



1368 OXFORD STREET EAST, LONDON, ON.

PLANNING JUSTIFICATION **REPORT**

Zoning By-law Amendment Application

[siv-ik] PLANNING
/ DESIGN



VERSION 1.0

ISSUED

06.13.2024

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PREPARED FOR

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1.0 INTRODUCTION

This report has been prepared by Siv-ik Planning & Design Inc. for Dr. Ashishkumar Patel (the registered owner of the property) in support of a Zoning By-law Amendment application for the property municipally known as 1368 Oxford Street East 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 Office Conversion (OC5) Zone category to the existing Residential R1 (R1-9) Zone that applies to the property, thereby allowing for a range of office uses within the existing building. The proposed Zoning By-law amendment also includes special provisions to recognize the existing site conditions (i.e., setbacks). Overall, the amendment is intended to allow for an efficient and appropriate use of the existing building in advance of longer-term redevelopment.

Figure 1: Site Overview



The subject site is municipally identified as 1368 Oxford Street East in the City of London and is located within the Huron Heights Planning District in East London. More specifically, the site is located on the northeast corner of Roehampton Avenue and Oxford Street East, approximately 400 metres east of the intersection of Oxford Street East and Highbury Avenue North. The site is approximately 0.12 hectares (0.3 acres) in size, rectangular in shape, and contains an existing converted dwelling (226.2m² GFA) and two accessory structures.

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

Table 1: Site Statistics

Project Site Attributes	
Site Area	1,207m ² (0.12ha)
Frontage	31.6 metres (Roehampton Avenue)
Depth	38.1 metres
Existing Use(s)	Converted dwelling
Servicing	Full Municipal Services
Existing Zoning	Residential R1 (R1-9)
Official Plan (The London Plan)	Rapid Transit Corridor

Note: A “Concept 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 and on-site observation.

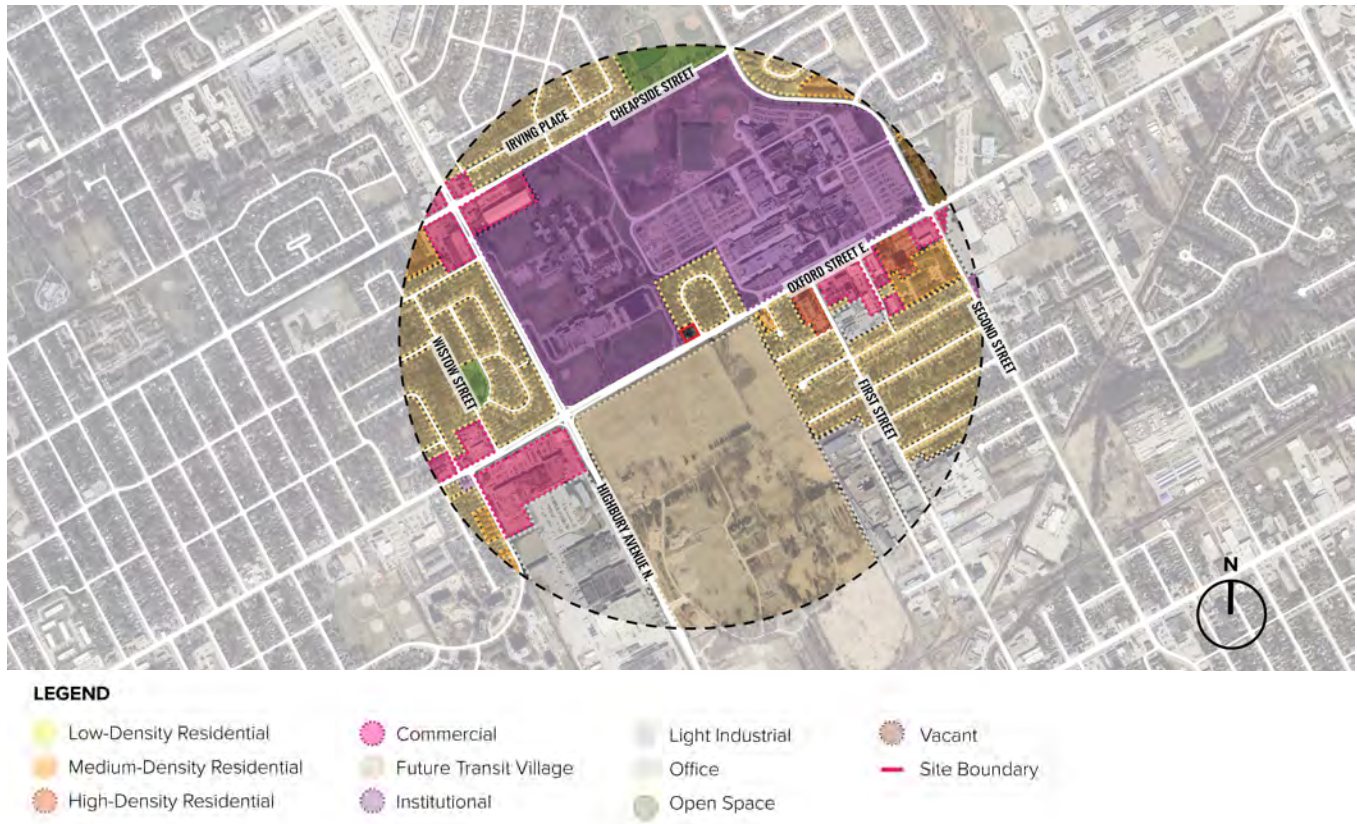
2.0 SITE CONTEXT

2.1 Surrounding Land Use

As noted in Section 1.0 of this report, the site is located within the Huron Heights Planning District. This neighbourhood encompasses the area generally bounded by Briarhill Avenue to the west, Oxford Street to the south, the North Thames River and Clarke Road to the east.

The land use pattern within 400m (~5 minute walk) of the site is made up of a mix of low-density residential uses in the form of single-detached dwellings, and large-scale institutional uses included Fanshawe College, John Paul II Catholic Secondary School, and Robarts Provincial School for the Deaf. The lands along Roehampton Avenue form an isolated low-density residential node, comprised of single-detached and converted dwellings. To the south, across Oxford Street East, are the former London Psychiatric Hospital Lands. These lands are currently undergoing the early planning processes with the intention to infill and intensify the lands, providing a significant number of new residential dwellings and a greater mix of land uses in the area. The site is highly accessible along Oxford Street East, which accommodates active transportation lanes and multiple LTC routes with connections to major residential and service areas.

Figure 2: Surrounding Land Use Map (800m)



2.2 Site Analysis

The site analysis graphic below represents the existing physical characteristics of the site and the lands immediately surrounding the site. The site consists of a rectangular-shaped corner parcel with approximately 31 metres of frontage on Roehampton Avenue, and 38 metres of frontage along Oxford Street East. The site is occupied by a single-storey converted dwelling, (226m² GFA) and two accessory garage structures (to be removed). Vehicular access to the site is provided by two driveways, accessed from Roehampton Avenue and Oxford Street East.

In accordance with Map 3 – Street Classifications in the London Plan, the site has direct frontage on a Rapid Transit Boulevard, Oxford Street East, consisting of 5-lane cross section with two travel lanes in each direction and an intermittent centre turning lane. Municipal sidewalks and dedicated cycling lanes are located along the Oxford Street East frontage of the site, both on the north and south sides of the street. A westbound LTC bus stop is located 60m from the site. Roehampton is identified as a Neighbourhood Street, consisting of a 2-lane cross section with one travel lane in each direction. Municipal sidewalks are present along the site's frontage on Roehampton Avenue. This segment of Oxford Street East will be developed as part of Phase 4 of the East Link Bus Rapid Transit (BRT) route, which includes the widening of Oxford Street to establish continuous transit lanes, and station locations at the intersection of Highbury Avenue North and Oxford Street East, and at Fanshawe College.

Figure 3: Site Analysis



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 1368 Oxford Street East.

- ▶ Section 11.1 of the PPS establishes that healthy, liveable, and safe communities are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- ▶ The proposed expanded range of uses efficiently utilizes land and municipal infrastructure within a settlement area to enhance the existing neighbourhood. The subject lands are serviced by existing public infrastructure with no expansion required (11.3.2);
- ▶ The subject lands present an opportunity for reuse of existing buildings and/or redevelopment which effectively minimizes land consumption and servicing and construction costs without causing public health and safety concerns to support growth and long-term needs of the public (11.3.4);

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 building. Incorporating the additional permitted uses within the OC5 zone aligns with the Provincial Policy Statement by promoting efficient land use, economic development, and sustainability.

3.2 The London Plan:

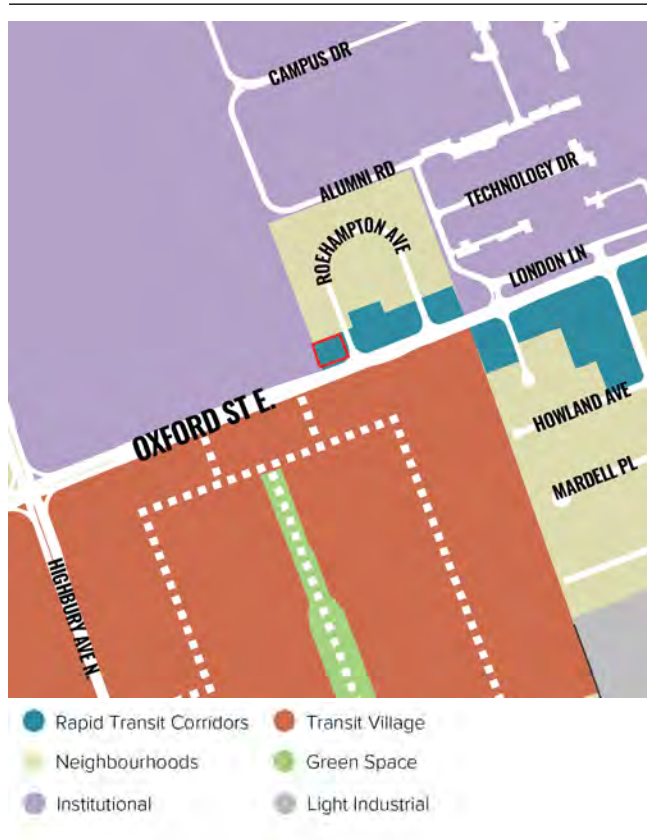
The figures on the next page represent excerpts from Maps 1 & 3 (Place Types and Street Types) of the London Plan. The project site contains direct frontage on Oxford Street East and Roehampton Avenue, which are identified as a Rapid Transit Boulevard and Neighbourhood Street, respectively, on Map 3.

Place Type Policies:

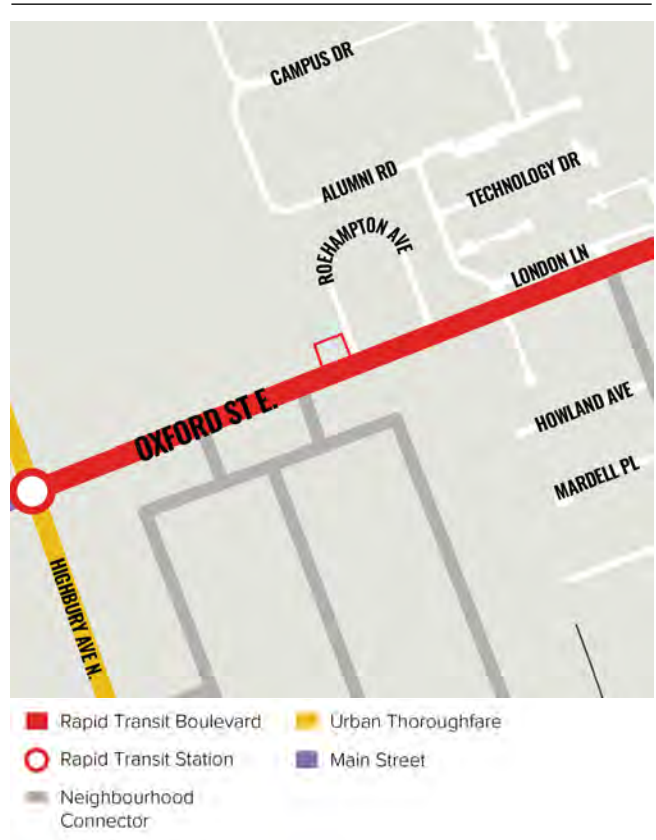
In accordance with Map 1 – Place Types, the project site is within the “Rapid Transit Corridor” Place Type. Rapid Transit Corridors are intended to be vibrant mixed-use communities that border the length of the planned rapid transit services. Rapid Transit Corridors are places that encourage intensification over the life of the London Plan, so that they can mature to support higher-order transit in the future. These corridors encourage residential and mixed-use development. Policy 837_ of the London Plan outlines the permitted uses within the Rapid Transit Boulevard, these include; a range of residential, retail, office, cultural, recreational and institutional. Within this policy, mixed-use buildings are encouraged.

The subject site is located within a “Near-Campus Neighbourhood” as per Map 7 – Specific Policy Areas – of the London Plan. Notwithstanding the underlying/prevaling policies of the Rapid Transit Boulevard, the Near-Campus Neighbourhood policies envision desirable neighbourhoods in proximity to transit connections, employment, and education.

Place Types (Map 1)



Street Types (Map 3)



The Rapid Transit Boulevard encourages the gradual redevelopment of lands to high-density/mixed-use forms of development, though the continuation and viability of the existing building stock remains a legitimate planning outcome until such a time as market conditions are appropriate to enable the transition. Near-Campus Neighbourhood policies encourage residential dwelling units where strategic connections to transit, employment, and education can be made. 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 1368 Oxford Street East, the proposal is sensitive to, and compatible with its surrounding residential and planned context within the Oxford Street East Rapid Transit Boulevard. The proposal fits the policy goals and objectives of the Place Type, including policies within the Near-Campus Neighbourhoods specific-policy area by adding to the on-going functionality of the existing building, and retaining the basement residential dwellings, while not creating adverse impacts on the surrounding lands.

Table 2: Existing Zoning Breakdown

Regulation	R1-9
Permitted Uses	Single-detached dwellings
Lot Area (min.)	690m2
Lot Frontage (min.)	18.0m
Front & Exterior Yard Depth (min.)	5.0m
Interior Side Yard Depth (min.)	1.2 metres (3.9 feet) plus, for any portion of the side yard adjacent to a part of the building exceeding one storey in height, 0.6 metre (2.0 feet) for each storey or part thereof above one storey; except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres (9.8 feet).
Rear Yard Depth (min.)	7.5m
Landscaped Open Space (min.)	30%
Lot Coverage (max.)	35%
Height (max.)	12.0m

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

The subject lands are currently zoned Residential R1 (R1-9) as per the City of London Z. -1 Zoning By-law. The R1 zone provides for and regulated single-detached dwellings and is the most restrictive residential zone. The zone is generally applied to low-density areas outside the City’s core. There are 17 variations to the R1 Zone, differentiated on the basis of site requirements to provide for a range of lot sizes and dwelling styles throughout low-density areas in the City. The applicable regulations of the R1-9 Zones are listed in Table 2 below.

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 per Section 4.19, the site is within the “Area Exempt from Minimum Parking Requirements”, and as such, no parking spots are required. To accommodate the proposed medical/dental use and the existing dwelling units, and as shown on the attached Concept Plan, the site has capacity to accommodate 5 parking stalls, including an accessible barrier-free stall.



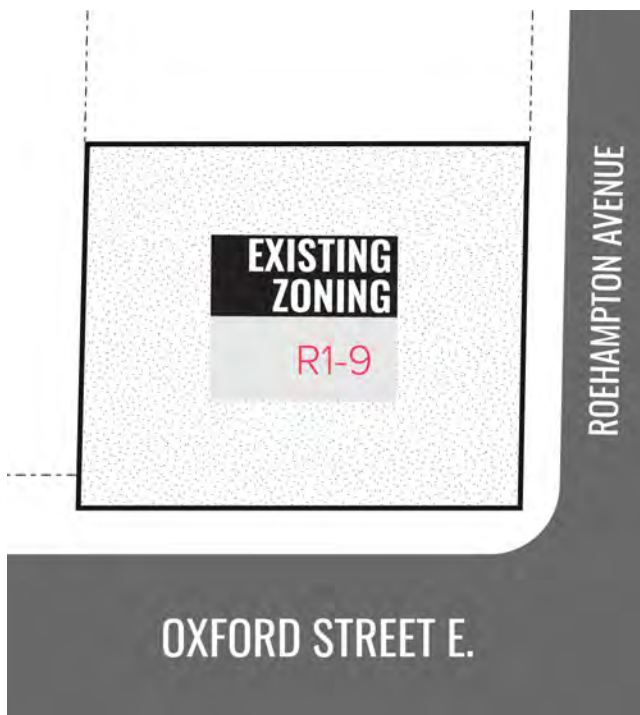
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4.0 THE PROPOSAL

4.1 Zoning By-law Amendment:

The proposed Zoning By-law seeks to establish a framework to support the conversion of the existing structure from residential to a dental office, while maintaining residential permissions for basement dwelling units. The proposed OC5 Zone will provide for an additional range and choice of office uses that can occur within the existing building without requiring the need for residential dwelling units, though it is the intent of the current property owner to maintain the existing dwelling units. The proposed zoning framework enables the additional office while recognizing existing site conditions (i.e., building setbacks). The amendment does not serve to hinder the achievement of the long-term vision for the property to be redeveloped for higher-density and/or mixed-use development. The OC5 Zone includes appropriate regulations on the scale of office uses to be confined to existing building to ensure that the amendment complies with the relevant London Plan policies.

EXISTING ZONING



PROPOSED ZONING

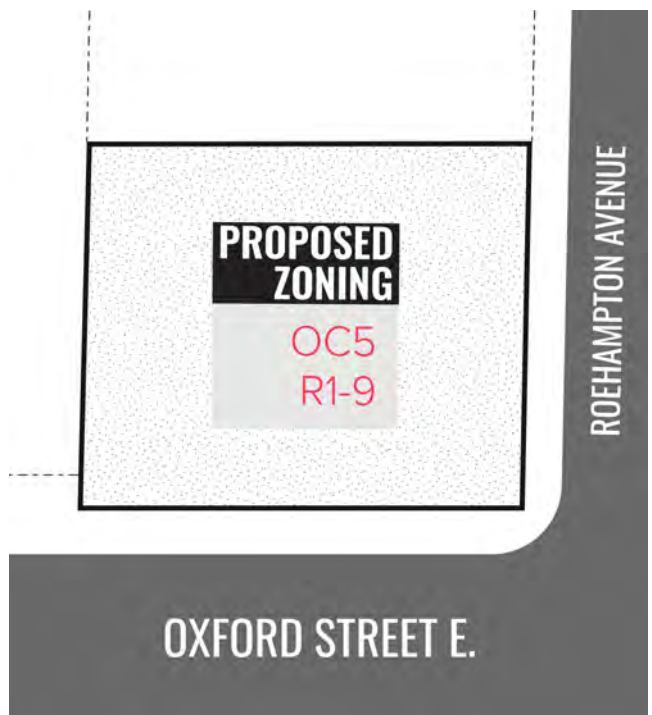


Table 3: Proposed Zoning By-law Regulations

Regulation	Existing Standard R1-9	Proposed OC5	Proposed
Permitted Uses	Single-detached dwellings	Dwelling Units Medical/dental offices in existing buildings Offices in Existing Buildings	Dwelling Units Medical/Dental Office
Lot Frontage (min.)	690m ²	-	1,207m ²
Lot Depth (min.)	18.0m	-	31.6m
Front & Exterior Yard Depth (min.)	5.0m	-	Front: 11.5m Exterior Side: 3.9m
Interior Side Yard Depth (min.)	1.2 metres (3.9 feet) plus, for any portion of the side yard adjacent to a part of the building exceeding one storey in height, 0.6 metre (2.0 feet) for each storey or part thereof above one storey; except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres (9.8 feet).	-	10.0m
Rear Yard Depth (min.)	7.5m	-	6.8m
Landscaped Open Space (min.)	30%	-	67.3%
Lot Coverage (max.)	35%	-	18.7%
Height (max.)	12.0m	-	5.0m
Parking Area Coverage (max.)	25%	-	13.8%
Location of Parking Area			Notwithstanding Section 4.19.4, a parking area may be located in the front yard.

4.2 Purpose of the Application

The purpose of the proposed Zoning By-law Amendment is to allow for an expanded range of office uses on the property to support the viability/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 1368 Oxford Street East beyond what is already permitted by the existing R1-9 zone. It is the intent of the current property owner to establish his own dental clinic on the main floor of the existing building, while maintaining two existing dwelling units in the basement. The ultimate concept includes the removal of the two accessory structures and the construction of a 5-stall parking area accessed from Roehampton Avenue, identified on Appendix A - Concept Plan.

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 any addition or expansion to the existing building at 1368 Oxford Street East. 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 that, should this Zoning By-law Amendment be approved, it 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 Rapid Transit Corridor Place Type. As per 826_, Rapid Transit 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, where small-scale commercial uses are possible. Policy 837_ of the London Plan provided general policy guidance for determining the appropriate range of the land uses for the subject site. According to this policy, a wide range of uses are permitted within the Rapid Transit Corridor including, but not limited to; residential, service, and office uses.

By applying the proposed OC5 Zone to the site, the proposed amendment will provide an additional range of office uses within the existing building on the subject site, while also permitting the retention of residential dwelling units. The OC5 Zone variation generally allows for offices, including medical/dental offices within existing buildings, which are expressly permitted within the Rapid Transit Corridor Place Type. The proposed additional OC5 Zone category maintains a number of policies that guide any future modifications to the site or existing building.

The policies guiding the intensity of the development in the Rapid Transit Corridor Place Type also seek to limit the size of individual office uses to 2,000m² or less (which is respected by the existing building, within which the proposed office uses are limited to as per the OC5 Zone category).

The OC5 Zone is proposed to form part of a compound zoning framework with the existing Residential R1-9 zone, which maintains the built form standards (i.e., building setbacks, landscaped open space, lot coverage) for the subject site. As identified on the Concept Plan (Appendix A), all site conditions are existing, and a site-specific zone is required to recognize the deficiency in exterior side yard, resulting from a required road-widening for the facilitation of Rapid Transit service on Oxford Street East.

Notwithstanding the general intent of the Rapid Transit 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.

5.2 Parking

The Concept Plan (Appendix A) that forms part of this Zoning By-law Amendment envisions a five-stall parking area located along the north, interior side yard lot line, accessed from Roehampton Road. The parking area includes one barrier-free parking stall, and is intended to serve office professionals, patrons of the medical/dental office, and residents of the retained residential dwellings. On-street parking is available on Roehampton Avenue; however, it is limited to a maximum of one hour. The project site is also located within the “Area Exempt from the Minimum Parking Requirements”, and as such, no parking stalls are required through the Zoning By-law. Based on the proposed uses on site, having an on-site private parking area is desirable for the landowner and future patrons of the dental office, minimizing parking conflicts on the street.

Due to the location of the existing building on the property and the required road-widening resulting from this application, there are no locations in the rear or interior side yard of sufficient size and shape to allow for a parking area large enough to serve the needs of the landowner. As such, a “front yard” parking area is being proposed.

As proposed, the parking area is located in the front yard, which is not permitted in the R1 or OC Zones, requiring a special provision. The recommended special provision for location of a parking area will permit the parking in the front yard. The proposed parking area is located in what is functionally the exterior side yard, as Oxford Street East, being the higher order street, is the technical frontage for the site. On-site parking is essential to support the viability of the proposed medical/dental office and provide suitable parking for residential tenants. The parking area, as demonstrated on Appendix A, is located 1.5m from the north property line, and 3.0m from the Roehampton Avenue right-of-way. Enhanced landscaping is proposed to further the efforts to screen the parking areas from adjacent land uses and the street.

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.

5.4 Archeology

As per Policy 616 of The London Plan, an archaeological assessment is required where a proposal involves development or site alteration, and if it is determined through the application of the Archaeological Management Plan model that any part of a subject area possesses archaeological resource potential or known archaeological resources. An archaeological assessment of the property has been prepared and submitted as part of this Zoning By-law Amendment. The assessment has concluded that no archaeological sites were identified during the Stage 2 assessment, and that no further archaeological assessment on the property is required.



6.0 CONCLUSIONS

The policies within the Rapid Transit Corridor Place Type allow for the continuation and minor repurposing of the existing building stock. The proposed Zoning By-law Amendment will provide for an appropriate zoning framework to guide land use and development at 1368 Oxford Street East in a manner that supports the continued use of the existing building stock through additional land use permissions and special provisions to enhance the viability of said uses. The proposed OC5 zone would permit an additional appropriate range of office uses to ensure the viability of this built asset in advance of any longer-term redevelopment along the Rapid Transit Corridor, and is small-scale in nature, and not intended to be a major vehicle traffic generator that would lead to compatibility issues.. The existing Residential R1 (R1-9) Zone regulations will be maintained, ensuring that the built form remain compatible with the surrounding neighbourhood.

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.

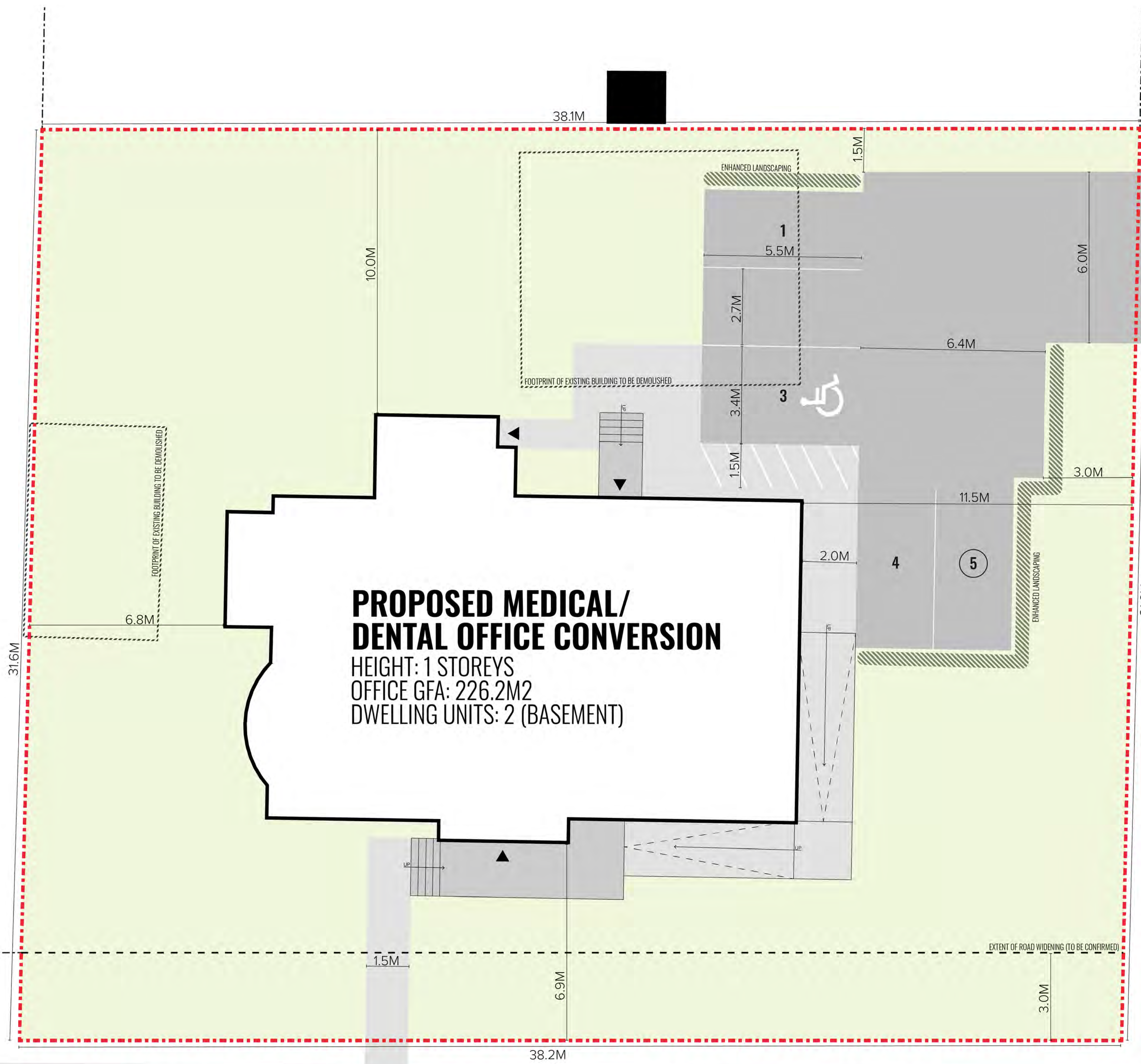
Dan Murphy, MA, BAA

APPENDICES

Conceptual Site Plan A



APPENDIX A: CONCEPT PLAN



**PROPOSED MEDICAL/
DENTAL OFFICE CONVERSION**
 HEIGHT: 1 STOREYS
 OFFICE GFA: 226.2M²
 DWELLING UNITS: 2 (BASEMENT)

OXFORD STREET EAST

ROEHAMPTON AVENUE

CONCEPT PLAN

01
DWG

PROJECT SITE
1368 Oxford Street East



SITE DATA

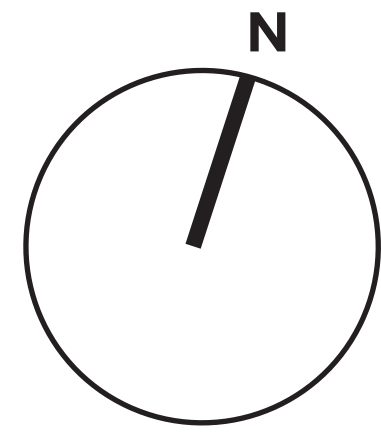
R1-9/0C5
ZONE

Regulations	Required	Proposed
Permitted Uses:	Section 5.2 & 17.2	Medical/Dental Office Dwelling Units
Lot Area:	690m ² (min.)	1,207m ²
Lot Frontage:	18.0m (min.)	31.6m
Front and Exterior Side Yard:	5.0m	Front: 11.5m (Existing) Exterior Side: 3.9m (Existing)
Interior Side Yard:	1.2m required	10.0m (Existing)
Rear Yard:	7.5m (min.)	6.8m (Existing)
Landscaped Open Space:	30% (min.)	67.3%
Lot Coverage:	35% (max.)	18.7%
Height:	12.0m (max.)	5.0m
Parking Area Coverage:	25% (max.)	13.8%
Parking:	Rapid Transit Corridor: 0 Required	5 provided

1.2 metres (3.9 feet) plus, for any portion of the side yard adjacent to a part of the building exceeding one storey in height, 0.6 metre (2.0 feet) for each storey or part thereof above one storey; except that, where no private garage is attached to the dwelling, one side yard shall be 3.0 metres (9.8 feet).

* Requires Special Provision

Client: Dr. Ashishkumar Patel
Date: [04.03.2024]
Drawn By: D. Murphy
Plan Scale: nts
File No: 1368OE
Version: 1.0



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Lot Boundary Disclaimer: Site dimensions have been assumed based on data provided by the City of London. Siv-ik planning and design inc. makes no warranties or guarantees regarding the accuracy of the lot boundaries.

