APPLICATION BY: MONIQUE RAE BENNETT  
175 CENTRAL AVENUE  
PUBLIC PARTICIPATION MEETING ON  
FEBRUARY 14, 2011 AT 4:30PM

RECOMMENDATION

That on the recommendation of the Managing Director of Development Approvals and Director of Development Planning, the following actions be taken with respect to the site plan approval application of Monique Rae Bennett relating to the property located at 175 Central Avenue:

a) The Planning Committee REPORT TO the Approval Authority the issues, if any, raised at the public meeting with respect to the application for a conversion of a residential building to an office;

b) Council SUPPORTS the Approval Authority granting approval of the attached site plan, landscape plans and development agreement clauses SUBJECT TO the approval of the site servicing and grading plans:

c) the applicant BE ADVISED that the General Manager of Environmental & Engineering Services & City Engineer has projected the following claims and revenues information:

<table>
<thead>
<tr>
<th>Estimated Revenue</th>
<th>Estimated Claims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Works Reserve Fund</td>
<td>$6,197.76</td>
</tr>
<tr>
<td>Other Reserve Funds (City Services &amp; Hydro)</td>
<td>$28,384.02</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$34,581.78</strong></td>
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</table>

RATIONALE

The site plan conforms to the site specific Office Conversion Zone and the Site Plan Control By-law. The proposed site plan and landscaped plan will result in a compatible land use in conformity with the Official Plan and consistent with the Provincial Policy Statement. The plans are considered good planning and are recommended for approval.
APPLICATION BACKGROUND

Date Application Accepted: October 27, 2010  Agent: Donald Ardiel Architect

REQUESTED ACTION: Conversion of the existing Residential Building into Professional Office

APPLICATION PROCESS
- November 12, 2010, Notice of Application circulated to area property owners
- January 29, 2011, Notice of Site Plan Public Meeting published in Living in the City
- January 21, 2011, Notice of Site Plan Public Meeting sent out to area residents

SITE CHARACTERISTICS:
- Current Land Use – Converted Dwelling (Two Units)
- Frontage – 8m± (26 ft)
- Depth – 46m± (150 ft)
- Area – 370.6m² (3,989 sq ft)
- Shape – Rectangle
- Access to the rear yard parking - via 3.35m (10.9ft) wide right-of-way over abutting lands to the west.

SURROUNDING LAND USES:
- North – residential dwelling
- South – commercial/residential
- East – single detached dwelling
- West – commercial/offices, laneway – provides access for 175 through 197 Central Avenue.
OFFICIAL PLAN DESIGNATION:

- MFMDR – Multi Family Medium Density Residential

EXISTING ZONING:

- h-5* R3-1/R4-1/R8-4/OC7/RO3

PLANNING HISTORY

When Council adopted the Official Plan in June 1989 it included an area specific policy for the lands Talbot Mixed Use Area (Subsection 3.5.1.). Clause iv) of the area specific policy states: “The lands fronting onto the north and south side of Central Avenue, between Talbot Street and the Richmond Row Commercial District, are designated for the development of a mixed-use corridor with a low profile which provides a transition between the higher intensity uses to the south and the lower intensity uses to the north. In addition to the uses provided for under either the Multi-Family, Medium Density Residential or Multi-Family High Density Residential (192-200 Central Avenue) designation, new buildings or the conversion of existing buildings, or portions thereof, to uses such as office, financial institution, personal service, retail business service or eat-in restaurant uses may be allowed. It is intended that conversions shall maintain the form and external appearance of the building. New buildings will be encouraged to adopt a residential style. Limitations will be placed on signage, location of parking areas and additions to buildings. The consolidation of off-street parking at a location that is peripheral to this area shall be encouraged.”

When Zoning By-law Z.-1 was passed in 1993, a combination of residential and office zone variations were applied to properties along Talbot Street to implement the area specific Official Plan policy - R3-1/R4-1/R8-4/OC7/RO3. The Residential R3, R4 and R8 zones permit residential units in a variety of dwelling types including single detached dwellings, converted dwellings, street townhouse dwellings and low rise apartment buildings. The Office Conversion and Restricted Office zones allow office uses, either in the existing building, or new office buildings. The Office Conversion (OC7) Zone is intended to only be applied within the Talbot Mixed-Use Neighbourhood and allows offices, eat-in restaurants, financial institutions and personal service establishments within existing buildings. The Restricted Office (RO3) Zone also intended only for the Talbot Mixed-Use Neighbourhood permits a similar range of uses but does not restrict them to existing buildings. Based on the property fabric in the Talbot Neighbourhood, a consolidation of properties is generally required to meet the minimum lot frontage and minimum lot area requirements of the RO3 Zone.

When Council applied zoning to implement the area specific policies, it applied a holding provision for a public meeting of the site plan – Holding Provision h-5. No building permits can be issued prior to the removal of the holding provision.

h-5 Purpose: To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c.P.13, prior to the removal of the "h-5" symbol.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Environmental and Engineering Services Department

1. The site plan and site serving plan should show current conditions on the adjacent streets and properties such as existing roads, accesses, sidewalks, sewers, watermains, utilities, trees etc.
2. The Owner shall provide site servicing plan indicating grading and drainage, as well as, sediment and erosion control measures and notes.
3. Water is available from the 200mm diameter watermain on Central Avenue.
4. The municipal sanitary outlet for the subject lands is the 250mm diameter sewer on Central Avenue. Prior to reuse of the existing PDC it will need to be confirmed that it is adequate in size and suitable for reuse all to the satisfaction of the City Engineer. If it is not suitable it will need to be properly abandoned all to the satisfaction of the City Engineer.

5. The subject lands are located in the Thames River Central Area Watershed. The Developer shall be required to apply the proper SWM practices to ensure that the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions.

6. The Owner must allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.

7. The Owner is to ensure that stormwater run-off from these lands will not cause any adverse effects to these lands and/or adjacent lands.

8. The Owner is required to provide a lot grading plan for stormwater flows on site that is designed by a Professional Engineer for review.

9. The Owner’s Lawyer (D. Cassino, Nov 12, 2010) provided confirmation that his client has no registered ownership rights over the existing laneway along the west side and rear of this property out to Central Avenue.

10. The Owner is proposing a drywell. The drywell design has been submitted and will be reviewed along with the site servicing and grading drawings to be submitted. A drywell requires a Ministry of Environment Certificate of Approval.

11. The Owner shall show driveway width and parking dimensions on the site plan in accordance with the site plan manual. Vehicle turn around area should also be shown on the site plan.

12. The existing gravel driveway is to be hard surfaced, at minimum, to the ultimate property line.

13. The Owner is required to provide a road widening dedication across the frontage of this site measured 13 meters from the centerline of the road.

14. The Owner must obtain any relevant permits and approvals such as Ministry of the Environment Certificates of Approvals, Permits for Approved Works (PAWS), etc.

15. A Traffic Management Plan may be required prior to issuance of a Permit of Approved Works for any works within the road allowance.

16. The Owner shall show the existing or proposed access details on the site plan, including width, radii, and hard surface material.

PUBLIC LIAISON: On November 12, 2010, 104 letters were sent out to area property owners within 120 metre radius. On January 21, 2011, Notice of the Public Site Plan Meeting was sent out to area residents and on January 29, 2011 Notice of the Public Meeting was published in the London Free Press.

Nature of Liaison: Same as Requested Action

Responses: None.

ANALYSIS

Description of the Site Plan

The owner is proposing to convert a residential building (two units) into an office. Parking for 5 vehicles is to be provided in the rear yard. Access to which is via a right-of-way over abutting lands to the west. The building is identified as a Priority 2 building on the City's Heritage Inventory. No changes to the building envelop are being proposed with this application and for this reason, the City's Heritage Planner has not requested any conditions associated with this application.
Is the Plan in conformity with the Official Plan and is it consistent with the Provincial Policy Statement?

When Council adopted By-law Z.-1 in 1993, it had regard for the area specific Talbot Use Neighbourhood policies by including specific zoning to allow for residential dwellings in various forms together with small scale, commercial uses. Application of the area specific OC7 Zone encourages the preservation of the existing streetscape by allowing a broad range of small-scale commercial uses within existing buildings.

Zoning which permits preservation of the existing building stock or intensification within existing or new buildings will allow for an efficient use of municipal infrastructure. This area is well served by public transit with numerous routes stopping less than 150 m from the property. Zoning to permit re-use of the existing building allows for an efficient use of municipal infrastructure and supports the City’s public transit system, both of which are consistent with the Provincial Policy Statement.

Does the Plan Conform to the Site Specific Zoning?

The proposed site plan has been reviewed against and conforms to the site specific zone Office Conversion (OC7) Zone. As no changes are proposed to the exterior of the buildings, there are no issues with setbacks. In addition, the proposal complies with the parking and minimum landscape open space requirements of the OC7 Zone.

The applicant has submitted an application to remove Holding Provision h-5 and is expected to be submitted to the same committee meeting.

Is the Site Plan Compatible with Adjacent Properties?

The proposed site plan and landscape plan maintains the existing streetscape and provides screening for adjacent residential properties of the parking area. An existing 2.0 m (6.6 ft) fence along the east side of the property will be extended to the south limit of the property to screen the parking area. The plan will improve the laneway to the west, maintaining joint access opportunities for those who enjoy use of this easement. The plan is developed in conformity with the Site Plan Control By-law.

Notice of the proposed site plan was circulated to area property owners. No responses have been received to date. In consideration of that the proposal maintains the existing streetscape, the parking area is to be screened and that no responses have been received to the Notice of Application, staff is of the opinion the plan will achieve a high degree of compatibility within the area. A development that is compatible with abutting properties, conforms to the Zoning By-law and Official Plan and is consistent with the Provincial Policy Statement is considered good plan and recommended for approval.

CONCLUSION

The proposed site plan and landscaped plan have been reviewed against the site specific Office Conversion (OC7) Zone and the Site Plan Control By-law. The plans contain measures to minimize impacts by including fencing and screening of the rear yard parking area, enhancement of the laneway and landscaping. The proposed site plan and landscaped plan will achieve a high degree of compatibility with area uses and will implement the Talbot Mixed Use Neighbourhood policies of the Official Plan. Further the proposal will result in an efficient use of municipal infrastructure and support public transit consistent with the Provincial Policy Statement. The plans are considered good planning and are recommended for approval.
<table>
<thead>
<tr>
<th>PREPARED BY:</th>
<th>SUBMITTED BY</th>
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<tbody>
<tr>
<td>LUIS CLARO</td>
<td>J. M. LEMISSEN MCIP RPP</td>
</tr>
<tr>
<td>SITE PLAN APPROVAL OFFICER</td>
<td>MANAGER - DEVELOPMENT PLANNING</td>
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<td>RECOMMENDED BY:</td>
<td>RECOMMENDED BY:</td>
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<tr>
<td>D. M. STANLAKE</td>
<td>DAVID AILLES, P.ENG.</td>
</tr>
<tr>
<td>DIRECTOR OF DEVELOPMENT PLANNING</td>
<td>MANAGING DIRECTOR OF DEVELOPMENT APPROVALS</td>
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</table>

February 1, 2011

Donald Ardiel Architect
470 Ambleside Drive
LONDON ON N6G 4W9
DEVELOPMENT AGREEMENT

Standard Clauses to be Incorporated into the Development Agreement

1. Include standard clauses 7, 8, 9, 10, 14, 15, 16, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35(b), 36, 37, 38, 39, 40, 41, 42, 43, 44.

2. Delete standard clauses 1, 2, 3, 4, 5, 6, 8, 13, 17, 18, 19, 20, 21, 24, 26 and 35(a).

Modifications to Standard Clauses

1. Clause 36. Bond or Security for Performance:
   Be modified by adding "in the amount of $5,000.00".