

# Planning Justification Report

## Rock Developments

50 North Centre Road

London, Ontario



March 19, 2024

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## 1.0 INTRODUCTION AND SUMMARY

This Planning Justification Report has been prepared in support of an application for a Zoning By-law Amendment by Rock Developments to permit the adaptive re-use of an underutilized storage area at 50 North Centre Road (the “subject lands”) for a commercial recreation establishment. The proposed development will consist of a specialized hockey training facility within the existing commercial building on the subject lands.

A Record of Pre-Application Consultation was provided by City of London staff on February 5, 2024, to confirm the scope of the application and Zoning By-law Amendment submission requirements. As there are no exterior changes proposed, a concept plan has been provided which depicts general existing site characteristics.

The proponent intends to renovate an underutilized area within the existing building to accommodate a commercial recreation establishment, specifically a hockey training facility, subject to the proposed Zoning By-law Amendment. The proposed commercial recreation establishment is not permitted in the current zoning of the subject lands; therefore, the Zoning By-law Amendment seeks to permit a commercial recreation establishment in addition to the existing permissions.

### SUMMARY

This report concludes that:

- The proposed commercial recreation establishment is consistent with the Provincial Policy Statement and in conformity with the London Plan and the Masonville Secondary Plan;
- The proposal will utilize a vacant portion of an existing building for a compatible commercial recreation use, thereby contributing to the gentle intensification of the neighbourhood;
- Appropriate infrastructure, including municipal sanitary and water systems, refuse collection, public and active transportation, and parking, are available for the proposed development;
- No undue adverse impacts are anticipated for surrounding land uses resulting from the proposed development; and,
- The proposal will contribute to the economic health and diversity of the subject lands and the greater community.

## 2.0 SUBJECT LANDS

### 2.1 SITE DESCRIPTION

The subject lands are located on the east side of North Centre Road, within a larger commercial plaza, known as Masonville Square, across the street from the Masonville Shopping Centre (Figure 1). The irregular-shaped parcel has an area of approximately 1.96ha, with approximately 22m of frontage on North Centre Road. The subject lands are currently occupied by a one-storey commercial development with multiple retail units, and associated parking. Apart from the southern property boundary, there is minimal landscaping on the subject lands.

Figure 1 – Subject Lands Aerial



### 2.2 SPATIAL ANALYSIS AND NEIGHBOURHOOD CHARACTER

The subject lands are located on a “Neighbourhood Connector” street (North Centre Road), south of an “Urban Throughfare” street (Fanshawe Park Road East). North Centre Road provides one vehicular lane in each direction (north-south), whereas Fanshawe Park Road East provides multiple vehicular lanes in each direction (east-west). There are sidewalks available on both sides of North Centre Road and Fanshawe Park Road East, and a pedestrian sidewalk connects North Centre Road to Robinson Lane.

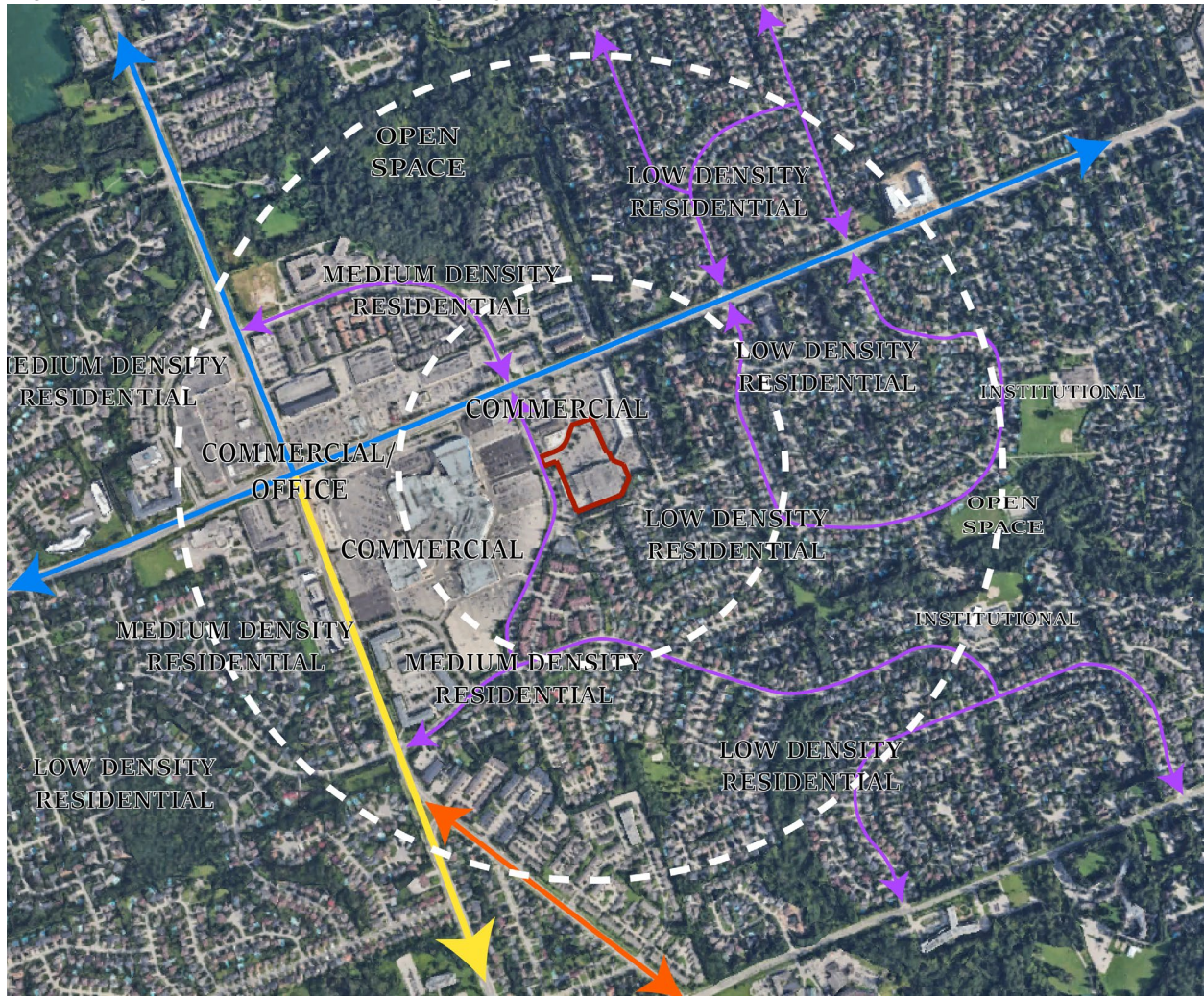
The subject lands have good access to London Transit Commission bus routes on Fanshawe Park Road East, including: #3 (Downtown – Argyle Mall); #16 (Masonville Place – Pond Mills); #19 (Downtown – Stoney Creek); #25 (Fanshawe College – Masonville Place), #34 (Masonville Place – Alumni Hall / Natural Science); and #92 (Masonville Mall – Victoria Hospital). Additional routes are available at Masonville Place Transit Terminal to the west.

Figure 2 on the following page shows the subject lands, notable features and land uses within 400m and 800m radii from the site. The two radii represent walking distances of approximately 5 and 10 minutes, respectively, although due to sidewalk networks and other barriers, the radii may not represent true walking times.



Road designations in the *London Plan* are depicted on Figure 2 as: “Urban Throughfare” in blue; “Rapid Transit Boulevard” in yellow; “Civic Boulevard” in orange; and “Neighbourhood Connector” in purple.

**Figure 2 – Spatial Analysis Surrounding Subject Lands**



### **400m Radius**

Areas within 400m (5 minutes walking distance) are comprised of a range of commercial, residential, and office uses. In the immediate vicinity of the subject lands, commercial uses are located to the north and west, including Masonville Square, various restaurants, gas stations, and Masonville Place. The surrounding commercial developments to the north are typically one- to two-storeys in height, with buildings set back from the street to provide ample vehicular parking in the front yard. Medium-density residential uses are also located to the north of the subject lands, across Fanshawe Park Road East. Low-density residential uses are located immediately to the south and east of the subject lands.

There are commercial and medium-density residential uses located to the north of the subject lands. Commercial uses are primarily found along North Centre Road and Fanshawe Park Road East, along with some medium-density residential dwellings in the form of townhouses. Generally,

the commercial uses are found in plazas at the Masonville Square Shopping Centre and London North Shopping Centre, and are similar in form featuring small- to medium-sized floorplates, buildings set back from the street, and parking provided in the front yard. The residential uses are generally in a townhouse form close to Fanshawe Park Road East, and at the northerly extent of the 400m radius, one- to two-storey single-detached dwellings are found interior to the neighbourhood. To the west of the subject lands, across North Centre Road, various other commercial uses are located within the Masonville Place Shopping Centre.

Lands to the south and east of the subject lands within the 400m radius are primarily occupied by low-density residential uses, with some commercial uses. The residential uses are typically in the form of one- to two-storey single-detached dwellings. Immediately to the east of the subject lands, there are additional commercial uses within the Masonville Square plaza (primarily commercial retail establishments, including a LCBO store, Farm Boy grocery store, and PetValu), that have a similar character to those on the subject lands.

### **800m Radius**

Lands within an 800m radius (approximately 10 minutes walking distance) from the subject lands are comprised of a similar mix of land uses, including commercial and office uses, residential uses at a range of densities, and some open spaces.

Low- and medium-density residential uses are located to the north. Generally, the low-density residential uses are in the form of two-storey single-detached dwellings, and the medium-density residential uses are in the form of two-storey townhouses. A retirement community (Richmond Woods Retirement Village), comprised of 3-storey and 5-storey apartment dwellings, is located north of the low- and medium-density uses. The Gibbons Lodge property, with a privately-owned forest and wetland area, is located at the northerly extent of the 800m radius.

Commercial uses, mixed with office uses, are located to the northwest of the subject lands. These uses have no consistent character, ranging from one- to three-storeys in height with parking provided in the front yard and interior to a development. Residential uses are located at the westerly extent of the 800m extent, in various forms including mid-rise apartment buildings, townhouses, and single-detached dwellings.

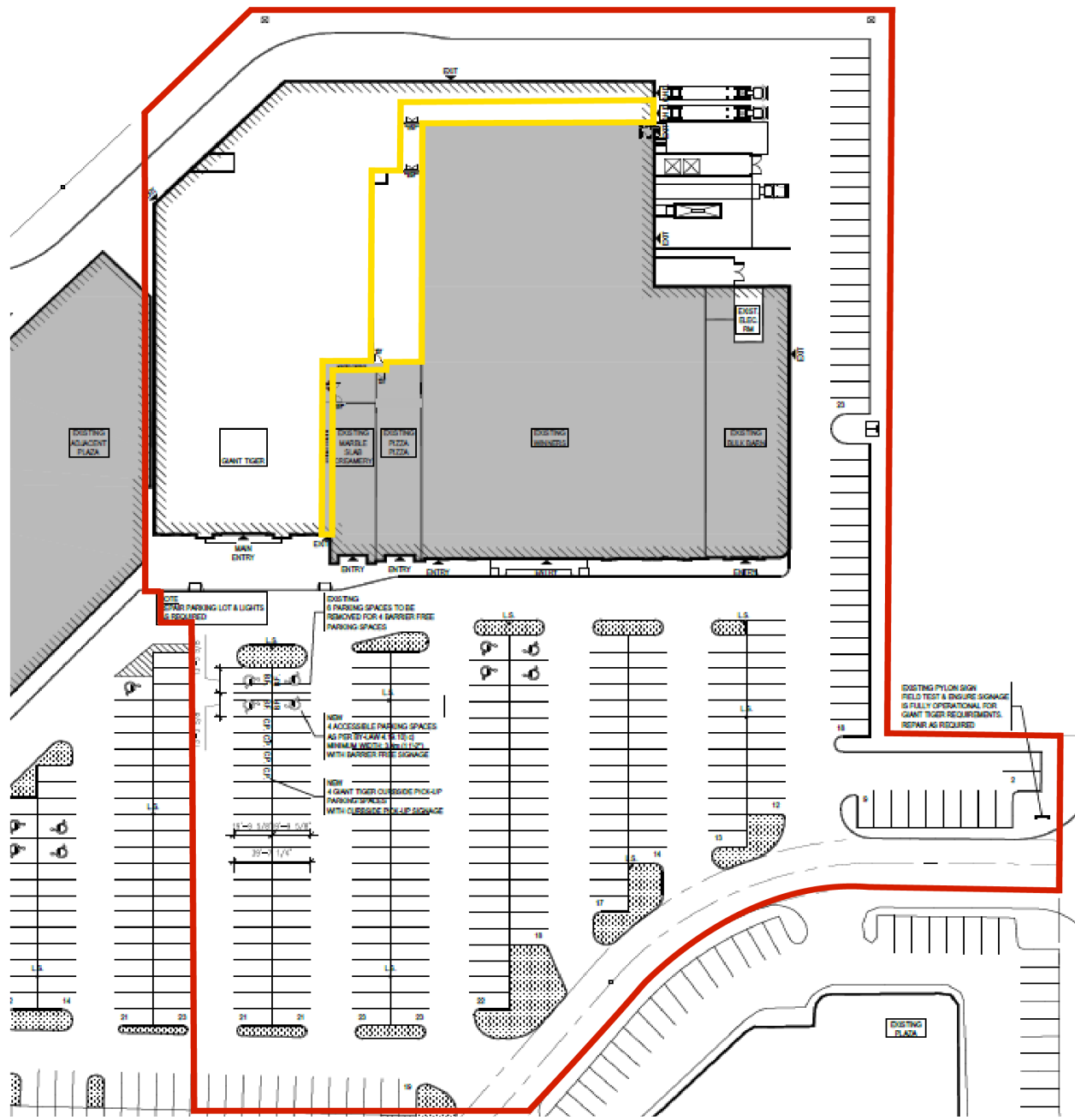
Residential uses are located to the south and east. Generally, development to the south has occurred in the form of townhouse dwellings, with a height of three- to four-storeys along Richmond Street, a major corridor in the City. Interior to the residential neighbourhood to the south and east, residential development is in the form of single-detached dwellings with a height of one- to two-storeys. There are institutional (Stoneybrook Public School and St. Kateri Catholic School) and open space (Hastings Park) uses located at the easterly extent of the 800m radius.



### 3.0 PROPOSED DEVELOPMENT

The interior of a portion of the existing retail building is proposed to be modified to accommodate a commercial recreation establishment, in addition to the existing uses. There are no changes proposed to the exterior of the building or the overall site layout, as the proposed use will utilize vacant interior space. The current building is within an established commercial plaza, which has an active street presence and appropriate pedestrian and vehicular connections. The base layout plan below (Figure 3) provides details relating to the site layout, including the building location, unit access, and parking.

Figure 3 – Site Layout (red line denotes property boundary, yellow line denotes unit location and access)



Active ground-level commercial uses effectively highlight and define the subject lands. The subject lands have a strong pedestrian and vehicular presence due to the existing commercial establishments in the plaza. Parking areas and internal drive aisles are conveniently located in front of the subject lands, shared with the rest of the commercial establishments in the plaza.

Pedestrian sidewalks are available along the front of the commercial plaza. Painted areas on the internal drive aisle denote pedestrian crossing areas. Pedestrian access to the proposed commercial recreation establishment will be provided along front of the building adjacent to the primary unit accesses. An internal corridor connects the proposed commercial recreation unit to the front, which will provide safe and direct access for pedestrians from the main parking area.

Functional servicing requirements for the proposed development consist of existing public services and refuse collection. The existing watermain and sanitary sewers are known to have capacity to supply the proposed commercial recreation use. Garbage will be stored internally to the building, and will be placed in bins at the rear of the building for collection to eliminate adverse visual and potential odour impacts on adjacent properties.



## 4.0 PROPOSED ZONING BY-LAW AMENDMENT

A Zoning By-law Amendment (“ZBA”) to rezone the subject lands from “Associated Shopping Area Commercial (ASA8)” to a site-specific “Associated Shopping Area Commercial (ASA8( ))” is proposed to permit the commercial recreation establishment.

The current “ASA8” zone permits all uses in the “ASA1” and “ASA2” zone variations, and includes the following:

- Animal hospitals;
- Convenience service establishments;
- Convenience stores;
- Dry cleaning and laundry plants;
- Duplicating shops;
- Financial institutions;
- Grocery stores;
- Restaurants;
- Retail stores;
- Personal service establishments;
- Pharmacies;
- Printing establishments;
- Video rental establishment;
- Brewing on premises establishment;
- Repair and rental establishments;
- Service and repair establishments;
- Studios; and,
- Supermarkets.

The re-zoning would include commercial recreation establishments as a permitted use, in addition to the existing zone permissions. No additional Special Provisions are required.

## 5.0 LAND USE POLICY AND REGULATORY ANALYSIS

The following sections of this Justification Report provide analysis of the proposed development and ZBA application with respect to applicable policy and regulatory documents, including the Provincial Policy Statement (2020), the London Plan (2016), the Masonville Secondary Plan (2021) and the City of London Z.-1 Zoning By-law (1993).

### 5.1 PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement (PPS) is issued under Section 3 of the *Planning Act* and “provides policy direction on matters of provincial interest related to land use planning and development.” In accordance with the *Planning Act*, all decisions affecting land use planning matters shall be consistent with the policies contained in the PPS. The proposed development is consistent with the PPS, including the following applicable policies:

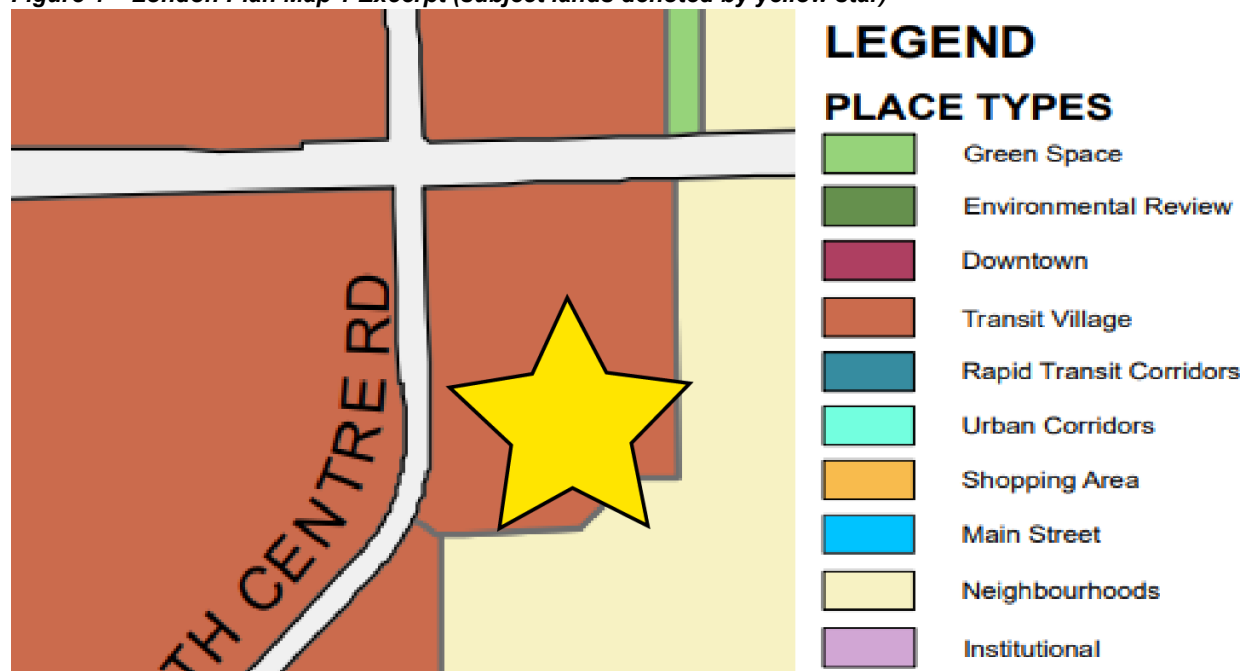
- The proposed development efficiently utilizes vacant space to intensify a commercial property, increasing the viability of the plaza while minimizing land consumption and efficiently using municipal services (Policy 1.1.1);
- The commercial recreation use is appropriate considering the availability of appropriate municipal infrastructure, nearby access to public and active transportation routes, and compatibility with the existing range of uses (Policy 1.1.3.2);
- Intensification is achieved through redevelopment of an existing commercial space, effectively facilitating a compact form that avoids risks to public health and safety (Policy 1.1.3.4);
- The proposed commercial recreation establishment converts vacant space within an employment area to useable, profitable space which will support the growth and viability of the commercial centre (Policy 1.3.2.1); and,
- The proposed commercial recreation use can be fully accommodated on existing municipal water and sanitary services, avoiding the need for unnecessary expansion or extension (Policy 1.6.6.1).

Based on the above analysis, the proposed commercial recreation use is consistent with the applicable policies of the PPS, 2020.

### 5.2 THE LONDON PLAN, 2016

The London Plan, adopted in 2016, is the City of London’s Official Plan which provides a policy framework encouraging the development of vibrant, safe and fulfilling neighbourhoods, attractive mobility alternatives, and a range of commercial and recreational services to create a complete mixed-use community. The proposed development is located within the “*Transit Village*” Place Type, at the intersection of an “*Urban Throughfare*” and a “*Neighbourhood Connector*” street as identified in the London Plan (Figure 4, following page).

Figure 4 – London Plan Map 1 Excerpt (subject lands denoted by yellow star)



The following analysis details the consistency of the proposed development with applicable policies of the London Plan:

Policy 85

*In addition to residential intensification, non-residential forms of development that represent a greater intensity of use will also be encouraged, where appropriate, within mixed-use, commercial, industrial and institutional areas subject to the policies of this Plan.*

The proposal seeks to redevelop existing storage space within a commercial plaza into a commercial recreation establishment, specifically a hockey training facility. The proposal reflects an appropriate intensity and desirable use for the subject lands considering the access to full municipal services, appropriate parking and transportation infrastructure, and high degree of compatibility of adjacent uses. Since there are no changes proposed to the exterior of the building, the current form is maintained and the site intensification is gentle.

Policy 252

*The site layout of new development should be designed to respond to its context and the existing and planned character of the surrounding area.*

The subject lands are developed with a commercial plaza. The proposed commercial recreation use will occupy vacant space within the existing commercial plaza, thereby maintaining the neighbourhood character and context.



Policy 255

*Site layout will promote connectivity and safe movement for pedestrians, cyclists, and motorists between, and within, sites.*

The site layout has appropriate connectivity for safe vehicular and pedestrian movement. The entrance to the proposed commercial recreation use is located adjacent to the primary pedestrian accesses to other units, where pedestrians can safely access the unit. Bicycle and vehicular parking are available in front of the building, utilizing the existing infrastructure.

Policy 266

*Loading, garbage and other service areas will be located so that they will not have a negative visual impact from the street or detract from pedestrian connections.*

The garbage is proposed to be stored internally, and brought to the curb for public collection on dedicated collection days. Loading and other services will be delivered by hand directly into the building. These services will maintain pedestrian connections, and prevent adverse impacts on adjacent units and properties.

Policy 280

*Adequate bicycle parking facilities will be required for all development to encourage cycling as a viable form of transportation. Covered and secure forms of bicycle parking should be incorporated into multi-residential, large-scale commercial or retail, institutional, and recreational developments.*

The proposed development will incorporate a short-term bicycle parking rack adjacent to the primary commercial entrance.

Policy 291

*Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access.*

The principal entrance to the proposed commercial recreation establishment will utilize an existing internal corridor that directly connects the unit to the main building façade. The existing pedestrian-oriented accesses reinforce the public real and establish an active frontage. The proposed entrance to the unit provides a safe and convenient pedestrian access to the proposed commercial recreation unit that does not interfere with the existing commercial units.

Policy 811

*The following uses may be permitted within the Transit Village Place Type:*

- 1. A broad range of residential, retail, service, office, cultural, institutional, hospitality, recreational, and other related uses may be permitted in the Transit Village; and.*
- 2. Mixed-use buildings will be encouraged.*

The proposed commercial recreation use is generally permitted within an existing mixed-use commercial building based on the current Place Type.

Policy 813.2

*Planning and development applications within the Transit Village Place Type will be evaluated to ensure that they provide for an adequate level of intensity to support the goals of the Place Type, including supporting rapid transit, efficiently utilizing infrastructure and services, ensuring that the limited amount of land within this Place Type is fully utilized, and promoting mixed-use forms of development.*

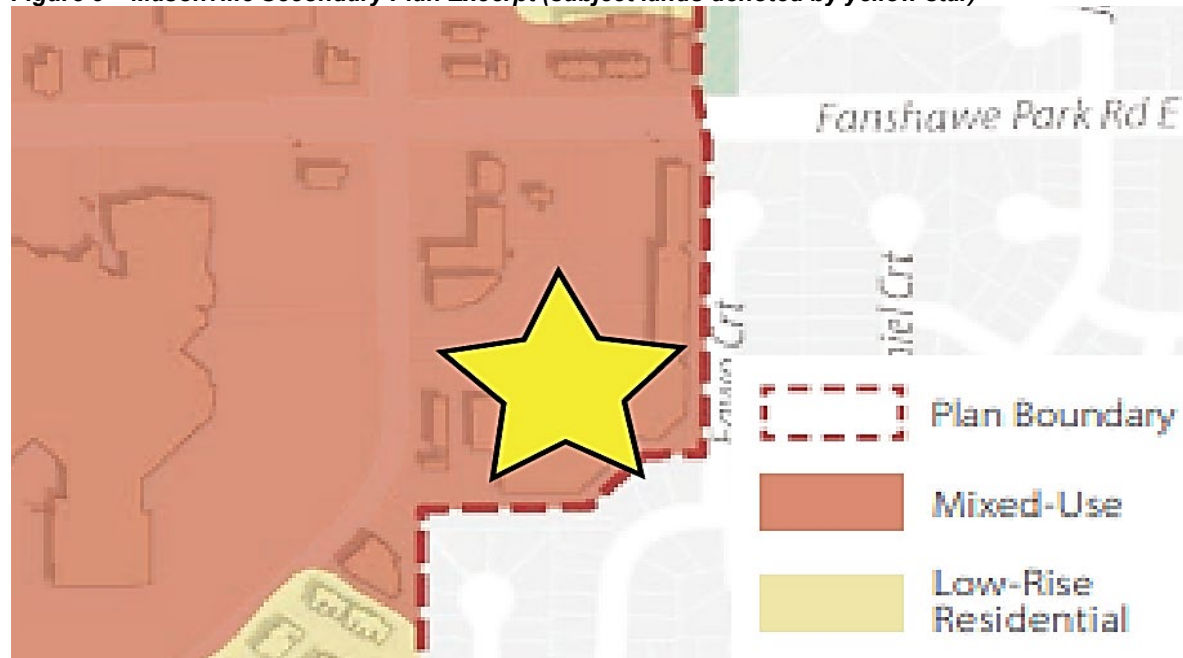
The proposal to intensify the existing commercial development with a commercial recreation use meets the goal and intent of the “Transit Village” Place Type. The proposed use is compact and utilizes existing infrastructure, services, and space within a commercial plaza. The commercial recreation use will contribute to the overall mix of uses in the existing commercial plaza and surrounding area.

Based on the above analysis of the applicable policies of the London Plan, the proposed development is in conformity with the London Plan.

**5.3 MASONVILLE SECONDARY PLAN, 2021**

The Masonville Secondary Plan, adopted by City Council in 2021, is intended to provide greater direction for land uses in the area than those in the London Plan to create a vibrant and well-connected mixed-use community. The subject lands are designated “Mixed-Use” in the Masonville Secondary Plan (Figure 5).

**Figure 5 – Masonville Secondary Plan Excerpt (subject lands denoted by yellow star)**



The following analysis details the consistency of the proposed development with applicable policies of the Masonville Secondary Plan:

Policy 4.2.1

- i) *A broad range of retail, commercial, service, cultural, entertainment, recreational and residential uses are permitted.*
- ii) *Mixed-use buildings are the preferred form of development with active ground floor commercial uses and residential uses above, unless otherwise specified in Schedule 6.*

The proposed commercial recreation establishment is generally a permitted use in the Masonville Secondary Plan, due to the nature of the proposed development. The specialized hockey training facility is considered to be both commercial and recreational in nature. Furthermore, the proposed development will occupy an unused storage unit within an existing commercial development, thereby contributing an additional compatible use to an existing mixed-use building.

Policy 4.4.1

*The lands fronting the intersection of Richmond Street and Fanshawe Park Road, and the future streets surrounding the Transit Station are identified in Schedule 6 as Commercial Character Streets. These streets require mandatory active ground floor commercial uses at grade to promote pedestrian movement and create vibrancy at a focal point in the plan area. Active ground floor commercial uses are those uses that encourage regular and frequent movement to and from building entrances that activate the streetscape with high volumes of people. For the purpose of this plan, active ground floor commercial uses include, but are not limited to: retail; restaurant; service; recreational; cultural; entertainment; institutional; and, community facilities.*

The subject lands are located on a Commercial Character Street. The existing development provides active ground floor commercial uses, which promote pedestrian movement and create a focal point of the area. The proposed commercial recreation establishment, specifically a hockey training facility, will further contribute to the activity of the streetscape as regular movement to and from the building entrance will occur.

Based on the analysis of applicable policies, the proposed development is in conformity with the Masonville Secondary Plan.

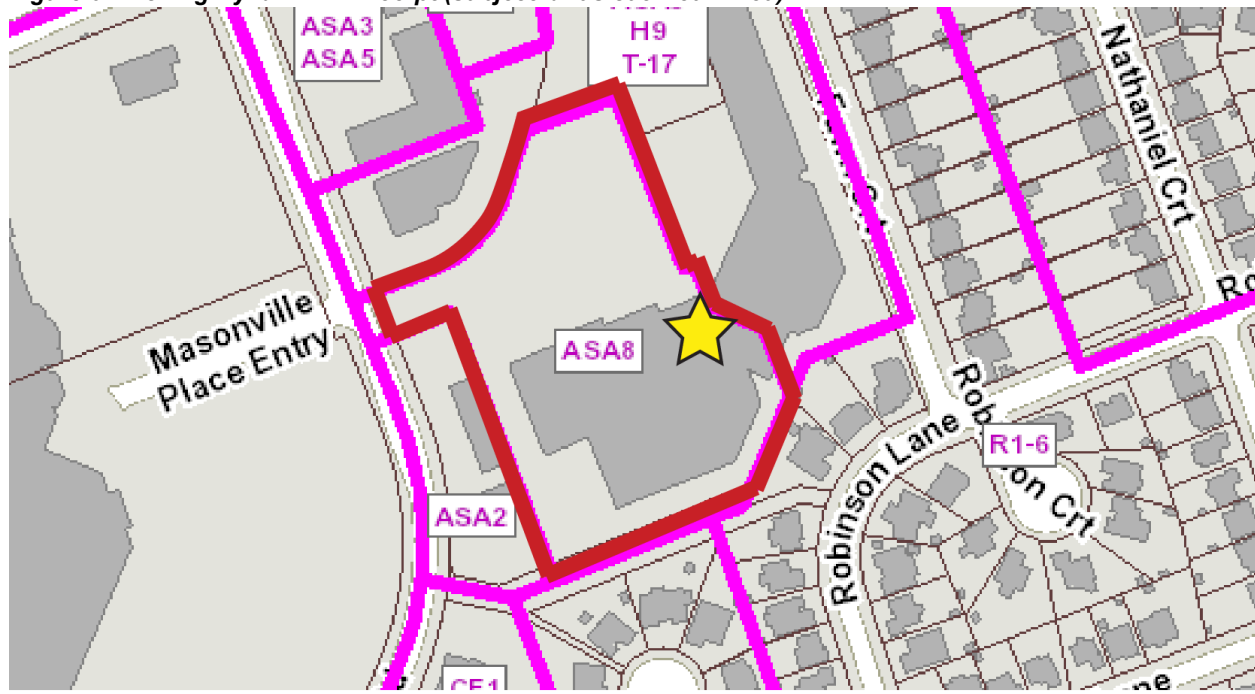
## **5.4 CITY OF LONDON ZONING BY-LAW (Z.-1)**

The subject lands are currently zoned “Associated Shopping Area Commercial (ASA8)” in the City of London Zoning By-law Z.-1 (Figure 6, following page). The uses permitted in the current zoning of the subject lands include all uses in the “ASA1” and “ASA2” zones, such as:

- Animal hospitals;
- Brewing on premises establishments;
- Convenience service establishments;
- Convenience stores;
- Dry cleaning and laundry plants;
- Duplicating shops;
- Financial institutions;
- Grocery stores;
- Personal service establishments;
- Pharmacies;
- Printing establishments;
- Repair and rental establishments;
- Restaurants;
- Service and repair establishments;
- Studios;
- Supermarkets; and,
- Video rental establishments.



Figure 6 – Zoning By-law Z-1 Excerpt (subject lands outlined in red)



A Zoning By-law Amendment (“ZBA”) is required to rezone the subject lands in order to permit the proposed commercial recreation use within the existing commercial plaza. The zone regulations proposed in the “Associated Shopping Area Commercial (ASA8)” zone are standard, with the exception of the proposed commercial recreation use, as discussed below:

### **Commercial Recreation Use**

The proposed additional use seeks to repurpose vacant space within an existing commercial plaza for a specialized hockey training facility. Allowing an additional type of commercial use will expand the range of uses permitted on the subject lands and provide flexibility for uses which are compatible with the existing commercial uses.

We have examined potential impacts on adjacent properties which may arise due to the additional use; which include increased noise, and additional pedestrian and vehicular traffic. The potential noise impacts are minimal, as the commercial recreation establishment is to be located at the rear of existing commercial uses that generate more noise than the proposed use. Pedestrian and vehicular traffic will likely increase as a result of the proposed commercial recreation use; however, there are currently high volumes of traffic to the existing commercial uses within the plaza. The additional traffic generated by the proposed commercial recreation use would likely be nominal to the existing traffic during regular business hours.

Based on the zoning analysis of the proposal and the existing site conditions, the requested “Associated Shopping Area Commercial (ASA8)” zone is an appropriate implementing zone for the proposed development and the associated ZBA. The requested amendment is consistent with the Provincial Policy Statement and in conformity with the London Plan.

## 6.0 CONCLUSIONS

The proposed development seeks to repurpose an existing vacant unit within an established commercial plaza to accommodate a new commercial recreation use that is appropriate within the context of the neighbourhood. Since no changes are proposed to the exterior of the building, compatibility with the adjacent commercial character is maintained. The proposed commercial recreation use will efficiently use existing vacant space within an established commercial development to gently intensify the subject lands.

The proposed commercial recreation establishment, specifically a hockey training facility, is not permitted within the current zoning of the property; however, given the findings of this report and the supporting materials, it is concluded that the subject lands are well-suited for the proposed use within the existing commercial building. The Zoning By-law Amendment will facilitate a new development within an existing building, with a hockey training facility in an existing vacant unit. The proposed Zoning By-law Amendment is consistent with the Provincial Policy Statement and is in conformity with the London Plan and the Masonville Secondary Plan. The proposed development is consistent with the standard provisions of the “Associated Shopping Area (ASA8)” zone in the City of London Z.-1 Zoning By-law, except for the proposed use.

The subject lands are intended to provide for a variety of commercial uses, and the proposed development achieves this goal in a manner that gently intensifies the lands with a compatible use. The proposal would contribute to the economic health and diversity of the area, as well as allow for increased flexibility within the existing commercial development. No undue adverse impacts are anticipated for surrounding land uses resulting from the proposed commercial recreation use. Overall, the proposed development will provide a desirable and sustainable combination of commercial and recreation uses, and will contribute positively to the existing community.