

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: Kanwal Dentistry Professional Corporation
367 Springbank Drive
File Number: Z-9722, Ward 11
Date: June 11, 2024

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Kanwal Dentistry Professional Corporation relating to the property located at 367 Springbank Drive:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting June 25, 2024 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Residential R2/Office Conversion (R2-2/OC4) Zone, **TO** an Arterial Commercial Special Provision (AC2(_)) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) As parking exceeds minimum requirements the applicant is encouraged to convert spaces for additional outdoor amenity space;
 - ii) Specify the location of the medical/dental waste;
 - iii) Relocate the proposed bicycle parking;

IT BEING NOTED, that the above noted amendment is being recommended for the following reasons:

- i) The recommended amendment is consistent with the Provincial Policy Statement, 2020;
- ii) The recommended amendment conforms to the policies of The London Plan, including but not limited to the Key Directions and Urban Corridor Place Type.
- iii) The recommended amendment would facilitate the establishment of office and residential uses that are appropriate for the context of the site.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R2 and Office Conversion (R2-2/OC4) Zone to an Arterial Commercial Special Provision (AC2(_)) Zone, with provisions to permit an existing reduced interior side yard setback, a reduced parking area setback, and to permit a dwelling unit in the basement of the building.

Purpose and the Effect of Recommended Action

The recommended action will permit a dentist's office, along with two dwelling units and an addition to the existing building. Staff are recommending approval of the proposed Zoning By-law Amendment with the requested special provisions.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
- **Housing and Homelessness**, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.
- **Economic Growth, Culture, and Prosperity** by supporting small and growing businesses, entrepreneurs and non-profits to be successful.

Analysis

1.0 Background Information

1.1 Property Description and Location

The subject lands, municipally known as 367 Springbank Drive, are located on the north side of Springbank Drive, west of Seawood Avenue and east of Mary Avenue in the Southcrest Planning District. The lands are relatively flat in topography, and currently contain a single detached dwelling and a detached garage to the east of the dwelling.

The surrounding uses consist of a mix of office conversions, commercial uses, and low-density residential uses. The property is adjacent to a low-density residential neighbourhood (to its north and west), and is in relative proximity to neighbourhood amenities such as parks (Kensal Park and Greenway Park), a school (Kensal Park French Immersion Public School), and a cemetery (Woodland cemetery).

Site Statistics:

- Current Land Use: Residential (single detached dwelling)
- Frontage: 16.9 metres
- Area: 710m²
- Shape: regular (rectangle)
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: Yes

Surrounding Land Uses:

- North: Low-density residential
- East: Low-density residential
- South: Neighbourhood shopping centre
- West: Low-density residential, car wash

Existing Planning Information:

- The London Plan Place Type: Urban Corridor Place Type
- Existing Zoning: Residential R2 and Office Conversion (R2-2/OC4) Zone

Additional site information and context is provided in Appendix B.



Figure 1- Aerial Photo of 367 Springbank Drive and surrounding lands



Figure 2 - Streetview of 367 Springbank Avenue (view looking north)

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing to add an addition to the existing building which would contain the proposed dentist office use and would create space in the upper floor and basement for dwelling units (one on each floor). The existing driveway is proposed to be expanded to provide 5 parking spaces behind the building, leaving space for a landscaped buffer around the parking area.

The proposed development includes the following features:

- Land use: Mixed-use (office and residential)
- Form: Dentist office with accessory dwelling units (basement and upper floor)
- Height: 2 storeys (7.5m)
- Residential units: 2
- Building coverage: 17.8%
- Parking spaces: 5 (surface)
- Bicycle parking spaces: 4
- Landscape open space: 22%

Additional information on the development proposal is provided in Appendix B.

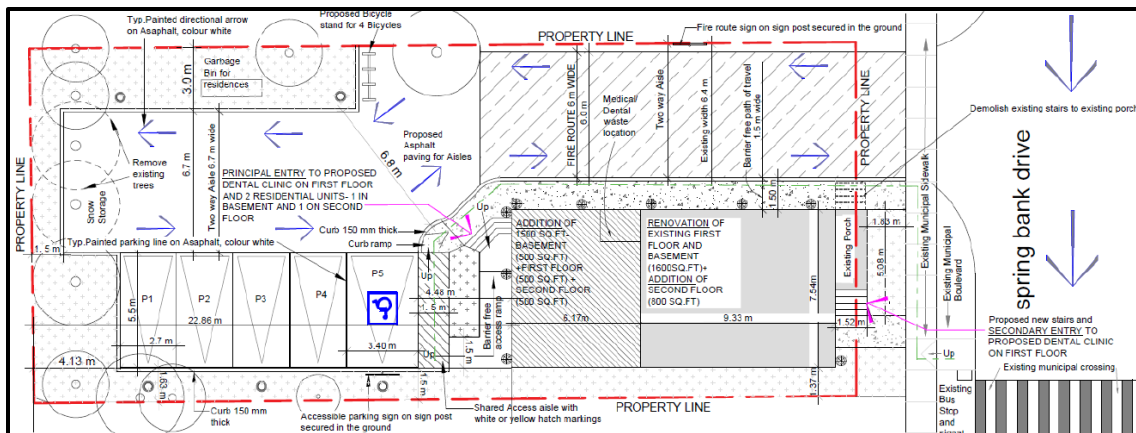


Figure 3 - Conceptual Site Plan (March 2024)



Figure 4 - Renderings of proposed building (March 2024)

Additional plans and drawings of the development proposal are provided in Appendix C.

2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from a Residential R2 and Office Conversion (R2-2/OC4) Zone to an Arterial Commercial Special Provision (AC2(_)) Zone.

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Regulation (AC2(_))	Required	Proposed
Permitted use	Dwelling units, above the first floor	Dwelling units (regardless of floor)
Minimum interior side yard setback	6.0m	1.37m (existing)
Minimum parking area setback	3.0m	1.5m

2.3 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

No key issues were identified by staff and agencies.

Detailed internal and agency comments are included in Appendix D of this report.

2.4 Public Engagement

On March 28, 2024, Notice of Application was sent to 84 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 11, 2024. A “Planning Application” sign was also placed on the site.

There were no responses received during the public consultation period.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, The London Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of *The London Plan*, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in *The London Plan* analysis below.

As the application for a Zoning By-law amendment complies with The London Plan, it is staff's opinion that the application is consistent with the *Planning Act* and the *PPS*.

The London Plan, 2016

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Land Use

The proposed use is consistent with the policies of the PPS that promote healthy, liveable and safe communities (PPS 1.1.1) and encourage economic development (PPS 1.3.1).

The subject site is located within the Urban Corridor Place Type, which contemplates a wide range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, and recreational uses. The proposed office and residential uses align with the range of permitted uses contemplated within the Place Type and will help contribute to the vision of the Urban Corridor Place Type (TLP _830).

4.2 Intensity

The proposed intensity is consistent with the policies of the PPS that encourage an efficient use of land (PPS 1.1.3.2) and facilitate intensification and redevelopment (PPS 1.1.3.4).

The proposed building is in keeping with the intensity contemplated in the Urban Corridor Place Type, which requires a minimum height of two storeys (TLP Table 9) and sets a maximum area for office uses of 5000m² for individual buildings (TLP 840_5.). The proposed addition to the existing building maintains an appropriate intensity on the subject site, and provides appropriate buffers from adjacent lots to ensure compatibility (TLP 840_1.).

4.3 Form

The proposed form is consistent with the Urban Corridor Place Type's form policies and the City Design Policies. The proposed building would remain close to the front lot line (TLP 841_2.) and the parking is screened and located behind the building, helping ensure a high-quality pedestrian environment (TLP 841_9.).

4.4 Zoning

As part of the proposed Zoning By-law Amendment, the applicant is seeking special provisions one being for the location of a dwelling unit in the basement of the building, as well as setbacks for the west interior side yard and from the parking area to the west lot line.

The Arterial Commercial (AC2) Zone restricts dwelling units to above the first floor, which is generally intended to ensure that the main floor of a building in the Zone would be occupied by a commercial or office use. Given the proposed unit is within the basement Staff are supportive of the regulation as the unit would not detract from the main level dental office use. The proposed basement unit would be required to meet building code.

As existing, the building has a setback of 1.37 metre from the west lot line. The proposed special provision for the west interior side yard setback would establish the existing setback into the zoning, and would not lead to any setbacks smaller than the existing one. The proposed parking is located behind the building, and would be 1.5 metre from the west lot line. The setback keeps parking spaces set back slightly further than the building, and thus provides a similar setback and buffering from the adjacent property. Neither of the setback special provisions are expected to cause compatibility issues with adjacent properties.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R2/Office Conversion (R2-2/OC4) Zone to an Arterial Commercial Special Provision (AC2(_)) Zone. Staff are recommending approval of the requested Zoning Bylaw amendment with special provisions.

The recommended action is consistent with the PPS 2020, conforms to The London Plan and will permit a dental office with accessory dwelling units.

Prepared by: Noe O'Brien
Planner, Planning and Development

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

Copy:
Britt O'Hagan, Manager, Current Development
Brent Lambert, Manager, Development Engineering

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2024

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 367 Springbank Drive.

WHEREAS this amendment to the Zoning By-law Z.-1 conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 367 Springbank Drive as shown on the attached map comprising part of Key Map No. A106, **FROM** a Residential R2/Office Conversion (R2-2/OC4) Zone **TO** an Arterial Commercial Special Provision (AC2(_)) Zone.
2. Section Number 26.4 of the Arterial Commercial (AC) Zone is amended by adding the following Special Provisions:

AC2(_) 367 Springbank Drive

a. Additional permitted uses

- i) Dwelling units (below the first floor)

b. Regulations

- i) West interior side yard setback for buildings no greater than 8 metres in height (minimum) – 1.3m
- ii) Parking area setback (minimum) – 1.5m

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

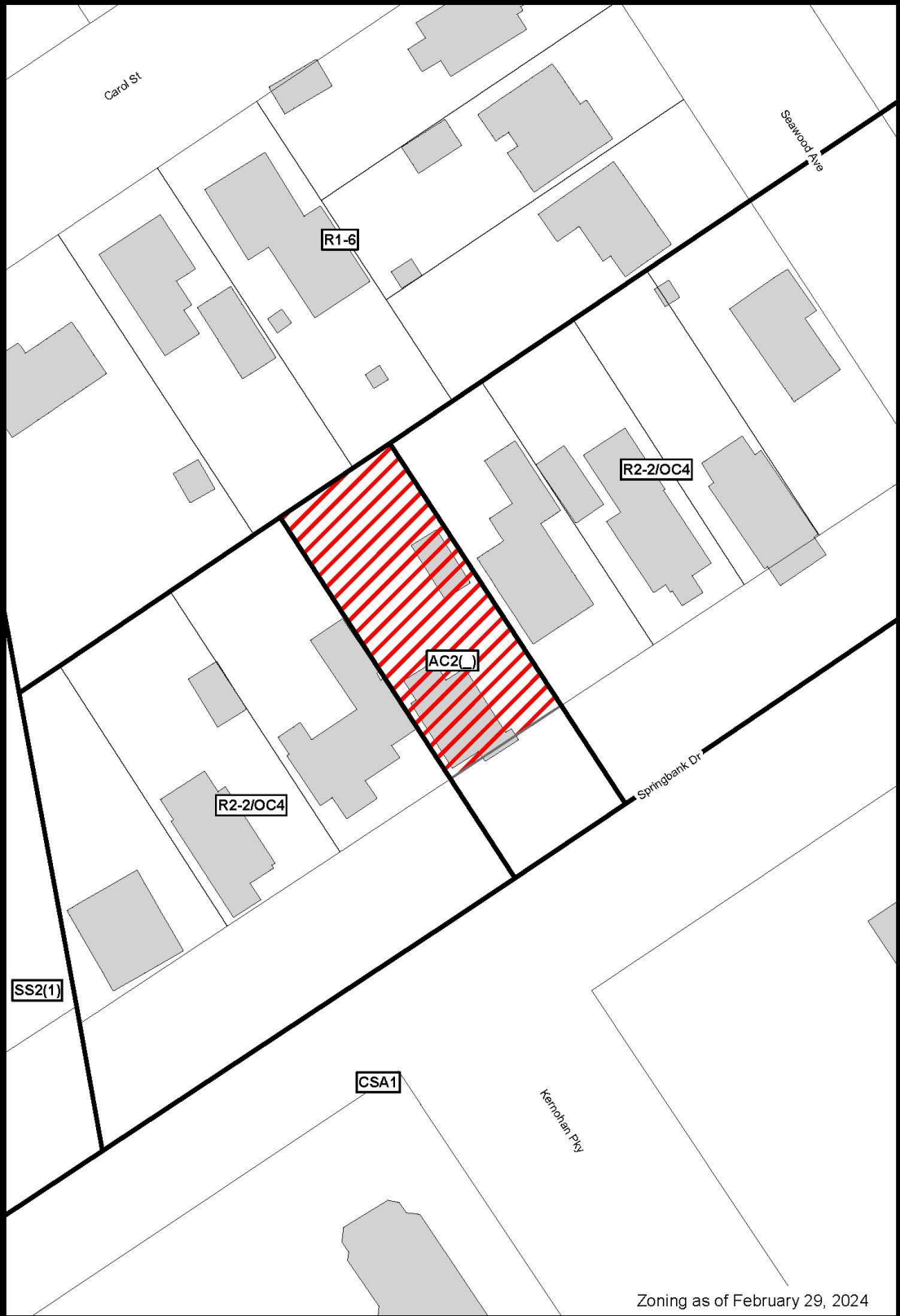
PASSED in Open Council on June 25, 2024


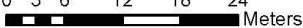

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – June 25, 2024
Second Reading – June 25, 2024
Third Reading – June 25, 2024

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z-1)



<p>File Number: Z-9722 Planner: NO Date Prepared: 2024/03/27 Technician: JI By-Law No: Z-1-</p>	<p>SUBJECT SITE </p> <p>1:600</p> <p>0 3 6 12 18 24 Meters </p> <p></p>
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Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Residential (single detached dwelling)
Frontage	16.9 metres
Area	710 m ²
Shape	Regular (rectangle)
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

Surrounding Land Uses

North	Low-density residential
East	Low-density residential
South	Neighbourhood shopping centre
West	Low-density residential, car wash

Proximity to Nearest Amenities

Major Intersection	Springbank Drive and Wonderland Road South, 1.1km
Dedicated cycling infrastructure	Springbank Drive, adjacent
London Transit stop	Kernohan Parkway and Springbank Drive, 60m
Public open space	Kensal Park, 550m
Commercial area/use	Springbank Centre, adjacent
Food store	Giant Tiger, 100m
Primary school	Kensal Park French Immersion Public School, 200m
Community/recreation amenity	Springbank Gardens Community Centre, 1.5km

B. Planning Information and Request

Current Planning Information

Current Place Type	Urban Corridor Place Type along a Civic Boulevard
Current Special Policies	None
Current Zoning	R2-2/OC4

Requested Designation and Zone

Requested Place Type	No change requested
Requested Special Policies	No change requested
Requested Zoning	AC2()

Requested Special Provisions

Regulation (AC2())	Required	Proposed
Permitted use	Dwelling units, above the first floor	Dwelling units (regardless of floor)
Minimum interior side yard setback	6.0m	1.37m (existing)
Minimum parking area setback	3.0m	1.5m

C. Development Proposal Summary

Development Overview

The applicant is proposing to add an addition to the existing building, as well as to add a dentist office to the building. The addition would house the dentist office and would create space in the upper floor and basement for dwelling units (one on each floor). The existing driveway is proposed to be expanded to provide 5 parking spaces behind the building, leaving space for a landscaped buffer around the parking area.

Proposal Statistics

Land use	Mixed-use (office and residential)
Form	Dentist office with accessory dwelling units (basement and upper floor)
Height	2 storeys (7.5m)
Residential units	2
Building coverage	17.8%
Landscape open space	22%
New use being added to the local community	Yes

Mobility

Parking spaces	5 (surface)
New electric vehicles charging stations	Unknown
Secured bike parking spaces	4
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	N/A

Environmental Impact

Tree removals	2
Tree plantings	0
Tree Protection Area	No
Loss of natural heritage features	N/A
Species at Risk Habitat loss	N/A
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	Yes
Green building features	Unknown

Appendix C – Additional Plans and Drawings



Building rendering (front view)

Appendix D – Internal and Agency Comments

Heritage

- This is to confirm that there are no cultural heritage or archaeological concerns associated with this application.

Engineering

- Engineering has no further comments on this application – Approval is recommended.

Site Plan

Comments at Zoning Stage:

- Due to existing site constraints, Site Plan is generally supportive of a 6.0m two-way driveway that widens to 6.7m internal to the lot.
- Confirm building encroachment such as the porch and staircase from the site boundary.

Comments for Site Plan Stage:

- The applicant exceeds the minimum parking requirements, Site Plan encourages the applicant to convert one of the parking spaces into additional outdoor amenity space. (The London Plan, 295).
- Specify the location of the medical/dental waste. As per the Site Plan Control By-Law, medical/dental waste shall be located in a building or structure capable of being locked. Ensure that the proposed exterior residential waste bin storage location consists of a concrete poured-in-place material. (Site Plan Control By-Law, Section 10.3).
- To mitigate vehicular and cyclist conflicts, relocate the proposed bicycle parking.

Urban Design

Major Issues:

- None

Matters for ZBA:

- Urban Design has no further comments for the above-noted ZBA as all of our previous comments have been addressed.

Matters for Site Plan:

- The following site plan-related comments were provided to the applicant through the SPC process:
 - Urban Design staff recommend the applicant explore consolidating this property with adjacent properties to allow for a more comprehensive development that better aligns with the policies in The London Plan for the Urban Corridors Place Type.
 - Consider demolishing the existing building and designing a replacement building that is more complimentary and sensitive to the surrounding streetscape.
 - Reduce the amount of asphalt area to the minimum required for the parking and associated drive aisles. For example, the parking spaces at the rear could be moved closer to the drive aisle to allow for more landscaping between the parking area and the westerly property line.
 - Provide direct pedestrian access from the building entrances to the public sidewalk on Springbank Drive. This should include direct access from the front entrance to the sidewalk, as well as the apartment units.
 - Provide a full-set of dimensioned elevations for all sides of the proposed building. Further Urban Design comments may follow upon receipt of the elevations.

UTRCA Comments

- The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.

London Hydro

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Ecology Comments

Zoning By-law amendment to permit a medical/dental office.

This e-mail is to confirm that there are currently no ecological planning issues related to this property and/or associated study requirements.

Major issues identified

- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

Ecology – complete application requirements

- None.

Notes

- None.

Appendix E – Public Engagement

No public comments were received as part of this application.