

## 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:** 1966822 Ontario Inc. (c/o Zelinka Priamo Ltd.)  
1195 Gainsborough Road  
File Number: Z-9782, Ward 07  
Public Participation Meeting

**Date:** November 12, 2024

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following action be taken with respect to the application of 1966822 Ontario Inc. (c/o Zelinka Priamo Ltd.) relating to the property located at 1195 Gainsborough Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 26, 2024 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Holding Light Industrial (h-17\*LI1) Zone and an Open Space (OS4) Zone, **TO** a Holding Light Industrial Special Provision (h-17\*LI1(\_)) Zone and an Open Space Special Provision (OS4(\_)) Zone.

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

- i) The recommended amendments are consistent with the Provincial Planning Statement, 2024;
- ii) The recommended amendments conform to the policies of The London Plan, including but not limited to the Key Directions and Commercial Industrial Place Type policies.
- iii) The recommended amendments would facilitate the continued use of the existing building stock with a range of uses that are appropriate for the context of the site and surrounding area.

## Executive Summary

### Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Holding Light Industrial (h-17\*LI1) Zone and an Open Space (OS4) Zone to a Holding Light Industrial Special Provision (h-17\*LI1(\_)) Zone and an Open Space Special Provision (OS4(\_)) Zone.

### Purpose and the Effect of Recommended Action

Staff are recommending approval of the requested Zoning By-law amendment with special provisions. The existing holding provision is recommended to remain to ensure development cannot proceed until full municipal water and sanitary services are available to service the site. The recommended action will: permit the current non-conforming uses; facilitate the construction of a new light industrial building at the rear of the property; permit a limited range of additional light industrial uses on the subject lands; and permit portions of the subject lands to be used for existing and proposed surface parking spaces.

The recommended action will permit single-storey light industrial building with a total gross floor area of approximately 5,343.5 square metres.

## Linkage to the Corporate Strategic Plan

This recommendation will contribute to the advancement of Municipal Council's 2023-2027 Strategic Plan in the following ways:

- **Strategic Plan Area 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

None.

#### 1.3 Property Description and Location

The subject lands are located on the northerly side of 1195 Gainsborough Road, approximately 550 metres from the intersection of Gainsborough Road and Hyde Park Road, in the Hyde Park Planning District. The subject lands are irregularly shaped and have an approximate frontage of 118.8 metres along Gainsborough Road, a depth of approximately 379.3 metres, and an area of approximately 4.1 hectares.

The lands are currently occupied by a one-storey, multi-tenanted light industrial building with a net leasable area of approximately 5,296.5 square metres, and associated landscaping and surface parking areas. There are gravel areas at the rear of the subject lands that are currently used for vehicle parking (bus and car), and a rear lane used for loading and access which abuts the westerly property line. The subject lands abut a former municipal drain known as Stanton Drain, which runs along the easterly edge of the subject lands. The subject lands abut agricultural and open space uses to the north; a listed heritage property (1165 Gainsborough Road (c1870 – Ontario farmhouse)) and the London Hyde Park Rotary Link (former rail line) multi-use path system to the east; Gainsborough Road and agricultural and light industrial uses to the south; and an additional listed heritage property (1205 Gainsborough Road (c1900 – farmhouse, vernacular)) and agricultural uses to the west.

#### Site Statistics:

- Current Land Use: Light industrial
- Frontage: 118.8 metres
- Depth: 379.3 metres
- Area: 4.1 hectares
- Shape: Irregular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

#### Surrounding Land Uses:

- North: Agricultural/Open Space
- East: Listed Cultural Heritage Resource (Ontario Farmhouse) & multi-use path system
- South: Agricultural/Light industrial uses
- West: Listed Cultural Heritage Resource (Farmhouse vernacular)

#### Existing Planning Information:

- The London Plan Place Type: Commercial Industrial Place Type
- Existing Zoning: Holding Light Industrial (h-17\*LI1) Zone and an Open Space (OS4) Zone

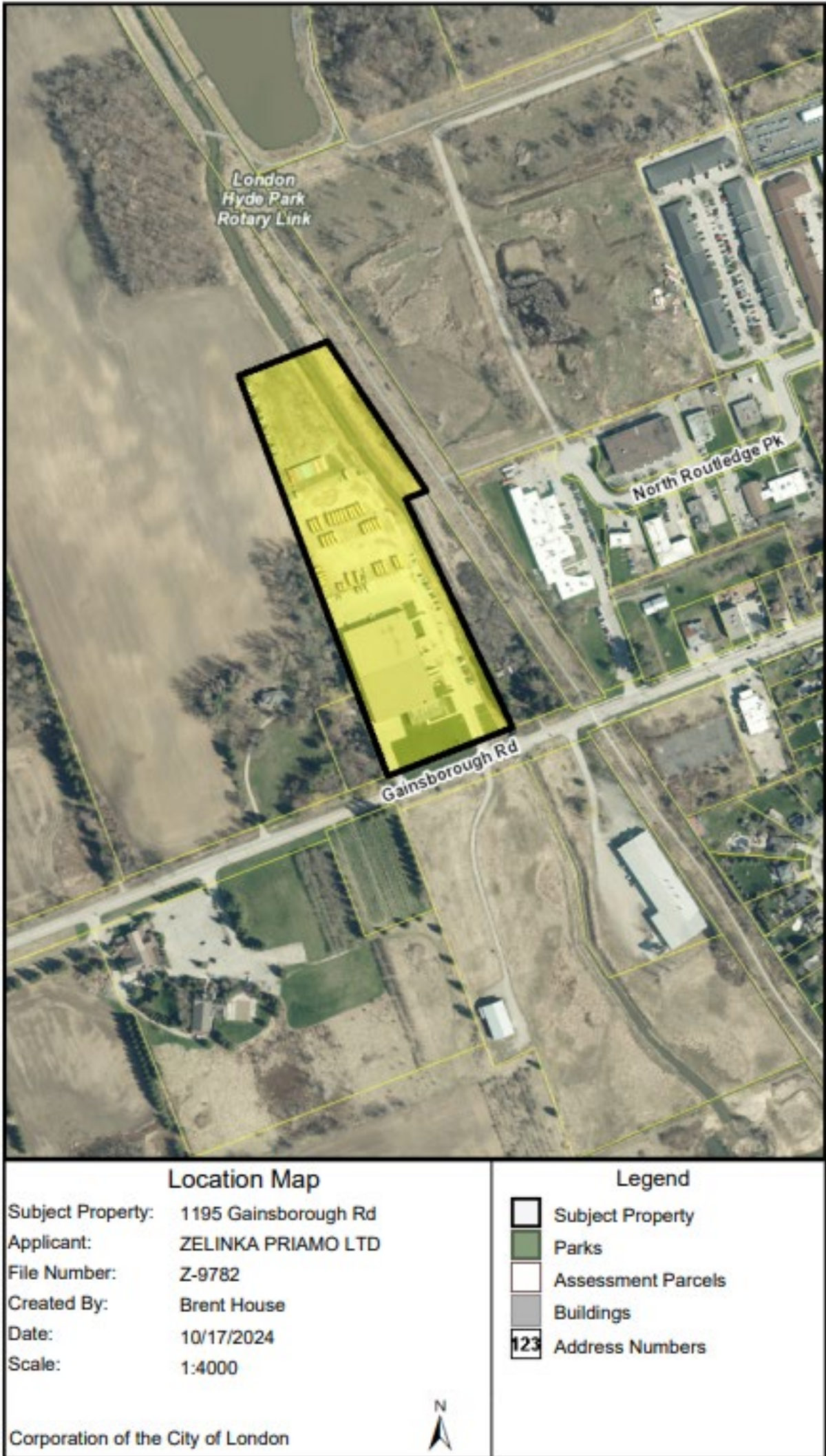


Figure 1- Aerial Photo of 1195 Gainsborough Road and surrounding lands.



Figure 2 - Streetview of 1195 Gainsborough Road (view looking north)

## 2.0 Discussion and Considerations

### 2.1 Development Proposal

The rear (northerly) portion of the subject lands is proposed to be developed with a single-storey light industrial building with a total floor area of approximately 5,343.5 square metres. The conceptual design of the building includes entrances and garage bays for each unit with parking spaces in front, as well as communal surface parking spaces to the north, south and east of the proposed building. Parking for the proposed building is provided at a rate of 1 space per 50 square metres of gross floor area, totalling 130 spaces.

The current uses of the existing building include manufacturing and assembly; warehouse establishment; wholesale establishment; service trades; business service establishment; terminal centre (currently not listed as a permitted use); building/construction establishment (currently not listed as a permitted use); and, a commercial recreation establishment (a dance studio – currently not listed as a permitted use).

The proposed Zoning By-law Amendment seeks to rezone the subject lands to a site-specific Light Industrial Special Provision (LI1(\_)) Zone and a site-specific Open Space Special Provision (OS4(\_)) Zone, in order to: facilitate the construction of a new light industrial building at the rear of the property; permit a limited range of additional light industrial uses on the subject lands; and permit portions of the subject lands to be used for existing and proposed surface parking spaces.

The proposed development includes the following features:

- Land use: Industrial
- Form: New Industrial building behind the existing industrial building
- Height: 1 storey (13 m)
- Gross floor area: 5,343.5m<sup>2</sup>
- Building coverage: 26%
- Parking spaces: 130 surface spaces
- Bicycle parking spaces: Unknown
- Landscape open space: 29%

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

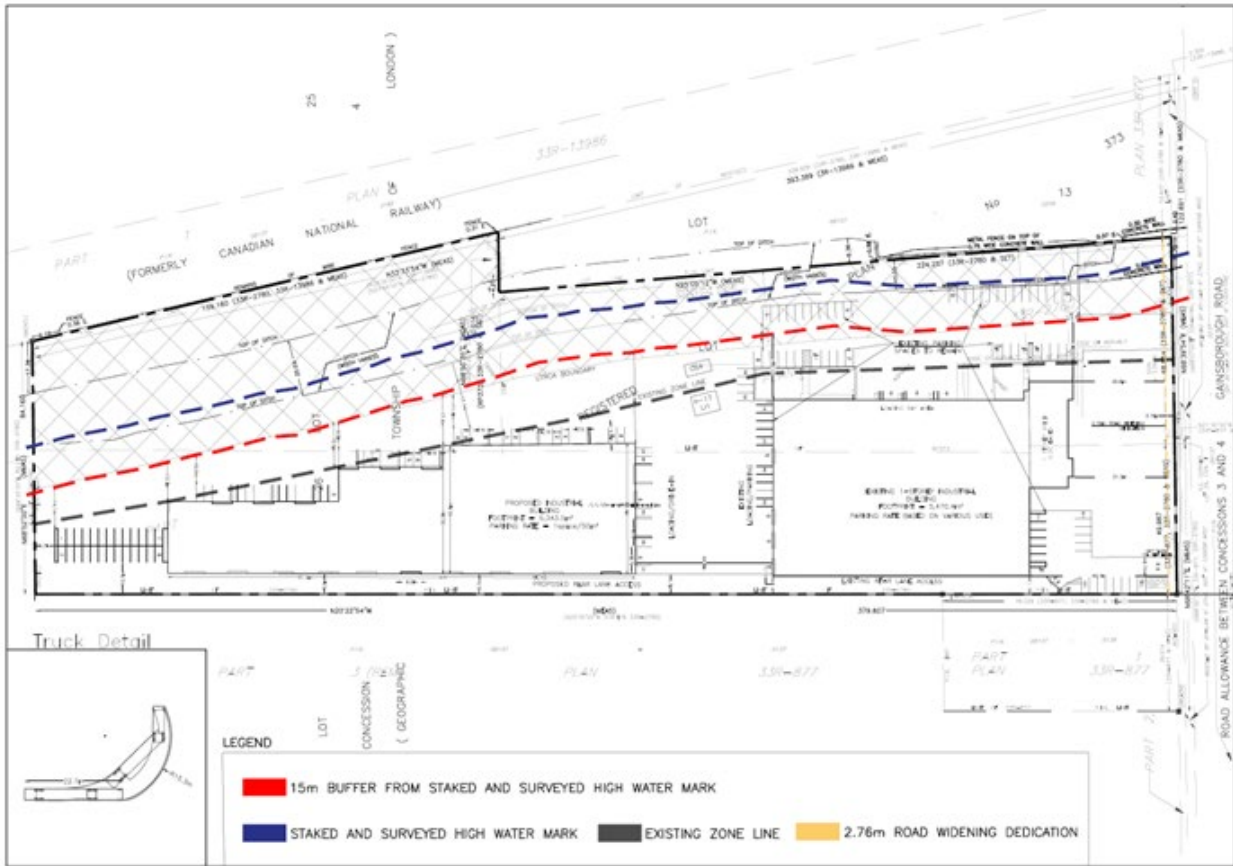


Figure 3 - Conceptual Site Plan (Received September 2024)

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

## 2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Light Industrial (LI1) Zone and an Open Space (OS4) Zone to a Light Industrial Special Provision (LI1(\_)) Zone and an Open Space Special Provision (OS4(\_)) Zone.

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

Regulation – LI1(_)	Required	Proposed
Permitted uses – LI1	See section 40.2	Additional Uses: Terminal Centre Commercial Recreational Establishment
Parking (minimum)	199 Spaces	130 Spaces
Regulation – OS4(_)	Required	Proposed
Parking Location	Not permitted	Permit parking in the OS4 Zone.

## 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:

- Parking in the OS4 Zone Variation.

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

## **2.4 Public Engagement**

On September 20, 2024, Notice of Application was sent to 17 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 September 19, 2024. A “Planning Application” sign was also placed on the site.

There were no comments received from members of the public.

## **2.5 Policy Context**

### ***The Planning Act and the Provincial Planning Statement, 2024***

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Planning Statement, 2024 (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 subject lands are within the Commercial Industrial Place Type of The London Plan. The Commercial Industrial Place Type is located in automobile and truck dominated environments, away from neighbourhoods and pedestrian-oriented streetscapes (1112\_). Commercial uses that do not fit well within the commercial and mixed-use place types, due to the planning impacts that they may generate, are directed to the Commercial Industrial Place Type. Permitted commercial uses will have a tolerance for planning impacts created by a limited range of light industrial uses which may also be located within this place type. These commercial uses tend to have a quasi-industrial character, whereby they may be designed with large outdoor storage areas, impound

areas with high fences, heavy equipment on-site, or large warehouse components that don't integrate well within streetscapes and neighbourhoods. They may also generate noise, vibration, emissions and other planning impacts beyond those that would be expected within a commercial or mixed-use context (1118\_).

The applicant has proposed to add multiple uses to the existing Light Industrial (LI1) Zone on the subject lands, while maintaining the existing uses that currently exist on the subject lands that are not currently conforming with the Zoning By-law. The uses the applicant are proposing to rectify and deem legal uses are a terminal centre, a commercial recreation establishment, and building/construction establishments. In accordance with policy 1119\_7 of the Commercial Industrial Place Type, a limited range of light industrial uses may be permitted that are compatible with the commercial uses. As the uses are existing, they have established a level of conformity and are not anticipated to have any adverse impacts on the subject lands or surrounding properties. On this basis, staff are satisfied that the uses that are currently within the existing building that are not permitted by the Zoning By-law are appropriate and in conformity with The London Plan.

The applicant has also requested to permit additional uses on the site that are not currently permitted by the Zoning By-law. These uses include food, tobacco and beverage processing industries (excluding meat packaging); repair and rental establishments; service and repair establishments; service trades; private clubs; storage depots; truck sales and service establishments; and, custom workshops. The Light Industrial Zone variation permits a broad range of industrial uses while providing for a range of secondary uses that includes commercial recreational establishments and private clubs. Staff are satisfied the range of uses are compatible with the existing light industrial and commercial uses and are in conformity with The London Plan.

#### **4.2 Intensity**

The intensity policies for all industrial place types apply a maximum permitted height of two storeys in the Commercial Industrial Place Type (1124\_3). Form policies require sites to be large enough to accommodate on-site truck movements for loading, unless it is deemed appropriate to utilize streets where there are no viable alternatives (1125\_7). The requested amendment will facilitate the development of a one -storey building, which is in conformity with the maximum intensity permitted by The London Plan. Further, the subject site is large enough to accommodate on-site loading and truck movements, and the detailed design would be formalized at the Site Plan Approval stage.

#### **4.3 Form**

The rear (northerly) portion of the subject lands is proposed to be developed for a single-storey light industrial building with a total floor area of approximately 5,343.5 square metres. The conceptual design of the building includes entrances and garage bays for each unit with parking spaces in front, as well as communal surface parking spaces to the north, south and east of the proposed building. The total number of parking spaces provided for both buildings is 130 spaces

With respect to servicing, an existing sanitary and water service line located nearby can be extended to service the proposed building, and a new storm service will be required.

Staff are satisfied that the proposed built form is complementary to and compatible with the existing building on the subject lands, as well as the surrounding context. The proposed development provides sufficient space for vehicular circulation and separation from the natural heritage components of the site.

#### **4.4 Parking in OS4 Zone**

Portions of the property are currently zoned and Open Space (OS4) Zone in relation to the Green Space Place Type on the east side of the property. Existing surface parking, as well as the existing and extended main drive aisle, are located within the OS4 Zone and are not permitted uses. The parking and drive aisle are essential components to the

functionality of the subject lands and have existed since as early as 1998 without any adverse impacts to the drain system that runs through the site. The proposed Zoning By-law amendment does not propose to seek to reduce the area of the OS4 Zone boundary, and it is not anticipated that there would be any further impacts caused by the development of an additional building on site, as the areas have been utilized for vehicular access and parking for many years.

As part of the complete application, the applicant provided an Environmental Impact Study (EIS) prepared by MTE dated June 2024. The recommendations of the EIS include a 15m buffer area on the easterly portion of the property, which is to be naturalized, enhanced and protected, and would remain zoned an OS4 Zone. 25 existing parking spaces are proposed to remain within the buffer, with an additional 31 existing parking spaces proposed to remain within the OS4 Zone outside of the buffer area. In total, 56 existing parking spaces are proposed to remain within the OS4 Zone boundary, and 74 parking spaces are proposed to be located outside of the OS4 Zone. Without the 56 parking spaces proposed to remain within the OS4 Zone boundary, the subject lands would be severely under-parked as a minimum of 199 spaces are required based on the range of existing and proposed uses, and only 130 spaces are provided (inclusive of the spaces within the OS4 Zone).

## **Conclusion**

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Holding Light Industrial (h-17\*LI1) Zone and an Open Space (OS4) Zone to a Holding Light Industrial Special Provision (h-17\*LI1(\_)) Zone and an Open Space Special Provision (OS4(\_)) Zone. Staff are recommending approval of the requested Zoning By-law amendment with special provisions. The existing holding provision is recommended to remain to ensure development cannot proceed until full municipal water and sanitary services are available to service the site.

The recommended action is consistent with the PPS 2024, conforms to The London Plan and will permit the development of a single-storey light industrial building with a total floor area of approximately 5,343.5 square metres.

**Prepared by:** Brent House,  
Site Planner, Planning and Development

**Reviewed by:** Catherine Maton, 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  
Mike Corby, Manager, Site Plans  
Brent Lambert, Manager, Development Engineering



## Appendix A – Zoning By-law Amendment

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

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 1195  
Gainsborough Road

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

NOW 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 1195 Gainsborough Road as shown on the attached map **FROM** a Light Industrial (LI1) Zone and an Open Space (OS4) Zone **TO** a Holding Light Industrial Special Provision (h-17\*LI1(\_)) Zone and an Open Space Special Provision (OS4(\_)) Zone.
2. Section Number 40.4 of the Light Industrial (LI1) Zone is amended by adding the following Special Provisions:

LI1(\_) 1195 Gainsborough Road

a. Additional Permitted Uses

1. Transport Terminal;
2. Commercial Recreation Establishment;
3. Food, tobacco and beverage processing industries;
4. Repair and rental establishments;
5. Service and repair establishment;
6. Service trades;
7. Commercial recreation establishments;
8. Private clubs;
9. Building or contracting establishments;
10. Storage depots;
11. Truck sales and service establishments;
12. Custom workshops;

b. Regulations

1. Parking (minimum): 130 spaces for all permitted uses
2. Interior side yard setback (minimum): 0.0 metres

3. Section Number 36.4.d) of the Open Space (OS4) Zone is amended by adding the following Special Provisions:

OS4(\_) 1195 Gainsborough Road

a. Additional Permitted Uses

1. Existing driveways and parking areas associated with uses permitted in the adjacent LI1(\_)) Zone.
4. This Amendment shall come into effect 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.

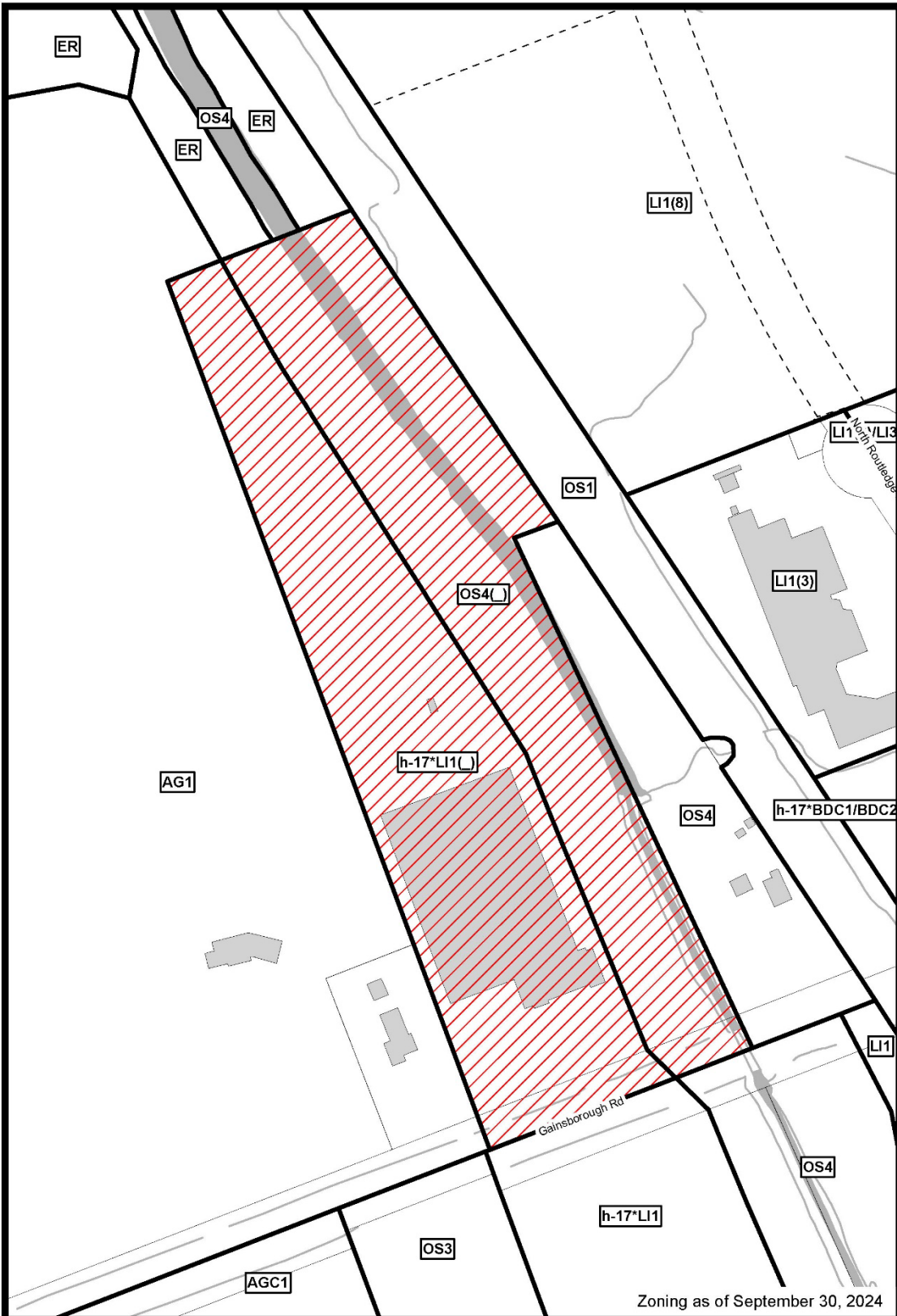
PASSED in Open Council on November 26, 2024 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan  
Mayor

Michael Schulthess  
City Clerk

First Reading – November 26, 2024  
Second Reading – November 26, 2024  
Third Reading – November 26, 2024

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



File Number: Z-7982  
Planner: BH  
Date Prepared: 2024/10/10  
Technician: RC  
By-Law No: Z.-1-

SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



## Appendix B - Site and Development Summary

### A. Site Information and Context

#### Site Statistics

Current Land Use	Industrial Uses
Frontage	118.8 metres
Depth	379.3 metres
Area	4.1 hectares
Shape	irregular
Within Built Area Boundary	Yes
Within Primary Transit Area	No

#### Surrounding Land Uses

North	Agricultural & open space
East	Residential & multi-use path
South	Agricultural & light industrial uses
West	Residential

#### Proximity to Nearest Amenities

Major Intersection	Gainsborough Road & Hyde Park Road, 535.6 metres
Dedicated cycling infrastructure	Hyde Park Road, 535.6 metres
London Transit stop	Hyde Park at Gainsborough SB - #2398, 535.6 metres
Public open space	London Hyde Park Rotary Link, 50 metres

### B. Planning Information and Request

#### Current Planning Information

Current Place Type	Commercial Industrial Place Type
Current Special Policies	N/A
Current Zoning	Holding Light Industrial (h-17*LI1) Zone and an Open Space (OS4) Zone

#### Requested Designation and Zone

Requested Place Type	Commercial Industrial Place Type
Requested Special Policies	N/A
Requested Zoning	Holding Light Industrial Special Provision (h-18*LI1(_)) Zone and an Open Space (OS4(_)) Zone

### C. Development Proposal Summary

The rear (northerly) portion of the subject lands is proposed to be developed for a single-storey light industrial building with a total floor area of approximately 5,343.5 m<sup>2</sup>. The conceptual design of the building includes entrances and garage bays for each unit with several parking spaces in front, as well as communal surface parking spaces to the north, south and east of the proposed building. Parking for the proposed building is provided at a rate of 1 space per 50 m<sup>2</sup> totalling 130 spaces.

#### Proposal Statistics

Land use	Industrial
Form	New industrial building behind the existing industrial building

Height	1 Storey (13 metres)
Gross floor area	5,343.5m <sup>2</sup>
Building coverage	26%
Landscape open space	29%
New use being added to the local community	No

### Mobility

Parking spaces	130 surface spaces
Vehicle parking ratio	50 spaces per sq. m
New electric vehicles charging stations	N/A
Secured bike parking spaces	None provided.
Secured bike parking ratio	N/A
Completes gaps in the public sidewalk	NA
Connection from the site to a public sidewalk	No
Connection from the site to a multi-use path	No

### Environment

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





## Appendix D – Internal and Agency Comments

### Ecology – Comments from Pre-Review

#### Major issues identified:

- Although the building envelope is located outside of the existing OS4 zone, access to the proposed building appears to require drive aisles and parking within the OS4 zone. Confirm that the proposed access and parking is permitted within the OS4 zone and demonstrate that stormwater and snow storage runoff from these impervious areas will be managed to not negatively impact the significant valleyland and fish habitat.
- A detailed Landscape/Restoration Plan is required for the proposed 15m naturalized buffer in the next submission. Recommendations should be provided in the EIS on how to best restore the areas that are currently compacted gravel parking.
- The residential (RES) ELC ecosite does not appear to have been accurately applied. There is a treed vegetation community present on the adjacent lands to the south that should be recognized. This treed area is not large enough to require evaluation but should be acknowledged to be present.

#### Ecology – complete application requirements

- None.

#### Notes

- None.

### Heritage – Received September 23, 2024

- I have reviewed the following reports submitted as a part of Z-9782 for 1195 Gainsborough Road:
  - Zelinka Priamo Ltd., *Heritage Impact Assessment, 1195 Gainsborough Road, May 27, 2024*
  - Lincoln Environmental Consulting Corp., *Stage 1-2 Archaeological Assessment, 1195 Gainsborough Road, P1289-0410-2023, December 2023*
- Heritage staff are satisfied with the impact assessment completed within the HIA and are satisfied that the proposal will not result in adverse impacts to the adjacent heritage-listed properties at 1165 Gainsborough Road and 1205 Gainsborough Road.
- Staff have also reviewed the Stage 1-2 Archaeological Assessment for Z-9782. Staff note that the assessment report identifies that no further archaeological assessment be recommended for this property. Staff have not received the Ministry's review and acceptance letter for this assessment report. Staff recommend the h-18 holding provision be applied until the Ministry's letter has been received.

### Engineering – Received October 7, 2024

#### Zoning Application Comments

#### *Planning & Development:*

- Engineering has no further comments on this application and recommends approval.
- The following comments shall be addressed at a future siteplan application stage



#### *Wastewater:*

- MTE has provided 2 options for sanitary servicing in there attached sanitary brief.
  - Option 1 is to connect to a new sewer in the rear of the property to Maintenance hole HP33 crossing the Stanton Drain and crossing over the adjacent lands known as #1165 Gainsborough Road. If this option is chosen it would be SED's preference to connect to maintenance hole HP34 to avoid crossing over the property to the east #1165 Gainsborough Road.
  - Option 2 is for a local sanitary sewer extension to the sanitary Maintenance hole on Gainsborough road HP130 to pick up 1195 Gainsborough Road. Other properties could also be serviced by this sewer in the future

It would be SED's preference to pursue option 2 as it could potentially service the westerly portion (bisected by the creek) of 1198 Gainsborough Road and pick up additional properties for future development. SED would be open to further discussion and review of both options. Any extension would be at no cost to the City and in standard location within the ROW.

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

#### *Wastewater:*

- The municipal sanitary sewer to service this site is the 825mm adjacent to eastern limit of the site and within the "London Hyde Park Rotary Link"
- City Plan No. 17324 & 17325 show information pertaining to the sanitary sewer.
- The applicants engineer is required to demonstrate servicing to the intended municipal outlet, and provide the maximum population and peak flow of the proposed development including any existing uses on-site. SED is requesting the intended use and type of activity that will take place within the proposed light industrial building.
- The sanitary discharge is to comply with WM-16, and provide an inspection manhole entirely on private property but as close to the street line as possible.

#### *Water:*

- Our record shows there is an existing 50mm water servicing the property.
- The applicant shall confirm that the existing water service is sufficient for the proposed addition or replace the water service with a new appropriately sized service if necessary and existing water service shall be abandoned to City Standard (Cut and Cap from main).
- A report will be required addressing water servicing, including but not limited to; domestic and industrial water demands, fire flows and water quality.
- If the ownership of the proposed building is different than the remainder of the site, a separate municipal water service shall be provided.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.
- 50mm PEX water service extends into the municipal ROW to approximately 1150 Gainsborough. If a new upsized service is required for the water demands, the owner will be responsible for upsizing the municipal portion as well.
- As per City Standard, 7.3.5 , It will be a requirement that a testable device (DCVA) be installed at property line for all site plans greater than 2 Ha in size with a private watermain connected to the municipal water supply system which services more than one commercial, institutional and industrial building.

#### *Stormwater:*

- The site is located within the UTRCA regulated area and therefore the applicant

is to engage as early as possible with UTRCA to confirm any requirements, including, but not limited to, approvals, permits, or setbacks required for this site.

- The proposed land use of commercial will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
- From historic records, it is assumed that the site is serviced by an existing 250mm storm sewer and outlet proximate to the Stanton Drain. The consultant is to investigate the existing servicing layout of the property, and shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under existing conditions up to and including 100-year storm events. On-site SWM control design should include, but not be limited to bioswales, infiltration galleries/systems, required storage volume calculations, flow restrictor sizing, etc. It is suggested that primarily “clean” roof runoff be directed to infiltration features.
- The Consultant may note that implementation of infiltration or filtration measures for a volume that meets or exceeds the 25mm event as part of the water balance target would be accepted to meet Total Suspended Solids (TSS) reduction target. Any flows from parking areas shall have pre-treatment prior to being infiltrated.
- As part of climate change resiliency objectives the consultant is to use best efforts to maximize the provided site storage. The consultant is encouraged to make use of rooftop storage.
- There are currently no downstream quality controls for this area, and per the SWM PPS objectives, new site development should improve the water quality, to the applicable standards at a minimum, for all captured stormwater flows leaving the site. The consultant may wish to consider introducing an OGS c/w inspection MH, or similar strategy, to meet the water quality target (80% TSS removal, Stanton Drain).
- 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, ensuring that stormwater flows are self-contained and that grading can safely convey 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.

#### *Transportation:*

- The road widening at the above location is 15.24m from centreline (33R-877 and 126158 Misc). Therefore, an additional widening of 2.76m is required to attain 18.0m from centreline of the road.
- Road widening land dedication is required prior to Site Plan Approval. Ensure draft reference plan has been submitted to Geomatics ([Geomatics@london.ca](mailto:Geomatics@london.ca)) for review. Once the draft reference plan is approved, please have your lawyer work with Geomatics to dedicate the lands.
- Show updated property line and road widening details on the site plan, and

- remove any parking affected by the road widening.
- Provide 6.0m clear throat from property line in to the site as per City's Access Management Guideline. Show clear throat details on the site plan and other drawings.

### **UTRCA – Received October 18, 2024**

1. As previously provided to the applicant through the pre-consultation and site plan processes, the existing building and associated parking area located at the southern extent of the subject lands predate available aerial imagery for 1998. These uses are recognized as legal non-conforming uses within the OS4 zone and are able to continue to operate in their current manner.
2. Further to the legal non-confirming uses, additional parking areas were installed in 2014 and 2016 to extend outdoor parking for school buses and vehicles. The UTRCA does not have record of issuing a permit or clearance for these works under Section 28 of the Conservation Authorities Act. Consistent with the pre-consultation discussion, these works are recognized as unauthorized and are required to be removed and the lands remediated.
  - 2.
3. The Concept Plan proposes a formal extension to the surface parking area within the OS4 zone along the east side of the proposed structure.
  - a. Surface parking is not identified as a permitted use within the OS4 zone and shall be relocated outside of this zone. The existing parking area associated with the existing building may remain (as per Comment 1).
2. The OS4 zone currently extends beyond the regulation limit of the UTRCA. The current Zoning By-law Amendment application does not propose to refine the extent of the OS4 zone.
  - a. The UTRCA requires a 15 metre development setback from the top of bank of all open watercourses. However, it is our understanding the City of London may have additional setback requirements from a heritage perspective.
3. The Concept Plan does not currently identify the extent of paving that is required to accommodate internal driveways and traffic movement. Please provide a revised Concept Plan that notes the extent of work needed for the entirety of the proposed development.
4. A detailed Landscape/Restoration Plan is required for the proposed 15m naturalized buffer as part of future submission(s).

While the UTRCA has no objections to the proposed Zoning By-law Amendment, we advise the applicant to continue working through both the Site Plan Application and Section 28 permit application processes for the proposed development.

### **Urban Design – Received September 24, 2024**

- There are no major issues to flag from Urban Design. As long as the proposed buildings remains not visible from the street, Urban Design also has no comments.

### **Landscape Architecture – Received September 24, 2024**

#### **1. Matters for Site Plan**

- For tree stands outside of a designated Natural Heritage Feature, the summation of tree diameter to be destroyed shall correspond to the number of Replacement Trees required in accordance with London Plan Policy 399; 1 tree for every 10cm diameter removed. Replacement trees to be recommendation to Site Plan Review based on total dbh removed. Where there is insufficient space on the same site from which the trees are removed to plant all of the Replacement Trees, cash-in-lieu

will be calculated by multiplying the number of Replacement Trees that could not be planted on site due to insufficient space by \$350 per tree.

- Any tree removals required as part of the Site Plan application need to be identified on a tree preservation plan to receive permit exemption under the Tree Protection Bylaw
  
- A tree preservation plan will be required at site plan to:
  - establish the ownership of trees growing along property lines , including the identification of boundary trees that are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes. Use Total Station to locate trees in close proximity to property lines. GPS location not acceptable due to errors caused by canopy coverage.
  - Identify critical root zones of boundary trees and those up to 3m outside of property lines. This information is used to determine setbacks required to minimally impact boundary and offsite trees. Critical Root Zone" means the area of land within a radius of ten (10) cm from the trunk of a tree for every one (1) cm of trunk diameter
  - Identify City Owned trees and shrubs that will be impacted by proposed development.
  - Determine total dbh proposed for removal to determine tree replacement.

#### **Site Plan – Received October 1, 2024**

##### Major issues identified:

- None.

##### Zoning Comments:

- All parking and structures/buildings are not to encroach onto lands zoned OS4.

##### Site Plan Comments:

- Show proposed fire route, fire route signs and sign details.
- Show accessible parking location and sign details.
- Show proposed bicycle parking.

#### **London Hydro – Received September 30, 2024**

- 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.