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Appendix 4

Existing Official Plan Policies

4. **COMMERCIAL LAND USE DESIGNATIONS**

INTRODUCTION

The Commercial land use designations provide the primary location of land uses that involve the buying and selling of goods and services. To provide for the orderly development and distribution of commercial uses consistent with the objectives of this Plan, six main types of Commercial land use designations have been identified on Schedule "A" - the Land Use Map. The "Downtown", "Shopping Areas", "Commercial Districts", "Associated Shopping Area Commercial", and "Service Commercial" designations are applied to multi-use commercial areas according to their functional characteristics. The Shopping Area, Commercial District, and Service Commercial designations are also broken down into sub-categories. The "Commercial Policy Area" designation allows for the creation of area-specific commercial policies to describe, and plan for, the future land use of unique commercial areas not contemplated by the first five Commercial land use designations.

4.1. **OBJECTIVES FOR COMMERCIAL LAND USE DESIGNATIONS**

It is intended that the development and use of areas designated Downtown, Shopping Area, Commercial District, Associated Shopping Area Commercial, and Service Commercial be directed towards the following objectives:

4.1.1. **GENERAL OBJECTIVES FOR ALL COMMERCIAL DESIGNATIONS**

- i) Promote the orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers.
- ii) Minimize the impact of commercial development on adjacent land uses and on the traffic-carrying capacity of adjacent roads.
- iii) Promote an aesthetically pleasing form of commercial development.
- iv) Provide sufficient land at appropriate locations to meet the need for commercial development.
- v) Maintain, as far as possible, the architectural and historical amenity of designated buildings in the Downtown Area and Commercial Districts.

4.1.2. **DOWNTOWN OBJECTIVES**

- i) Promote the continued development of the Downtown as the primary business, administrative, institutional, entertainment and cultural centre for the City of London and as a regional centre for southwestern Ontario.

(Clause I) amended by OPA No. 95 - OMB Order No. 1596 - approved 98/06/25)

- ii) Concentrate the development of major office buildings, hotels, convention facilities, entertainment and cultural uses, major indoor sports facilities and government buildings, having City-wide or regional significance, within the Downtown.
(Clause ii) deleted and replaced by OPA No. 95 - OMB Order No. 1596 - approved 98/06/25)
- iii) Encourage growth in the resident population of the Downtown and adjacent areas through new development and the renovation and conversion of existing buildings.
- iv) Encourage the consolidation and enhancement of a compact, pedestrian-oriented shopping area within the Downtown.
- v) Facilitate vehicular and pedestrian movement into and within the Downtown through improvements to the network of roads, parking areas and pedestrian facilities.
- vi) Support the development of services and facilities in the Downtown that will attract and support tourism.
- vii) Encourage the provision of a high level of transit services in the Downtown.

4.1.3. SHOPPING AREA OBJECTIVES

- i) Encourage the grouping of retail and service uses into Shopping Areas that are suited to multi-purpose shopping trips.
- ii) Promote the development of Shopping Areas in a nodal rather than strip configuration so that their impact on traffic and adjacent land uses is minimized.
- iii) Support the distribution of retail and service uses to meet the shopping needs of residents according to a hierarchy of Shopping Areas based on size, function and form criteria.

4.1.4. COMMERCIAL DISTRICT OBJECTIVES

- i) Encourage the rehabilitation and renewal of Commercial Districts and the enhancement of any distinctive functional or visual characteristics.
- ii) Provide for the development of vacant, under-utilized or dilapidated properties within Commercial Districts for one or more of a broad range of permitted uses at a scale which is compatible with adjacent development.

4.1.5. SERVICE COMMERCIAL OBJECTIVES

- i) Promote the grouping of service commercial uses into integrated

forms of development that have common access points and parking facilities.

- ii) Encourage the infilling and consolidation of permitted uses within the existing limits of commercial strip development.
- iii) Develop functional categories of Service Commercial land use based on function, form and location criteria.

4.1.6.

COMMERCIAL POLICY AREA OBJECTIVES

- i) Allow for the creation of area-specific commercial policies to describe, and plan for, the future land use of unique commercial areas.

4.2.

DOWNTOWN

The Downtown is the primary multi-functional activity centre serving the City of London and the surrounding area, comprising much of southwestern Ontario. It contains regionally significant office, retail, service, government and cultural facilities and is distinguished from other commercial areas in the City by its concentration of employment and its intensive, multi-functional land use pattern. It is intended that the Downtown will continue to be the major office employment centre and commercial district in the City, and that its function as a medium and high density residential environment will be strengthened. Support will also be given to the continued development of the Downtown as a regional meeting place and as the primary location for hotel, convention, entertainment and other service facilities that will promote local tourism.

Limitations on the scale of development will be less restrictive in the Downtown and policies will allow for flexibility in the application of these limitations.

The Downtown Area contains many of the City's original buildings and some of the most architecturally important buildings in the City. Support is given to establishing priorities for preservation and retention of buildings in the Downtown through the provisions of Chapter 13 and provisions for heritage zoning in the Plan. The policies on preservation are balanced against policies which promote growth and development in the Downtown. The successful blending of these two approaches to the Downtown is dependent on the ability of the City to encourage property owners to incorporate architecturally and historically important buildings and features into new development projects, and upon the cooperation of property owners in designating buildings under the Ontario Heritage Act.

4.2.1.

Downtown Area Boundaries

The delineation of the Downtown shall be conducive to its development as a compact, densely built-up area.

Basis

- i) The boundaries of the Downtown as shown on Schedule "A" - the

Land Use Map, and Figure 4-1 are based on:

- (a) natural and man-made features which define the Downtown;
- (b) the existing land use pattern;
- (c) pedestrian movement;
- (d) the necessity of providing an adequate supply of land to accommodate, with a reasonable element of choice, the types of development intended for the Downtown; and
- (e) the potential benefits to the function and appearance of the Downtown that the redevelopment of a particular area may have.

**Expansion
Criteria**

ii) The Downtown Area shown on Schedule "A" and Figure 4-1 should be sufficient to accommodate considerable growth though redevelopment. Nevertheless, it is recognized that over the life of this Plan there may be proposals to expand the Downtown Area boundaries. The evaluation of any proposal to expand the boundaries of the Downtown shall have regard for:

- (a) the availability of suitable lands within the existing boundaries of the Downtown to accommodate the types of uses proposed;
- (b) the suitability of the proposed expansion area to accommodate a dense, pedestrian-oriented scale of development;
- (c) the pedestrian accessibility of the proposed expansion area from the central area of the Downtown;
- (d) adverse impacts related to traffic, parking, loss of privacy, noise, shadowing or other matters, that development may have on adjacent land uses outside of the Downtown; and
- (e) Planning Impact Analysis according to the provisions of Section 4.8.

**4.2.2.
Downtown
Shopping Area**

Council shall encourage the retention and enhancement of a regionally significant Downtown Shopping Area in which the predominant uses at street level shall be retail and service facilities that comprise a pedestrian-oriented shopping environment.

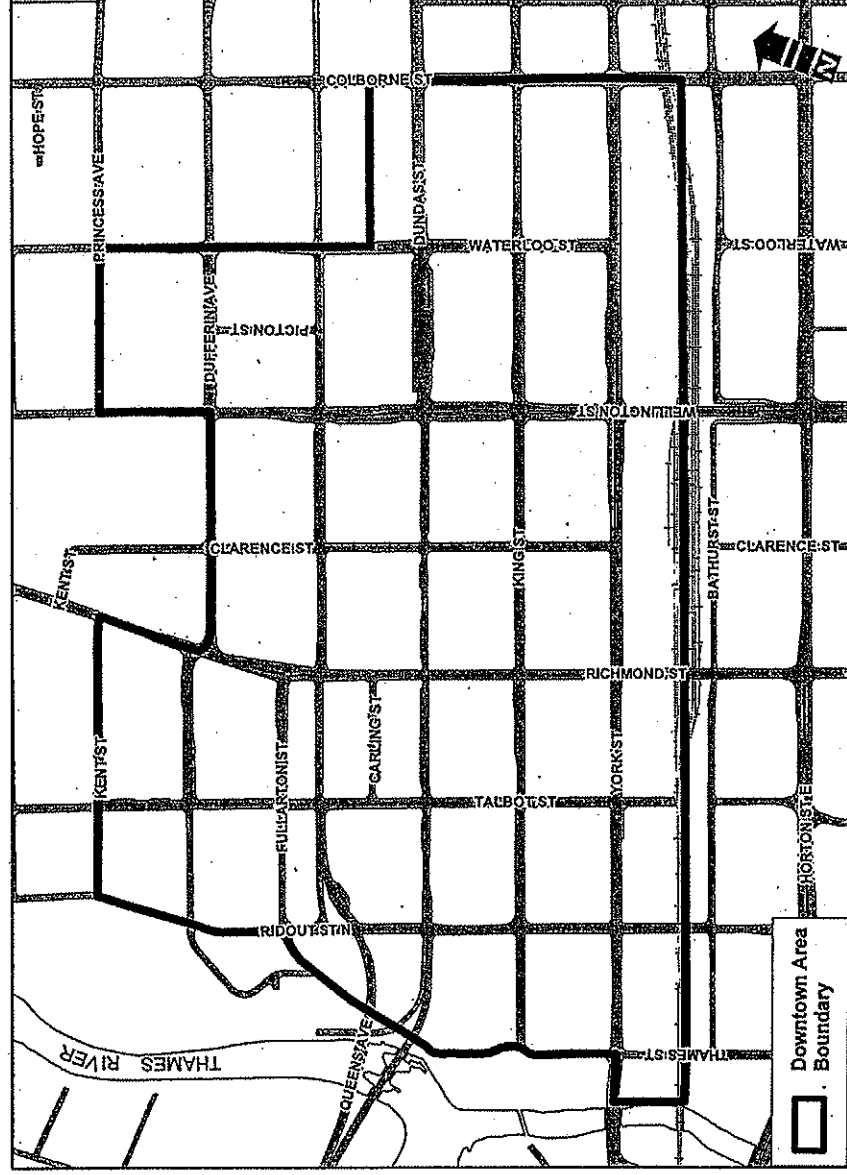
Location

- i) The Downtown Shopping Area includes the eight block area bounded by Ridout, York, Wellington and Dundas Streets; properties fronting on the north side of Dundas Street from Talbot Street to a point mid-block between Wellington and Waterloo Streets; and a northerly extension comprised of properties fronting onto Richmond

Street and extending to Dufferin Avenue. The boundaries of the Downtown Shopping Area are approximate and shall be subject to flexibility in their application provided that the intent of the Downtown Shopping Area concept is maintained.

FIGURE 4-1

DOWNTOWN AREA BOUNDARIES



4.2.3. Major Facilities

Major office uses, hotels, convention halls, government buildings entertainment uses and cultural facilities which have a city-wide or larger service area will be encouraged to locate in the Downtown.

4.2.4. Permitted Uses

Council shall support the continued development of the Downtown as a multi-functional regional centre containing a broad range of retail; service; office; institutional; entertainment; cultural; high density residential; transportation; recreational; and open space uses.
(Subsection 4.2.4 amended by OPA No. 95 - OMB Order No. 1596 - approved 98/06/25)

Retail Uses

- i) Developments that are predominantly retail shall be encouraged to locate within the Downtown Shopping Area so that a compact

pedestrian-oriented shopping environment is maintained.

Service Uses ii) Service uses such as hotels; restaurants; personal service establishments; financial institutions; commercial recreation uses; theatres; and travel agencies may locate throughout the Downtown. Development of these uses within the Downtown Shopping Area shall contribute to the appearance and continuity of the shopping environment. The preferred location for large hotel developments shall be near the existing concentration of hotel space east of Wellington Street, to facilitate interaction among these uses and the provision of convention and parking facilities.

Office Uses iii) Office uses and government facilities may locate anywhere within the Downtown. Office development within the Downtown Shopping Area shall provide for retail or service uses at street level.

Residential Uses iv) The development of a variety of high and medium density housing types in the Downtown will be supported. Residential units may be created through new development or through the conversion of vacant or under-utilized space in existing buildings. Residential development within the Downtown Shopping Area shall provide for retail or service commercial uses at street level.

Open Space v) The retention of existing accessible open space areas, both publicly and privately owned, and the creation of new areas of this type, shall be encouraged. Support will be given to the provision of street level, publicly-accessible open space areas in major development projects within the Downtown.

Entertainment Uses vi) Theatres, cinemas, art galleries and places of entertainment will be directed to the Downtown Area to promote the Core as the City's primary entertainment destination place. A limited amount and range of these entertainment uses will also be permitted outside of the Downtown in the Regional Shopping Area designation, as specified in Policy 4.3.2.(i); and at the Western Fairgrounds, as specified in Policy 6.2.2.(ii) of this Plan. Small scale cinemas may also be permitted up to a maximum size of 1,000 m² (10,765 sq.ft.) within the Community Shopping Area, Associated Shopping Area Commercial and Business District Commercial designations only where zoning existed that permitted cinemas prior to the adoption of this policy. The Zoning By-law will specify where these small scale cinemas are permitted.

Theatres, cinemas, art galleries and places of entertainment may be considered for other locations outside of the Downtown, subject to an Official Plan amendment under Chapter 10 of this Plan. Recognizing that such amendments will only be permitted where the proposed use cannot be practically accommodated in the Downtown, applicants will be required to demonstrate that the proposal will satisfy all of the following criteria:

- (a) The proposed use has site or location requirements which cannot be met by lands in the Downtown Area. When implementing this criterion, preferences will not be considered as requirements.
- (b) The location of the proposed use outside of the Downtown will not have a negative impact on the ability of the Downtown Area to serve as the City's primary entertainment destination place.
- (c) The proposed use will not have an adverse impact on surrounding land uses, exceed the capacity of available municipal services, or unduly interfere with the function of the land use designations applicable to surrounding lands. (Clause vi) added by OPA No. 95 - OMB Order No. 1596 - approved 98/06/25)

Cultural Uses and Community Facilities

vii) Community facilities of a cultural or recreational nature which have city-wide or regional significance, shall be encouraged to locate in the west and north-west sections of the Downtown in the vicinity of existing cultural, religious, historical and open space uses.

Light Industrial Uses

viii) A limited range of light industrial service uses including printing and communication facilities, warehousing, research facilities, laboratories and other low impact activities that are compatible with adjacent uses with regard to scale, appearance, and access, may be permitted within a corridor extending along York Street. Existing light industrial uses which detract from the appearance and function of adjacent land uses will be encouraged to relocate to more appropriate locations outside of the Downtown.

Mixed-Use Development

ix) Mixed-use buildings that provide for the vertical integration of two or more permitted uses, other than light industrial, shall be a permitted form of development in all areas of the Downtown. Mixed-use development proposals shall be subject to the policies pertaining to the separate land use components.

Zoning of Heritage Buildings

x) Within the Downtown Area designation, it is recognized that Council, under the policies of Chapter 13, Heritage Resources Policies, may designate buildings of architectural and/or historical significance. Notwithstanding the Downtown Area designation, these buildings may be zoned to protect existing structures under the provisions of Chapter 13 and the heritage zoning provisions of the Zoning By-law.

4.2.5. Scale of Development

The Downtown will accommodate the greatest height and density of retail, service, office and residential development permitted within the City of London.

Scale Limitations

i) Development in the Downtown may be permitted up to a maximum floor area ratio of 10:1. This maximum level of intensity will not be permitted on all sites. In areas which cater primarily to pedestrian

shopping needs, including portions of Dundas Street and Richmond Street, the height of buildings will be restricted in the Zoning By-law to provide for a pedestrian-scale streetscape which allows adequate levels of sunlight and minimizes wind impacts. Where a site fronts onto a street which caters to pedestrian shopping needs, building heights will be permitted to increase in a step-like fashion away from areas of pedestrian shopping activity. Parts of the Downtown that are located adjacent to lower density, residential areas will be subject to height, density and site coverage limits in the Zoning By-law that are intended to provide for an appropriate transition in the scale of development. The density of residential development in the Downtown will normally not exceed 350 units per hectare (140 units per acre) and will be governed by the provisions in policy 3.4.3. of this Plan.

Design
Considerations

ii) The proponents of development projects will be encouraged to have regard for the positioning and design of buildings to achieve the urban design principles contained in Chapter 11. It is intended that Downtown development should enhance the street level pedestrian environment and contribute to the sensitive integration of new development with adjacent structures and land uses.

Street Level
Wind Impacts

iii) The design and positioning of new buildings in the Downtown shall have regard for the potential impact that the development may have on ground level wind conditions on adjacent streets and open space areas. New development should not alter existing wind conditions to the extent that it creates or aggravates conditions of wind turbulence and velocity which hamper pedestrian movement, or which discourage the use of open space areas.

(a) City Council, as part of its review of major development proposals in the Downtown, may require the developer to undertake a street level wind impact statement for the project. The statement shall be sufficient to describe the predicted street level wind conditions associated with the proposed development, and the measures that may be taken to reduce adverse wind conditions to more acceptable levels. Where preliminary findings warrant a more detailed approach, the wind impact statement shall include a wind tunnel analysis of the project. The requirements for a wind impact statement may be imposed at an early stage in the consideration of applications for rezoning or, where rezoning is not required, site plan review.

(b) To assist in the analysis of street level wind conditions in the Downtown, Council may direct that a wind study of the Downtown be prepared. In addition to identifying any existing or potential wind problem areas, the study may be used as the basis for the adoption of a guideline document, as described in policy 19.2.2. pertaining to:

- wind comfort criteria appropriate for the City of London;
- procedures for evaluating and, where necessary, reducing the potential impact of proposed developments on street level wind conditions; and
- appropriate size and location criteria for the identification of development proposals that would be subject to wind impact study and/or wind tunnel testing requirements

4.2.6. Redevelopment Rehabilitation and Conversion
 The efficient utilization of lands and buildings within the Downtown will be encouraged through the development of vacant or under-utilized land and functionally obsolete buildings, and the rehabilitation, where feasible, of buildings that are functionally viable but substandard in appearance or condition.

4.2.7. Circulation Pedestrian
 The enhancement of a pedestrian circulation system throughout the Downtown will be supported.

Downtown Shopping Area
 i) Development within the Downtown Shopping Area shall enhance pedestrian circulation and contribute to the appearance and continuity of the shopping environment. In particular, the creation of blank building facades adjacent to, or across from, predominantly storefront development shall be discouraged.

Pedestrian Amenities
 ii) Where appropriate, redevelopment projects will be encouraged to include pedestrian and transit-oriented design features such as the widening of sidewalks, the provision of landscaped areas accessible to pedestrians, and the development of grade-separated street crossings to link major developments, street benches and bus bays.

Consideration will also be given to the upgrading of public streets to accommodate pedestrian traffic through measures such as the widening of sidewalks, the provision of weather protection and the development of at-grade, mid-block street crossings.

Parkland Dedication
 iii) Parkland dedication which may be required of new commercial or residential development within the Downtown may be taken in the form of setbacks or landscaped plaza areas that enhance pedestrian circulation or contribute to the visual amenity of the Downtown.

4.2.8. Parking
 Council shall support the provision of adequate and well-located off-street parking facilities that are sufficient to meet the demand generated by existing and proposed land uses in the Downtown.

Parking Requirements
 i) Parking requirements will be applied through the Zoning By-law to new development within the Downtown, based on the type of use and at a standard sufficient to satisfy the incremental demand for

parking generated by the proposed development.

- Cash Payments in-Lieu-of Parking
- ii) The City may enter into agreements to allow payments of money by the land owner to the City as consideration for the granting of exemptions from the provision of all or part of the parking required for a proposed development.
 - iii) The City, on its own or in co-operation with private land owners, may participate in the acquisition and development of land within the Downtown for the purpose of public off-street parking.
- Municipal Parking

4.2.9. Downtown Concept Plan

Council may, according to the provisions of policy 19.2.1. dealing with area studies, adopt a Concept Plan for the development of the Downtown. The Concept Plan may be used to assist in the implementation of the Downtown policies, to provide guidance for the preparation and evaluation of development proposals and to facilitate the identification of heritage conservation areas and buildings.

4.3. SHOPPING AREA

The development of lands designated Shopping Area is primarily intended to meet a variety of retail and service needs ranging from frequent, convenience-oriented and neighbourhood-based shopping activities to the provision of specialized goods and services that draw customers from a broad trade area. While these areas are conveniently located to satisfy many of the shopping needs of suburban residents, they are not intended to accommodate the wide range of functions or the intensive scale of development permitted in the Downtown, nor will they rival the Downtown's role as the primary business, administrative, institutional, entertainment and cultural area in the City.

(Section 4.3 amended by OPA 95 - OMB Order No. 1596 - approved 98/06/25)

4.3.1. Functional Categories of Shopping Areas

The orderly development and distribution of shopping facilities shall be encouraged through the categorization of the Shopping Area designation into a three-level hierarchy based on size, function, and form criteria. "Regional Shopping Areas", "Community Shopping Areas", and "Neighbourhood Shopping Areas" are shown on Schedule "A" - the Land Use Map, and the policies contained in this Section of the Plan describe the size, function, permitted uses, and development criteria for each category.

- Regional Shopping Areas
- i) Regional Shopping Areas are intended to provide for a wide range of commercial uses which meet specialized service and comparison shopping needs. Regional Shopping Areas, by reason of their size and range of uses, are regarded as major activity centres and may have trade areas that extend beyond the municipal boundary.
- Community Shopping Areas
- ii) Community Shopping Areas are intended to provide for a wide range of goods and services which are needed on a regular basis. Community Shopping Areas are smaller in size than Regional Shopping Areas and there is less emphasis on comparison shopping needs and specialized services. Their trade areas are subsidiary to