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1560 DUNDAS STREET, LONDON, ON.

# PLANNING JUSTIFICATION **REPORT**

Zoning By-law Amendment Application

**[siv-ik]** PLANNING  
/ DESIGN

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## **VERSION 1.0**

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### **ISSUED**

02.20.2024

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### **PREPARED FOR**

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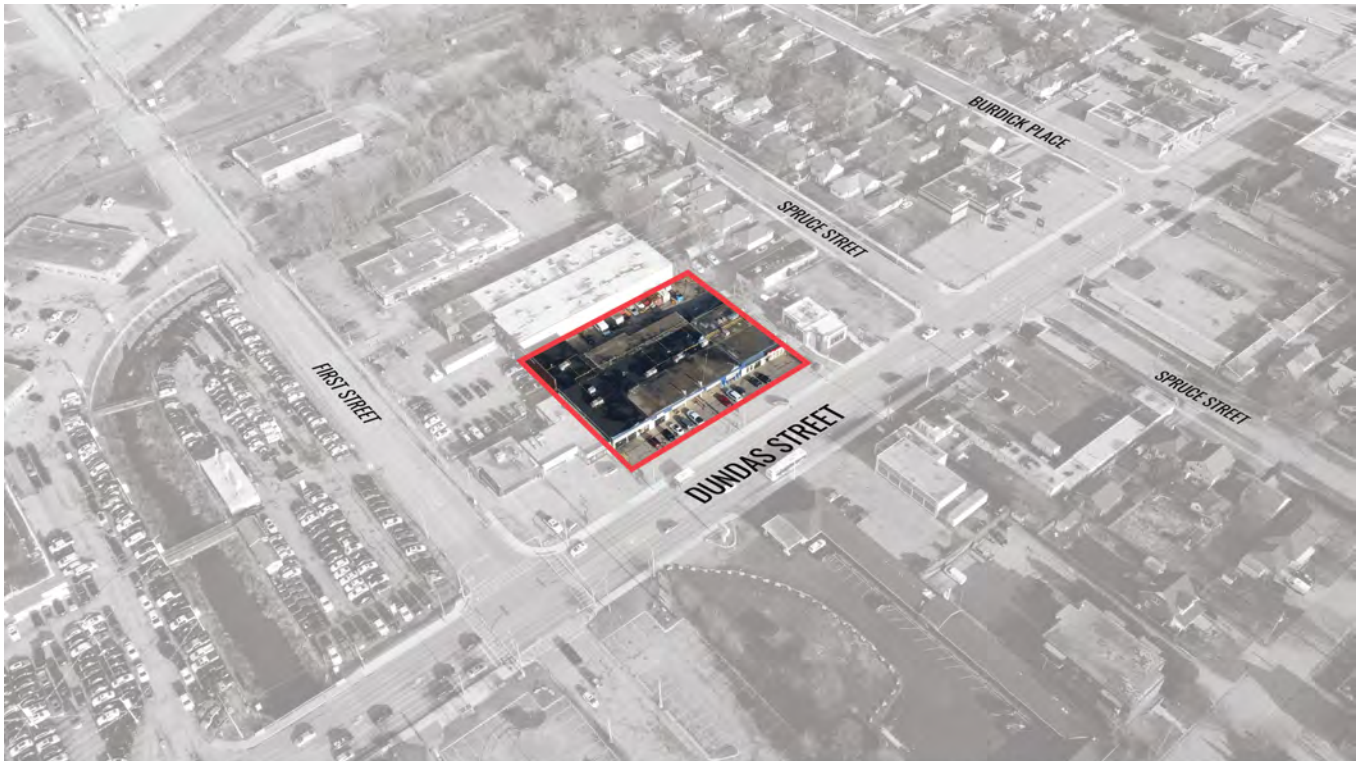
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# 1.0 INTRODUCTION

This report has been prepared by Siv-ik Planning & Design Inc. for London Plaza Inc. (the registered owner of the property) in support of a Zoning By-law Amendment application for the property municipally known as 1560 Dundas Street in the City of London. This report provides an independent professional analysis and opinion regarding the merits of the proposed Zoning By-law Amendment and has been prepared to satisfy the City of London's complete application requirements. The report explains how the proposed Zoning By-law Amendment aligns with the objectives of the Provincial Policy Statement (2020), the London Plan, represents sound planning and is in the public interest.

The proposal seeks to add the Associated Shopping Area (ASA3) Zone category to the existing compound ASA1/ASA4 zone that applies to the property, thereby allowing for an expanded range of complementary employment and commercial uses. The proposed Zoning By-law amendment also includes a special provision to allow for flexibility in the provision of on-site parking when interchanging various uses within the existing building. Overall, the amendments are intended to allow for an efficient/appropriate use of the existing building in advance of longer term redevelopment for higher-density residential/mixed-use development.

**Figure 1:** Site Overview



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The subject site is municipally identified as 1560 Dundas Street in the City of London and is located within the *Argyle Planning District* in East London. More specifically, the site is located approximately 30 metres east of the intersection of Dundas Street and First Street. The site is approximately 0.32 hectares (0.8 acres) in size, rectangular in shape, and contains an existing, multi-tenant commercial building made up of approximately 20,730 square feet of finished space above grade, divided into 9 individual units.

Additional details about the site and the context are summarized in Table 1 below.

**Table 1:** Site Statistics

Project Site Attributes	
Site Area	0.32 hectares (0.8 acres)
Frontage	60.9 metres (Dundas Street)
Depth	52.9 metres
Existing Use(s)	Multi-Tenant Commercial
Servicing	Full Municipal Services
Existing Zoning	Associated Shopping Area (ASA1/ASA4) Zone
Official Plan (The London Plan)	Urban Corridor

**Note:** An “Existing Conditions Plan” has been prepared by Siv-ik Planning & Design Inc. and is attached as Appendix ‘A’ to this report for further reference. The existing conditions information has been prepared based on publicly available data from the City of London, on-site observation and a legal/topographic survey prepared FKS Land Surveyors, dated August 2012.



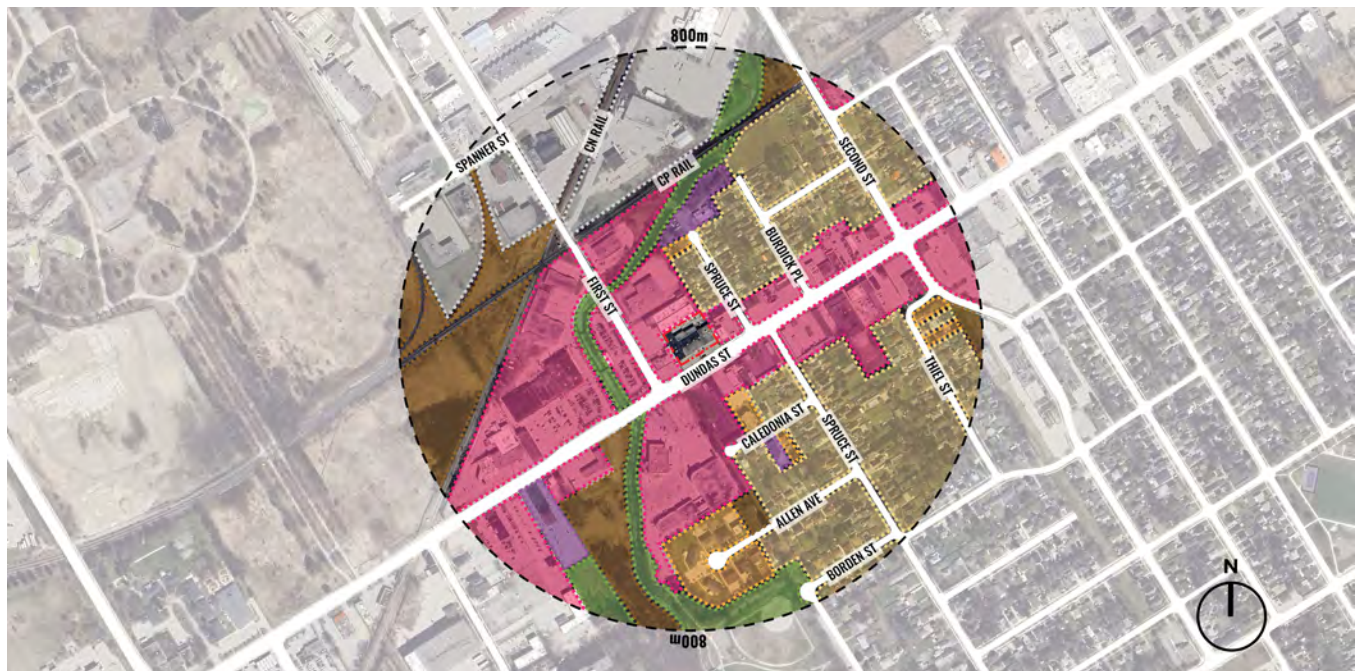
# 2.0 SITE CONTEXT

## 2.1 Surrounding Land Use

As noted in Section 1.0 of this report, the site is located within the *Argyle Planning District*. This neighbourhood encompasses the area generally bounded by Oxford Street East and the CP Rail tracks to the north, Veteran's Memorial Parkway to the east, the CN rail lines to the south and Kiwanis Park and Highbury Avenue North to the west.

The land use pattern within 400m (~5 minute walk) of the site is predominantly made up of older, auto-oriented, commercial uses with single-storey building forms. Most sites have been developed with a high proportion of lot coverage, and large surface parking areas adjacent to Dundas Street. Northwest of the site is the CN Rail corridor and the former London Psychiatric Hospital Lands which are undergoing significant redevelopment for residential uses. Lands immediately north of the site are developed with low-density residential (i.e., mainly single-detached dwellings). Over the next planning horizon, it is anticipated that many of the existing auto-oriented commercial properties will transition to more intensive forms of mixed-use development. The site is highly accessible with Dundas Street accommodating multiple LTC bus routes, with connections to major shopping and service areas such as Argyle Mall, Fanshawe College, and Downtown London.

Figure 2: Surrounding Land Use Map (800m)



LEGEND		
Single-Detached Residential	Institutional	Vacant
Multi-Family Residential	Open Space	Site Boundary
Commercial	Industrial	

## 2.2 Site Analysis

The site analysis graphic below represents the existing physical characteristics of the site and the land immediately surrounding the site. The site consists of a rectangular-shaped parcel with approximately 61 metres of frontage on Dundas Street. The site is largely covered by an existing 9-unit multi-tenant building comprised of approximately 20,730 sq. ft. of finished space above ground. Primary vehicular access to the site is provided by two full-turn access driveways from Dundas Street which leads to an existing “front yard” parking area in front of the existing building along Dundas Street. The front parking lot contains 22 parking stalls to accommodate on-site parking for the commercial uses. Additional opportunities for on-site parking and loading exist to the north of the existing building, accessed via a driveway/easement through 417/419 Spruce Street.

Dundas Street, identified on Map 3 – Street Classifications in the London Plan as a Civic Boulevard, consists of a 5-lane cross section with two travel lanes in each direction, and a shared central turning lane. Municipal sidewalks are located along the frontage of the site, both on the north and south side of Dundas Street. A westbound LTC bus stop is located within 20m west of the site along Dundas.

From a servicing perspective, the existing building is serviced by full municipal sanitary and water services.

**Figure 3:** Site Analysis





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## 3.0 POLICY & REGULATORY FRAMEWORK

The following section of this report provides an overview of the applicable planning policy & regulatory framework that currently guides land use and development on the subject site. In this case, the key applicable statutory documents include the Provincial Policy Statement (2020), the London Plan, and City of London Zoning By-law (Z. -1). The following policies and regulations inform and guide the professional analysis of the proposal provided in Section 5.0 below.

### 3.1 Provincial Policy Statement, 2020:

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest regarding land use planning and development. The PPS is issued under Section 3 of the Planning Act. Section 3 of the Planning Act requires that land use planning decisions be consistent with the PPS, ensuring that matters of provincial interest, as identified in Section 2 of the Planning Act, are addressed. The PPS is a broad provincial policy document that is generally implemented through local municipal planning documents. Although it is to be interpreted broadly, the following policy guidance is important to consider in the context of the Zoning By-law Amendment application for 1560 Dundas Street.

- Section 1.1.1 of PPS, Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns directs that healthy, livable and safe communities are sustained by a accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs (1.3.1 b). The PPS also directs planning authorities to encourage and promote cost-effective development patterns and standards to minimize land consumption and servicing costs (1.1.1 e).
- With specific regard for 1560 Dundas Street, Section 1.7 of the PPS directs that the long-term economic prosperity at the local level should be supported by maintaining and enhancing the vitality and viability of main streets (1.7.1 d)

In view of the PPS policies noted above, the proposed Zoning By-law Amendment will serve to enhance the viability and utility of an existing commercial building. Incorporating the additional permitted uses within the ASA3 zone aligns with the Provincial Policy Statement by promoting efficient land use, economic development, and sustainability.

### 3.2 The London Plan:

The figures on the next page represent excerpts from Maps 1 & 3 (Place Types and Street Types) of the London Plan. The project site contains direct frontage on Dundas Street which is identified as a Civic Boulevard (i.e., Arterial Road) on Map 3.

#### **Place Type Policies:**

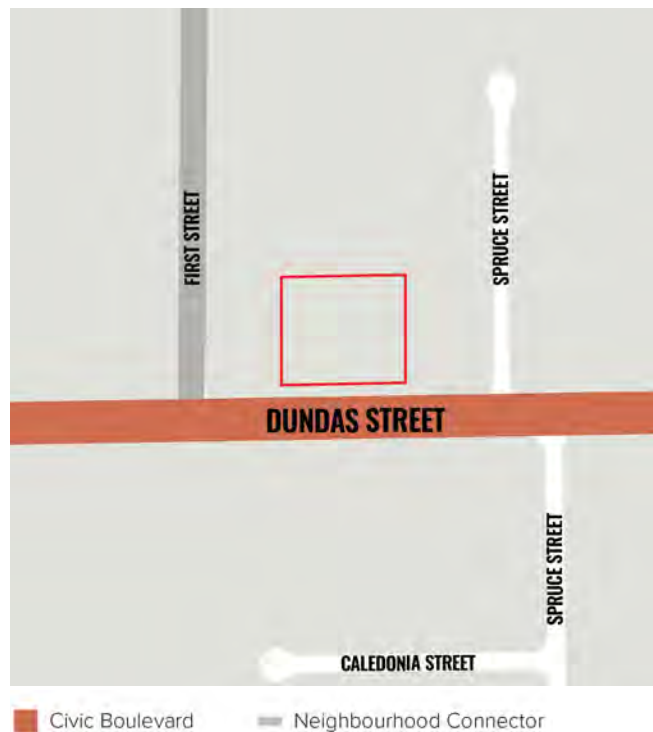
In accordance with Map 1 – Place Types, the project site is within the “Urban Corridor” Place Type. Urban Corridors are places that encourage intensification over the life of the London Plan, so that they can mature to support higher-order transit at some point in future beyond 2035. These corridors encourage residential and mixed-use development. Policy 837\_ of the London Plan outlines the permitted uses within the Urban Corridor Place Type, these include; a range of residential, retail, office, cultural, recreational and institutional. Within this policy, mixed-use buildings are encouraged while larger floor plate, single-use non-residential buildings are generally discouraged.



Place Types (Map 1)



Street Types (Map 3)



The subject site is located within a “Specific Segment Area - Transitional” of the Urban Corridor Place Type - as per Map 7 - Specific Policy Areas - of the London Plan. Notwithstanding the underlying/prevaling policies of the Urban Corridor Place Type, the transitional segment special policies recognize the current development pattern on these corridors, while supporting the gradual movement towards more intense forms and uses under the Urban Corridor Place Type. Transitional policies are meant to guide development so that proposals that do not generally fulfill the long term vision for the Urban Corridor Place Type can be allowed on a transitional basis (854\_,855\_). The policies (857\_) guiding the intensity of development in the special policy area also seek to limit the size of commercial buildings to 6,000m<sup>2</sup> or less and individual office uses to 2,000m<sup>2</sup> or less (both of which are respected by the existing building and are appropriately regulated through the Associated Shopping Area (ASA) Zone categories).

While the Urban Corridor Place Type policies of the London Plan generally discourage large floor-plate, single use non-residential buildings, the continuation and viability of the existing building stock remains an legitimate planning outcome that is generally supported along the corridor until such a time as market conditions are appropriate to enable the transition to the full high-density/mixed-use form of development ultimately being envisioned. In this regard, the proposed Zoning By-law Amendment conforms to the relevant policies of the London Plan.

**Our Tools Policies:**

All planning and development applications within the City of London are to be evaluated with consideration of the use, intensity and form that is being proposed (1578\_). With respect to the proposed Zoning By-law Amendment at 1560 Dundas Street, the proposal is sensitive to, and compatible with its surrounding commercial context within the Dundas Street Urban Corridor. The proposal fits the policy goals and objectives of the Place Type, including policies within the Transitional policy area by supporting and adding to the on-going functionality of the existing building, while not creating any adverse impacts on the surrounding lands.

### 3.3 City of London Zoning By-law (Z. -1)

The subject lands are currently zoned Associated Shopping Area (ASA1/ASA4) as per the City of London Z. -1 Zoning By-law. The ASA zone provides for and regulates a wide range of commercial and employment uses in the form of larger-scale buildings and multi-tenant plazas and shopping centres. The ASA Zone is generally applied to auto-oriented commercial areas outside of the downtown area. There are eight variations of the ASA zone to provide for range of commercial and employment uses. The applicable regulations of the ASA1/ASA4 Zones are listed in Table 2 below.

**Table 2:** Existing Zoning Breakdown

Regulation		ASA1	ASA4
Permitted Uses		a) Animal hospitals; b) Convenience service establishments; c) Convenience stores; d) Dry cleaning and laundry plants; e) Duplicating shops; f) Financial institutions; g) Grocery stores; h) Restaurants; i) Retail stores; j) Personal service establishments; k) Pharmacies; l) Printing establishments; m) Video rental establishments; n) Brewing on premises establishment.	a) Assembly halls; b) Commercial recreation establishments; c) Funeral homes; d) Private clubs; e) Schools (Z.-1-99634)
Lot Frontage (min.)		30.0m	30.0m
Lot Depth (min.)		50.0m	50.0m
Front & Exterior Yard Depth (min.)		0.0m	0.0m
Interior Side & Rear Yard Depth (min.)	Abutting a Residential Zone	10.0m	10.0m
	Abutting a Non-Residential Zone	3m from any other zone boundary and 0m within ASA Zone variation	3m from any other zone boundary and 0m within ASA Zone variation
Landscaped Open Space (min.)		15%	15%
Lot Coverage (max.)		30%	30%
Total Gross Floor Area (m2) (max.)		6,000m <sup>2</sup>	6,000m <sup>2</sup>
Height (max.)		12.0m	
Gross Floor Area for Specific Uses (m2) (max.)		See 24.3.1	N/A

#### **Section 4.19 - Parking:**

Section 4.19 (10) of the Zoning By-law outlines the parking supply requirements for the various land uses listed and defined in Section 2 of the By-law. As shown on Appendix A - Existing Conditions Plan, the site has capacity to accommodate approximately 22 parking stalls in its front parking area (with capacity for additional stalls to be formalized in the rear of the building if necessary). As per Section 4.19, the project site is not within the “Area Exempt from Minimum Parking Requirements”. The existing ASA zoning that applies to the project site would allow for a range of commercial uses, including those within Tiers 1, 2, 3, & 4 as described in Section 4.19 of Zoning By-law Z.-1.



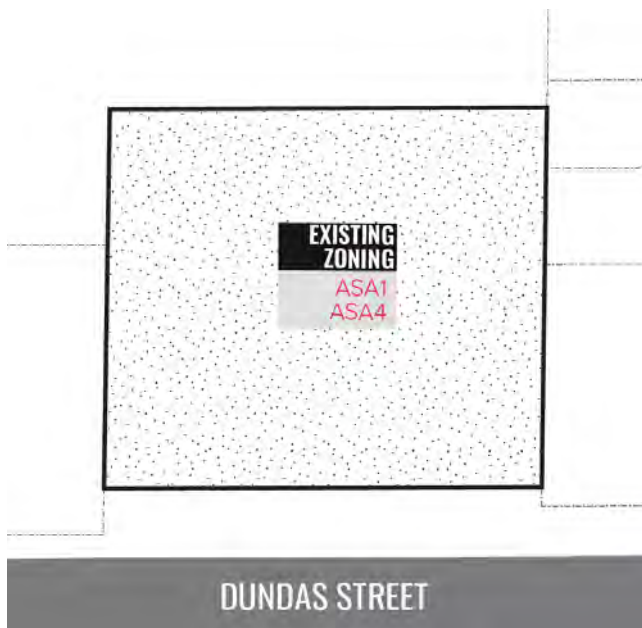
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# 4.0 THE PROPOSAL

## 4.1 Zoning By-law Amendment:

The proposed Zoning By-law will provide a framework to support the on-going/viability of the existing building at 1560 Dundas Street in a manner that is compatible with existing surrounding land uses. The proposed Associated Shopping Area 3 (ASA3) Zone will provide for an additional range of complementary employment and commercial uses. The proposed special provision will enable an appropriate level of flexibility in the provision of on-site parking while recognizing existing site conditions and constraints. The amendment does not serve to hinder the achievement of the long-term vision for the property to be redeveloped for higher-density or mixed-use development. The proposed additional ASA3 zone category maintains an appropriate set of built form standards to guide any future modifications to the site and building design details through a future Site Plan Control application process, even through that is not the intent of the current landowner. The proposed ASA3 Zone includes appropriate regulations on the scale of individual commercial buildings and the scale of office uses to ensure the amendment complies with the relevant London Plan policies.

### EXISTING ZONING



### PROPOSED ZONING





**Table 3:** Proposed Zoning By-law Regulations

Regulation		Standard ASA3	Proposed ASA3( )	Existing
Permitted Uses		a) Clinics; b) Day care centres; c) Laboratories; d) Medical/dental offices; e) Offices, professional; f) Offices, service.	-	Multiple
Lot Frontage (min.)		30.0m	-	60.9m
Lot Depth (min.)		50.0m	-	50.0m
Front & Exterior Yard Depth (min.)		0.0m	-	7.3m
Interior Side & Rear Yard Depth (min.)	Abutting a Residential Zone	10.0m	-	N/a
	Abutting a Non-Residential Zone	3m from any other zone boundary and 0m within ASA Zone variation	-	0.0m
Landscaped Open Space (min.)		15%	-	4%
Lot Coverage (max.)		30%	-	59.8%
Total Gross Floor Area (m2) (max.)		6,000m <sup>2</sup>	-	1,936m <sup>2</sup>
Height (max.)		12.0m	-	6.0m
Gross Floor Area for Specific Uses (m2) (max.)		Office Uses: 2,000m <sup>2</sup>	-	N/A
Parking		Tier 1: 1/20m <sup>2</sup> Tier 2: 1/30m <sup>2</sup> Tier 3: 1/50m <sup>2</sup> Tier 4: 1/100m <sup>2</sup>	No additional parking spaces are required for conversions and/or changes of use within the existing floor area provided that the number of parking spaces which existed on the effective date of this By-law shall continue to be provided and maintained. Where an addition to, or expansion of, the existing building is proposed the parking requirements of Z.-1 shall only apply to the increased gross floor area.	22

## 4.2 Purpose of the Application

The purpose of the proposed Zoning By-law Amendment is to allow for an expanded range of uses on the property to support viability and on-going use of the existing building. It is not intended to facilitate any expansion, enlargement or significant exterior modifications to the existing building at 1560 Dundas Street.

# 5.0 PLANNING ANALYSIS

The following analysis examines the impacts and implications of the proposed Zoning By-law Amendment with respect to use, intensity, form and function. As explained in Section 4.0 - The Proposal - of this report, the proposed Zoning By-law Amendment is not intended to facilitate an expansion, enlargement or significant exterior modifications to the existing building at 1560 Dundas Street. The scope of this analysis is focused on the general proposed zoning framework and how it has been structured to ensure desirable site outcomes, consistent with the applicable policies for the site.

It is important to note (even though it is not the intent of the current landowner) that any future proposal for an addition or expansion to the existing building would be subject to the City’s Site Plan Control By-law. The Site Plan Control process would provide an opportunity to review such development against more detailed urban design policies of the plan at that time.


## 5.1 Land Uses

Policy 826\_ of the London Plan describes the intended function and purpose of the Urban Corridor Place Type. As per 826\_, Urban Corridors are intended to evolve into vibrant, mixed-use communities. It is noted that some segments of these corridors will be primarily residential in nature, while others, where large amounts of commercial space already exist, opportunities for new stand-alone commercial uses will be made. Policy 837\_ of the London Plan provides general policy guidance for determining the appropriate range of land uses for the subject site. To illustrate the land uses additions sought through this application, the existing permitted uses and additional proposed uses are listed in Table 4 below.

**Table 4:** Proposed Zoning By-law Regulations

Existing Permitted Uses (ASA1/ASA4)		Proposed Additional Permitted Uses (ASA3)
<ul style="list-style-type: none"> <li>• Animal hospitals</li> <li>• Assembly Halls</li> <li>• Commercial recreation establishments</li> <li>• Convenience services establishments</li> <li>• Convenience stores</li> <li>• Dry cleaning</li> <li>• Duplicating Shops</li> <li>• Financial institutions</li> <li>• Funeral homes</li> <li>• Grocery stores</li> <li>• Restaurants</li> <li>• Retail stores</li> <li>• Personal service establishments</li> </ul>	<ul style="list-style-type: none"> <li>• Pharmacies</li> <li>• Printing establishments</li> <li>• Private clubs</li> <li>• Schools</li> <li>• Video rental establishments</li> <li>• Brewing on premises establishment</li> </ul>	<ul style="list-style-type: none"> <li>• Clinics</li> <li>• Day care centres</li> <li>• Laboratories</li> <li>• Medical/dental offices</li> <li>• Offices, professional</li> <li>• Offices, service</li> </ul>

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By applying the proposed ASA3 Zone to the site, the proposed amendment will provide an additional range of complementary employment and commercial uses on the subject site. The ASA3 zone variation generally allows for medical/dental, office uses and other supportive uses including clinics, day care centres, laboratories, medical/dental offices, and offices which are expressly permitted within the Urban Corridor Place Type. The proposed additional ASA3 zone category maintains an appropriate set of built form standards that guide any future modifications to the site or the building.

The policies guiding the intensity of development in the Urban Corridor Place Type also seek to limit the size of commercial buildings to 6,000m<sup>2</sup> or less and individual office uses to 2,000m<sup>2</sup> or less (both of which are respected by the existing building and appropriately regulated via the ASA Zone categories).

Notwithstanding the general intent of the Urban Corridor Place Type policies of the London Plan to encourage the transition to higher density forms of development, maintaining the viability of existing building stock is considered a legitimate planning goal along the corridor. In accordance with the policies application to the Transitional Segment of the Urban Corridor, the support for the on-going viability of existing large floor-plate commercial buildings generally continues until market conditions allow for the transition to the envisioned high-density/mixed-use development.

## **5.2 Parking**

The proposed Zoning By-law includes a special provision which exempts conversion and/or changes of use with the existing floor area from the standard parking requirements provided that the on-site parking condition existing on the date of passage of the by-law continues to be provided and maintained. As shown on the existing conditions plan (Appendix A), the site includes a parking area along the Dundas Street frontage and a parking/loading area at the rear of the existing building, accessed through an access easement through 417 and 419 Spruce Street. As shown on the existing conditions plan, there are a total of 22 parking spaces in the front area with an additional 10 stalls in the rear area that could be formalized if necessary. Because of this existing condition (which predates the Zoning By-law), any future changes of use within the existing building may not be able to meet the standard zoning provisions, and would significantly limit the viability of the existing building. Under the proposed Zoning By-law Amendment, the standard minimum parking rates provisions of Zoning By-law Z. -1 will continue to apply to any proposed building expansions or enlargements. However, should an addition to the expansion of the expansion of the existing building be proposed, the parking requirements of Z. -1 shall only apply to the increased gross floor area.

The recommended special provision for vehicle parking and bicycle parking will allow for flexibility in land uses in a manner that supports the vision for Urban Corridors as per Policy 837\_ of the London Plan. It is also important to note that the site is within a urban, walkable location, within walking distance to a complete range of services and amenities and transit. It is located within walking distance to a large areas of residential development, that would serve as a primary customer base for new businesses at this location and is well-served by public transit.

## **5.3 Servicing & Utilities**

The site is (and will continue to be) serviced by full municipal water and sanitary services. The proposed Zoning By-law Amendment is not anticipated to introduce additional demands on these systems.

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## 6.0 CONCLUSIONS

The transitional policies provide a policy framework to allow for the continuation and minor repurposing of existing large-format commercial buildings in the Urban Corridor Place Type. The proposed Zoning By-law Amendment will provide for an appropriate zoning framework to guide land use and development at 1560 Dundas Street in a manner that supports the continuation of the existing building stock through additional land use permissions, preserving and enhancing the vitality of this segment of Dundas Street. The proposed ASA3( ) zone would permit an additional appropriate range of land uses and parking regulations to ensure the long-term viability and renewal of this built asset. Additionally, the continuation of the existing building in its current form, which will be enabled by the proposed amendment. The proposed ASA( ) zone also provides an appropriate set of built form standards and development regulations to ensure that any enlargements or expansions to the structure are carried out in an appropriate manner.

In light of the foregoing, the proposed Zoning By-law Amendment represents sound land use planning, is in the public interest and implements the applicable municipal planning framework.

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**Dan Murphy, MA, BAA**



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# APPENDICES

**Existing Conditions Plan    A**

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# **APPENDIX A:** EXISTING CONDITIONS PLAN



