



**CF Masonville Place
1680 Richmond Street
London, ON**

PLANNING RATIONALE REPORT

Zoning By-law Amendment
WND Associates Limited

September 2023

WND Project No. 18.581.01

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1.0 Introduction

1.1 Purpose

This Report has been prepared in support of an application for Zoning By-law Amendment to establish an *Automobile Sales Boutique* as an additional permitted use on the Subject Site (the “Proposed Development”), and within an existing vacant unit of the enclosed shopping centre known as CF Masonville Place (the “Subject Site”). The purpose of this Report is to review the Proposed Development with respect to its consistency with the Provincial Policy Statement 2020, the City of London Official Plan (The London Plan, 2016) and the City of London Zoning By-law Z.1.

This Report also provides an analysis of the Proposed Development with respect to broader land use planning and urban design best practices and provides a determination as to whether, in our opinion, the Proposed Development represents good land use planning.

2.0 Physical Context

2.1 Subject Site

The existing CF Masonville Place shopping centre is generally located in the north end of the City of London, at the south-east corner of Fanshawe Park Road East and Richmond Street (Figure 1). The subject site has an area of 19.45 hectares, with the enclosed shopping centre centrally located within the property. The shopping centre provides for approximately 61,591 square metres of gross leasable area, and a parking supply of 3,461 parking spaces which are contained in a number of surface parking areas surrounding the existing building. The Subject Site also provides for a substantial transit terminal (bus) within the northwestern portion of the property, which connects a number of bus routes providing service across the City of London.

2.2 Adjacent Land Uses

North: to the north across Fanshawe Park Road East is a commercial plaza containing stand-alone commercial buildings including “big box” retailers with associated surface parking lots. Further to the north is medium and high density residential development and a residential retirement complex.

East: to the east across North Centre Road is a commercial plaza containing smaller scale strip plaza retailers and restaurants as well as larger format “big box” retailers with associated surface parking lots. Beyond the commercial plaza are single detached residential dwellings, generally in cul-de-sac formations.

South: to the immediate south is high, medium and low density residential development. Further south, across Windermere Road is the Western University campus.

West: to the west, on the Subject Site is a bus transit hub with access from Richmond Street, which connects to routes across the City of London. To the north-west abutting the Subject Site are a London

Hydro facility and retail operations not associated with the shopping centre lands. Across Richmond Street is a seven-storey residential building, along with single detached dwellings fronting Richmond Street to the southwest. To the north-west is a commercial plaza and public school. Further to the north-west is a commercial plaza containing “big box” retailers beyond which is higher density residential development and townhomes.

2.3 Broader Context

London is a primary business, administrative, institutional, entertainment and cultural centre and acts as a regional centre for Southwestern Ontario. London is a regional centre of healthcare and education, being home to the University of Western Ontario, Fanshawe College, and several hospitals as well as possessing a concentration of major office buildings, hotels, convention facilities, entertainment and cultural uses, major indoor sports facilities and government buildings, having City-wide or regional significance.

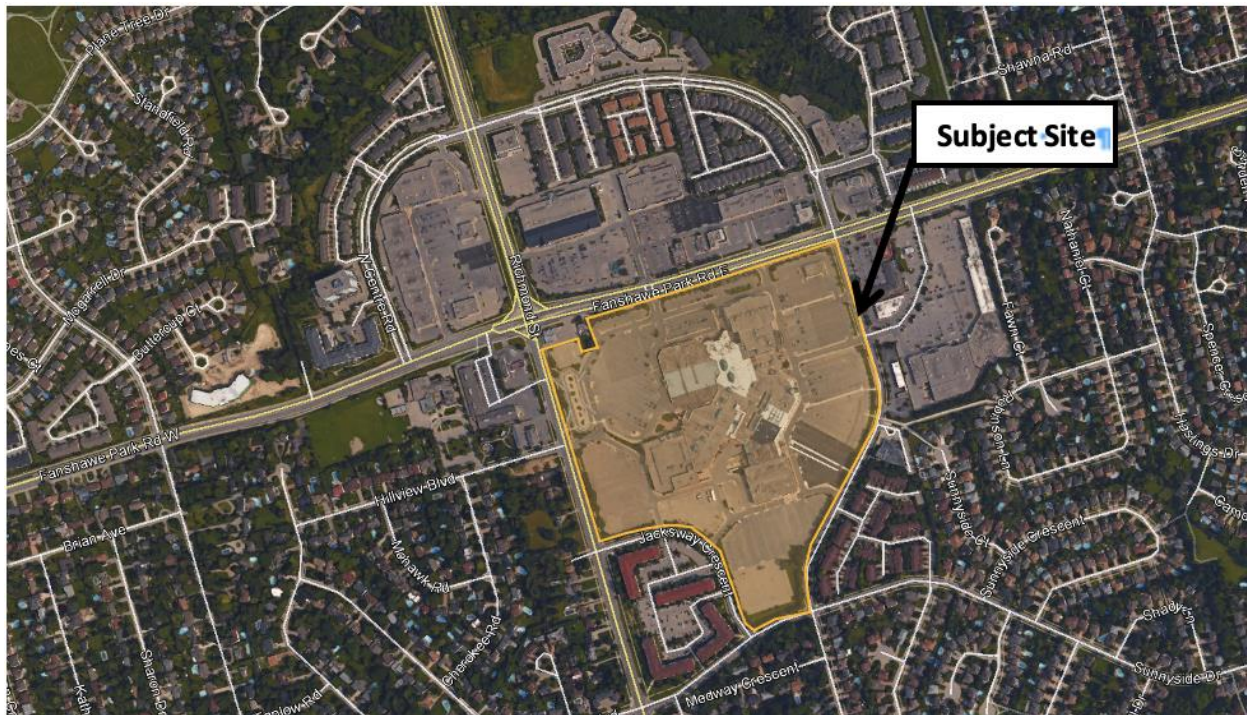


Figure 1 Aerial Photograph of the Subject Site

3.0 Proposed Development

3.1 Proposed Additional Permitted Land Use

Proposed Automobile Sales Boutique

The Subject Site is Zoned RSA-1, which permits a wide variety of retail, personal service and entertainment uses including “Automotive Uses, Restricted” which is defined as “an automobile service station, a gas bar,

or a car wash” but which does not include automobile sales or leasing. In this case, CF Masonville Place seeks to establish permissions within the Zoning By-law to permit the location of an “Automobile Sales Boutique” within an existing vacant unit of the enclosed shopping centre on the Subject Site, which is not currently a permitted use. For reference, an “Automobile Sales Boutique” is defined as “an enclosed retail store where vehicles are displayed in a showroom internal to the premises, for the purpose of sale, hire or lease but shall not include the outside display or storage or the repair and service of vehicles”.

The “Automobile Sales Boutique” is proposed to be located within a currently-vacant retail unit with a size of approximately 244 square metres (2,627 square feet) in the western portion of the shopping centre. Accordingly there are no changes proposed with respect to built form or density on the Subject Site, and this application relates only to the establishment of the use. Please refer to the submitted Leasing Plan and Unit L142 Plan for reference regarding the location of the retail unit within the broader shopping centre. Consistent with the definition noted above, the Proposed Development does not include the outside display or storage of vehicles, nor will service or repair of vehicles take place on the Subject Site.

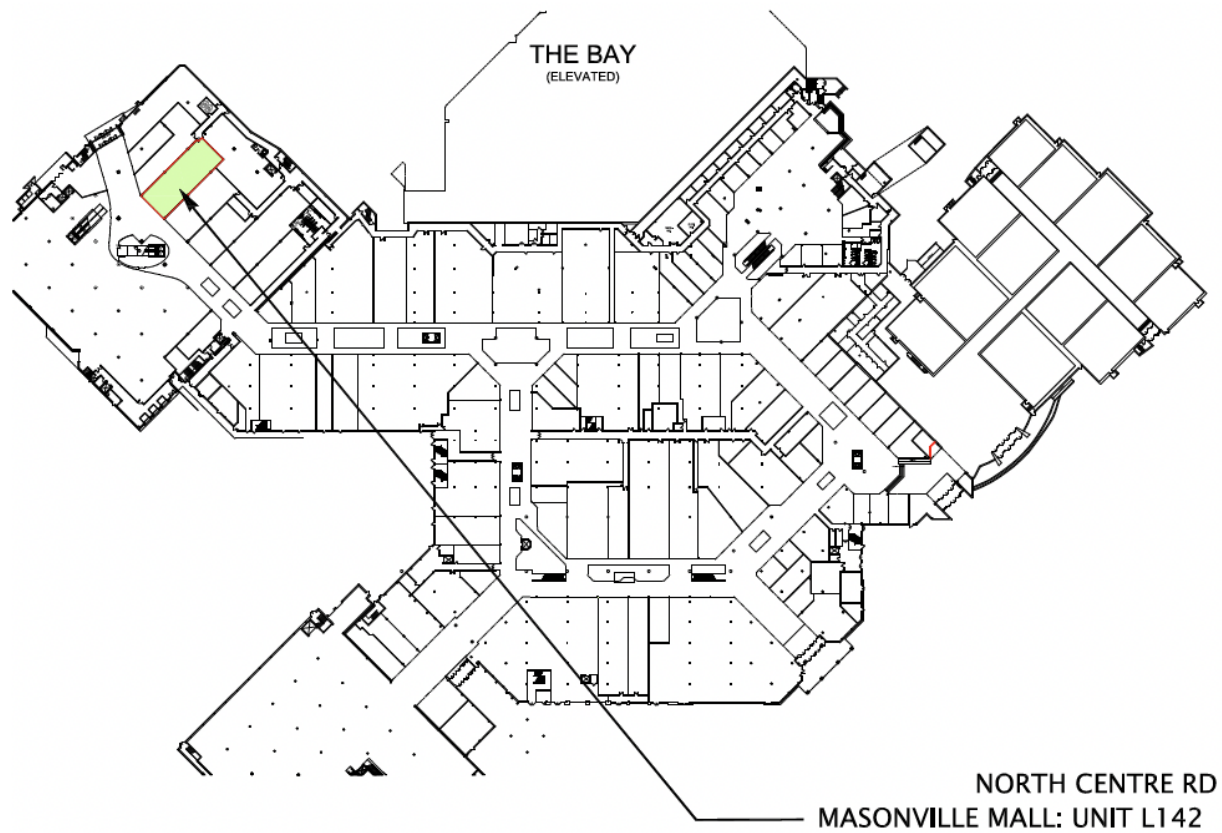


Figure 2 Location of proposed “Automobile Sales Boutique” within CF Masonville Place

4.0 Planning Framework

The Subject Site is subject to Provincial and local municipal planning policies contained in the following statutory planning documents:

- Provincial Policy Statement, 2020;
- The London Plan, 2016; and
- City of London Zoning By-law Z-1.

The following sections review and analyze the Proposed Development in the context of the above noted Provincial and municipal policy and regulatory documents.

4.1 Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020, (the “PPS”) came into effect on May 1, 2020, and is meant to provide direction on matters of Provincial interest related to land use planning and development. The Planning Act directs that decisions affecting planning matters “*shall be consistent with*” the policy statement. In 2023, the Province of Ontario released draft amendments to the PPS, which are currently provided for review and consultation. Should the PPS be revised during the course of review for this Zoning By-law Amendment application, WND Associates Limited will undertake to provide an addendum to this Report.

Managing and Directing Land Use

Policy 1.1 of the PPS provides policy direction for efficient and resilient land uses and patterns. As stated in Policy 1.1.1, “*healthy, liveable and safe communities are sustained by*” a number of interventions that closely relate to the Subject Site including:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) avoiding development and land use patterns which may cause environmental or public health and safety concerns; [...]*
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;”*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity; and*
- i) preparing for the regional and local impacts of a changing climate.*

The proposed land use change is consistent with the PPS through promoting a use that would reinforce efficient development and land use patterns, within an area planned for growth in both residential and non-residential uses. Further, the proposed establishment of a “retail-adjacent” use is appropriate within

the local policy context (as further discussed within this Report), which the PPS recognizes is the most important avenue for implementing Provincial policy.

Settlement Areas

Policy 1.1.3 relates to settlement areas, which are urban and rural settlements areas, where growth and development shall be focused. As directed by Policy 1.1.3.2, “*land use patterns within settlement areas shall be based on density and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed; and*
- g) are freight-supportive.”*

The Subject Site is located within an area that is planned to be transit-supportive, and an overall complete community with residential, non-residential and community-based uses. In addition, there are a wide range of land uses are permitted, including predominately retail operations for which the proposed “*Automobile Sales Boutique*” is generally consistent.

In our opinion, the proposed establishment of an “*Automobile Sales Boutique*” on the Subject Site contributes to the ongoing vibrancy and vitality of the shopping centre, reinforces the nature of the Subject Site as a destination for retail and entertainment uses in a manner which conforms to the local planning policies, and is therefore consistent with the PPS, 2020.

4.2 The London Plan (2016)

The London Plan (the ‘Plan’) is the Official Plan prepared by the City of London focusing on a “place-based” approach to Official Plan policies. The plan was formally adopted by City Council on June 23rd, 2016 and was approved by the Minister of Municipal Affairs on December 28, 2016. Following the resolution of outstanding site-specific appeals to the Ontario Land Tribunal (the “OLT”), the Plan is the now the in-force policy document applicable to the Subject Site.

The London Plan is a “place based” Official Plan and categorizes lands into one of several “place types” such as *Downtown, Transit Villages, Shopping Areas, Main Streets, Neighbourhoods, Institutional, and Industrial Areas*. While the Plan provides a broad, overarching vision for the ultimate growth of London, more-specific visions are outlined within the policies for each “place type” or designation.

Relevant Place Type

CF Masonville Place is designated a *Transit Village* “place type” with the Richmond Street frontage located along a *Rapid Transit Boulevard* and the Fanshawe Park Road East frontage along a *Main Street*. CF

Masonville Place is uniquely situated within the broader *Transit Village* “place type” in this area as it presents limited points where there is a direct interface between the *Transit Village* and *Neighbourhoods* “place types”, and is the largest single parcel of land within the broader area. This Report will provide a summary and analysis of the relevant *Transit Village* “place type” policies as they relate to the evaluation and consideration of the Proposed Development.

Transit Village

The overall vision for the *Transit Villages* imagines them as “exceptionally designed, high-density mixed-use urban neighbourhoods connected by rapid transit to the Downtown and each other” and adds that they “will offer entertainment and recreational services as well as public parkettes, plazas and sitting areas”. Consideration of this guiding vision formed the basis of the concept plan for the Proposed Development, along with specific consideration of the various relevant policies. In terms of overall vision for the *Transit Village*, the proposed “*Automobile Sales Boutique*” is noted within the City of London Zoning By-law to consist of an “*enclosed retail store*” which is a typology consistent with the other existing retail operations on the Subject Site.

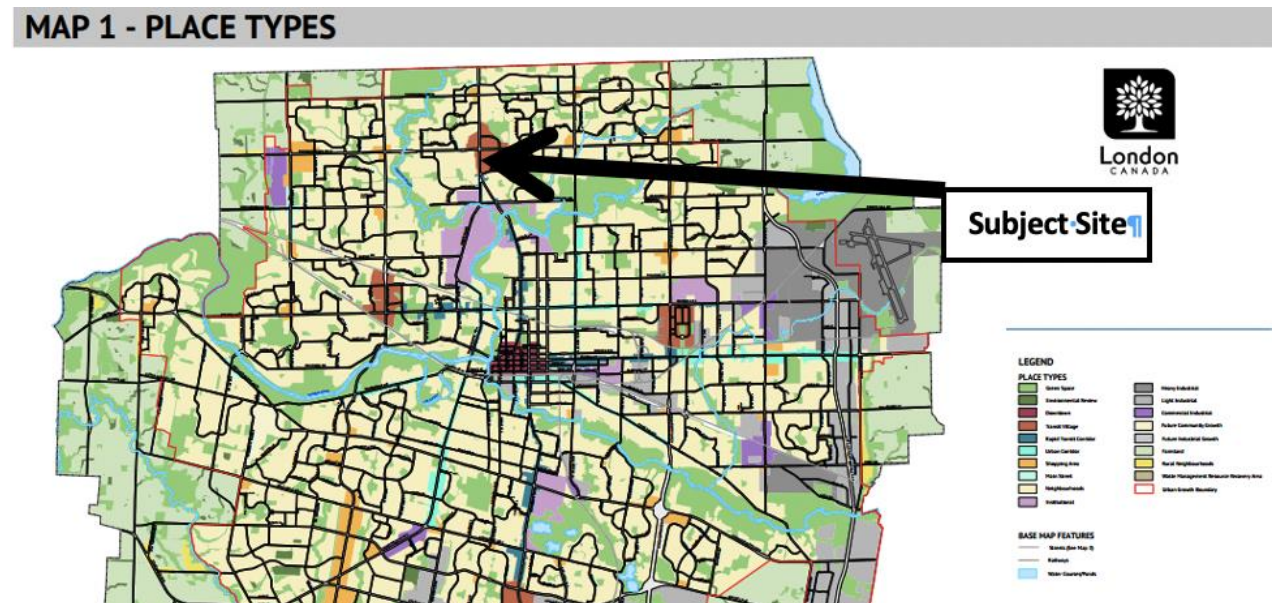


Figure 3 City of London Official Plan - Map 1 - Place Types

Permitted uses within the *Transit Village* “place type” are identified in Section 811, which generally notes that uses include a wide range of residential and non-residential uses, as well as recreational or community-based uses to create complete communities centred around existing and planned transit infrastructure.

“Section 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, entertainment, recreational, and other related uses may be permitted in the *Transit Village* place type;
2. Mixed Use buildings will be encouraged;

3. Where there is a mix of uses within an individual building, retail and service uses will be encouraged to front the street at grade;
4. The full range of uses described above will not necessarily be permitted on all sites within the Transit Village place type.”

The Proposed Development provides for the establishment of an “Automobile Sales Boutique” within the existing enclosed shopping centre, and will support and complement the existing retail and service uses on the Subject Site. The proposed use functions as a retail store, wherein automobiles are sold to customers directly. As such while it is a separately defined use within the Zoning By-law, it nonetheless functions and operates as a typical retail store, which is a permitted use within the applicable designation.

In terms of considerations such as built form and urban design, there will be no exterior change to the existing building, and as such the Proposed Development maintains the existing condition on the Subject Site. In our opinion, the land uses and built form provided for within the Proposed Development are in conformity with the *Permitted Uses* for the *Transit Village* “place type” designation.

4.3 City of London Zoning By-law Z-1

The City of London Zoning By-law zones the subject site “RSA1 – Regional Shopping Area.” A wide range of uses are permitted in an enclosed shopping centre building, including retail operations, entertainment uses, and vehicle service related uses. An “Automobile Sales Boutique” is not currently a permitted use within the RSA1- Regional Shopping Area zone.

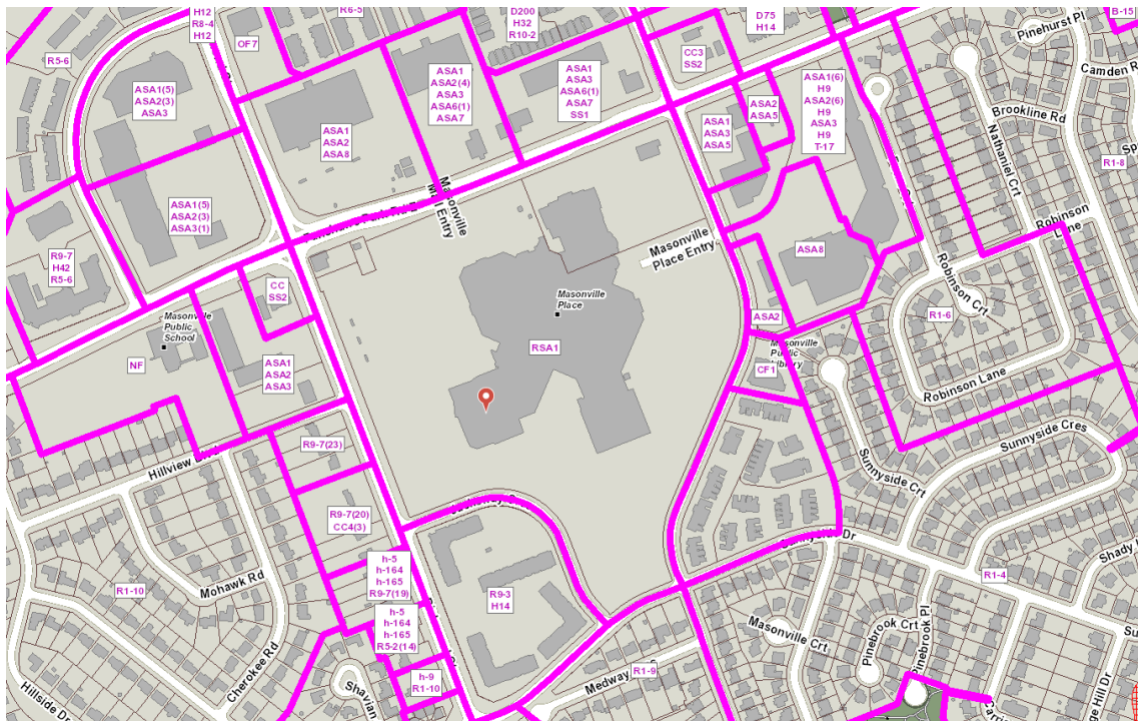


Figure 4 City of London Zoning By-law Z-1 - Zoning

An “Automobile Sales Boutique” is defined as meaning “an enclosed retail store where vehicles are displayed in a showroom internal to the premises, for the purpose of sale, hire or lease but shall not include the outside display or storage of vehicles or the repairs and service of vehicles”. As noted within the preceding definition, an “Automobile Sales Boutique” functions as a “Retail Store”, albeit is specifically limited to the sale and leasing of automobiles as opposed to other goods.

Special Provisions ‘1’ also applies to the Subject Site and provides regulations for ‘RSA1’ Zone Variations.

Zone Variation	RSA1
Permitted Uses	As per Section 21.2
Minimum Lot Frontage	200.0 metres (enclosed shopping centre building) 45.0 metres (secondary building)
Minimum Lot Depth	200.0 (enclosed shopping centre building) 60.0 (secondary building)
Minimum All Yard Depths	From a road allowance or abutting residential zone boundary – 15.0 metres (49.7 feet); within the same RSA Zone variation = 0.09 metres (0.0 feet) other abutting zones – 3.0 m (9.8 feet).
Minimum Landscaped Open Space	10%
Maximum Lot Coverage	45%
Maximum Height	24.0 metres
Maximum Gross Leasable Floor Area	75,000 square metres
Maximum Total Gross Leasable Floor Area for Office Uses as a Proportion of Total Gross Leasable Floor Area of Shopping Centre	10%
Maximum Total Gross Leasable Floor Area for Places of Entertainment as a Proportion of Total Gross Leasable Floor Area	10%

As the proposed “Automobile Sales Boutique” is wholly located within the existing enclosed shopping centre, and within a presently vacant unit, there are no changes to any building setbacks, lot standards, building height, landscape open space or gross leasable area. Accordingly, this application for Zoning By-law Amendment will amend the Special Provisions of Section 21.4 (a), to include an “Automobile Sales Boutique” as an additional permitted use within subsection (a)(i). No other changes to the applicable zoning regulations are required.

5.0 Conclusion

As noted, the re-tenanting of the existing vacant retail unit represents a modest area of the overall shopping centre and will enhance and support the ongoing retail and entertainment operations on the Subject Site. It will contribute to the vibrancy of CF Masonville Place, and allow for an additional use on the Subject Site which are complimentary and consistent with the planned retail function of the existing building. It represents a more modern direction of vehicle sales and leasing, and will not require the outdoor storage or display of vehicles, and the necessary land consumption associated with such.

The proposed development is appropriate for the Subject Site, the City of London and surrounding area, and represents good planning.

More Specifically:

- The proposed Zoning By-law Amendment which seeks to permit an “*Automobile Sales Boutique*” is consistent with the planned retail-oriented nature of the Subject Site, including automotive service uses;
- The proposal will not result in any undue or adverse impacts to the surrounding properties or to traffic on existing road networks.
- The proposal will not negatively affect activities elsewhere in the municipality and will not detract from the vibrancy of the downtown or other automotive-oriented areas; and,
- The proposal, as contemplated, would provide a significant tenant for the shopping centre, which contributes to the overall vibrancy of the mall and immediate area.

The proposed amendment to the Zoning By-law will not be in conflict with the current and emerging planning policy framework of the City of London and will provide for an appropriate use of the subject space beyond what the current in-force zoning permits.

Having regard to the many factors discussed in this Planning Justification Report, the proposed Zoning By-law Amendment is consistent with, implements and conforms to the Provincial planning policies and the current and emerging planning policy framework of the City of London.

The proposed Zoning By-law Amendment is reasonable, represents good planning and warrants the support of Staff and Council.

WND associates

planning + urban design

A handwritten signature in black ink, appearing to read 'Andrew Ferancik', written in a cursive style.

Andrew Ferancik, MCIP, RPP
Principal