

PLANNING RATIONALE REPORT

221 Queens Avenue

February 2023



Submitted by Sifton Properties Limited

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1.0 INTRODUCTION

This Planning Rationale Report is submitted by Sifton Properties for a proposed extension of a Temporary Zone application for property located on the south side of Queens Avenue, between Clarence Street and Wellington Street in downtown London. The property is legally described as Part Lots 4 & 5, S/S, Queens West, RP33R8646 Parts 1 & 4 in the City of London and is approximately 0.25 hectares in size (0.62 acres). Its municipal address is 221 Queens Avenue. Street frontage for the site is 56.9 metres.

The proposed temporary zoning by-law amendment (ZBA) would permit continuation of use of the site as a surface commercial parking lot, in addition to all other uses currently permitted. Access to the site is from Queens Avenue.

The key contact for this application is Alexandra Haasen (519-434-3622 x 3204) of Sifton Properties Limited.

2.0 SUMMARY OF PROPOSAL

The property is currently designated as Downtown on Map 1 – Place Types, of the London Plan (Official Plan).

Adjacent land use designations on all sides are also designated Downtown. No amendments to the London Plan are proposed.

The property is currently zoned Downtown Area (h-3*DA2*D350/T-69). This zone permits a broad range of uses, including retail, office, arts, cultural and entertainment uses, restaurants, apartments, schools, hotels and commercial parking structures. The holding provision (h-3) requires a wind impact assessment for any building over 15 meters in height within the DA2 zone.

The T-69 zone for the property permits a temporary surface commercial parking lot on the site which expires on August 25, 2023. The site has been used as a surface commercial parking lot for approximately 28 years. Prior to this, the site housed a number of smaller buildings believed to have been used for commercial and office purposes prior to their demolition.

Figure 1 – London Plan Designation

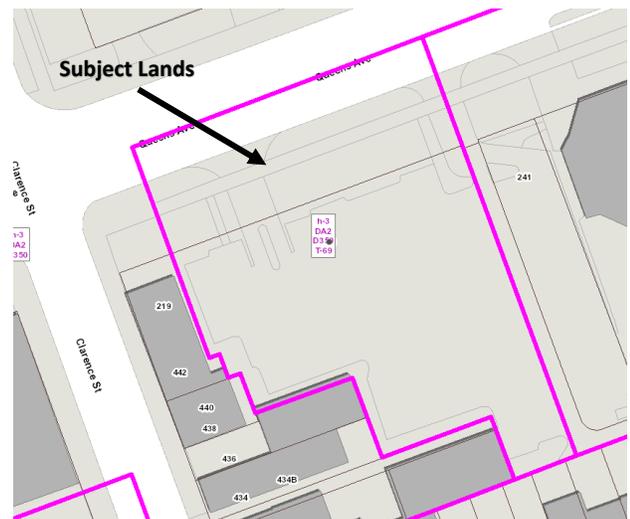
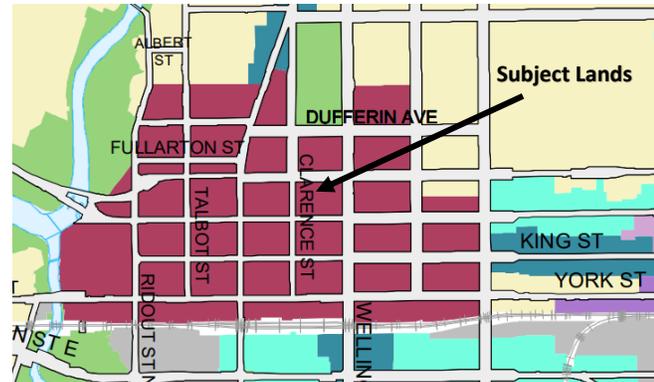


Figure 2– Existing Zoning

3.0 PLANNING RATIONALE

The existing site is flat, paved and, as aforementioned, has been used as a commercial surface parking lot for approximately 28 years. It contains 65 regular parking spaces plus 2 accessible parking spaces. All parking spaces are leased on a monthly parking basis to employees and tenants of surrounding office and commercial premises. There is no daily, evening or weekend parking provided to the public as all spaces are allocated to tenants, where a key card is required to access the parking lot.



Figure 3 – Surrounding Lands

Adjacent land uses are as follows:

- North – surface parking lot and The Canada Life Assurance Company building
- East – surface parking area and One London Place office tower
- South – variety of office, retail and restaurant uses with some residential above (fronting onto Dundas Street)
- West – variety of office, retail and restaurant uses with some residential above (fronting onto Clarence Street)

The site is fully paved with landscaped screening located east and west of the entrance flanking Queens Avenue, with a small section of wrought iron fence along the frontage, west of the entrance to the site. There is one light standard located at the center of the north property line parallel with Queens Avenue, with two fixtures angled to the east and west sections of the parking lot to provide adequate lighting.

Following are a number of photos from the site:



View from the site facing northwest



View of the site facing southwest



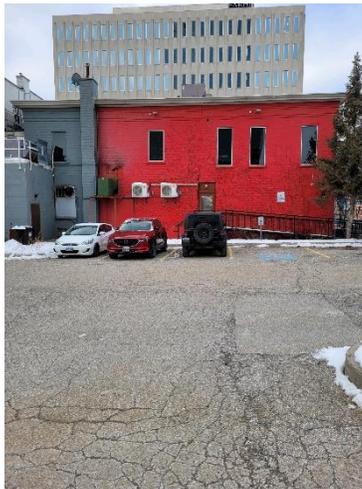
View of the site facing south



View from the site facing north



View from the site facing east



View from the site facing west



View from the site along the flankage of Queens Ave facing west



View from the site along the flankage of Queens Ave facing east

3.1 Provincial Policy Statement

The proposed temporary ZBA conforms to the Provincial Policy Statement, 2020, in the following ways:

- Policy 1.1.1 - The proposed temporary ZBA promotes healthy, liveable and safe communities by providing parking to service downtown employment uses (offices and retail), enabling these uses to remain in the downtown area.
- Policy 1.1.3. – The lands are within a designated settlement area.
- Policy 1.3.1 –The proposed temporary ZBA promotes economic development by providing space for necessary parking for employment uses within the downtown area to meet existing and future business needs.
- Section 1.6 – Municipal infrastructure is already in place to the subject site.
- Policy 1.7 - The proposed temporary ZBA supports long-term economic prosperity by assisting to maintain the viability of downtown office and retail, through providing for sufficient parking to accommodate the long term needs of existing businesses in the downtown area.

3.2 The London Plan

Our City

Policy 64_ stipulates that the City of London is to experience extensive economic growth regarding the number of people employed in the City.

Policy 71_ summarizes the growth framework for the City through Figures 1-6. The subject lands are a part of central London, primary transit area and downtown transit villages/ rapid transit corridor, depicted on Figures 3-5.

Policy 126_ summarizes the economic framework for the City, with Figure 14 outlining the downtown, transit corridors and shopping areas. The subject lands front onto a section of Queens Avenue which is classified as a Rapid Transit Boulevard, per Map 3 of the London Plan.

Policy 127_ *“Figure 14 illustrates our Downtown, Transit Villages and Rapid Transit Corridors which will be the economic engines for commerce, employment and economic growth...They will offer the highest level of communications, infrastructure, smart city services, high quality walking, cycling and transit environments and will be served by rapid transit...”*

While Queens Avenue west of Wellington Street has been identified as a rapid transit boulevard, bus rapid transit (BRT) has not been implemented within the City of London as of yet. It is acknowledged that Phase 2 of construction to establish the downtown loop, inclusive of Queens Avenue west of Wellington Street, was substantially completed in December 2022. However, and until such time that BRT is fully implemented, a number of employees at Sifton owned commercial office buildings (200 Queens Avenue and 171 Queens Avenue) will continue to rely on the surface commercial parking lot at 221 Queens Avenue. Additionally, it is to be noted that the BRT will only service portions of London, with the remainder of the area of the City reliant on LTC bus routes or vehicular travel, or for those individuals living outside of the City, vehicular travel will remain the primary form of transportation. It is critical that the surface commercial parking lot remains to ensure the viability of the office buildings, by providing necessary parking to properly serve employees.

Our Strategy

Policy 55_1. Direction #1, communicates to plan for and promote strong and consistent growth as well as a vibrant business environment that provides for a wide range of economic opportunities.

Policy 60_3. Direction #6, stipulates establishment of a high-quality rapid transit system in the City of London and to use it to create an incentive for development along rapid transit corridors and transit villages/stations.

As noted, employees of the two office buildings located within proximity of the surface commercial parking lot at 221 Queens, rely on the subject lands to satisfy their parking needs. Further, and as previously noted, BRT has not been implemented within the City of London as of yet (construction targeted for completion by 2027), nor are there clear incentives in place to promote development along rapid transit corridors. Despite future implementation of BRT, offices within the downtown will continue to rely on surface commercial parking to meet the needs of their existing business operations and employees, particularly those without access to BRT, understanding BRT will only service portions of the City, or those who reside outside of the City and commute in on a daily basis.

City Building Policies

Policy 184_ notes that the City Building Policies are to provide an overarching direction as to how the City of London will grow over the next 20 years.

Policy 186_ communicates that the City Building Policies set the framework for how the City of London will grow, as well as the shape, character and form of the City by 2035.

Understanding that the proposed temporary ZBA does not propose a change in use, but rather, extension of the existing temporary zoning to permit the subject lands to continue to operate as a surface commercial parking lot, it is in our opinion that the City Building Policies are not applicable.

Downtown Place Type

The Downtown place type within the London Plan, includes a policy under Section 800_ pertaining to temporary parking lots:

“ Policy 800_5. Where surface commercial parking lots have previously been established through temporary zoning and have been in place for an extended period of time, further extensions of such temporary uses will be considered in accordance with the Our Tools section of the Plan”.

Further, a policy is included under Section 803_ applicable to those areas identified on Map 10 as Protected Major Transit Station Area:

“Policy 803F_Development within the Downtown Protected Major Transit Station Area will conform with all other policies of the London Plan including the Downtown Place Type and any Specific Area Policies”.

The subject lands have not been identified as being located within a Specific Policy Area, per Map 7 – Specific Policy Areas. An analysis of the Our Tools section of the London Plan is provided below.

Our Tools

Policy 1578_ stipulates that the *“following criteria will be used to evaluate all planning and development applications:*

- 1. Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.*
- 2. Conformity with the Our City, Our Strategy, City Building and Environmental Policies of this Plan.*
- 3. Conformity with the policies of the plan type in which they are located.*
- 4. Consideration of applicable guideline documents that apply to the subject lands”.*

Extension of the temporary zoning for 221 Queens Avenue addresses Policy 1578_ as follows:

1. An analysis regarding consistency with the Provincial Policy Statement, 2020, can be found under Subsection 3.1 of this report.
2. An analysis regarding conformity with the policies of the Our City, Our Strategy and City Building sections of this plan can be found above, under Subsection 3.2 of this report.
3. An analysis regarding conformity with the policies of the Downtown place type section of this plan can be found above, under Subsection 3.2 of this report.
4. An analysis of London’s Downtown Plan “Our Move Forward” adopted by Council in April 2015 and the Downtown Parking Strategy adopted by Council in December 2017, can be found under Subsections 3.3 and 3.4 of this report, respectively.

Policy 1671_ stipulates that provided the general intent of the London Plan is maintained, City Council may pass a by-law to authorize the temporary use of land, buildings or structures for a purpose otherwise prohibited by this Plan for renewable periods not exceeding three years.

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

- 1. Compatibility of the proposed use with the surrounding lands uses.*
- 2. Any requirement for temporary buildings or structures in association with the proposed use.*
- 3. Any requirement for temporary connection to municipal services and utilities.*

4. *The potential impact of the proposed use on mobility facilities and traffic in the immediate area.*
5. *Access requirements for the proposed use.*
6. *Parking required for the proposed use, and the ability to provide adequate parking on-site.*
7. *The potential long-term use of the temporary use.*
8. *In the case of temporary commercial surface parking lots in the Downtown, the impact on the pedestrian environment in the Downtown.*
9. *The degree to which the temporary use may be frustrating the viability of the intended long-term use of the lands.*

Extension of the temporary zoning for 221 Queens Avenue addresses Policy 1672_ as follows:

1. A surface parking lot is located directly to the north, serving The Canada Life Assurance Company, to the northwest, owned by Sifton Properties serving the commercial/office building at 200 Queens Avenue and to the west, inclusive of three privately owned lots as well as a City of London owned parking lot fronting onto Queens Avenue.
2. There are no temporary buildings or structures proposed. The existing surface commercial parking lot use is to remain.
3. There is no requirement for a temporary connection to municipal services and utilities. The existing surface commercial parking lot use is to remain.
4. The existing surface commercial parking lot use is to remain. Impact to mobility facilities and traffic would not change.
5. Access is provided to the existing surface commercial parking lot through a left in left out driveway access via Queens Avenue. No additional access is required.
6. As noted, the existing surface commercial parking lot use is to remain.
7. The long-term intent for the subject lands is unknown. Future development of the property is heavily dependent on market conditions. Additionally, the irregular shape of the subject lands poses a challenge to development once factoring in applicable zoning setbacks, access and parking requirements. At this time, Sifton is requesting the temporary zone extension to continue the existing surface commercial parking lot use for a period of three years.

8. A municipal sidewalk extends across the frontage of the lands to allow for the safe movement of pedestrians. The site is well landscaped, inclusive of a tree line running along the frontage of the parking lot which provides screening. The site provides for a safe, attractive streetscape for pedestrians.
9. As aforementioned, future development opportunities may be limited due to the irregular shape of the subject lands once factoring in applicable requirements, as well as consideration for market conditions. At this time, Sifton is requesting the temporary zone extension to continue the existing surface commercial parking lot use for a period of three years. It is imperative to note that in order to keep commercial in the downtown area, and until other forms of transportation are provided inclusive of BRT, surface parking is required to meet the needs of commercial buildings, their employees and visitors. It is considered an asset to a buildings operation to have surface parking spaces available to accommodate vehicular traffic.

The Our Tools section within the London Plan, includes a policy specific to surface commercial parking lots:

“Policy 1673A_For lands within the Downtown Place Type, the following criteria will be used to evaluate both applications for temporary zoning to permit surface commercial parking lots and applications for extensions to temporary zoning to permit surface commercial parking lots, in the Downtown:

1. *The demonstrated need for surface parking in the area surrounding the subject site. Utilization rates for sub-areas of the Downtown may be used to evaluate this need.*
2. *The importance of any pedestrian streetscapes that are impacted by the surface commercial parking lot and the degree to which these streetscapes are impacted.*
3. *The size of the parking lots, recognizing a goal of avoiding the underutilization of Downtown lands.*
4. *The length of time that the surface commercial parking lot has been in place, recognizing it is not intended that temporary uses will be permitted on a long-term basis.*
5. *Applicable guideline documents may be used to provide further, more detailed guidance in applying these policies*
6. *Site plan approval will be required for all temporary surface commercial parking lots in downtown.*
7. *Where Council does not wish to extend the temporary zoning for a surface commercial parking lot a short-term extension of the temporary zone may be permitted for the purpose of allowing the uses of the lot to find alternative parking arrangements”.*

Extension of the temporary zoning for 221 Queens Avenue addresses Policy 1673A_ as follows:

1. The subject lands are located within Sub-Area 4 of the Downtown Parking Strategy Study adopted by Council in December 2017. The utilization rate of sub-area 4 is 81%. Section 4 of the study notes that utilization rates below 85-90% typically indicate a parking supply shortfall. Please see Section 4 of this report for an analysis regarding utilization of the subject lands for parking purposes.
2. There is one left in left out driveway access to the surface commercial parking lot which crosses over a municipal sidewalk. As previously noted, the site is well landscaped, inclusive of a tree line running along the frontage of the parking lot which provides screening, in addition to a small section of wrought iron fencing located to the west of the entrance. The site provides for a safe, attractive streetscape for pedestrians.
3. The parking lot is 0.25 ha (0.61 ac) in area. The surface commercial parking lot is relatively small in size compared to nearby surface parking lots. The surface parking lot directly north of the site is 0.68 ha (1.68 ac) in area and serves The Canada Life Assurance Company.
4. The subject lands have been operating as a surface commercial parking lot for approximately 28 years due to the demand for parking to service the aforementioned commercial office buildings owned by Sifton Properties Limited.
5. City Council for the City of London adopted the Downtown Plan (“Our Move Forward”) in April 2015. An amendment to this Plan was approved in May 2018. A Downtown Parking Strategy was adopted by City Council in December 2017. An analysis of the Downtown Plan and Downtown Parking Strategy can be found in Subsections 3.3 and 3.4 to this report.
6. Site Plan Approval was obtained when the surface commercial parking lot was originally established in 1995.
7. This policy is acknowledged by Sifton. However, and as noted above, it is critical that the temporary zoning be extended to continue to meet the parking needs of the employees of the respective commercial office buildings and to maintain contractual obligations with existing tenants.

3.3 Downtown Master Plan

The City of London’s Downtown Plan, “Our Move Forward” was adopted by City Council in April, 2015.

Page 21, Map 5 of London’s Downtown Plan references redevelopment opportunities on vacant and or underutilized sites, particularly, surface parking lots. The subject lands were

identified as an opportunity site for re-development. It is important to note that while the document states that there would be “no net loss” of parking, “as parking can be regained by incorporating underground or structure parking into the design of the new development”, underground and or structured parking may not be a viable opportunity due to space and/or cost constraints.

Section 5.2 of the Plan, under “Planning Policies” notes to “Encourage the re-development of vacant sites to increase the resident and worker population downtown by discontinuing temporary-use zoning on these sites”.

An amendment to this plan was also approved by City Council in May 2018, which included the following policies:

“Requests for temporary zoning for surface commercial parking lots, and extensions to temporary zoning for surface commercial parking lots, will be evaluated based on the following criteria;

- 1. Site plan approval will be required for all temporary surface commercial parking lots in the Downtown.*
- 2. The importance of any pedestrian streetscapes that are impacted by the surface commercial parking lot and the degree to which these streetscapes are impacted.*
- 3. The location, configuration and size of the parking area will be designed to support the provision of, and enhance the experience of pedestrians, transit users, cyclists and drivers.*
- 4. The impact of parking facilities on the public realm will be minimized by strategically locating and screening these parking areas. Surface parking should be located in the rear yard or interior side yard.*
- 5. Surface parking lots should be designed to include a sustainable tree canopy with a target of 30% canopy coverage at 20 years of anticipated tree growth.*
- 6. Surface parking located in highly-visible areas should be screened by low walls and landscape treatments.*
- 7. Lighting of parking areas will be designed to avoid negative light impacts on adjacent properties.*
- 8. Large surface parking lots shall be designed with areas dedicated for pedestrian priority including landscaping to ensure safe pedestrian connectivity throughout the site.*
- 9. Surface parking areas will be designed to incorporate landscape/tree islands for visual amenity and to help convey stormwater and reduce the heat island effect.*

10. Large surface parking areas will be designed to incorporate low impact development measures to address stormwater management.

Extension of the temporary zoning for 221 Queens Avenue addresses the guideline document as follows:

1. As noted, Site Plan Approval was obtained when the surface commercial parking lot was originally established in 1995.
2. As noted, the site is well landscaped, inclusive of a tree line running along the frontage of the site, which provides screening, in addition to a small section of wrought iron fencing located to the west of the entrance. The site provides for a safe, attractive streetscape for pedestrians.
3. The existing surface commercial parking lot supports employees of the previously noted office buildings within proximity to the site. The site is 0.25 ha (0.61 ac) in size and well landscaped. There is appropriate signage to direct users and enforce use of the lot to be limited to those with key card access.
4. As noted, the surface commercial parking lot is well screened with mature landscaping.
5. Understanding that the surface commercial parking lot has been in place for approximately 28 years, no trees were planted within the parking lot. It would be cumbersome to plant trees at this time without undergoing construction of the parking lot and the loss of valuable parking spaces.
6. As noted, the parking lot is well screened with mature landscaping.
7. As noted, there is one existing light standard facing south with two fixtures to provide adequate lighting to the east and west sections of the parking lot. The parking lot abuts the rear and side of existing structures to the south, west and east, minimizing impact to adjacent properties.
8. There are two sidewalk connections that connect the parking lot to Queens Ave. As the parking lot is not large and most parking rows are relatively short, no internal sidewalks are provided. Pedestrians can easily navigate to the street as it is visible and a short distance from all areas of the lot.
9. Understanding that the surface commercial parking lot was established approximately 28 years ago, landscape islands were not included. It would be cumbersome to incorporate landscape islands without re-designing and re-constructing the parking lot.

10. The subject lands should not classify as a “large” surface parking area as the site is only 0.25 ha (0.61 ac) in area. The subject lands are significantly smaller than adjacent surface commercial parking areas to the north and west.

3.4 Downtown Parking Strategy

The City of London’s Downtown Parking Strategy Study was adopted by City Council in December, 2017.

As aforementioned, the subject lands are located within Sub-Area 4 with a utilization rate of 81%. Utilization rates below 85-90% typically indicate a parking supply shortfall. This shortfall may make it difficult for users to find parking within this sub-area of the Downtown.

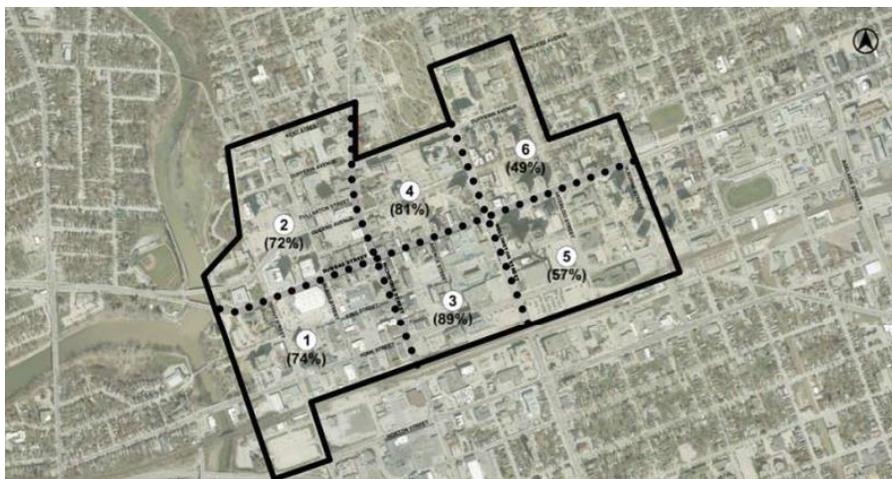


Figure 4 – Parking Utilization by Study Sub-Area (Downtown Parking Strategy Study, December 2017)

Section 5.1 of the study notes that redevelopment of existing surface commercial parking lots will pose significant challenges “as many existing employers and employees rely on the use of the existing lots”. In addition, the report estimates that approximately 300 new employees will be located in the downtown area by 2034, generating a demand for 150 new parking spaces.

Section 5.2 of the study stipulates that short-term parking options in the downtown core remain an important factor in the viability of businesses, recreational and personal service activities.

Section 5.4, specific to temporary commercial parking lots, notes that potential development of surface parking lots would be a primary contributor to predicted localized parking deficits. Sub-Area 4 is predicted to have a 65-parking space deficit by 2034. As such, a reduction of temporary zone parking in the downtown area “should be carefully considered in terms of its impacts on short term parking availability”.

Recommendation 5 under Section 10.2 stipulates that:

“a gradual approach to the discontinuation of temporary zone permissions for temporary surface commercial parking lots in downtown” shall be taken and further shall “align with the timing of providing additional parking facilities” and “implementation of the new rapid transit system”. Further “temporary zone permissions should no longer be issued for any new surface parking lots in the downtown”.

As previously noted, the proposed temporary zone extension pertains to an existing surface commercial parking lot which has been operating for approximately 28 years.

It is critical that the temporary zoning be extended to continue to meet the parking needs of the employees of the respective commercial office buildings and to maintain contractual obligations with existing tenants. As noted, and despite future implementation of BRT, offices within the downtown will continue to rely on surface commercial parking to meet the needs of their existing business operations and employees, particularly those without access to BRT, understanding BRT will only service portions of the City, or those who reside outside of the City of London and commute in on a daily basis.

4.0 PARKING REQUIREMENTS AND UTILIZATION

As previously noted, the subject lands provide parking to Sifton owned office buildings located at 200 Queens Avenue and 171 Queens Avenue. The surface commercial parking lot provides designated parking in addition to parking provided at the above noted locations and forms part of contractual leasing terms with some of the tenants. The following chart summarizes the parking allocation for these office buildings, compared to the approximate number of employees who work out of these buildings. As can be seen, 221 Queens Avenue assists in providing parking for approximately 10.4% of the employees at 200 Queens Avenue and 171 Queens Avenue. It is critical that the temporary zoning be extended to continue to serve these employees and to maintain contractual obligations.

ADDRESS	# OF EMPLOYEES*	ON-SITE PARKING	PARKING PROVIDED AT 221 QUEENS	EMPLOYEES WITH NO PARKING ON SITE OR AT 221 QUEENS AVE
200 Queens Ave.	309	96	15	187
171 Queens Ave.	318	27	50	241
TOTAL	627	172	65	428

Note: number of employees is estimated based on employee access cards provide to tenants. Not all tenants provide access cards to all employees as they do not require access outside of regular building hours. As a result, the number provided above is likely lower than reality.

5.0 SERVICES AND INFRASTRUCTURE

There are no servicing requirements as the proposed extension of the temporary zone is a continuation of the existing surface commercial parking lot use. All servicing / infrastructure requirements were addressed at the time of the original site plan approval in 1995.

6.0 FINANCIAL CONSIDERATIONS

There are no financial claims or revenues associated within the site given that it is a continuation of the existing surface commercial parking lot use.

7.0 OTHER INFORMATION

We are not aware of any issues that would require additional study or raise concerns.

8.0 BIBLIOGRAPHY

- Provincial Policy Statement, 2020
- The London Plan
- City of London Z.1 Zoning By-law
- City of London Downtown Master Plan (Adopted April 2015, Amended May 2018)
- City of London Downtown Parking Strategy Study (Adopted December 2017)