation to accommodate a proposed westward expansion of the Shoppers Drug Mart.

The zoning presently in place on the Shoppers Drug Mart site permits a range of commercial uses. The current use draws business from residents in the surrounding neighbourhoods as well as the travelling public. This use has achieved a reasonable level of compatibility with the adjacent multi-family, medium density residential uses over time, and its corner location provides for an appropriate land use transition from residential to commercial to the north.

The site meets the locational criteria under Section 4.3.8.2. given its location at the intersection of an arterial and secondary collector road, the site provides good pedestrian access and connectivity via public sidewalks, and is located on public transit routes as well as a designated bicycle route. The site is large enough to accommodate a small-scale free standing development, plus parking and loading facilities with measures to provide adequate buffering and setbacks from adjacent residential uses.

In accordance with the policies under Section 4.3.8.4, Neighbourhood Commercial Node designations should comprise lands that are in a nodal configuration. The proposed expanded Shoppers Drug Mart site will continue to maintain a nodal configuration at the intersection of Commissioners Road East and Deveron Crescent.

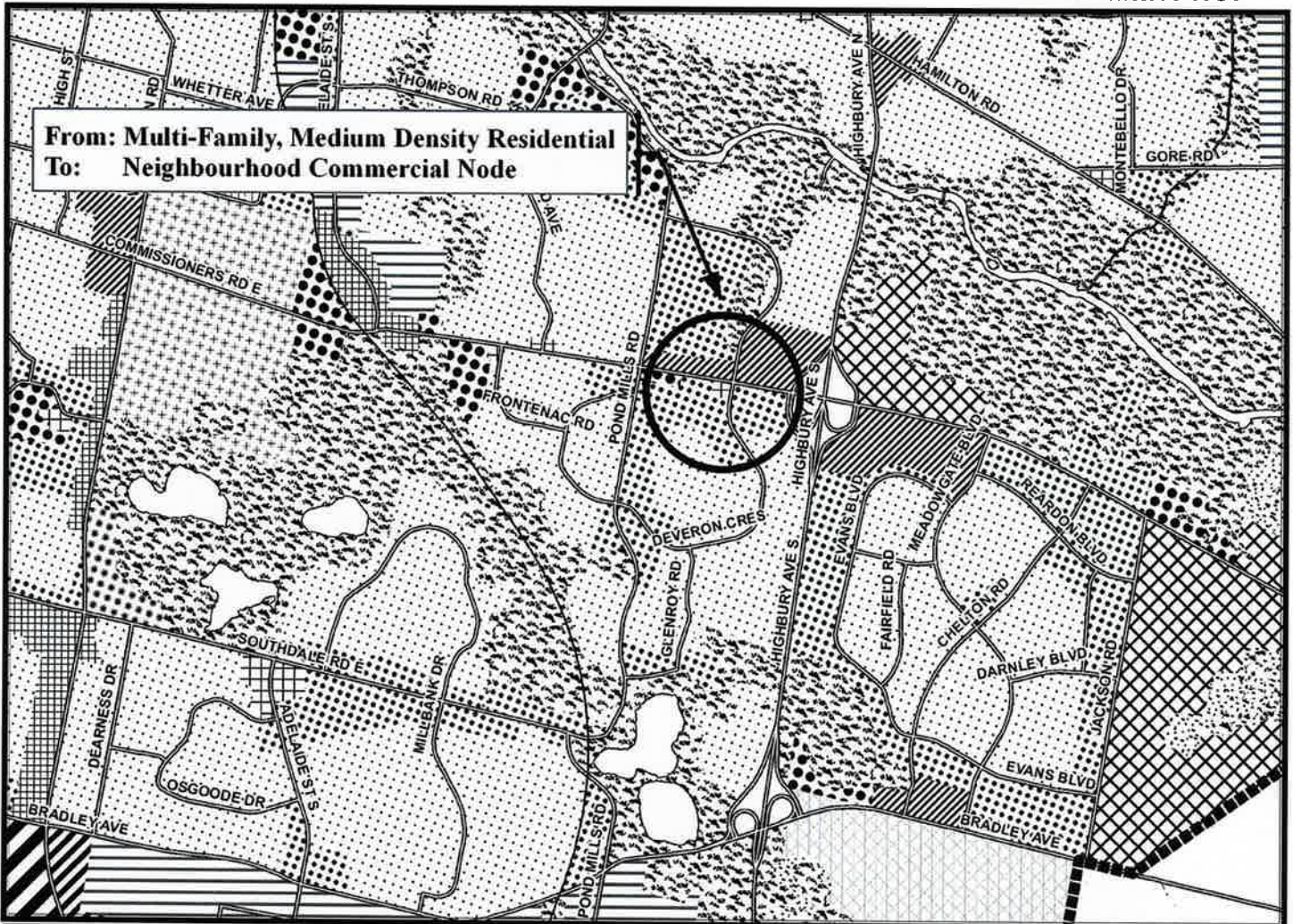
This proposal is considered a minor expansion of an existing commercial development which has existed for over ten years. The proposed expansion does not significantly affect the scale, location, form or function of the existing commercial node. Impacts on neighbouring uses will be minimized by landscaping, buffering and screening measures approved through the site plan process. Based on Council's consideration of the criteria and its application to an already functioning and zoned neighbourhood commercial use, the nature of the proposed expansion, and the effect on surrounding lands, the recommended amendment to the Official Plan is considered to be appropriate.

D. THE AMENDMENT

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

1. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 1155 Commissioners Road East and a portion of lands located at 733-739 Deveron Crescent in the City of London, as indicated on "Schedule 1" attached hereto from Multi-Family, Medium Density Residential to Neighbourhood Commercial Node.

AMENDMENT NO:



Legend

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

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

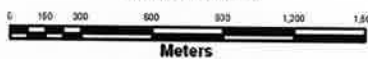
**SCHEDULE 1
TO
OFFICIAL PLAN**

AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



Scale 1:30,000



FILE NUMBER: OZ-7962

PLANNER: LM

TECHNICIAN: MB

DATE: 2011/10/21

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2011

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1155 Commissioners Road East and 733-739 Deveron Crescent.

WHEREAS Devcom Developments Inc. and Middlesex Condominium Corporation No. 156 have applied to rezone an area of land located at 1155 Commissioners Road East and a portion of land located at 733-739 Deveron Crescent, 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:

Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1155 Commissioners Road East and a portion of the lands located at 733-739 Deveron Crescent, as shown on the attached map, from an Associated Shopping Area Commercial Special Provision (ASA1(9)/ASA3(2) Zone, and from a Residential R8 (R8-4) Zone, to an Associated Shopping Area Commercial Special Provision (ASA1()/ASA3()) Zone.

- 1) Section Number 24.4 of the Associated Shopping Area Commercial Zone to By-law No. Z.-1 is amended by adding the following Special Provisions:

) ASA1()

a) Regulations:

- | | | |
|------|--|-----------------|
| i) | Interior Side Yard Depth Abutting a Residential Zone (minimum) | 1.5 m (4.9 ft.) |
| ii) | Rear Yard Depth Abutting a Residential Zone (minimum) | 2.45 m (8 ft.) |
| iii) | Lot Coverage (% maximum) | 36 percent |
| iv) | Parking for Pharmacy Use (minimum) | 59 spaces |

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) ASA3()

a) Regulations:

- | | | |
|------|---|-----------------|
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Residential Zone
(minimum) | 1.5 m (4.9 ft.) |
| ii) | Rear Yard Depth
Abutting a
Residential Zone
(minimum) | 2.45 m (8 ft.) |
| iii) | Lot Coverage
(% maximum) | 36 percent |
| iv) | Parking for
Pharmacy Use
(minimum) | 59 spaces |

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with subsection 34(21) of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

PASSED in Open Council on December 5, 2011.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - December 5, 2011
Second Reading - December 5, 2011
Third Reading - December 5, 2011

