

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: 2908 Dundas Street Holdings Inc.
2908 Dundas Street
File Number: Z-9627, Ward 2
Date: September 11, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 2908 Dundas Street Holdings Inc. relating to the property located at 2908 Dundas Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the September 26, 2023 Municipal Council meeting 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 Holding Light Industrial (h-17*LI1) Zone **TO** a Holding Light industrial Special Provision (h-17*LI1/LI6(_)) Zone;

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

- i) The recommended amendment is consistent with the PPS 2020;
- ii) The recommended amendment conforms to The London Plan, including, but not limited to the Light Industrial Place Type and Key Directions; and
- iii) The recommended amendment facilitates the development of industrial lands within the Built Area Boundary with an appropriate form of development.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from Holding Light Industrial (h-17*LI1) Zone to a Holding Light industrial Special Provision (h-17*LI1/LI6(_)) Zone.

Staff are recommending approval of the requested Zoning Bylaw amendment with special provisions that will provide additional landscape buffering to the east and south property lines.

Purpose and the Effect of Recommended Action

The recommended action will permit a transportation terminal as an additional use.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **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 Previous Reports Related to this Matter

None.

1.2 Planning History

There have been no previous planning applications on the subject site.

1.3 Property Description and Location

The subject lands are located at the northeastern corner of the intersection of Dundas Street and Creamery Road. The lands are in the Crumlin Planning District and abut the City boundary to the east. The site is currently vacant.

The area surrounding the site consists of a mix of industrial and agricultural uses, with the London International Airport lands to the north, and a mix of agricultural uses and small scale industrial to the south and west. Some of the nearby agricultural uses contain associated residential dwellings, and other low-density residential dwellings are located further to the west of the site along Dundas Street (approximately 600 metres from the southwest corner of the site). The site abuts the Maple Ridge Golf Course to the east, which is within the municipality of Thames Centre.

Site Statistics:

- Current Land Use: Vacant
- Frontage: 270 metres (885 feet)
- Area: 15.1 hectares (37.3 acres)
- Shape: Irregular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

Surrounding Land Uses:

- North: London International Airport
- East: Golf Course (lands outside City boundary)
- South: Food Service Supplies Warehouse / Shop
- West: Industrial Use (North Aircraft Industries)

Existing Planning Information:

- Existing London Plan Place Type: Light Industrial
- Existing Zoning: h-17*LI1

Additional site information and context is provided in Appendix B.

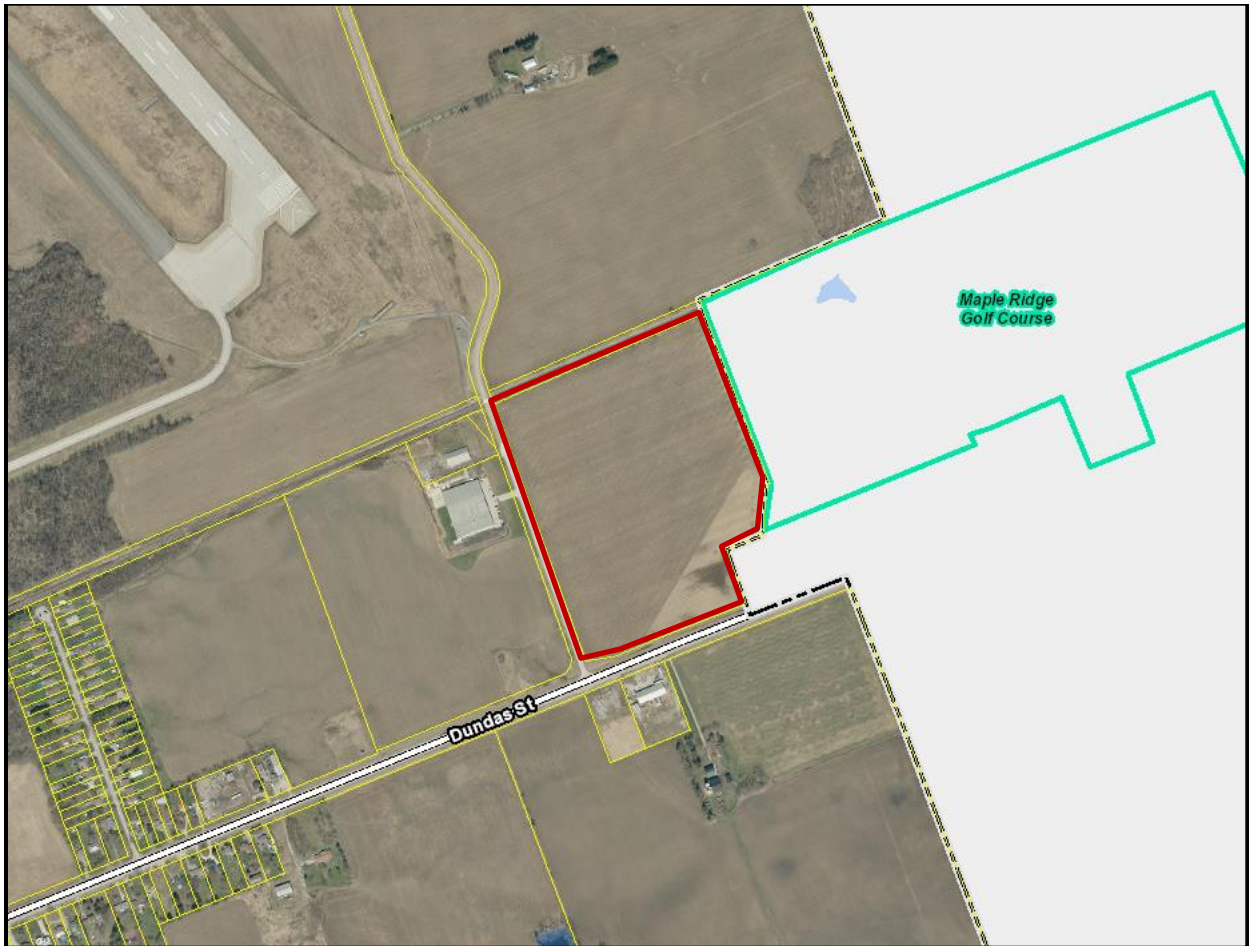


Figure 1- Aerial Photo of 2908 Dundas Street and surrounding lands



Figure 2 - Streetview of 2908 Dundas Street (view looking northeast from corner of Creamery Road and Dundas Street)

2.0 Discussion and Considerations

2.1 Development Proposal

The subject lands are proposed to be used for a Transport Terminal. The conceptual development plan includes outdoor storage/parking of trucks and trailers and maneuvering areas. Surface treatment is planned to be gravel or recycled asphalt. The conceptual site plan features approximately 14.18 hectares of parking space for transport trucks with access proposed along Creamery Road. No significant buildings are proposed at this time.

Recognizing that the subject lands are highly visible to the public and abutting lands, enhanced landscaping and visual screening in the form of a 3m high berm is implemented along the rural residential lots and Dundas Street. Specific landscape features will be identified through the Site Plan Approval process.

The proposed development includes the following features:

- Land use: Transport Terminal
- Form: Parking area
- Height: N/A
- Residential units: N/A
- Density: N/A
- Gross floor area: N/A
- Building coverage: N/A
- Parking spaces: N/A (parking to be delineated at site plan stage)
- Landscape open space: 10%

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



Figure 3 - Conceptual Site Plan (June 2023)

2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from an h-17*LI1 Zone to an h-17*LI1/LI6() Zone.

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

Regulation	Required	Proposed
Landscaped buffer strip (south and east property lines)	N/A	15m

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.

Key issues identified by staff and agencies included:

- Landscaping and buffering from adjacent properties and roads
- Site plan function concerns (to be addressed at the site plan stage)

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

2.4 Public Engagement

On June 28, 2023, Notice of Application was sent to 9 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 June 29, 2023. 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 transport terminal is supported by the policies of the *Provincial Policy Statement* and is contemplated in the Light Industrial Place Type of The London Plan (TLP 1115). The Light Industrial Place Type contemplates a broad range of industrial uses with relatively minor externalities such as noise, vibration and odour.

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 a diversified mix of uses (PPS 1.3.1).

No servicing is required for the current proposed parking area, and no major concerns were raised regarding traffic, noise, parking or other negative impacts.

4.3 Form

The proposed development mainly consists of a parking area across the majority of the lot. Any future buildings and the specific layout of the parking lot will be addressed at the site plan stage.

Through the review of the application staff identified the abutting low-density residential uses to the southeast, and the Maple Ridge Golf Course to the east as potential areas of impact as a result of the transportation terminal. As a result, the applicant is proposing a 3-metre-high berm, along with landscaped buffering to help mitigate visual and noise impacts from the site to the low-density residential properties to the southeast. Additional landscaping and buffering are also being proposed to the existing golf course to the east, serving to mitigate potential impacts from the truck terminal to the golf course, as well as preventing any negative impacts from the golf course onto the transportation terminal and potential trucks on site.

To ensure these mitigation measures can be implemented special provisions are being recommended which would require a minimum landscaped buffer strip of 15 metres from the east and south property lines. Further measures may also be taken during the site plan stage.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from an h-17*LI1 Zone to an h-17*LI1/LI6() Zone. Staff are recommending approval of the requested Zoning Bylaw amendment with special provisions requiring additional landscape buffering from the south and east property lines.

The recommended action is consistent with the PPS 2020, conforms to The London Plan and will permit a transportation terminal.

Prepared by: Noe O'Brien
Planner

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
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Development Engineering

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 2908
Dundas Street

WHEREAS this rezoning 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 2908 Dundas Street, as shown on the attached map comprising part of Key Map No. A109 **FROM** an h-17*LI1 Zone **TO** an h-17*LI1/LI6() Zone.
2. Section Number 40.4 of the Light Industrial (LI6) Zone is amended by adding the following Special Provisions:

LI6() 2908 Dundas Street

a. Regulations

- i) A minimum 15 metre-wide landscaped buffer strip shall be retained along the eastern and southern edges of the lot.

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.

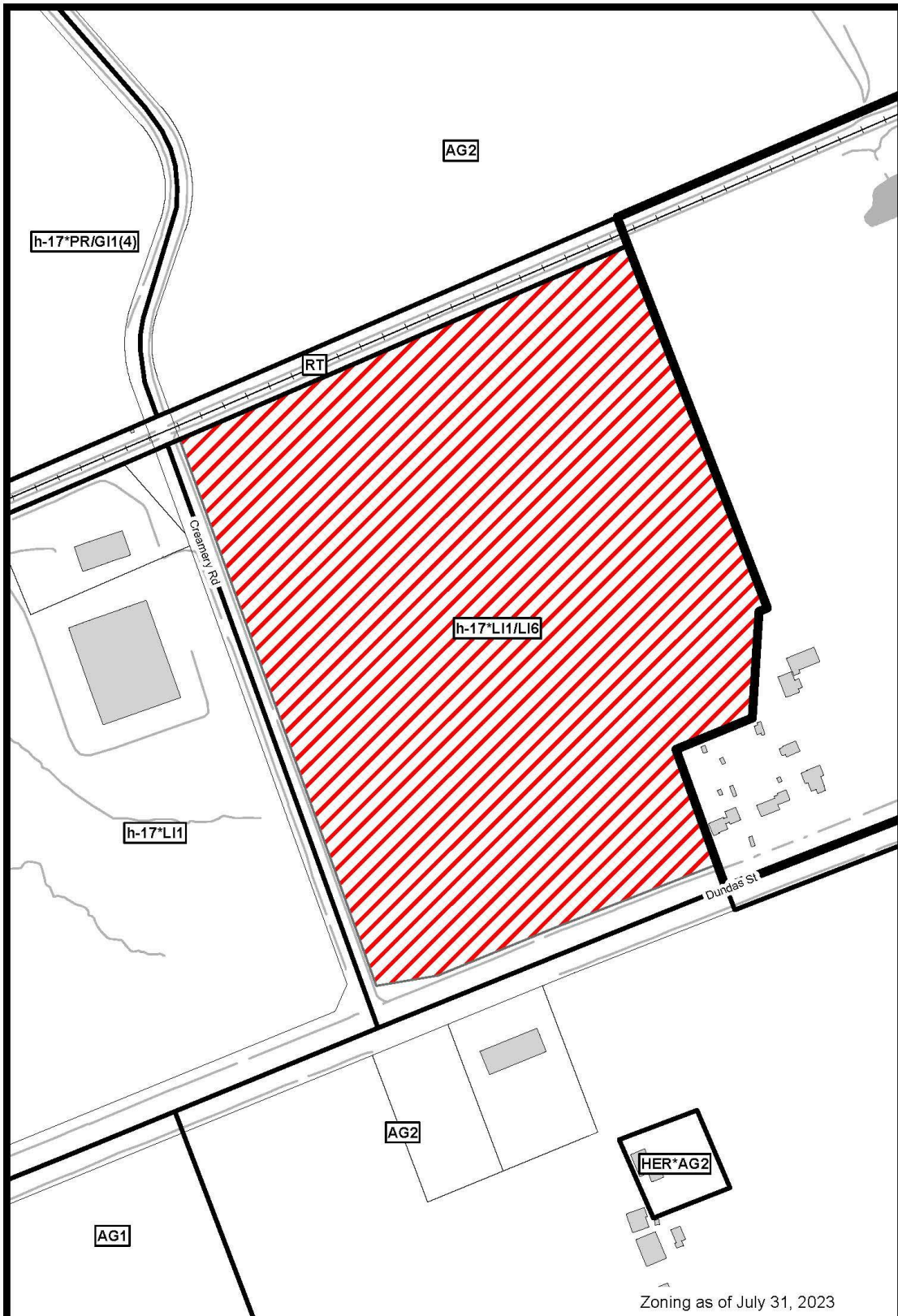
PASSED in Open Council on September 26, 2023.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – September 26, 2023
Second Reading – September 26, 2023
Third Reading – September 26, 2023

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



File Number: Z-9627
Planner: NO
Date Prepared: 2023/8/16
Technician: JI
By-Law No: Z.-1-

SUBJECT SITE 

1:3,500

0 15 30 60 90 120 Meters



Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Vacant
Frontage	270 metres
Area	15.1 Hectares
Shape	Irregular
Within Built Area Boundary	Yes
Within Primary Transit Area	No

Surrounding Land Uses

North	London International Airport
East	Maple Ridge Golf Course
South	Food Service Supplies Warehouse / Shop
West	Industrial Use (North Aircraft Industries)

Proximity to Nearest Amenities

Major Intersection	Dundas Street and Crumlin Sideroad, 1.4 km
Dedicated cycling infrastructure	Second Street and Dundas Street, 5 km
London Transit stop	Page Street and Cuddy Court (Route 36), 2.3 km
Public open space	Bonaventure Meadows Park, 2.9 km

B. Planning Information and Request

Current Planning Information

Current Place Type	Light Industrial Place Type, Civic Boulevard
Current Special Policies	None
Current Zoning	h-17*L11

Requested Designation and Zone

Requested Place Type	Light Industrial Place Type, Civic Boulevard
Requested Special Policies	None
Requested Zoning	h-17*L11/LI6()

Requested Special Provisions

Regulation	Required	Proposed
Minimum landscaped buffer strip	N/A	15m

C. Development Proposal Summary

Development Overview

Transport Terminal. The conceptual development plan includes outdoor storage/parking of trucks and trailers and maneuvering areas. Surface treatment is planned to be gravel or recycled asphalt. The conceptual site plan features

approximately 14.18 hectares of parking space for transport trucks. No significant buildings are proposed at this time. 3-metre-high berm proposed on southern edge, and landscaped buffers proposed on all sides.

Proposal Statistics

Land use	Transportation terminal
Form	Parking area (no buildings)
Height	N/A
Residential units	0
Density	N/A
Gross floor area	N/A
Building coverage	0%
Landscape open space	10%
Functional amenity space	N/A
New use being added to the local community	Yes

Mobility

Parking spaces	N/A (to be determined at Site Plan)
Vehicle parking ratio	N/A
New electric vehicles charging stations	N/a
Secured bike parking spaces	0
Secured bike parking ratio	N/A
Completes gaps in the public sidewalk	No
Connection from the site to a public sidewalk	N/A
Connection from the site to a multi-use path	N/A

Environmental Impact

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

Appendix D – Internal and Agency Comments

Imperial Oil – June 29, 2023

No Imperial Oil conflict.

London Hydro – July 7, 2023

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.

Landscape Architecture – July 11, 2023

Consent to injure or remove boundary trees is a requirement of Site Plan approval. A recommendation for approval from Forestry Operations or proof of payment for removal will be forwarded for Site Plan Review.

Injury or destruction of City tree requires coordination with Forestry Operations. Recommendation for proof of payment will be forwarded for Site Plan review.

Replacement trees to be recommendation to Site Plan Review in accordance with London Plan Policy 399.

Heritage – July 13, 2023

Pending

Upper Thames River Conservation Authority – July 14, 2023

The UTRCA has no objections to the application and has no Section 28 approval requirements.

Parks Planning and Design – July 14, 2023

Parkland dedication for industrial use is waived as per By-law CP-25. No comments.

Urban Design – July 14, 2023

The proposed development is located within the Light Industrial Place Type that abuts Dundas Street, a Civic Boulevard. Urban Design is generally supportive of the proposed application for a transportation terminal on the subject property, 2908 Dundas Street. Since the buffering and screening proposed by the applicant is anticipated to sufficiently mitigated the potential impacts on surrounding properties, particularly to the south and the east.

Comments for Zoning

Urban Design recommends that the proposed buffering and screening proposed by the applicant is reflected in the site-specific zoning for the subject property.

Items to be Addressed at Site Plan

- Screen the transportation terminal parking exposed to the public-right-of-way with enhanced landscaping, including low landscape walls, shrubs, and street trees (TLP, 278).
- Incorporate green development practices where possible. Consider rainwater harvesting, use of greywater for landscape and other purposes, xeriscaping, and use of pervious paving materials throughout the proposed development (TLP, 1126 & 282).
- Use of signage, that matches the character of the neighbourhood, along the Dundas Street frontage is highly encouraged (TLP, 111.5).

- Consider providing amenities for subject site users such as seating, lighting, trash bins, and washroom facilities. Outline any amenities on the site plan (TLP, 1125).
- Formalize the circulation and parking for the proposed transportation terminal on the site plan. Provide material labels and dimensions on the site plan. Ensure there is an adequate turning radius for transportation trucks at the proposed entry/exit point. Further Urban Design comments may follow upon receipt.
- Provide a landscape and grading plan for the subject site. Include dimensions and material labels. Further Urban Design comments may follow upon receipt of the plans and elevations.

Site Plan – July 14, 2023

No major site plan comments at this time, but as a future consideration the development will need to meet the requirements of the Site Plan Control By-law in regards to curbs, parking area setbacks, drive aisles etc. A larger naturalized buffer will be required along the eastern property line and a noise study will be required as part of site plan approval.

Engineering – July 14, 2023

The following items are to be considered during a future site plan application stage:

Transportation:

- A TMP is required for any work in the City ROW, including any servicing, restoration, proposed construction, etc. To be reviewed as part of a PAW submission;
- As per City's Access Management Guideline minimum 9.0m wide entrance and 9.0m curb radii is required;
- It is worth noting that proposed truck parking lot is not expected to generate much traffic but if land use were to change, a traffic study would be required in future;
- Presently the width from centerline for Dundas Street adjacent to this property is 18.288m as shown on Plan MRD-204, therefore no widening is required to attain 18.0m.

Wastewater:

- The subject land is on the north side of Dundas St east of Creamery Rd located within the UGB. There is no municipal sanitary sewer available or in close proximity to the lands. There is presently a holding provision, h-17 on the lands.
- Additional comments may be forthcoming with future submissions.

Water:

- There is no municipal water servicing available to service these lands currently. The closest available municipal servicing is from the low level system and is located at the intersection of Crumlin Road and Dundas Street.
- There is no municipal water servicing identified in the City of London GMIS to service these lands.
- The request for site plan consultation submitted by the applicant states that the proposed use (transport terminal) is considered a dry use and will not require municipal water or sewers. The applicant and their Engineer shall ensure all fire safety requirements under NFPA and Ontario Building Code are met.

- Water Engineering has consulted with the Fire Department regarding the use of Transportation terminal use on lands without access to municipal watermain. Their comments are included:
 - It would be prudent to advise the owner to contact their insurance company to determine what fire protection they would require. From my experience, insurance companies do at times require more than the OBC requirements. For example, the stormwater pond could be augmented in design with a dry hydrant to provide enough waterflow to extinguish potential fires.
 - The OBC (for buildings) provides for enough fire flow for a single fire hose to enter, perform a rescue, exit, and potentially protect any exposures. Insurance companies often want to protect the asset by providing enough waterflow to stop the fire within a structure and protect the contents.
 - In this case, there is protection of trailers, not buildings. As such, the OBC and OFC remain silent, for the most part. That being said, if there is a fire at this site the Fire Department would still need water to extinguish the blaze. While we do have the ability to bring water the site with tankers and our Mutual Aid partners it is not prudent to develop a site with this being the only plan. An easily accessible onsite water source is most definitely preferred.
 - Also, keep in mind that if there are hazardous goods, compressed gases, or flammable/combustible substances then other legislation and agencies that may impact development decisions. The legislation and agencies may include the Transportation of Dangerous Goods ACT, the TSSA, and others.

Stormwater:

Comments Specific to the Site

- There are no storm sewers currently established for the proposed site on Dundas Street. As per the Drainage By-Law, section 5.2, where no storm sewer is accessible the applicant shall provide a dry well or storm water retention system which is certified by a Professional Engineer to the satisfaction of the City Engineer.
- The number of proposed parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirming how the water quality will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators or any LID filtration/infiltration devices.
- All storm servicing (major/minor) are to be directed internally and towards the private infrastructure.
- Subject to the proposed stormwater strategy, applicable studies and approvals may be required (geotechnical study, water balance analysis, hydrogeological study, etc.). The applicant or their consulting engineer is to contact the City's Hydrologist for scoped hydrogeological assessment and water balance assessment requirements.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All

LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.

- As per 9.4.1 of The Design Specifications & Requirements Manual (DSRM), all multi-family, commercial and institutional block drainage is to be self-contained. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100-year event and safely convey the 250-year storm event.
- To manage stormwater runoff quantity and quality, the applicant's consulting engineer may consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design.
- As per the London Plan, The City of London does not support developments within the Urban Growth Boundary to be serviced by septic systems.
- Additional SWM related comments will be provided upon future review of this site.

General comments for sites within Waubuno Subwatershed

- The subject lands are located in the Waubuno Subwatershed and is tributary to the Crumlin Drain. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Pottersburg Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

Appendix E – Public Engagement

No public comments were received for this application.