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OZ-7919
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TO:	CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR OF LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: ZELINKA PRIAMO LIMITED 2310, 2330, 2350 AND 2362 DUNDAS STREET PUBLIC PARTICIPATION MEETING ON AUGUST 15, 2011 5:40PM

RECOMMENDATION

That, on the recommendation of the Director of Land Use Planning and City Planner, the following action be taken with respect to the application of Zelinka Priamo Limited relating to the property located at 2310, 2330, 2350 and 2362 Dundas Street:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 29, 2011 to amend the Official Plan **FROM** General Industrial and Light Industrial **TO** Auto Oriented Commercial Corridor; and
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on August 29, 2011 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan, as amended in part (a) above to change the zoning on the:
 - i) The north portion of 2310 Dundas Street **FROM** a Light Industrial (LI2) Zone and a Holding General Industrial (h*GI1) Zone **TO** a Holding Restricted Service Commercial Special Provision (h*h-11*h-()/RSC1()) Zone to allow for Restricted Service Commercial (RSC1) uses as well as "Automotive Uses";
 - ii) The north portion of 2330 and 2350 Dundas Street **FROM** a Holding General Industrial (h*GI1) Zone **TO** a Holding Restricted Service Commercial Special Provision (h*h-11*h-()/RSC1()) Zone to allow for Restricted Service Commercial (RSC1) uses as well as "Automotive Uses".;
 - iii) The south portion of 2310 Dundas Street **FROM** a Light Industrial (LI2) Zone and a Restricted Service Commercial (RSC1/RSC5) Zone **TO** a Holding Restricted Service Commercial (h*h-11*h-()/RSC2/RSC3/RSC4/RSC5)) Zone to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and industrial mall;
 - iv) The south portion of 2330 Dundas Street **FROM** a Holding General Industrial (h*GI1) Zone and a Restricted Service Commercial (RSC1/RSC5) Zone **TO** a Holding Restricted Service Commercial (h*h-11*h-()/RSC2/RSC3/RSC4/RSC5)) Zone; to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and industrial mall.
 - v) The south portion of 2350 Dundas Street **FROM** a Holding Highway Service Commercial/Restricted Service Commercial (h*HS1/HS4/RSC2/RSC3/RSC4/

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RSC5) Zone **TO** a Holding Restricted Service Commercial/Highway Service Commercial (h*h-11*h-()/HS1/HS4/RSC2/RSC3/RSC4/RSC5)) Zone; to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and industrial mall.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

OZ-7283 – (2006) - The purpose and effect of this application was to change the Official Plan land use designation from "General Industrial" and "Restricted Service Commercial" to "Restricted/Highway Service Commercial" and to rezone the subject lands from a Restricted Service commercial (RSC1/RSC5) Zone and a Holding General Industrial (h*GI1) Zone to a Holding Highway Service Commercial Restricted Service Commercial (h*HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone. This application was approved.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this Official Plan and Zoning Bylaw Amendment is to permit the development of an Auto Mall.

RATIONALE

1. The recommended amendments are consistent with the polices of the Provincial Policy Statement (2005).
2. The requested Official Plan designation is compatible with the existing and proposed uses in the area.
3. The requested Official Plan designation is appropriate since the subject lands have been designated General Industrial and Light Industrial for many years and have not been successfully developed.
4. The re-designation of the lands from Industrial to Auto-Oriented Commercial Corridor will not have a significant impact on the City's supply of industrial land.

BACKGROUND

Date Application Accepted: May 27, 2011	Agent: Zelinka Priamo Limited
<p>REQUESTED ACTION: Possible amendment to Schedule 'A' of the Official Plan FROM General Industrial and Light Industrial TO Auto Oriented Commercial Corridor Designation. Possible amendment to the Zoning By-law FROM a Light Industrial (LI2) Zone, Holding General Industrial (h*GI1) Zone, Restricted Service Commercial (RSC1/RSC5) Zone, Holding Highway Service Commercial (h*HS1) Zone and Highway Service Commercial (HS4) Zone TO a Restricted Service Commercial (RSC2/RSC3/RSC4/RSC5) Zone to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and industrial mall and a Restricted Service Commercial Special Provision (RSC1()) Zone to allow for the Restricted Service Commercial (RSC1) uses as well as "Automotive Uses".</p>	

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Aerial Photo Location Map

File No.: OZ-7919

NM

Date Prepared: 2011/08/02

CK

SCALE: 1:4,973

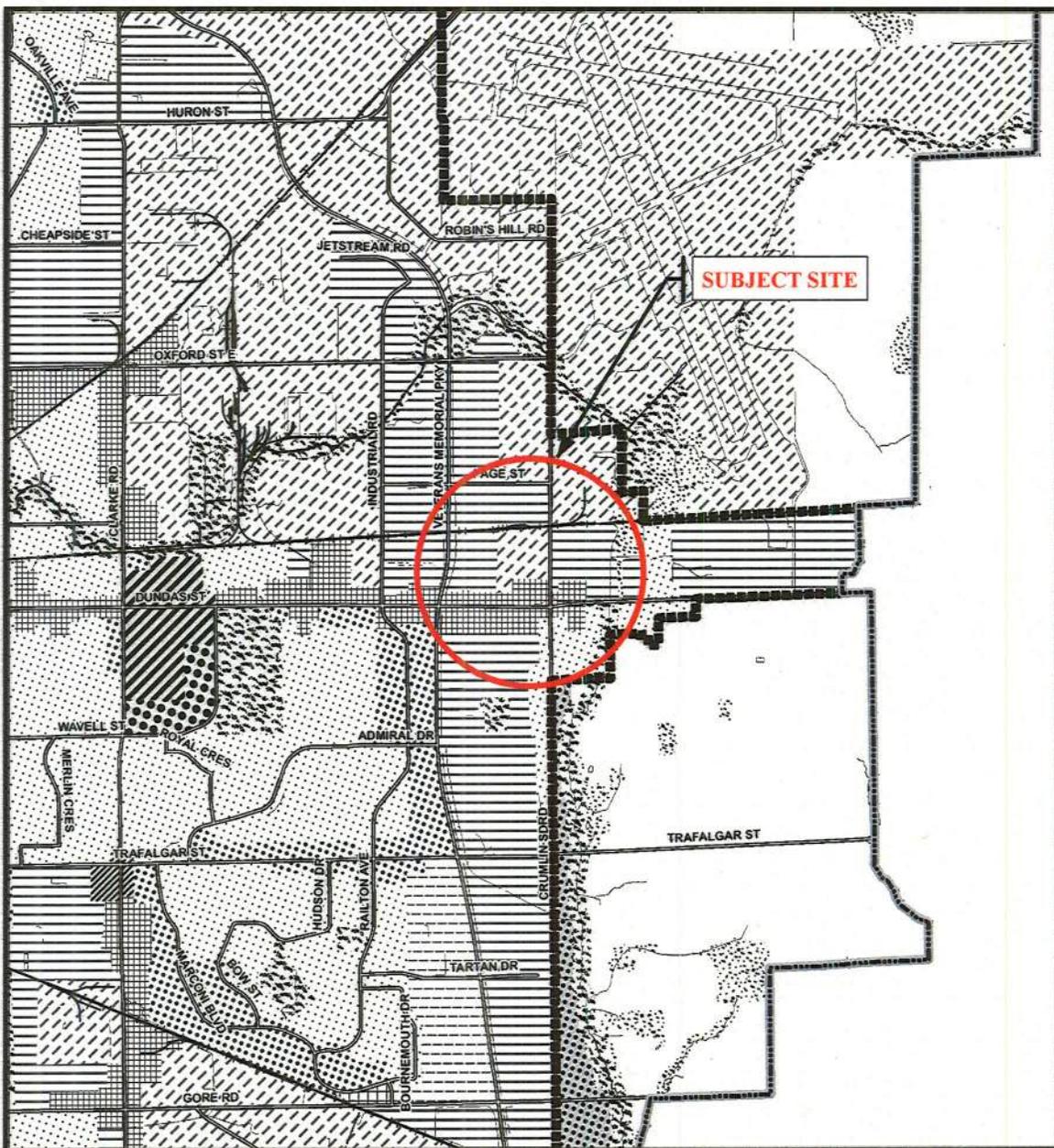


Prepared by: Graphics & Information Services, Planning Division, Corporation of the City of London
Photography based on April 2010 flight info.

Note: Parcel linework, when shown, is not for official or legal use.

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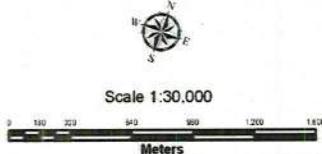


Legend

- | | |
|--|-----------------------------------|
| Downtown Area | Office Business Park |
| Enclosed Regional Commercial Node | General Industrial |
| New Format Regional Commercial Node | Light Industrial |
| Community Commercial Node | Regional Facility |
| Neighbourhood Commercial Node | Community Facility |
| Main Street Commercial Corridor | Open Space |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth |
| Multi-Family, Medium Density Residential | Rural Settlement |
| Low Density Residential | Environmental Review |
| Office Area | Agriculture |
| Office/Residential | Urban Growth Boundary |
| | Areas Under Appeal |

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



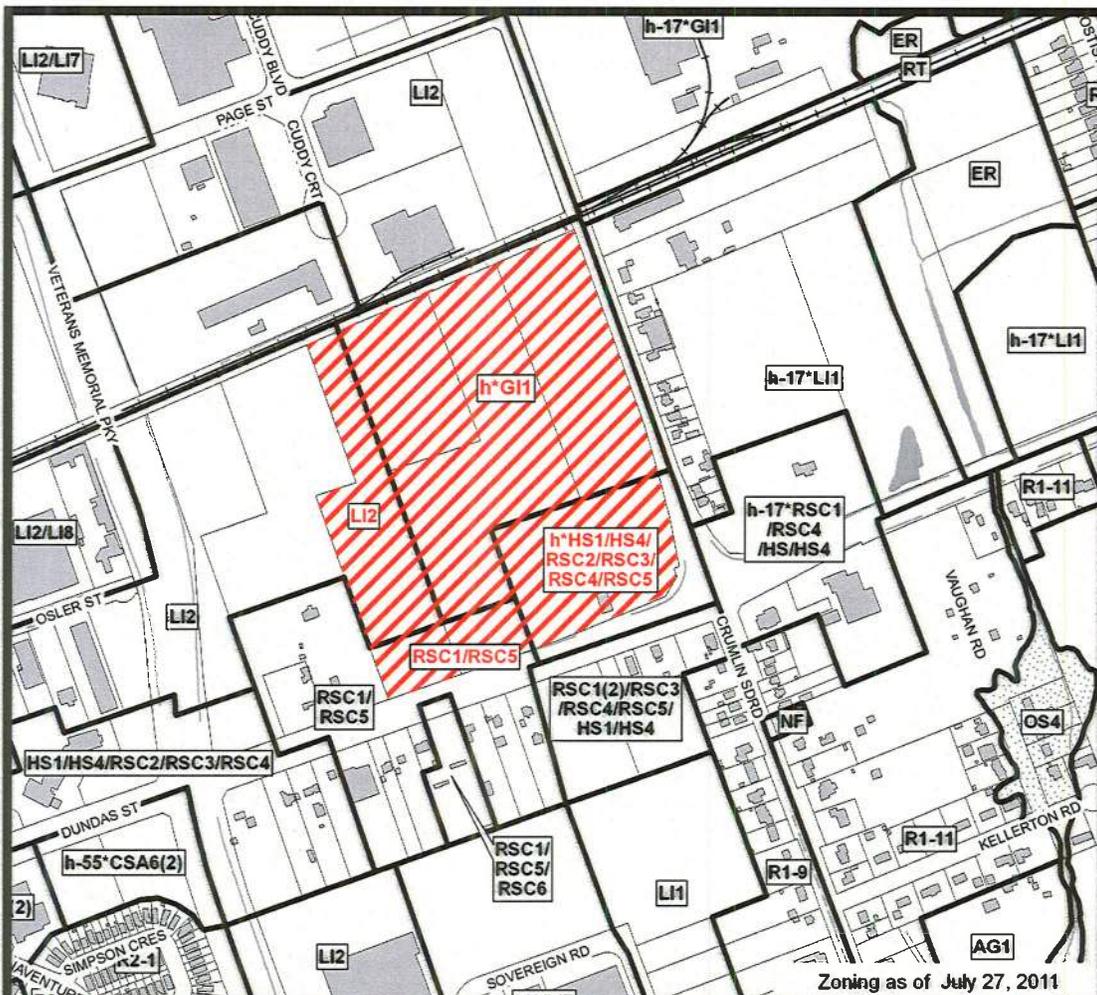
FILE NUMBER: OZ-7919

PLANNER: NM

TECHNICIAN: CK

DATE: 2011 July 29

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Zoning as of July 27, 2011



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: LI2, h*GI1, RSC1/RSC5 & h*HS1/HS4/RSC2/RSC3/RSC4/RSC5

1) LEGEND FOR ZONING BY-LAW Z-1

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "H" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APPEALED AREAS



CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
OZ-7919 NM

MAP PREPARED:
2011/07/29 CK

1:6,500
0 30 60 120 180 240 Meters

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SITE CHARACTERISTICS:

Current Land Use - Vacant residential land with a portion being farmed.

Frontage – 334 m. (Dundas Street) 39 m. (Crumlin Sideroad)

Depth – 417 m.

Area – 14.65 acres.

Shape – Irregular

SURROUNDING LAND USES:

North – CP Rail line / Industrial

South – Industrial / Commercial / Residential

East – Single Detached Dwellings / Industrial

West – Kia Dealership

OFFICIAL PLAN DESIGNATION: (refer to map)

- **General Industrial**

This land use category is intended for a broad range of industrial uses including activities that could have a detrimental impact on residential or other uses. The main permitted uses in the General Industrial category include: any industrial use that includes assembling, fabricating, manufacturing, processing, and repairing activities; service trades; public and private utilities and related facilities; large storage facilities, such as wholesale and warehouse establishments, contractors yards, transportation terminals, and heavy equipment sales and service; and residential and other source recycling facilities.

- **Light Industrial**

This designation is intended for industries which have a limited impact on the surrounding environment and which are frequently small in scale. Main permitted uses in the Light Industrial category include: industrial uses that involve assembling, fabricating, and manufacturing, processing and/or repair activities; are located within enclosed buildings; require only a limited amount of outdoor storage; and are unlikely to cause adverse effects with respect to air, odour or water pollution, or excessive noise levels. Other types of permitted uses include research and communication facilities; printing and publishing establishments; warehouse and wholesale outlets; technical, professional and business services such as architectural, engineering, survey or business machine companies; service trades; and contractor's shops that do not involve open storage; and, residential and other source recycling facilities subject to the provisions of Section 17.5.

EXISTING ZONING: (refer to map)

- **Light Industrial (LI2)**

The Light Industrial Zone provides for and regulates a range of industrial and associated secondary uses. Permitted uses include: Bakeries, Business service establishments, Laboratories, Manufacturing and assembly industries, Offices, support, Paper and allied products industries excluding pulp and paper and asphalt roofing industries, Pharmaceutical and medical product industries, Printing, reproduction and data processing industries, Research and development establishments, Wholesale establishments, Custom workshop, Brewing on premises establishments, Service Trade, Dry cleaning and laundry plants, Food, tobacco and beverage processing industries excluding meat packaging, Leather and fur processing excluding tanning, Repair and rental establishments, Service and repair establishments, Service trades and Textile processing industries.

- **Holding General Industrial (h*GI1)**

The General Industrial Zone provides for and regulates a broad range of industrial activities which are appropriate in large industrial areas, or areas not adjacent to sensitive land uses. Permitted uses include: Auction establishments, Automobile body shop, , Automobile repair garages, Building or contracting establishments, Commercial recreation establishments, Dry cleaning and laundry plants, Food, tobacco and beverage processing industries, Manufacturing and assembly industries, , Printing, reproduction and data processing industries, Private clubs, Processed goods industries, Repair and rental establishments, Research and development establishments; Service and repair establishments, Service trades, Storage depots, Terminal centres, Transport terminals, Truck sales and service establishments. Warehouse establishments and Wholesale establishments.

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- Holding Highway Service Commercial (h*HS1)
This Zone provides for and regulates a range of commercial and service uses which cater to the needs of the travelling public. Permitted uses include: Animal hospitals, Automotive uses, restricted, Convenience service establishments, Convenience stores, Duplicating shops, Financial institutions, Personal service establishments; Restaurants, Video rental establishments, Brewing on Premises Establishment Assembly halls; Private clubs, Taverns.
- Highway Service Commercial (HS4)
Permitted uses include: Motels, Hotels and Restaurants.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

PUBLIC LIAISON:	On June 10, 2011 a Notice of Application was sent to 38 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on June 11, 2011. A "Possible Land Use Change" sign was also posted on the site.	# of responses received: 4
Nature of Liaison: Possible amendment to Schedule 'A' of the Official Plan FROM General Industrial and Light Industrial TO Auto Oriented Commercial Corridor Designation. Possible amendment to the Zoning By-law FROM a Light Industrial (LI2) Zone, Holding General Industrial (h*GI1) Zone, Restricted Service Commercial (RSC1/RSC5) Zone, Holding Highway Service Commercial (h*HS1) Zone and Highway Service Commercial (HS4) Zone TO a Restricted Service Commercial (RSC2/RSC3/RSC4/RSC5) Zone to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and industrial mall and a Restricted Service Commercial Special Provision (RSC1()) Zone to allow for the Restricted Service Commercial (RSC1) uses as well as "Automotive Uses".		
Responses: Two members of the public responded to inquire about the Public Meeting date. Two members of the public called into express their support of the application.		

Parks Planning Comments:

"Parkland dedication has not been collected for the subject lands. At the time of development parkland dedication, consistent with Municipal Council's policies will be required either as parkland or cash-in-lieu of parkland."

Transportation Comments:

"The Transportation Planning & Design Division has reviewed the Official Plan and Zoning By-law amendment and has the following comments:

- a. *It seems unusual to proceed with Official Plan & Zoning By-law amendments for a subdivision prior to the subdivision process being undertaken. Therefore we are requesting holding provisions for all transportation related services - roads, street lights, infrastructure, intersection locations, traffic control - until a development agreement has been entered into. No direct access for individual blocks to Dundas or Crumlin.*

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- b. All access is to be through the public streets. A holding provision for access is requested.
- c. A Transportation Impact Assessment (TIA) will be required to determine the impact on abutting roads & intersections & to determine infrastructure required to accommodate development. The study will also determine the best location and type of any new public road intersections on both Dundas Street and Crumlin Road. The TIA is to determine, among other transportation issues, the type of traffic control at intersections.
- d. The proponent's traffic engineer is to discuss the study with Transportation prior to undertaking the study. The TIA may need to be updated as development occurs depending upon the development timeline.
- e. Road widening dedication on Dundas of approx 2.76 m & Crumlin approx 7.942 m. Construction & dedication of public streets - a holding provision enacted until a development agreement is reached that includes the construction & dedication of public streets to satisfaction of the City Engineer".

Wastewater Engineering:

"There is a 300mm PVC watermain on the north side of Dundas Street to serve the subject lands".

Sanitary Sewers:

"The Wastewater and Drainage Engineering Division has no comment on the proposed zoning amendment".

Urban Forestry

"No Concern".

Upper Thames River Conservation Authority:

Section 2.2.1 of the Provincial Policy requires that:

"Planning Authorities shall protect, improve or restore the quality and quantity of water by:

d) Implementing necessary restrictions on development and site alteration to:

- 1. Protect all municipal drinking water supplies and designated vulnerable areas; and
- 2. Protect, improve or restore vulnerable surface and ground water features and their hydrological functions.

Section 2.2.2 requires that:

"Development and site alteration shall be restricted in or near sensitive surface water features and sensitive ground water features such that these features and their hydrologic functions will be protected, improved or restored.:

Municipalities must be consistent with the Provincial Policy Statement when making decisions on land use planning and development. This information is provided for the City's consideration in moving forward on this application".

Bell Canada

"A detailed review of the Official Plan and Zoning By-law amendment application has been completed and an easement may be required to service the subject property, depending on the review of more detailed applications under the Planning Act. Bell Canada requests to be circulated on any future draft plan of subdivision, draft plan of condominium, site plan or any other development application that is proposed to implement the subject Official Plan and Zoning By-law amendment application. Through these processes, Bell Canada will provide a more detailed review and comments with respect to any requirements Bell Canada may have to service the subject property."

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London Economic Development Corporation

"The LEDC has evaluated and is fully supportive of the application by the Shrew Sports Corporation for the request to change the use and designation of the parcels located at the area bounded by Veterans Memorial Parkway, Dundas Street, Crumlin Sideroad and the CP Rail main branch. The LEDC has studied the proposed development and our analysis has outlined many benefits that this project will provide to London:

1. *Significant employment growth. Our evaluation of the business proposal confirms that we believe that upwards of 250 new jobs will be created by the new enlarged automotive dealerships and distribution operations. The economic impact of an expected \$35-40 million dollars in design and build and the additional construction jobs would also be a major benefit.*
2. *The opportunity to markedly improve a main corridor entrance to London with an innovative automotive mall concept will significantly upgrade the appeal of the area and will enhance economic benefits in the area. We have reference to several sites in the GTA region in Mississauga and Vaughan that are similar in concept to this development and all have been very successful and beneficial for the areas they are established in.*
3. *A number of existing businesses in London are constrained by their current location. With the current improvements in the automotive marketplace, LEDC believe that the timing of this development is well planned and will ensure its success. As well, a number of competitive automotive dealerships immediately to the east and north of the City have made significant improvements to their sites, and the London dealerships require a similar upgrade capability to remain competitive.*
4. *The change in designation of part of the land from G11 to commercial use will not impact our current capabilities to provide a selection of industrial sites. With the available industrial lands now being finalized at Huron Street and Veterans Memorial Parkway, plus the additional lands that have been developed at the airport and Skyway Park area, we feel that our potential clients would prefer to be located in those areas. We have also confirmed that CP railway will not allow a siding or switch to be installed at that track location, significantly affecting one of the main appeals for potential industrial client of that site. This proposed zoning change will also see existing dealership sites redevelop.*

ANALYSIS

Subject Site

The subject lands are located on the northwest corner of Dundas Street and Crumlin Sideroad and abut the Canadian Pacific Railway to the north. The lands consist of three separate parcels of land with an overall land area of approximately 14.65 hectares. The lands have approximately 334 metres of frontage along Dundas Street and approximately 395 metres of frontage along Crumlin Sideroad. Currently, the site is relatively flat and vacant and owned by a "non-farmer" with a portion being farmed. One small automotive use currently occupies the most eastern portion of the lands (2350 Dundas Street).



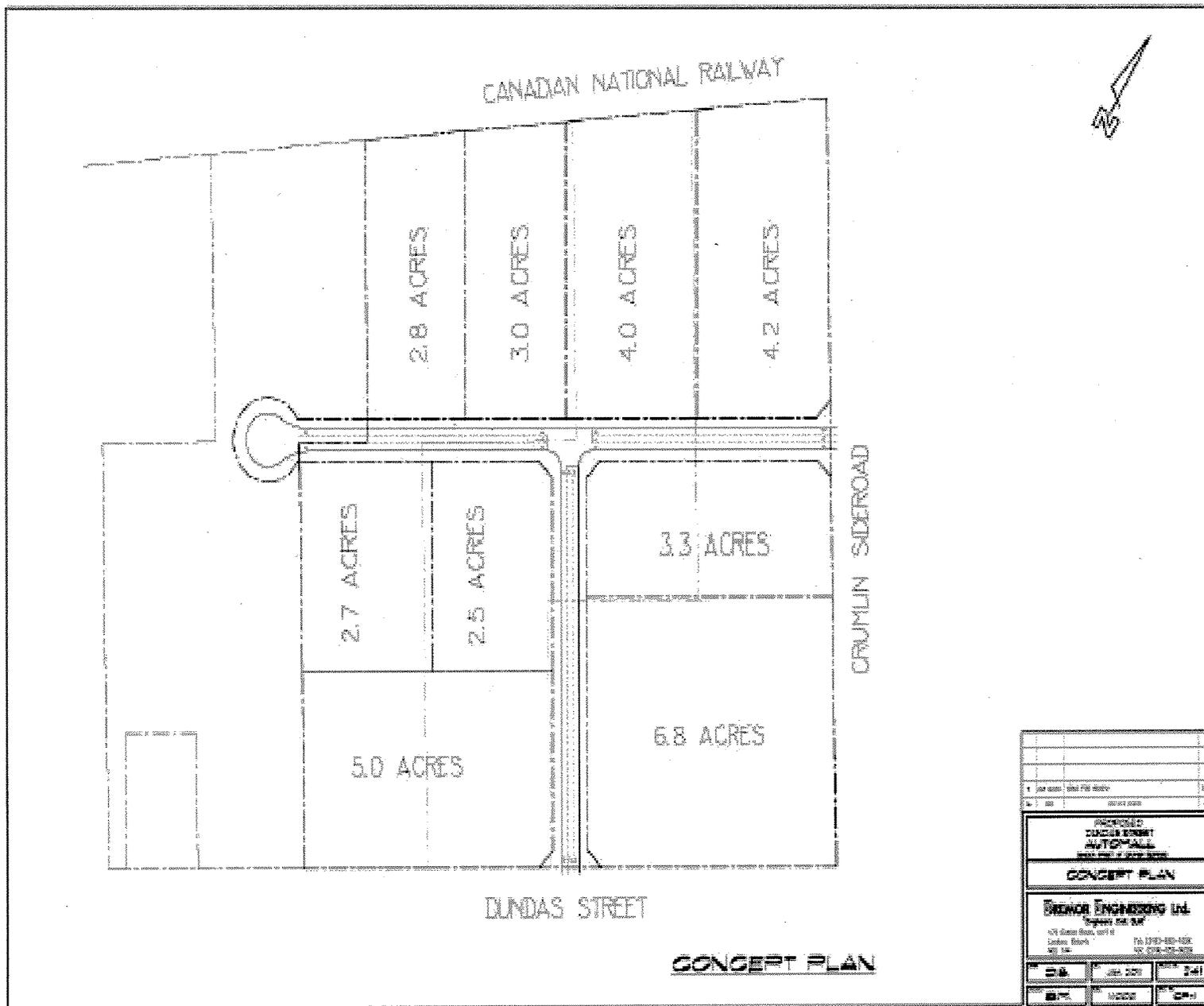
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The subject lands are located at the southerly limit of a large industrial area, along an arterial corridor that contains a mix of existing and planned retail, auto and commercial uses as well as remnant residential uses. The Dundas Street frontage of the subject lands is already designated Auto Oriented Commercial Corridor.

Proposal

The proposed development consists of an Automall on the subject lands. The applicants are proposing the creation of at least nine lots served by an internal road, which will connect Dundas Street through to Crumlin Sideroad to accommodate a number of individual car dealerships. Once the zoning is in full force and effect an Application for a Plan of Subdivision will be submitted to the Development Approvals Business Unit. Each of the existing and proposed parcels are large enough to accommodate an automobile dealership as well as any necessary outdoor storage, display areas and accessory uses. Some restricted service commercial uses may also be incorporated into the development along the Dundas Street frontage. Potential uses may include: banks, gas stations and restaurants and are intended to primarily serve the proposed Automall and the travelling public along Dundas Street.



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Provincial Policy Statement

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It is intended to be read in its entirety and the relevant policies are to be applied in each situation. As it relates to this application, the PPS provides some direction to this matter.

1.3 Employment Areas

(1.3.1) Planning authorities shall promote economic development and competitiveness by: Providing for an appropriate mix and range of employment (including industrial, commercial and institutional uses) to meet long-term needs; Providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; Planning for, protecting and preserving employment areas for current and future uses; and Ensuring the necessary infrastructure is provided to support current and projected needs.

(1.3.2) Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Comprehensive review: means

a) for the purposes of policies 1.1.3.9 and 1.3.2, an official plan review which is initiated by a planning authority, or an official plan amendment which is initiated or adopted by a planning authority, which: is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests; utilizes opportunities to accommodate projected growth through intensification and redevelopment; confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2; is integrated with planning for infrastructure and public service facilities; and considers cross-jurisdictional issues.

b) for the purposes of policy 1.1.5, means a review undertaken by a planning authority or comparable body which: addresses long-term population projections, infrastructure requirements and related matters; confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2; and considers cross-jurisdictional issues.

Official Plan

The Official Plan contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While the objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for social, economic and environmental matters.

The current Official Plan designation is General Industrial and Light Industrial. The General Industrial designation is intended for a broad range of industrial uses including activities that could have a detrimental impact on residential or other sensitive land uses.

The Light Industrial designation is intended for industries which have a limited impact on the surrounding environment and which are frequently small in scale.

The requested Official Plan designation is Auto Oriented Commercial Corridor. Areas designated Auto-Oriented Commercial Corridor provide locations for a broad range of commercial uses that, for the most part, are not suited to locations within Commercial Nodes or Main Street Commercial Corridors because of their building form, site area, access or exposure requirements. Generally, permitted uses cater to vehicular traffic and single purpose shopping trips. Depending on the nature of the use, customers are drawn from passing traffic or a wide-ranging market area

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It is intended that the development and use of areas in Commercial designations such as Auto Oriented Commercial Corridor (Section 4.2.1) have regard for, and:

- i) Promote the orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers;
- ii) Minimize the impact of commercial development on adjacent land uses and on the traffic-carrying capacity of adjacent roads;
- iii) Provide sufficient land at appropriate locations to meet the need for new commercial development; and,
- iv) Encourage intensification and redevelopment in existing commercial areas within the built-up area of the City to meet commercial needs, to make better use of existing City infrastructure and to strengthen the vitality of these areas.

Conversion of Employment Lands (3.4.1)

Section 2.6.8 of the Official Plan requires Council to protect employment areas to support the longer-term economic development of the municipality. Conversion of employment areas will only be permitted where it has been demonstrated through a comprehensive review that the lands is not required for employment purposes over the long term and that there is need for a change.

Analysis of the Conversion of Employment Lands (3.4.2)

The City has an abundance of well located, contemporary, serviced industrial lands particularly in the south and east regions of the City. The portion of the subject lands designated Industrial is compromised for Industrial development due to the location of the nearby existing residential areas and the presence of the commercial designation and zoning along Dundas Street.

While a comprehensive review of the subject lands has not been undertaken, a review of the Industrial Lands in the City of London is underway and an analysis of the lands has been completed. A review of the Vacant Land Inventory indicates that there are sufficient lands identified and available for Industrial use. The LEDC has also indicated that the re-designation of those lands from Industrial will not affect the City's ability to attract industrial land users to other locations in the City. While commercial and retail land uses are not considered as employment land uses in the Provincial Policy Statement and the City of London Official Plan, the range of uses proposed for these lands will provide significant employment opportunities.

Planning Objectives (4.2.2.1)

- i) Promote the grouping of service commercial uses into integrated forms of development that have common access points and parking facilities.
- ii) Encourage infilling and consolidation of permitted areas within the existing limits of commercial corridor developments.

Urban Design(4.2.2.2)

Encourage enhanced street edge landscaping, internal joint access to multiple uses on the same or different properties and improved building aesthetics.

Function (4.2.2.3)

The Auto-Oriented Commercial Corridor designation is applied to areas along arterial roads that typically consist of a mix of retail, auto and commercial uses, office and remnant residential uses. The intent of the policies is to promote the clustering of similar service commercial uses having similar functional characteristics and requirements, and to avoid the extension of strip commercial development. The form of development is oriented toward automobiles and vehicular traffic and serves both a local and broader market area.

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Permitted Uses (4.4.2.4)

Areas designated Auto-Oriented Commercial Corridor are primarily intended for commercial uses that cater to the commercial needs of the traveling public. Types of service commercial uses that generate significant amounts of traffic and draw patrons from a wide area may also be located within these areas.

Uses considered to be appropriate include hotels; motels; automotive uses and services; commercial recreation establishments; restaurants; sale of seasonal produce; building supply outlets and hardware stores; furniture and home furnishings stores; warehouse and wholesale outlets; nursery and garden stores; animal hospitals or boarding kennels; and other types of commercial uses that offer a service to the traveling public.

Secondary uses which serve employees of adjacent employment areas including eat-in restaurants; financial institutions; personal services; convenience commercial uses; a limited amount and range of retail uses; day care centres; *medical and dental offices and clinics*; and offices associated with wholesale warehouse or construction and trade outlets, and similar support offices may also be permitted in appropriate locations.

The recommended amendment to expand the range of uses on the subject site conforms to the intent of the Official Plan and is consistent with the listed range of permitted uses.

Location (4.4.2.5)

The Auto-Oriented Commercial Corridor designation will be applied to areas along arterial roads where high traffic volumes are present and where services to the traveling public can be concentrated and supported. The designation shall include lands of suitable depth, size and accessibility to accommodate the permitted uses and shall be on lands separated from existing or planned residential development or other sensitive land uses by physical barriers, intervening land uses or buffer and setback provisions that are sufficient to offset potential nuisance impacts.

Form (4.4.2.6)

The development of new permitted uses within the designation may take the form of infilling, redevelopment or the conversion of existing structures. Auto-Oriented Commercial Corridors vary considerably in their mix of existing uses, lot sizes and scale of development.

Commercial Land Use Designations

Commercial land use designations provide the primary location for retail and service commercial land uses. They provide for the orderly development and distribution of commercial uses consistent with the objectives of the Official Plan.

Urban Design

Section 11 of the Official Plan provides for direction related to the function, size and location for all developments within the City. Subsection 4.4.2.8 of the Official Plan provides specific urban design guidelines related to development within the Auto Oriented Commercial Corridor designation. The objectives are to encourage enhanced street edge, landscaping, internal and joint access to multiple uses on the same or different properties and improved building aesthetics.

Zoning Bylaw

The current zone on the subject lands is Light Industrial/ Holding General Industrial/ Holding Highway Service Commercial/ Highway Service Commercial (LI2)*(h*GI1)* (h*HS1)* (HS4).

Light Industrial (LI2)

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The Light Industrial Zone provides for and regulates a range of industrial and associated secondary uses.

Holding General Industrial (h*GI1)

The General Industrial Zone provides for and regulates a broad range of industrial activities which are appropriate in large industrial areas, or areas not adjacent to sensitive land uses.

Holding Highway Service Commercial (h*HS1)

This Zone provides for and regulates a range of commercial and service uses which cater to the needs of the travelling public.

The Holding Provision (h)

The Holding Provision (h) is intended to ensure the orderly development of the lands to ensure that adequate municipal services are available and that a subdivision agreement or site plan agreement has been entered into.

- **Highway Service Commercial (HS4)**

Permitted uses include: Motels, Hotels and Restaurants.

The requested Zoning is a Restricted Service Commercial (RSC2/RSC3/RSC4/RSC5) Zone to allow for automotive repair garages, automotive sales and service establishments, automotive supply stores, automotive uses, restricted, dry cleaning and laundry depots, pharmacies, emergency care establishments, convenience service establishments, restaurants, financial institutions, building or contracting establishments, support offices and industrial mall and a Restricted Service Commercial Special Provision (RSC1()) Zone to allow for the Restricted Service Commercial (RSC1) uses as well as "Automotive Uses".

The recommended zoning is as follows:

- i) The north portion of 2310 Dundas Street **FROM** a Light Industrial (LI2) Zone and a Holding General Industrial (h*GI1) Zone **TO** a Holding Restricted Service Commercial Special Provision (h*h-11*h-()RSC1()) Zone;
- ii) The north portion of 2330 and 2350 Dundas Street **FROM** a Holding General Industrial (h*GI1) Zone **TO** a Holding Restricted Service Commercial Special Provision (h*h-11*h-()RSC1()) Zone;
- iii) The south portion of 2310 Dundas Street **FROM** a Light Industrial (LI2) Zone and a Restricted Service Commercial (RSC1/RSC5) Zone **TO** a Holding Restricted Service Commercial (h*h-11*h-()RSC2/RSC3/RSC4/RSC5) Zone;
- iv) The south portion of 2330 Dundas Street **FROM** a Holding General Industrial (h*GI1) Zone and a Restricted Service Commercial (RSC1/RSC5) Zone **TO** a Holding Restricted Service Commercial (h*h-11*h-()RSC2/RSC3/RSC4/RSC5) Zone;
- v) The south portion of 2350 Dundas Street **FROM** a Holding Highway Service Commercial/Restricted Service Commercial (h*HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone **TO** a Holding Restricted Service Commercial/Highway Service Commercial (h*h-11*h-()HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone.

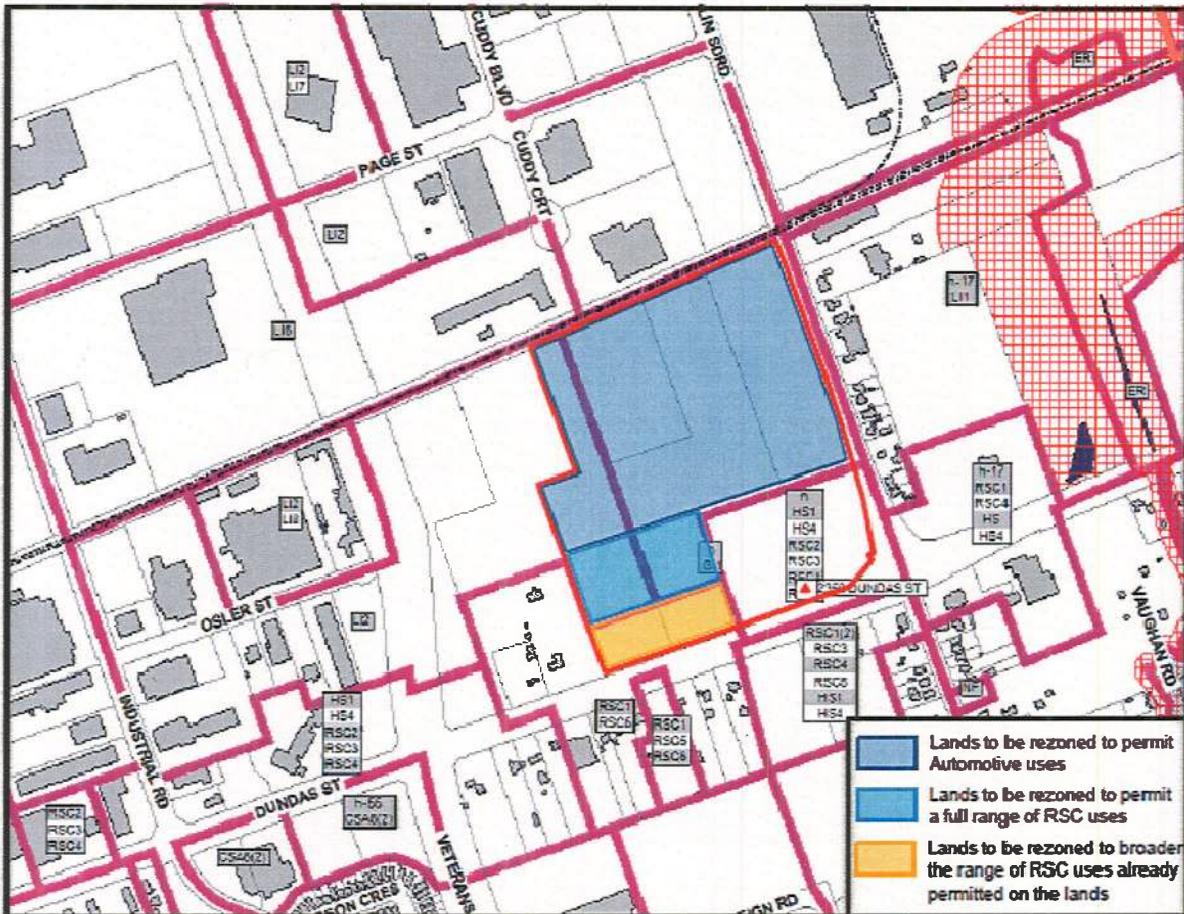
Three holding provisions have been added to ensure the following:

- (h) To ensure the orderly development of lands and the adequate provision of municipal services, the "h" symbol shall not be deleted until a subdivision agreement or development agreement is entered into for the lands in question with the City of London.
- (h-11) To ensure the orderly development of lands and the adequate provision of municipal services, the "h-11" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.
- (h-()) To ensure the orderly development of all transportation related services (roads, street lights, infrastructure, intersection locations, traffic control), including no direct access for

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N. Musicco

individual blocks to Dundas Street or Crumlin Sideroad, until a development agreement is entered into for the lands in question with the City of London.



Supporting Studies

Servicing Report

A detailed servicing plan will be provided through the Subdivision Process. Detailed servicing drawings were obtained from the City outlining the existing servicing within the vicinity of the subject lands. A preliminary servicing report has been prepared by Development Engineering Limited (March 16, 2011). The report finds that all services are available at the lot line or within the road allowances adjacent to the subject lands and concluded the following:

Sanitary Servicing - The existing 300mm sanitary sewer along Dundas Street has recently been extended to the south boundary of the subject lands. Initial reviews of this sewer show that it has been sized to include flows for the 22 hectare area of land bounded by the Canadian Pacific Railway, Crumlin Sideroad, Dundas Street and Veterans Memorial Parkway. It is anticipated that there is sufficient capacity in the sanitary sewers to meet the requirements of the proposal.

Storm Sewer Servicing – A 1,1950mm existing storm sewer is located on Dundas Street. The subject lands are part of the tributary area which is allocated to drain into this existing storm sewer facility. Stormwater flows can be managed through rooftop, parking area and/or underground storage. Individual oil grit separators located on each site will be used for quality control of stormwater.

Water Servicing – There are water mains along both the east and south boundaries of the subject lands. A looped water system can be provided from Dundas Street, along the proposed road to Crumlin Sideroad.

Canadian Pacific Railway – It is anticipated that a berm and fence will be required along the existing rail line, located entirely on private property. However it is noted that there are no safety berms located on the adjacent properties to the north or east.

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Transportation

An initial traffic analysis has been prepared by LEA Consulting Ltd., dated May 24, 2011. The review of the proposed Automall concluded the following:

- The proposed Automall will generate less traffic than the current permitted industrial uses; and ;
- There is sufficient frontage along both Dundas Street and Crumlin Sideroad to accommodate a safe design for the internal road.

The analysis found that the proposed development would provide a net increase in trips generated from the currently permitted industrial uses on the subject lands. The subject lands are of significant size to allow flexibility in providing sufficient spacing from existing intersections to accommodate a safe and well designed road network.

Urban Design

A main entrance to the complex will be provided fronting Dundas Street with a secondary entrance fronting Crumlin Sideroad. A gateway feature into the complex would serve two purposes: (a) It would incorporate signage for each of the dealerships within the Automall, given the lack of exposure along Dundas Street for the lots at the rear of the development and (b) would provide a gateway feature at the main traffic corridor along Dundas Street.

Given that the design of the of the physical building for each of the dealerships is driven by a fixed corporate requirement and that the uses require large parking and display areas, the majority of the design elements for the Automall will be based around the location of the buildings, landscaping and vehicular and pedestrian access. Buildings will be sited to generally maintain a consistent built form edge throughout the Automall with landscaping along the streetscape to enhance the visual appearance of each site.

One main entrance off Dundas Street and Crumlin Sideroad will be designed to serve the Automall. Access to individual lots will be provided from the new road and dealership entrances will be designed collectively to ensure the safety of vehicular traffic. Currently, the subject lands do not provide for any type of pedestrian traffic as per the City of London Site Plan Guidelines.

Planning Impact Analysis

The size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed uses:

The application will result in the extension of the current Auto Oriented Commercial Corridor designation to a sufficient depth to accommodate a full range of permitted uses. The remaining lands to the north would be zoned more accurately to permit the proposed automotive uses. The proposed development encompasses a sufficiently large area of the land surrounded by the railway to the north and existing roads to the east and south.

The exterior design in terms of bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area and its conformity with the City's commercial urban design guidelines:

The development is appropriate in scale and will be compatible with smaller commercial and residential uses to the east and the south and to the existing industrial developments to the north and west. Building heights within the Automall will be consistent with existing automotive dealerships throughout the City and will comply with the maximum Restricted Service Commercial zoning height of 12.0 m.

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Compatibility of proposed uses with surrounding land uses:

The proposed development will not have adverse impacts on existing and future land uses. Currently, a portion of the subject lands already permit the proposed uses, while the rear portion of the subject lands currently permits a full range of industrial uses. The industrial uses could pose a significantly greater negative impact on existing surrounding land uses with respect to noise, vibration and intensity. Future uses are subject to compatibility issues with Auto-Oriented uses given the existing designation in this area. Sales and service establishments are compatible with commercial and residential land uses.

Potential traffic generated by the proposed change

The proposed Automall will generate less traffic than the current permitted industrial uses. There is sufficient frontage along both Dundas Street and Crumlin Sideroad to accommodate a safe design for the internal road. The analysis found that the proposed development would provide a net increase in trips generated from the currently permitted industrial uses on the subject lands. The subject lands are of significant size to allow flexibility in providing sufficient spacing from existing intersections to accommodate a safe and well designed road network.

Mitigation of Railway Noise

The railway located along the north of the property line will be assessed in detail as part of the draft plan or site plan approval process. The proposed lots are of sufficient depth along the railway to ensure that mitigation measures related to noise, vibration and rail safety can be incorporated into the site design.

Why is it appropriate to remove Employment Lands?

According to the City of London Vacant Land Inventory (2009), there are approximately 1,161.1 hectares (2,869 acres) of vacant General Industrial and Light Industrial land available to the City. The portion of the subject lands designated and zoned industrial is 10.8 hectares (26.6 acres) which represents 0.9% of the total available industrial land in the City.

The London Economic Development Corporation (LEDC) prepared a letter (April 27, 2011) in support of the Official Plan and Zoning By-law amendment for the subject lands.

Reasons for the LEDC supporting the proposed Automall include the significant employment growth with the creation of "upwards of 250 new jobs"; the opportunity to improve one of the main corridor entrances into the City therefore upgrading the appeal of the area and enhancing the economic benefits in the area; allowing several London dealerships to receive upgrades, similar to the significant improvements made to the existing dealerships on the edge of London and the lack of impact from the loss of these lands as employment uses in the LEDC's capabilities to provide a section of industrial sites. The LEDC notes that there are several other industrial areas that would be more appealing to their potential clients than the subject lands.

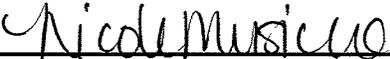
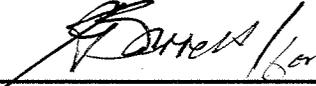
The requested amendment will result in significant employment growth. The London Economic Development Corporation has confirmed that upwards of 250 new jobs will be created by the new enlarged automotive dealerships and distribution operations.

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CONCLUSION

The proposed Official Plan and Zoning By-law Amendments are consistent with the intent of the Provincial Policy Statement. The subject lands are of sufficient size to provide flexibility in the design of each dealership through the site plan approval process and can accommodate any noise mitigation measures required along the rail line. The lands have access to full municipal services and can be readily serviced to accommodate the proposed Automall. The loss of employment lands can be accommodated, given the current supply of Industrial lands available for development. As well there are economic benefits not only of the new Automall but the re-use of existing dealership locations throughout the City.

PREPARED BY:	SUBMITTED BY:
 NICOLE MUSICCO – PLANNER II COMMUNITY PLANNING AND URBAN DESIGN	 JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN
RECOMMENDED BY:	
 JOHN M. FLEMING, MCIP, RPP DIRECTOR OF LAND USE PLANNING & CITY PLANNER	

August 4, 2011
/nm

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OZ-7919
N. Musicco

Responses to Public Liaison Letter and Publication in "Living in the City"

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Written

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M.E.E.M Management Inc.
1464 Crumlin Sideroad

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N. Musicco**

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2011

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to 2310, 2330, 2350 and 2362 Dundas Street.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13.*

PASSED in Open Council on August 29, 2011

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - August 29, 2011
Second Reading - August 29, 2011
Third Reading - August 29, 2011

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N. Musicco

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To change the designation of certain lands described herein **FROM** General Industrial and Light Industrial **TO** Auto Oriented Commercial Corridor Designation on Schedule 'A', Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

- 1. This Amendment applies to lands located 2310, 2330, 2350 and 2362 Dundas Street in the City of London.

C. BASIS OF THE AMENDMENT

The purpose and effect of this Official Plan and Zoning Bylaw Amendment is to permit the development of an Auto Mall.

- 1. The recommended amendments are consistent with the policies of the Provincial Policy Statement (2005).
- 2. The requested Official Plan designation is compatible with the existing and proposed uses in the area.
- 3. The requested Official Plan designation is appropriate since the subject lands have been designated General Industrial and Light Industrial for many years and have not been successfully developed.
- 4. The re-designation of the lands from Industrial to Auto-Oriented Commercial Corridor will not have a significant impact on the City's supply of industrial land.

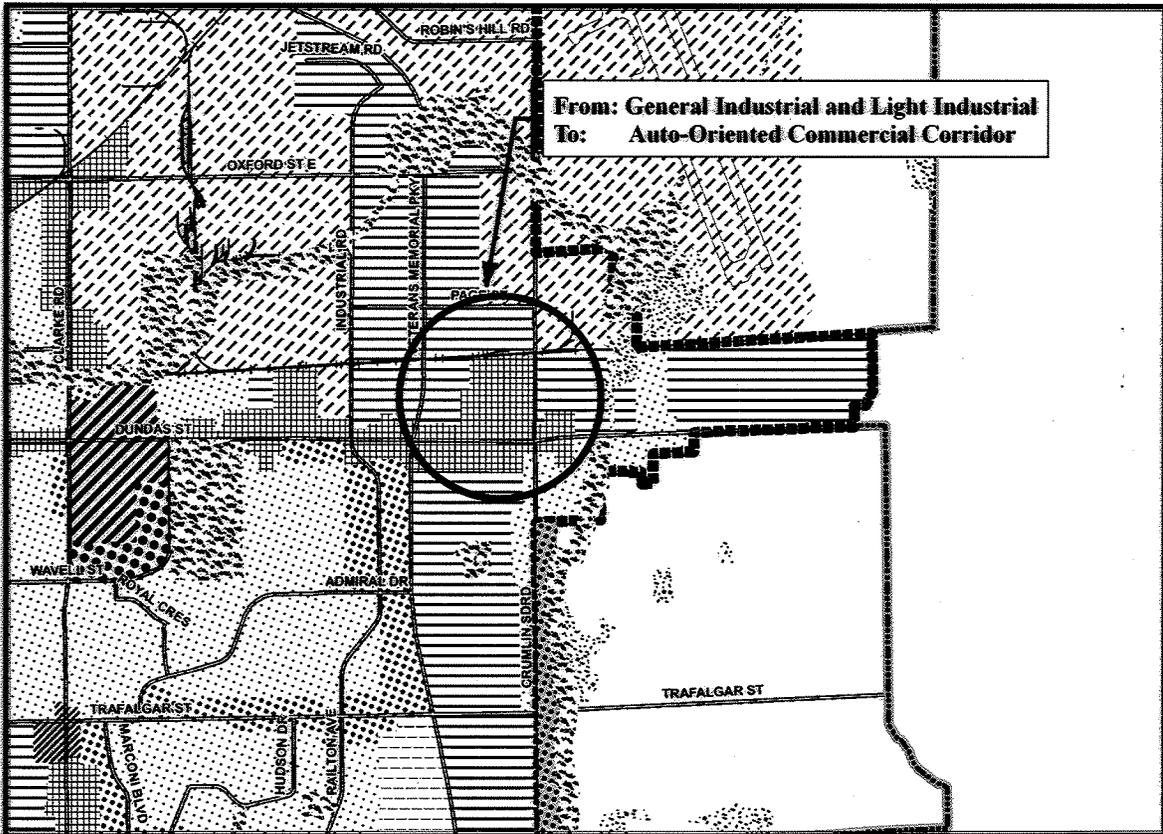
D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

- 1. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located 2310, 2330, 2350 and 2362 Dundas Street in the City of London, as indicated on "Schedule 1" attached hereto from **FROM** General Industrial and Light Industrial **TO** Auto Oriented Commercial Corridor Designation on Schedule 'A', Land Use, to the Official Plan for the City of London.

OZ-7919
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AMENDMENT NO:



Legend

- | | |
|--|-----------------------------------|
| Downtown Area | Office Business Park |
| Enclosed Regional Commercial Node | General Industrial |
| New Format Regional Commercial Node | Light Industrial |
| Community Commercial Node | Regional Facility |
| Neighbourhood Commercial Node | Community Facility |
| Main Street Commercial Corridor | Open Space |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth |
| Multi-Family, Medium Density Residential | Rural Settlement |
| Low Density Residential | Environmental Review |
| Office Area | Agriculture |
| Office/Residential | Urban Growth Boundary |
| Areas Under Appeal | |

This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

**SCHEDULE A
TO
OFFICIAL PLAN**

AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



Scale 1:30,000



FILE NUMBER: OZ-7919

PLANNER: NM

TECHNICIAN: CK

DATE: 2011/08/02

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid\amendments\????\mxd\scheduleA_NEW_b&w_8x11.mxd

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Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2011

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located 2310, 2330, 2350 and 2362 Dundas Street

WHEREAS Zelinka Priamo Limited have applied to rezone an area of land located 2310, 2330, 2350 and 2362 Dundas Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment (number to be inserted by Clerk's Office) this rezoning will conform 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 2310, 2330, 2350 and 2362 Dundas Street, as shown on the attached map comprising of Key Map No. 78, as follows:
 - i) The north portion of 2310 Dundas Street **FROM** a Light Industrial (LI2) Zone and a Holding General Industrial (h*GI1) Zone **TO** a Holding Restricted Service Commercial Special Provision (h*h-11*h-()RSC1()) Zone;
 - ii) The north portion of 2330 and 2350 Dundas Street **FROM** a Holding General Industrial (h*GI1) Zone **TO** a Holding Restricted Service Commercial Special Provision (h*h-11*h-()RSC1()) Zone;
 - iii) The south portion of 2310 Dundas Street **FROM** a Light Industrial (LI2) Zone and a Restricted Service Commercial (RSC1/RSC5) Zone **TO** a Holding Restricted Service Commercial (h*h-11*h-()RSC2/RSC3/RSC4/RSC5)) Zone;
 - iv) The south portion of 2330 Dundas Street **FROM** a Holding General Industrial (h*GI1) Zone and a Restricted Service Commercial (RSC1/RSC5) Zone **TO** a Holding Restricted Service Commercial (h*h-11*h-()RSC2/RSC3/RSC4/RSC5)) Zone.
 - vi) The south portion of 2350 Dundas Street **FROM** a Holding Highway Service Commercial/Restricted Service Commercial (h*HS1/HS4/RSC2/RSC3/RSC4/RSC5) Zone **TO** a Holding Restricted Service Commercial/Highway Service Commercial (h*h-11*h-()HS1/HS4/RSC2/RSC3/RSC4/RSC5)) Zone;

2. Section Number 28.4 of Restricted Service Commercial Zone of By-law No. Z.-1 is amended by adding the following Special Provision:

28.4 RSC1() North portion of 2310, 2330 and 2350 Dundas Street

 - a) Additional Permitted Use(s)
 - i) "Automotive Uses"

3. Section Number 3.8(2) of the Holding Provisions Section to By-law No. Z.-1 is amended by adding the following:

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N. Musicco

- ___) h-(*) *Purpose:* To ensure the orderly development of all transportation related services (roads, street lights, infrastructure, intersection locations, traffic control), including no direct access for individual blocks to Dundas Street or Crumlin Sideroad, until a development agreement is entered into for the lands in question with the City of London.

Permitted Interim Uses: Existing Uses

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 subsection 34(21) of the *Planning Act, R.S.O. 1990, c. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said subsection.

PASSED in Open Council on August 29, 2011

Joe Fontana
Mayor

Catharine Saunders
City Clerk

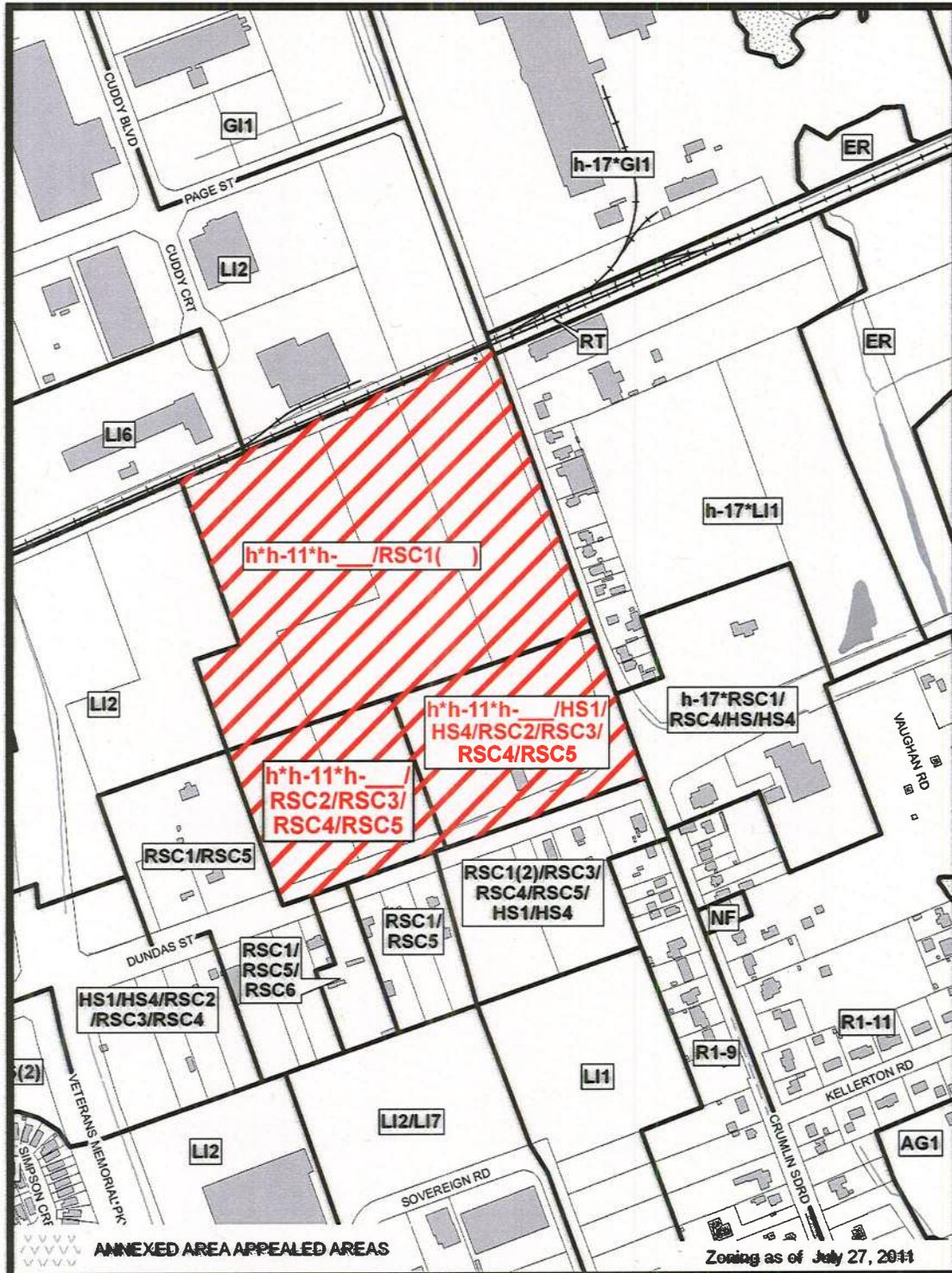
First Reading - August 29, 2011
Second Reading - August 29, 2011
Third Reading - August 29, 2011

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



File Number: OZ-7919
Planner: MM
Date Prepared: 2011/08/02
Technician: CK
By-Law No: Z-1-

SUBJECT SITE 

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Geodatabase

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Bibliography of Information and Materials – OZ-7919

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Zelinka Priamo Limited, May 27, 2011.

Reference Documents:

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 01, 2005.

City of London, Notice of Application, June 10, 2011.

City of London, Notice of Public Meeting, July 28, 2011

City of London, Living in the City - Saturday June 11, 2011.

City of London, Living in the City - Saturday July 30, 2011.

Correspondence: (all located in City of London File No. OZ-7919 unless otherwise stated)

City of London –

R. Postma, Parks Planning and Design, Email to N. Musicco, June 10, 2011.

B. Page, Parks Planning and Design, Email to N. Musicco, July 4, 2011.

External Responses-

C. Creighton, UTRCA, Letter to N. Musicco, June 29, 2011.

C. Creighton, UTRCA, Email to N. Musicco, June 29, 2011.

J. LaChapelle, Bell Canada, Letter to N. Musicco, June 20, 2011.

J. LaChapelle, Bell Canada, Letter to N. Musicco, June 20, 2011.

Zelinka Priamo Limited, Various email correspondence between N. Musicco and M. Doornbosch, June 2 2011, June 28 2011, June 30 2011, July 7 2011.

Reports submitted with Application -

Planning Justification Report, Zelinka Priamo Limited, May 25, 2011.

LEDC, Letter in support of application, April 27, 2011.

Site Servicing Brief, Development Engineering Limited (London), March 16, 2011.

Traffic Review of Lands, LEA Consulting Limited, May 24, 2011.