

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning & Environment Committee  
**From:** Scott Mathers, MPA, P.Eng.  
Deputy City Manager, Planning and Economic Development  
**Subject:** East Village Holdings Limited  
376, 378, 380, 382, 386 & 390 Hewitt Street and 748 King  
Street, City File Z-9576, Ward 4  
**Date:** March 27, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following action be taken with respect to the application of East Village Holdings Limited relating to the property located at 376, 378, 380, 382, 386 & 390 Hewitt Street and 748 King Street, the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Residential R8 (R8-4) Zone and a Business District Commercial Special Provision (BDC(2)) Zone **TO** a Residential R8/Temporary (R8-4/T-\_) Zone and Business District Commercial Special Provision/Temporary (BDC(2)/T-\_) Zone **BE REFUSED** for the following reasons:

- i) The requested amendment is not consistent with the policies of the Provincial Policy Statement, 2020;
- ii) The requested amendment is not in conformity with the in-force policies of the Old East Village Dundas Street Corridor Secondary Plan, including but not limited to the King Street Character area policies and General Built Form policies;
- iii) The requested amendment is not in conformity with the in-force policies of The London Plan, including but not limited to the Key Directions; the Urban Corridor Place Type and Rapid Transit Corridor Place Type policies; and the evaluation criteria for Temporary Use By-laws;
- iv) The request does not implement the action items of the Core Area Community Improvement Plan; and,
- v) The requested amendment would hinder/delay the long-term redevelopment of the site to a more intense, transit-supportive land use that is consistent with the policies of the Provincial Policy Statement and in conformity with the policies of the Old East Village Dundas Street Corridor Secondary Plan and The London Plan.

## Executive Summary

### Summary of Request

The owner has requested to add a new Temporary (T-\_) Zone to permit the site to function as a surface parking lot for a temporary period not exceeding three (3) years.

### Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to refuse the request to add a Temporary Zone to permit a surface parking lot for a period not exceeding three (3) years.

### Rationale of Recommended Action

1. The requested amendment is not consistent with the policies of the Provincial Policy Statement, 2020;
2. The requested amendment is not in conformity with the in-force policies of the Old East Village Dundas Street Corridor Secondary Plan, including but not limited to the King Street Character Area policies and General Built Form policies;

3. The requested amendment is not in conformity with the in-force policies of The London Plan, including but not limited to the Key Directions; the Urban Corridor Place Type and Rapid Transit Corridor Place Type policies; and the evaluation criteria for Temporary Use By-laws;
4. The requested amendment does not implement the action items of the Core Area Community Improvement Plan; and,
5. The requested amendment would frustrate the long-term redevelopment of the site to a more intense, transit-supportive use that is consistent with the policies of the Provincial Policy Statement and in conformity with the policies of the Old East Village Dundas Street Corridor Secondary Plan and The London Plan.

## Linkage to the Corporate Strategic Plan

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

## Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. The introduction of a Temporary Zone for a surface parking lot continues to foster the use of automobiles and is a use that conflicts with the long-term planning of the subject lands for development, which promotes mobility alternatives that are transit-supportive and pedestrian-friendly. See more detail in Appendix B.

## Analysis

### 1.0 Background Information

#### 1.1 Previous Reports Related to this Matter

None.

#### 1.2 Property Description

The subject lands are located in the East London Planning District on the northeast corner of Hewitt and King Street. The lands consist of seven properties, six of which front on Hewitt Street and one corner lot fronting on both Hewitt and King Street. The lands are currently developed without City approval as a surface parking lot serving the high-density residential apartment building at 700 King Street. The surrounding area consists of a mix of low- and high-density residential uses, along with some office and commercial uses.



Figure 1: 376-390 Hewitt Street & 748 King Street – north easterly view from intersection of King and Hewitt Streets

### **1.3 Current Planning Information (see more detail in Appendix C)**

- The London Plan Place Type – Rapid Transit Corridor (376-382 Hewitt Street and 748 King Street), Urban Corridor (386 and 390 Hewitt Street)
- Existing Zoning – Residential R8 (R8-4) Zone (376-382 Hewitt Street and 748 King Street), Business District Commercial Special Provision (BDC(2)) Zone (386 and 390 Hewitt Street)

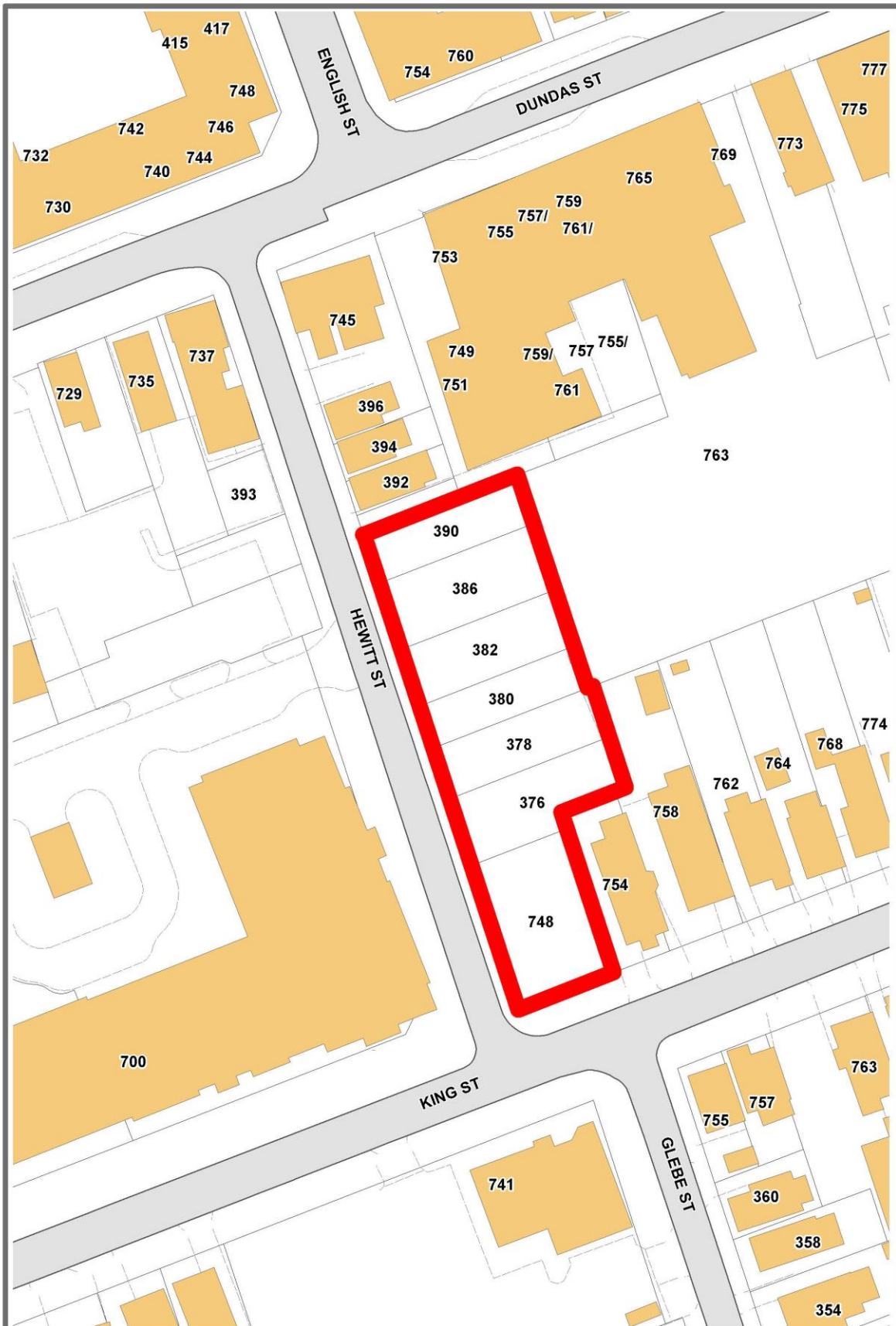
### **1.4 Site Characteristics**

- Current Land Use – Surface parking lot
- Frontage – 12.3m (along King Street), 80.5m (along Hewitt Street)
- Area – 2,325m<sup>2</sup>
- Shape – Irregular

### **1.5 Surrounding Land uses**

- North – Residential
- East – Residential, tavern/public house
- South – Office building, residential
- West – Residential

## 1.6 Location Map



### LOCATION MAP

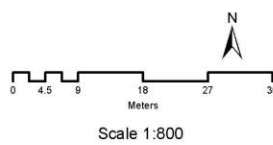
Address: 376-390 Hewitt Street and 748 King Street

File Number: Z-9576

Planner: Catherine Maton and Noe O'Brien

Date: 2023/2/14

Corporation of the City of London  
Prepared By: Planning and Development



### Legend

-  Buildings
-  Assessment Parcels
-  Driveways/Parking Lots
-  Draft Approved Subdivisions

## **2.0 Discussion and Considerations**

### **2.1 Description of Proposal**

The requested amendment is to add a new Temporary Zone on the subject lands to permit the use of a surface parking lot for a period not exceeding three (3) years, the maximum length of time for a Temporary Zone. While the lots have been converted from residential dwellings to the existing parking lot, the use is not permitted and was not legally established on site.

### **2.2 Planning History**

The subject lands were previously developed as low density residential. The former dwellings on the seven individual lots were incrementally demolished between 2009 and 2016 and illegally converted to surface parking to serve the residential apartment buildings at 690, 696, 698, and 700 King Street and 400 Lyle Street.

### **2.3 Requested Amendment**

The requested amendment is to add a Temporary (T\_) Zone to permit the site to function as a surface parking lot for a temporary period of three (3) years. The request also includes the following special provisions to the Temporary Zone:

- Parking Setback: Minimum External Property Line Setback (ROW) of 2 metres,
- Parking Setback: Minimum Internal Property Line Setback of 1.0 metres
- Parking Setback: Minimum Daylight Triangle Property Line Setback of 0.4 metres
- Minimum Drive Aisle Width of 6.0 metres
- Minimum Drive Isle Hammerhead Depth of 1.0 metres
- Landscape Island Width: Minimum Interior Islands of 0.5 metres with concrete
- Landscape Island Width: Minimum Entrance Islands of 2.0 metres with landscaping.

It should be noted that drive aisle widths, hammerhead depths, and landscape island widths are not regulations contained in the Zoning By-law, but rather are technical requirements of the Site Plan Control By-law. However, these special provisions were included as special provisions in the owner's requested amendment and have therefore been included in staff's review for overall appropriateness of the requested zoning and development.

### **2.4 Community Engagement (see more detail in Appendix A)**

No written responses or phone calls were received from the public.

## **3.0 Financial Impact/Considerations**

None.

## **4.0 Key Issues and Considerations**

### **4.1. Issue and Consideration #1: Use**

The use of the subject lands as a surface parking lot has illegally existed since 2009, beginning with the demolition of the former dwelling at 748 King Street and its conversion to unpaved parking. The use then expanded over time as the remaining six dwellings were incrementally demolished and converted to parking. As the dwellings were demolished, the parking lot was expanded and ultimately formalized with paving, painted lines, and a gate system.

*Provincial Policy Statement, 2020*

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. All decisions affecting

land use planning matters shall be “consistent with” the policies of the PPS. The PPS encourages densities and a mix of land uses that make efficient use of the land and infrastructure, as well as land uses that support active transportation and are transit-supportive (PPS 1.1.3.2, 1.7.1, and 1.6.7.4).

Section 1.1.3.2 of the PPS promotes densities and land uses that support efficient use of land and resources, support active transportation, and are transit supportive where transit is planned, exists, or may be developed. The proposed surface parking lot does not support these policies, as its long-term use discourages the potential for future development to a more intense, transit-supportive land use. Furthermore, Section 1.6.7.4 of the PPS encourages land use patterns, densities and a mix of uses that reduces the length and number of vehicle trips and support current and future use of transit and active transportation. The use of the subject property as a surface parking lot encourages vehicle trips and discourages use of alternative modes of transportation, which is inconsistent with the aforementioned PPS policies.

Section 1.7.1 of the PPS encourages long-term prosperity to be supported by maintaining and enhancing the vitality and viability of downtowns and main streets. The use of a surface parking lot on the subject properties would lead to a delay in future development opportunities that would enhance the vitality and viability of the Old East Village and surrounding area, and as such, is inconsistent with this policy.

#### *Old East Village Dundas Street Corridor Secondary Plan*

The subject lands are located in the King Street Character Area of the Old East Village Dundas Street Corridor Secondary Plan [herein referred to as Character Area]. The Character Area applies area-specific policies to the lands of the Old East Village and surrounding area, applying a planning vision which aims to respect and reinvest in the local cultural heritage resources, provide a variety of retail and commercial uses, promote a safe and welcoming environment for pedestrians and cyclists, as well as establishing safe connection to the local transit systems and surface parking lots. The King Street Character Area focuses on the lands between King Street and Dundas Street. Policies of the Character Area, such as 3.3.2 e), address parking lots and recommend landscaping within and along the edges of parking lots.

General policy for the King Street Character Area mentions specifically that “*along King Street, there are a number of large surface parking lots offering excellent opportunities for transit-oriented intensification. The area between Dundas Street and King Street is characterised by deep lots which offer good high-rise development opportunities.*” The subject lands are captured under this category of large surface parking lots and deep lots that offer excellent opportunity for long-term and permanent development.

Policy 3.3.2. c) delves further into this, stating that the King Street Character Area is “planned to accommodate rapid transit service and high-rise development”. While the current zoning permits up to 13 metres in height, a low- to mid-rise development would reflect the policy and sought out development more accurately for the Old East Village Dundas Street Corridor Secondary Plan than a surface parking lot.

#### *The London Plan*

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

The London Plan provides direction to plan strategically for a prosperous city by:

- Planning for and promoting strong and consistent growth and a vibrant business environment that offers a wide range of economic opportunities;
- Revitalizing our urban neighbourhoods and business areas (Key Direction #1, Directions 1 and 4).

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

- Implementing a city structure plan that focuses high-intensity, mixed-use development at strategic locations – along rapid transit corridors and within the Primary Transit Area;
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Sustaining, enhancing, and revitalizing our downtown, main streets, and urban neighbourhoods;
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward; and,
- Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 3, 4 and 5).

The London Plan also provides direction to place a new emphasis on creating attractive mobility choices by:

- Establishing a high-quality rapid transit system in London and strategically use it to create an incentive for development along rapid transit corridors and at transit villages and stations;
- Focusing intense, mixed-use development to centres that will support and be served by rapid transit integrated with walking and cycling;
- Dependent upon context, requiring, promoting, and encouraging transit-oriented development forms (Key Direction #6, Directions 3, 5, and 6).

The London Plan also provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Implementing “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character;
- Integrating affordable forms of housing in all neighbourhoods (Key Direction #7, Directions 3 and 10).

Lastly, The London Plan provides direction to make wise planning decisions by:

- Thinking “big picture” and long-term when making planning decisions – consider the implications of a short-term and/or site-specific planning decision within the context of this broader view (Key Direction #8, Direction 3).

The subject lands are located within the Urban Corridor Place Type (386 and 390 Hewitt Street) and the Rapid Transit Corridor Place Type (376-382 Hewitt Street and 748 King Street), as identified on Map 1 – Place Types. The sites are also in the Old East Village Main Street Specific Segment, as identified on Map 7 – Specific Policy Areas. Both Place Types contemplate a variety of residential, retail, service, office, cultural, recreational and institutional uses (837\_). New surface parking lots are not explicitly permitted in either the Urban Corridor or Rapid Transit Corridor Place Types. Policy 841 of the Place Types directs surface parking specifically to rear and interior side yards, and encourages integrating parking underground and within buildings (841\_12.).

Policy 1672\_ in the Our Tools section of The London Plan also establishes evaluation criteria for Temporary Use By-laws. These criteria are as follows:

*1672\_ In enacting a temporary use by-law, City Council will have regard for the following matters:*

*1. Compatibility of the proposed use with surrounding land uses;*

Land uses surrounding the subject property include residential uses to the east, west, north, and south, a surface parking lot to the northeast, and an office building to the southwest. While in the short-term the use of a new surface parking lot does not conflict with the surrounding uses, legally establishing this use would preclude long-term redevelopment of the site to a more appropriate, transit-supportive land use.

- 2. Any requirement for temporary buildings or structures in association with the proposed use;*

The only structure required to support the use is the parking gate, which is already installed on site. No other temporary buildings or structures in association with the use are proposed.

- 3. Any requirement for temporary connection to municipal services and utilities.*

No temporary connection to municipal services or utilities would be required for the proposed use.

- 4. The potential impact of the proposed use on mobility facilities and traffic in the immediate area;*

There are no impacts anticipated on transportation facilities or traffic in the immediate area from the request to formalize existing parking through a Temporary Zone. However, the use of the subject lands as a parking lot encourages vehicle usage rather than alternative modes of transportation such as the future Bus Rapid Transit system and active transportation.

- 5. Access requirements for the proposed use;*

The subject property currently has one access point from along Hewitt Street, which has been curbed for vehicle access.

- 6. Parking required for the proposed use, and the ability to provide adequate parking on-site.*

As the proposed use is a parking lot, no parking is required to support the use. Rather, the proposed parking lot is accessory to and supports the existing apartment buildings across the street at 700 King Street.

- 7. The potential for long-term use of the temporary zone.*

The site has unofficially operated as a surface parking lot since 2009. Formalizing the use through a Temporary Zone would allow the use to continue and potentially perpetuate the use for the long-term through future extensions of the Temporary Zone. It is preferable that the site be redeveloped with a more intense, transit-supportive use as intended by the existing zoning and policies that apply to the site.

- 8. In the case of temporary commercial surface parking lots in the Downtown, the impact on the pedestrian environment in the Downtown.*

While not applicable, the lot is not located in the Downtown. Notwithstanding, formalizing the use through the introduction of a Temporary Zone would discourage long-term redevelopment of the site with a transit-supportive, pedestrian-friendly development. Staff have concerns that the requested amendment (including the requested special provisions) and proposed site concept plan, have little regard for the pedestrian environment. Little effort has been made to provide for landscaping and buffering along the street line.

- 9. The degree to which the temporary use may be frustrating the viability of the intended long-term use of the lands*

The subject lands were previously used for residential dwellings, and the current zoning would permit mixed-use development at 386 and 390 Hewitt Street and medium density residential uses, such as apartment buildings or stacked townhouses up to 13 metres in height, at 376-382 Hewitt Street and 748 King Street. These intended uses align with other policy direction for the site and the area and would implement the long-term intent of these policies.

As the current parking lot has existed illegally since 2009, legalizing the use through



the requested Temporary Zone could perpetuate the use through future Temporary Zone extensions, which would discourage redevelopment of these lands to a more compatible land use that implements the long-term vision for the area.

### *Core Area Community Improvement Plan*

The Core Area Community Improvement Plan (CIP) covers the area bound by the Thames River to the west, to Egerton Street to the east, from approximately York Street to the south and Queens Avenue to the north, although some sections along the west end of the area (notably along Richmond Street) span up to Oxford Street to the north. The Core Area CIP sets general planning goals for the community, such as improvement to accessibility to the area by active and public transportation, creating accessible, interesting and clean streetscapes, and increasing residential population.

While most of the direction in the CIP implementation section has broad applicability and does not apply to the application, Action Item 10 aims to “*Discourage the perpetual extension of temporary surface parking lots*”. While the requested amendment is not an extension of a Temporary Zone for a legally established surface parking lot, it would have the effect of perpetuating the use by legally establishing it on site. Should Council approve this initial request for the Temporary Zone, the owner would then have the ability to apply for future extensions to the Temporary Zone upon expiration.

### *Zoning By-law Z.-1*

The subject lands are currently split zoned a Residential R8 (R8-4) Zone (748 King Street and 376-382 Hewitt Street) and a Business District Commercial Special Provision (BDC(2)) Zone (386 and 390 Hewitt Street). The R8-4 Zone does not permit commercial parking structures and/or lots, whereas the BDC(2) Zone does. However, the proposed parking lot is not interpreted to be a surface commercial parking lot as the users of the lot are restricted to residents of the apartment buildings at 690, 696, 698, and 700 King Street and 400 Lyle Street. The parking lot is not available for commercial use by the general public. Further, while the BDC(2) Zone prohibits accessory parking lots on Dundas Street between Adelaide Street and Rectory Street, the subject lands are not within the specified location therefore the prohibition does not apply. As such, a portion of the subject lands, being 386 and 390 Hewitt Street, could be used as a surface commercial parking lot subject to Site Plan Approval, provided the plan meets the minimum standards of the Zoning By-law and Site Plan Control By-law.

As previously mentioned, the subject lands are currently used as a parking lot serving the existing apartment buildings at 690, 696, 698, and 700 King Street and 400 Lyle Street. The existing development on these lands (Phases 1 and 2) consist of the following:

- A 24-storey, 325-unit apartment building (northwest corner of King Street and Hewitt Street);
- A 21 storey, 292-unit apartment building (mid-block along King Street);
- A 21 storey, 299 unit apartment building (northeast corner of King Street and Lyle Street).

Phase 3 includes 24-storey 243-unit apartment building at 725, 729, 735, and 737 Dundas Street and 389, 391, and 393 Hewitt Street, and was approved by the Ontario Land Tribunal in June 2022. The approved zoning for all three phases includes a Bonus (B-32) Zone, which requires a minimum of 900 spaces for a total of 1,159 units on site (approximately 0.77 spaces per unit). The approved Site Plan for Phases 1 and 2 includes 73 surface spaces and 493 underground spaces (566 total).

In August 2022, the City approved an amendment to Zoning By-law Z.-1 to reduce parking requirements through a City-wide comprehensive Parking Standards Review. As a result, the minimum parking requirement for apartment buildings is now at a rate of 0.5 spaces per unit, less than the minimum parking rate approved for Phases 1, 2, and 3. Under these new parking standards, a total of 458 spaces would be required for the 916 units approved in Phases 1 and 2, and 580 spaces would be required for the 1,159 units approved in all three phases. As such, it is difficult to justify the use of the subject

lands as an accessory parking lot serving the three existing buildings approved in Phases 1 and 2 when the current parking standards would require substantially fewer spaces.

## 4.2 Issue and Consideration #2: Form

The site concept plan as proposed for the temporary surface parking lot has a number of issues and does not meet the minimum standards of the Zoning By-law and Site Plan Control By-law.

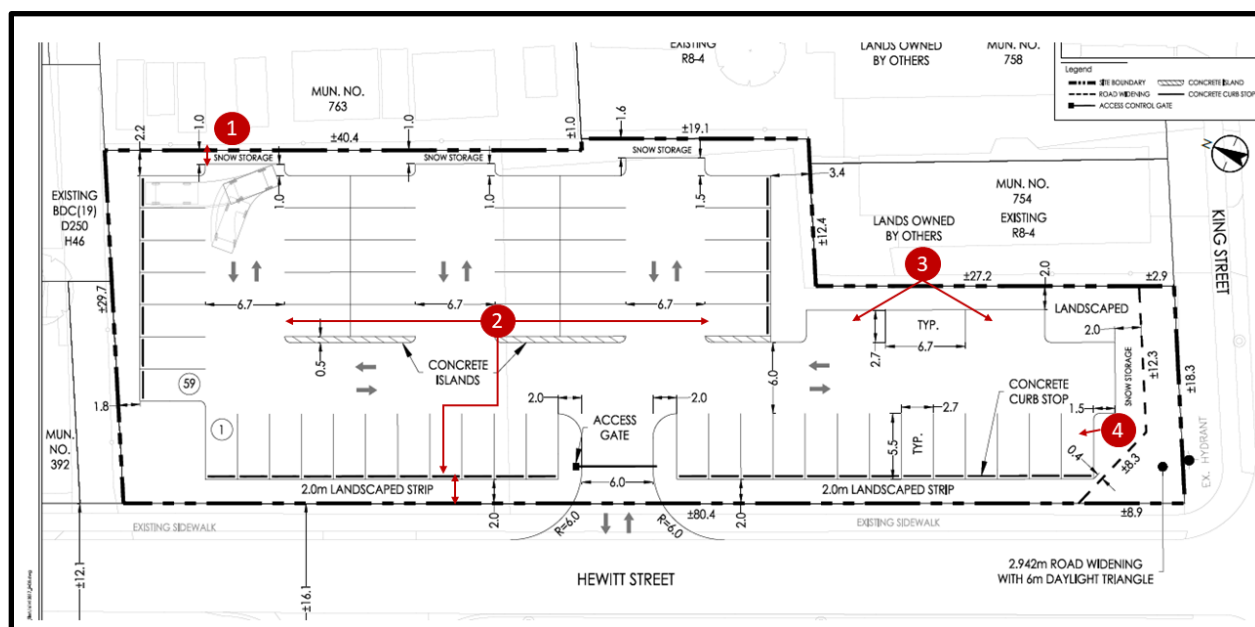


Figure 2: Site Concept Plan for proposed temporary surface parking lot on subject lands, with denoted issues.

Figure 2 depicts the site concept plan, as proposed by the applicant, with numbered identifiers added by City staff denoting the Zoning and Site Plan Control By-law deficiencies affecting site functionality. Numbers 1 through 4 on Figure 2 correspond with the numbered descriptions and recommendations below:

1. The proposed setback from the parking area to the eastern property line is 1 metre, whereas a minimum of 1.5 metres is the minimum required to provide landscaping and buffering between parking and adjacent properties. Larger setbacks are often encouraged between property lines to ensure sufficient space is provided for appropriate buffering. As well, the hammerheads are limited in size which could affect the ability for larger vehicles to safely manoeuvre and reverse out of spaces.
2. Removal of these spaces would allow the north-south drive aisle to satisfy the minimum standard of 6.7 metres, and for the westerly setback of the parking area to the lot line abutting Hewitt Street to be increased from the proposed 2 metres to 3 metres. This is the minimum required setback from a parking area to a street line.
3. These parallel spaces were recommended to be removed to satisfy the minimum 6.7 metre drive aisle requirement and the westerly 3 metre setback requirement from a parking area to a street line. The parallel spaces, as proposed, also lack functionality.
4. This parking space was recommended to be removed to satisfy the required 3 metre setback from the daylight triangle/street line.

In addition to the above issues, other overarching issues with the site concept plan and built form remain, notably with respect to greenery and landscaping. The majority of landscaping is proposed along the westerly edge of the site – there is no landscaping in the interior of the parking lot, as required in section 1.6.1 of the Site Plan Control By-law. The plan does not include planted parking islands, nor does it provide for tree

planting along streets or interior property lines.

The proposed site design and lack of landscaping does not conform to the City Building policies in The London Plan. Policy 249\_ states that neighbourhoods are to be designed with a high-quality public realm in mind. In its current form, the parking lot does not offer much for the public realm due to the lack of street focus or sitting areas, as well as the lack of landscaping and screening onsite. In addition, Policy 270\_ requires the location, configuration, and size of parking areas to be designed to support the planned vision of the place type and enhance the experience of pedestrians, transit-users, cyclists, and drivers. The impact of parking facilities on the public realm will be minimized by strategically locating and screening these parking areas, with surface parking located in the interior side and rear yards (272\_). Lastly, surface parking lots are to be designed to include a sustainable tree growth, and are to be screened by low walls and landscape treatments when located in highly visible areas (277\_ and 278\_).

Lastly, the Old East Village Dundas Street Corridor Secondary Plan also requires landscaping on the edges of and within parking lots, per policy 3.3.2. e).

## **Conclusion**

The requested amendment is not consistent with the Provincial Policy Statement, 2020 and does not conform to the in-force policies of the Old East Village Dundas Street Corridor Secondary Plan, including but not limited to the King Street Character Area policies and the General Built Form policies. The requested amendment is not in conformity with the in-force policies of The London Plan, including but not limited to the Key Directions; the Urban Corridor Place Type and Rapid Transit Corridor Place Type policies; and the evaluation criteria for Temporary Use By-laws, and does not implement the action items of the Core Area Community Improvement Plan. Lastly, the requested amendment would hinder/delay the long-term redevelopment of the site to a more intense, transit-supportive use that is consistent with the policies of the Provincial Policy Statement and in conformity with the policies of the Old East Village Dundas Street Corridor Secondary Plan and The London Plan.

**Prepared by:** Catherine Maton, MCIP, RPP  
Senior Planner, Planning Implementation

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

**Recommended by:** Heather McNeely, MCIP, RPP  
Director, Planning and Development

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

Copy:

Britt O'Hagan, Manager, Current Development  
Michael Pease, Manager, Site Plans  
Ismail Abushehada, Manager, Development Engineering

## Appendix A – Public Engagement

### Community Engagement

**Public liaison:** On January 4, 2023, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 5, 2023. A “Planning Application” sign was also posted on the site.

No replies were received.

On March 1, 2023, Notice of Application and Notice of Public Meeting was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 2, 2023. The purpose of the second Notice of Application was to correct an omission of the requested special provisions in the initial Notice of Application published in *The Londoner* on January 5, 2023. No revisions to the application were made. A Notice of Public Meeting was published in *The Londoner* on March 9, 2023. **Nature of Liaison:** The purpose and effect of this zoning change is to permit a temporary surface residential parking lot on the subject property for a period not exceeding three (3) years. Possible change to Zoning By-law Z.-1 **FROM** a Residential and Business District Commercial (R8-4 and BDC(2)) Zones which permit medium density residential development in the form of low rise apartment buildings (for the R8-4 Zone) and a mix of retail, residential, and office uses (for the BDC(2) Zone), **TO** a Residential (R8-4/T-\_) and BDC(2)/T-\_) Zone to additionally permit a surface residential parking lot for a period not exceeding three (3) years. File: Z-9576 Planner: C. Maton

The purpose and effect of this amendment is to permit a surface parking lot for a period not exceeding three (3) years. Possible change to Zoning By-law Z.-1 **FROM** a Residential R8 (R8-4) Zone, which permits medium density residential development in the form of low rise apartment buildings, and a Business District Commercial Special Provision (BDC(2)) Zone, which permits a mix of retail, residential, and office uses, **TO** a Residential R8/Temporary (R8-4/T-\_) Zone and Business District Commercial Special Provision/Temporary (BDC(2)/T-\_) Zone. The proposed Temporary Zone would permit a surface residential parking lot for a period not exceeding three (3) years. Special provisions to the Temporary Zone would permit: a minimum parking setback to external property lines (ROW) of 2 metres; a minimum parking setback to internal property lines of 1.0 metres; a minimum parking setback to the daylight triangle of 0.4 metres; a minimum drive aisle width of 6.0 metres; a minimum drive aisle hammerhead depth of 1.0 metres; a minimum interior landscape island width of 0.5 metres with concrete; and a minimum entrance landscape island with of 2.0 metres with landscaping. The existing range of permitted uses and the existing special provisions would continue to apply to the site. File: Z-9576 Planner: C. Maton

**Responses:** No written responses and no phone calls were received from members of the public.

### Agency/Departmental Comments

#### Landscape Architecture – January 4, 2023

- No comments.

#### Urban Design – January 10, 2023

- Urban design staff are not supportive of a temporary surface parking lot in this location. The site is located within the Old East Village Core and King Street character areas within the Old East Village Dundas Street Corridor Secondary Plan [OEVDSCSP] as well as the Rapid Transit Corridor and Urban Corridor Place Types in The London Plan [TLP]. Temporary parking lots are not contemplated uses within TLP or the OEVDSCSP. Creating a new surface parking lot will contribute to a car-dominated streetscape in an area that is highly walkable, is close to transit and cycling infrastructure and is located near a future BRT route. As the proposed parking lot is intended for use by

the residents of the adjacent high-rise apartment buildings, the existing parking facilities within those buildings should be sufficient. There are also several municipal parking lots located within walking distance of the site. In addition, the design of the parking lot is in contravention with nearly every design provision within the Site Plan Control By-law as per Table 2 in the applicant's Planning & Design Report, which further indicates this use is not suitable for this site. Urban design staff encourage the applicant to consider a more intense form of residential or mixed-use development for these lands that is more consistent with the policies in The London Plan / OEVDSCSP.

- If the applicant can justify the requested zoning change, the following should be resolved in terms of site design:
  - The size of the landscaped areas should be wide enough to accommodate a tree canopy at 20 years of anticipated tree growth [TLP Policy 277];
  - As this parking area is located in a highly visible location, it should be screened from view with low walls and landscape treatments along the public ROWs [TLP Policy 278];
  - Ensure the lighting of the parking lot does not negatively affect the private amenity space of the adjacent properties [TLP Policy 279]
  - Consider using a more porous and environmentally-friendly paving material other than asphalt as well as providing electric-vehicle charging stations.

#### London Hydro – January 18, 2023

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

#### Parks Long Range Planning & Design – January 20, 2023

- Parkland dedication not required for temporary use. Parkland dedication will be required in the future at the time when the permanent conforming use is developed.

#### UTRCA – January 23, 2023

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies within the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006), Section 28 of the *Conservation Authorities Act*, the *Planning Act*, the Provincial Policy Statement (2020), and the Upper Thames River Source Protection Area Assessment Report.

#### **CONSERVATION AUTHORITIES ACT**

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

#### **DRINKING WATER SOURCE PROTECTION: Clean Water Act**

For policies, mapping and further information pertaining to drinking water source protection please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

#### **RECOMMENDATION**

The UTRCA has **no objections** or requirements for this application. Thank you for the opportunity to comment. If you have any questions, please contact the undersigned.

#### Engineering – January 25, 2023

- No concerns with the re-zoning to allow the continued use of the temporary parking lot. We do encourage the Applicant to complete the following:
  - In order to address water quality, SWED would suggest the applicant consider incorporating LIDs in the form of rain gardens within the proposed landscaping.

### Site Plan – February 1, 2023

- Comments from the Site Plan Consultation still apply and have not been addressed.
- Minimum parking area setbacks are 1.5m from interior property lines and 3.0m to street lines.
- Locate the parking area a minimum of 1.5 metres from interior property lines and 3.0m from exterior property lines to allow space for landscaping.
- Ensure all drive aisles are a minimum of 6.5m wide.
- Label snow storage on the site plan.
- Demonstrate that the hammerheads at the end of the parking aisles are large enough for vehicles to reverse out of the northern-most spaces.

## Appendix B – Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. The following are characteristics of the proposed application related to the City's climate action objectives:

### Infill and Intensification

Located within the Built Area Boundary: Yes  
Located within the Primary Transit Area: Yes  
Net density change: N/A  
Net change in affordable housing units: N/A

### Complete Communities

New use added to the local community: Yes, surface parking lot  
Proximity to the nearest public open space: 500 metres (Lorne Avenue Park)  
Proximity to the nearest commercial area/use: 110 metres (immediately adjacent)  
Proximity to the nearest food store: 230 metres  
Proximity to nearest primary school: 350 metres (St Mary Catholic Choir School)  
Proximity to nearest community/recreation amenity: 300 metres (London Curling Club); 1.4 km (Boyle Memorial Community Centre); 2 km (Carling Heights Optimist Community Centre)  
Net change in functional on-site outdoor amenity areas: N/A

### Reduce Auto-Dependence

Proximity to the nearest London Transit stop: 81 metres  
Completes gaps in the public sidewalk network: No  
Connection from the site to a public sidewalk: No  
Connection from the site to a multi-use pathway: N/A  
Site layout contributes to a walkable environment: No  
Proximity to nearest dedicated cycling infrastructure: 81 metres  
Secured bike parking spaces: None  
Secured bike parking ratio: N/A  
New electric vehicles charging stations: None  
Vehicle parking ratio: N/A

### Environmental Impacts

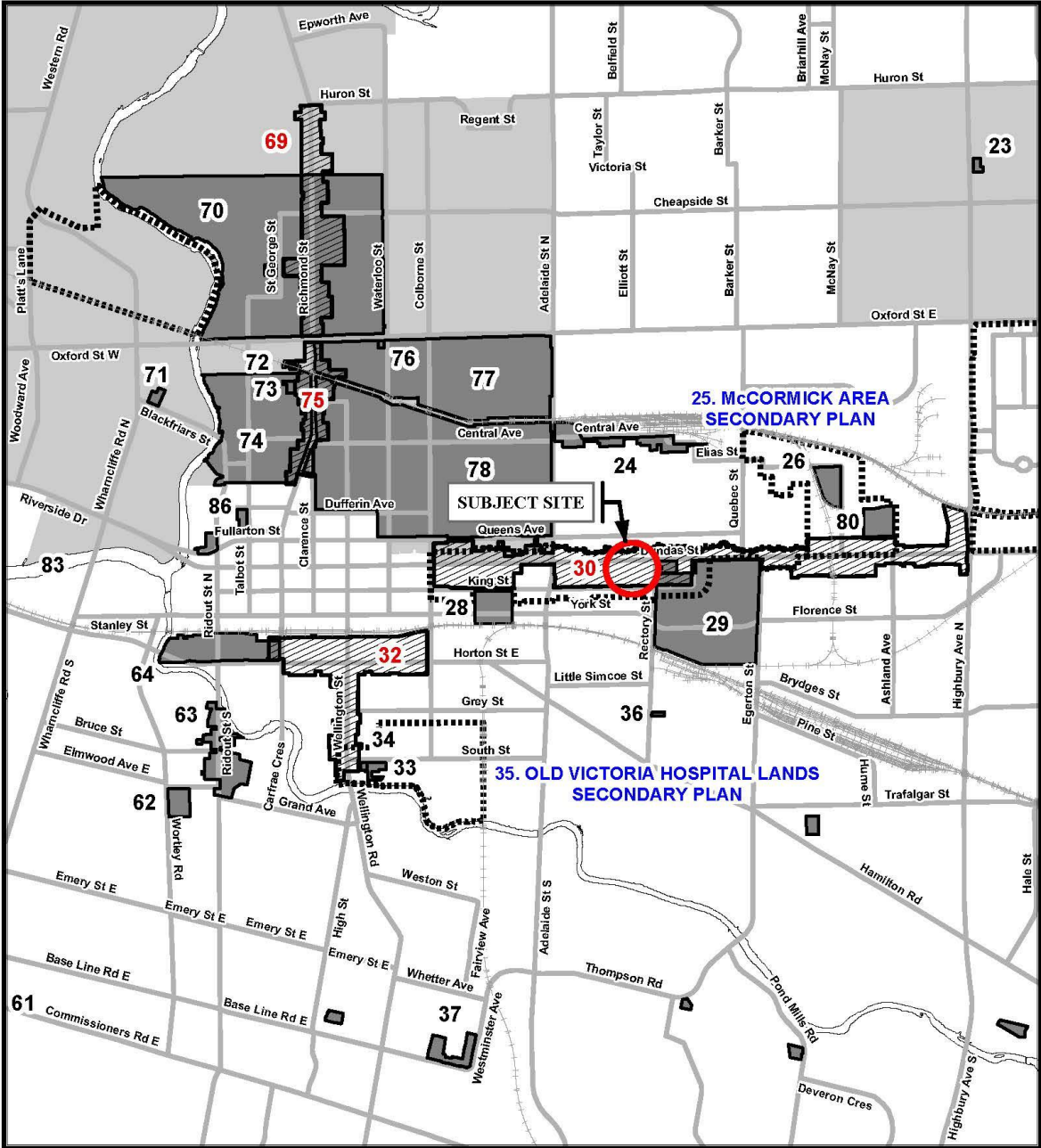
Net change in permeable surfaces: N/A  
Net change in the number of trees: N/A  
Tree Protection Area: No  
Landscape Plan considers and includes native and pollinator species: N/A  
Loss of natural heritage features: No  
Species at Risk Habitat loss: No  
Minimum Environmental Management Guideline buffer met (Table 5-2 EMG, 2021): N/A

### Construction

Existing structures on site: No  
Existing structures repurposed/adaptively reused: N/A  
Green building features: No  
District energy system connection: N/A











**LEGEND**

-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

**BASE MAP FEATURES**

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

*This is an excerpt from Planning & Development's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.*

**CITY OF LONDON**  
Official Plan

**LONDON PLAN MAP 7**  
- SPECIFIC POLICY AREAS -

PREPARED BY: Planning & Development



Scale 1:30,000

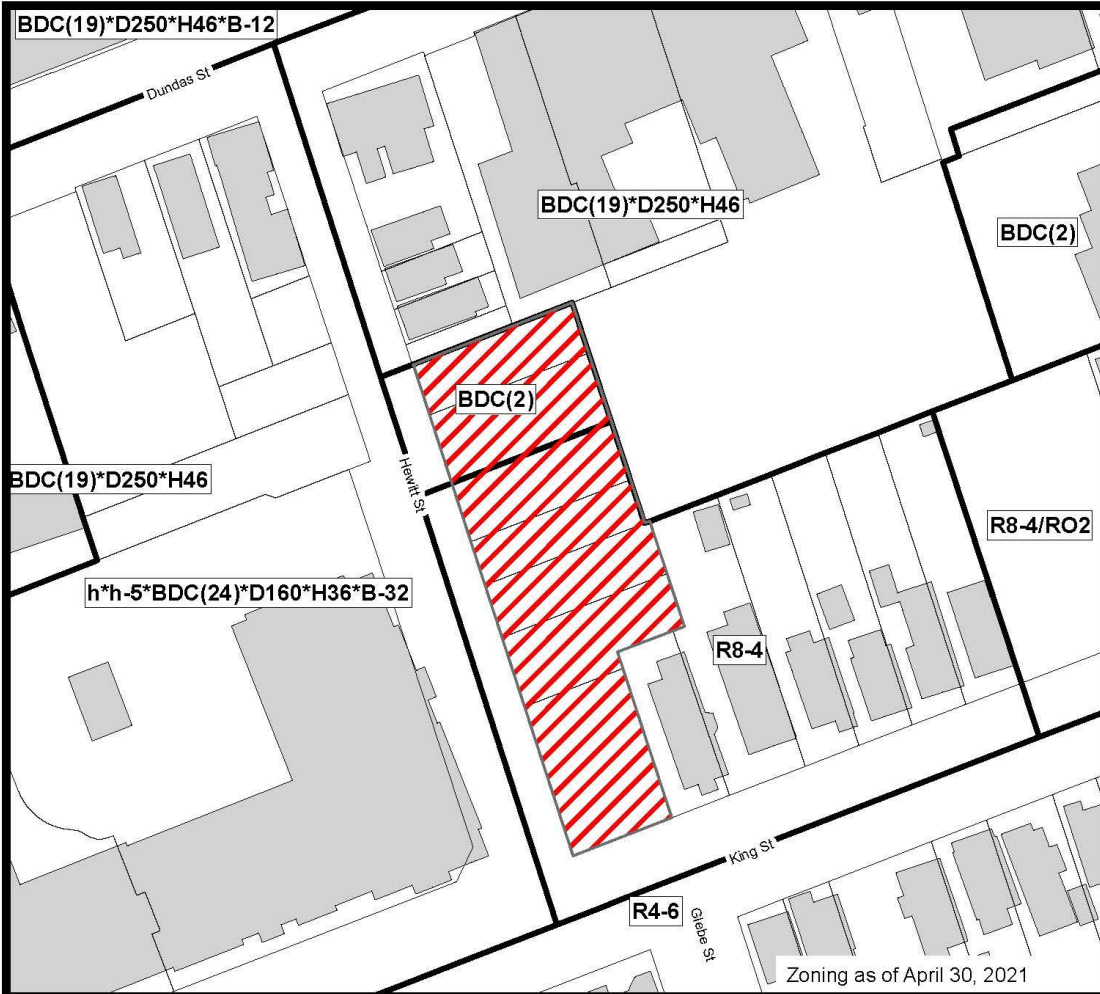


FILE NUMBER: Z-9576

PLANNER: CM/NO

TECHNICIAN: JI

DATE: 2/14/2023



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: BDC(2), R8-4**

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

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9576

CM/NO

MAP PREPARED:

2023/2/14

JJ

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Meters