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File: O-8340
Planner: L. Maitland

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: CITY OF LONDON HYDE PARK INDUSTRIAL AREA PUBLIC PARTICIPATION MEETING ON MAY 27, 2014

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to properties designated Light Industrial located between Fanshawe Park Road West to the North, Hyde Park Road to the East, Gainsborough Road to the South and the Stanton Drain to the West:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 10, 2014 to amend the Official Plan and replace the existing text in section 10.1.3 lxxii), of the Official Plan with new text which reflects the existing commercial/industrial mix of uses within the area;

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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April 2000 - O-5873 – Report of April 2000 which implemented the Hyde Park Community Plan

June 2013 - Council direction to examine the possibility of a wider range of uses in the Hyde Park area, in particular the possibilities for Commercial Recreation.

March 2014 - OZ-8219 – Report of March 2014 which had the effect of limiting a number of secondary uses from locating, in future, within the Hyde Park Industrial area which are already prevalent within the area.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

To amend the existing policy in Section 10.1.3 of the Official Plan to reflect the existing commercial/industrial mix of uses within the area.

RATIONALE

1. Recent review of non-industrial uses in areas designated for industrial development identified this area as a mixed use area.
2. Proposed policy reflects the existing function of the area as a commercial-industrial area and directs the location of uses within the area.
3. Proposed policy provides opportunity for appropriate mixed use development.
4. Consistent with the Provincial Policy Statement (2014) by providing for full range of industrial employment uses.

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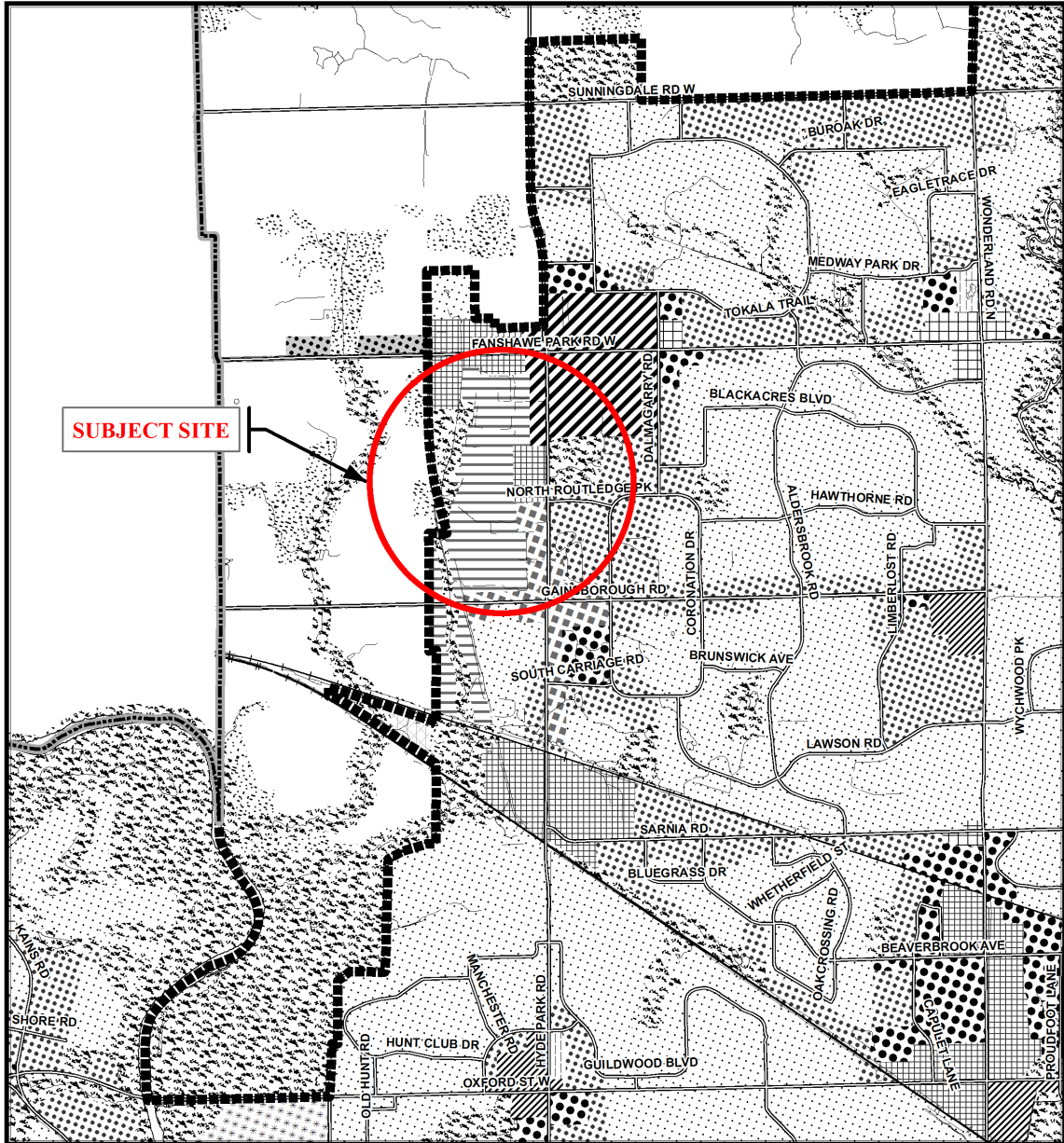
BACKGROUND

Date Application Accepted: April 7, 2014	Agent: N/A
REQUESTED ACTION: Consider a wider range of uses in the Hyde Park Industrial Area.	

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| SURROUNDING LAND USES: |
| <ul style="list-style-type: none"> • North - Auto-oriented commercial and agricultural uses. • South - Main street commercial along Gainsborough and low density residential across Gainsborough • East - New format regional commercial node, auto oriented commercial, and some residential uses in behind. • West - A stormwater retention pond and agricultural uses. |

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| OFFICIAL PLAN DESIGNATION: Light Industrial (LI) |
| <ul style="list-style-type: none"> • From Chapter 7 <p>Main permitted uses in the Light Industrial category include: industrial uses that involve assembling, fabricating, 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. Office uses and retail outlets subject to policy 7.5.3. which are ancillary to any of the above uses are also allowed. Zoning on individual sites may not allow for the full range of permitted uses.</p> • From Chapter 10 <p>lxxii) In the Light Industrial designation on the west side of Hyde Park Road, between Gainsborough Road and Fanshawe Park Road West, it is expected over the long term that the existing industrial area and vacant lands will develop as a prestige industrial area with a higher degree of office-based light industrial uses with higher design standards.</p> |
| EXISTING ZONING: Various |
| <ul style="list-style-type: none"> • Light Industrial zones including: LI1, LI1(3), LI1(7), LI1(8), LI1(9), LI3, LI4, LI7 and LI7(5). |

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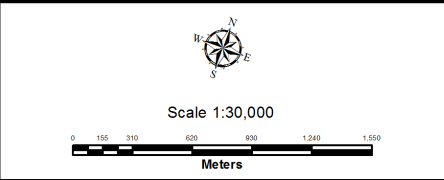


Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low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

CITY OF LONDON
Department of
Planning and Development

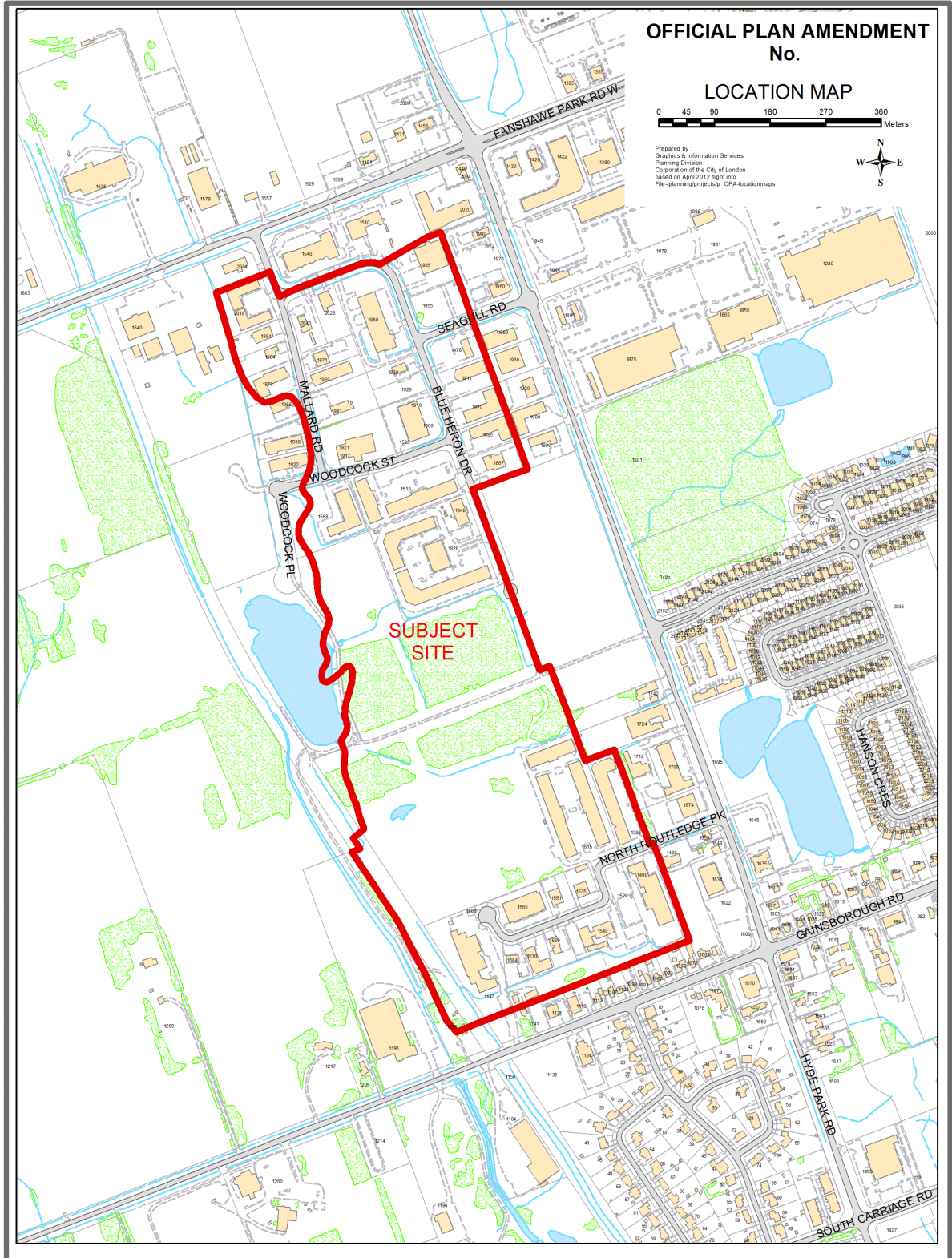
OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



FILE NUMBER: O-8340
PLANNER: LM
TECHNICIAN: CK
DATE: 2014/04/16

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PLANNING HISTORY

April 2000 – Under O-5873 the Hyde Park Community Plan was put in place which applied Official Plan designations to the property and the surrounding area. This includes the existing special policy for Hyde Park in Section 10.1.3 (xxii) Hyde Park.

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Wastewater and Drainage Engineering: “WADE has “No Comment” with respect to this application”

Urban Forestry: “Urban Forestry has no concerns”

Upper Thames River Conservation Authority: “The UTRCA has accepted as-built drawings for the Stanton Drain Remediation Project and this information needs to be incorporated into our Regulation Mapping and into the City’s Official Plan and Zoning By-Law Schedules. We are updating the "Regulation Limit" and "Regulatory Floodlines" to be consistent with the as-built conditions but until our GIS mapping is revised, we recommend that the City of London utilize the revised floodlines provided on Figures 12 and 13 of the "City of London Hyde Park SWM Facility 4 and Stanton Drain Remediation Functional Design Report" (AECOM, August 2011) and incorporate the 15 metre allowance beyond the revised flood line to both sides of the new and/or modified Stanton Drain channel which reflects the outer limit of the riverine hazard. This 15 metre allowance is a provincial requirement for Conservation Authority natural hazard mapping.”

PUBLIC LIAISON:	On April 16, 2014, Notice of Application was sent to 163 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on April 17, 2014.	4 replies were received
Nature of Liaison: This Official Plan policy review is to consider possible changes to the Chapter 10 policy on “lxxii) Hyde Park” to consider a change in the range of permitted uses and add any necessary additional policy to address the issues relating to an expanded range of permitted non-industrial uses.		
<p>Responses: Two responses received referred to specific properties one just inside the North end of the study area and one outside but adjacent. Both responders indicated that they, as property owners, would like to see a broader range of uses on their specific sites as would be possibly implemented through a subsequent Zoning By-law amendment.</p> <p>One response indicated a desire for the Light Industrial designated area south and west of the subject site to be redesignated residential.</p> <p>A further response indicated a desire to curb industrial uses in the area which might decrease the residential value of the properties east of Hyde Park Road</p>		

ANALYSIS

Council Direction

In June of 2013 Municipal Council requested that staff review the Hyde Park area to determine the appropriateness of a new range of uses in the Hyde Park area. Among the uses to be considered by staff were Commercial Recreation uses given their existing presence in the area.

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Provincial Policy Statement

The Provincial Policy Statement (2014) directs municipalities to provide for a full range of commercial and industrial uses. Hyde Park has been providing for niche commercial-industrial uses and the policy changes proposed reflect this historic and current condition.

Official Plan

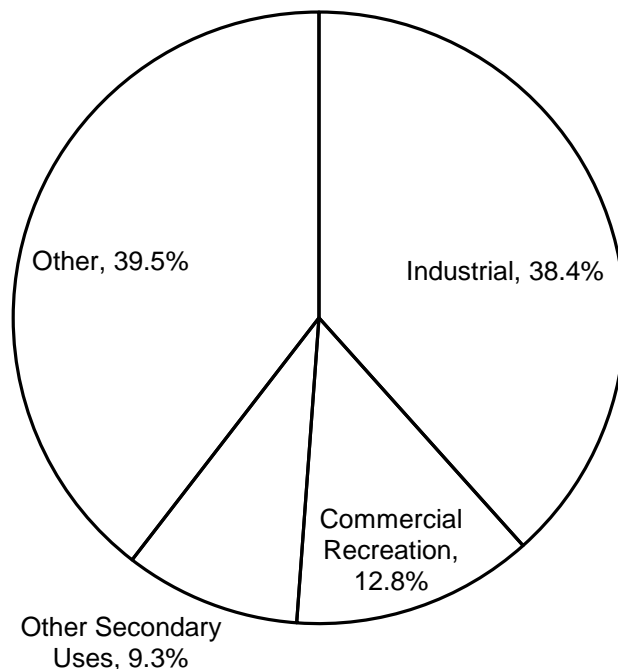
The existing Official Plan policy for the Hyde Park Industrial area was created through the Hyde Park Community Plan (O-5873) in 2000. This policy provides additional guidance for the area beyond that currently in place through the Light Industrial (LI) designation. The policy in Section 10.1.3 reads as follows:

lxxii) In the Light Industrial designation on the west side of Hyde Park Road, between Gainsborough Road and Fanshawe Park Road West, it is expected over the long term that the existing industrial area and vacant lands will develop as a prestige industrial area with a higher degree of office-based light industrial uses with higher design standards.

This policy acknowledged the lack of servicing present at that time. The policy also directed less intense uses to the area given the nearby residential uses. Residential development has continued adjacent to the study are. Office-based uses, a subset of those permitted within the Light Industrial designation were indicated as preferred land use within the area.

Existing Character

A review of the Hyde Park Industrial Area was conducted to identify the range of uses currently present within the area. A visual survey was conducted during a 2014 site visit to identify the types of uses located in the area based on the signage of the existing businesses. A list of existing businesses was then compiled for the area. This list was then reviewed with staff in Municipal Law Enforcement to define the uses present and determine the types of zones where the existing uses would be permitted. The results are displayed in the figure below.



The figure above indicates that a minority of the uses present in the Hyde Park Industrial Area are primarily industrial in nature. The Light Industrial designation permits a number of

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File: O-8340
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secondary uses. These uses include Commercial Recreation and what are noted in the figure as “Other Secondary Uses” (clinics and assembly halls are two examples). These secondary uses are the types of uses identified in the previous report on non-industrial uses in industrial areas as the types of secondary uses which may impede the ability of industrial operations to conduct their business. The presence of these secondary uses indicate that industries which may have adverse impacts have not located in the Hyde Park Industrial area.

Included in the uses identified above as industrial are a significant number of support office uses. These uses are consistent with policy 10.1.3 (xxii), and are encouraged to locate in the area under that policy. Although these are not the secondary uses reviewed in the previous planning report (OZ-8219), these uses would not be considered as industrial uses and would have similar impacts on industrial operations. These uses would be similar to commercial uses should a combination industrial-commercial mix of uses be contemplated for the area.

Proposed Policy

Through the ReThink process, new policies for areas of combined industrial and commercial uses has been developed. These commercial-industrial area policies acknowledge that areas of the city should be found for those uses which do not “fit” in other commercial areas and are auto-oriented in character. The policy would also allow for light industrial uses which have minimal off-site impacts.

The new policy proposed below would replace the existing policy for Hyde Park. This policy is based on the Commercial-Industrial policy being developed through the ReThink process.

Ixxii) Hyde Park Industrial Area

The Hyde Park Industrial Area is defined as the area designated Light Industrial and bounded by Fanshawe Park Road West to the north, Hyde Park Road to the east, Gainsborough Road to the south and the Stanton Drain to the west.

In addition to a range of Light Industrial uses, the Hyde Park Industrial area will accommodate commercial uses that are not primarily retail in nature. These commercial uses tend to have a quasi-industrial character including, 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. These uses may also generate noise, vibration, emissions and other planning impacts beyond those that would be expected within a commercial land use designation.

Within the Hyde Park Industrial Area, the following uses will be permitted:

- 1. Light industrial and commercial uses that exhibit the features listed below:*
 - a. Large outdoor storage areas.*
 - b. Impound areas.*
 - c. Large warehouse or components.*
 - d. Storage, display, or parking of heavy equipment.*
 - e. Noise, vibration or emission impacts that exceed those that are expected within a commercial context.*
 - f. Large volumes of regular truck traffic.*
 - g. Large structures that may have a negative visual impact, such as domes or large out-buildings.*

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**File: O-8340
Planner: L. Maitland**

2. *Commercial recreation uses.*

The following uses are not permitted within the Hyde Park Industrial Area,

1. *Commercial uses intended for the Downtown, New Format Regional Commercial Node, Enclosed Regional Commercial Node, Community Commercial Node, Neighbourhood Commercial Node, and Main Street Commercial Corridor designations.*
2. *Commercial uses that are sensitive to noise, vibration, emissions, the visual impact of outdoor storage, and the other potential impacts that may be generated by uses in this area.*

The full range of uses described above will not necessarily be permitted on all sites within the Hyde Park Industrial Area.

CONCLUSION

Given the existing character of the Hyde Park Industrial area the policy better describes the land use pattern that has evolved in the area. The application of commercial-industrial policy reflects the uses present and provides direction to mitigate possible issues in the future of the Hyde Park Industrial Area.

PREPARED BY:	SUBMITTED BY:
LEIF MAITLAND PLANNER I, LONG RANGE PLANNING AND RESEARCH	GREGG BARRETT, AICP MANAGER, LONG RANGE PLANNING AND RESEARCH
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

May 6, 2014

LM

Attached: Appendix A: Official Plan Amendment

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Responses Received

Name	Address	Nature of Comment
Peter Stavrou	116 Chepstow Close	Request that the properties located at 1510-1540 Fanshawe Park Road West be considered for a broader range of commercial uses through the amendment.
John Eeparos	2018 Mallard Road	Requests that a wider range of uses permitted through zoning be considered for the property at 2018 Mallard Road.
S. Derek Shelly	7 Florence Street East, Huntsville	“My main concern is the type of industrial work that might occur and cause property devaluation on the residential area.”
Philip Biemann	1164 Gainsborough Rd. & 1198 Gainsborough Rd.	<p>“In general, I have no objection to this potential amendment. I would however like to state the following for the record:</p> <ul style="list-style-type: none"> - The complexion of the Hyde Park community has evolved significantly within the last 12 years, from being mostly commercial/industrial, with some residential, to having a much higher residential presence, when measuring the percentage of land use. - The city is proposing plans for an increased & more diversified commercial/industrial presence, within the context of a relatively high level of vacancies, existing empty buildings, & vacant lands within the industrial & commercial sector currently in Hyde Park. - New industrial/commercial developments accompanied by higher developmental costs, relative to lands being sold by the city in the east & south, & many other vacancies city wide including the city core, plazas & malls, could potentially incur an even higher unsustainable economic model, translating into property taxes not being collected & forced property sales. - A balanced approach to include a greater percentage of residential developments to compliment the existing residential presence in Hyde Park, in my opinion, would add immediate value to the existing residences, as well as integrating long term stability to the community & tax base. - It is rare to see a failed or abandoned residential development in London, yet many commercial & industrial of varying size & value have been underwater & not successful, which translates into a drop in property values &

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		<p>putting the collection of property taxes at risk.</p> <ul style="list-style-type: none">- The City of London is proposing a massive industrial development by Hwy 401 & Hwy 402, further exacerbating the sustainability of other privately funded developments. In my opinion the City should first promote & assist the utility of existing vacant industrial lands in various areas, even if aged buildings need to be demolished.- Countless manufacturers & industries have left London in the last 10 years, & most will not return. The Provincial & more to the point, the London industrial & commercial property tax mill rates simply are not competitive with American mill rates, not to mention our stratospheric energy costs in Ontario. However, London's population is growing, & we/they all need a place to live, wherever their income source comes from.- Statistically, London was & might still be the second most desirable city in Canada to retire in, for whatever reasons, a bit baffling to me. Just the same, many are moving to London to retire & they usually do not need employment, thus employable lands are unnecessary for their presence here. In my estimation, we need to further facilitate & encourage developments to cater to this strength, while we still have this competitive advantage."
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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2014

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

A by-law to amend the Official Plan for the City of London, 1989 relating to the lands designated Light Industrial between Fanshawe Park Road West to the North, Hyde Park Road to the East, Gainsborough Road to the South and the Stanton Drain to the West.

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 June 10, 2014.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – June 10, 2014
Second Reading – June 10, 2014
Third Reading – June 10, 2014

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AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

- 1. To amend a policy in Section 10 of the Official Plan for the City of London to reflect the existing commercial/industrial mix in the Hyde Park Industrial Area.

B. LOCATION OF THIS AMENDMENT

- 1. This Amendment applies to lands located between Fanshawe Park Road West to the North, Hyde Park Road to the East, Gainsborough Road to the South and the Stanton Drain to the West in the City of London.

C. BASIS OF THE AMENDMENT

- 1. Recent review of non-industrial uses in areas designated for industrial development identified this area as a mixed use area.
- 2. Proposed policy reflects the existing function of the area as a commercial-industrial area and directs the location of uses within the area.
- 3. Proposed policy provides opportunity for appropriate mixed use development.
- 4. Consistent with the Provincial Policy Statement (2014) by providing for full range of industrial employment uses.

D. THE AMENDMENT

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

- 1. Section 10.1.3 lxxii – Hyde Park of the Official Plan for the City of London is amended by deleting the existing policy in its entirety and replacing it with the following:

Hyde Park Industrial Area lxxii) The Hyde Park Industrial Area is defined as the area designated Light Industrial and bounded by Fanshawe Park Road West to the north, Hyde Park Road to the east, Gainsborough Road to the south and the Stanton Drain to the west.

In addition to a range of Light Industrial uses, the Hyde Park Industrial area will accommodate commercial uses that are not primarily retail in nature. These commercial uses tend to have a quasi-industrial character including, 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. These uses may also generate noise, vibration, emissions and other planning impacts beyond those that would be expected within a commercial land use designation.

Within the Hyde Park Industrial Area, the following uses will be permitted:

- 1. Light industrial and commercial uses that exhibit the features listed below:

(a) Large outdoor storage areas.

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- (b) Impound areas.
- (c) Large warehouse or components.
- (d) Storage, display, or parking of heavy equipment.
- (e) Noise, vibration or emission impacts that exceed those that are expected within a commercial context.
- (f) Large volumes of regular truck traffic.
- (g) Large structures that may have a negative visual impact, such as domes or large out-buildings.

2. Commercial recreation uses.

The following uses are not permitted within the Hyde Park Industrial Area:

- 1. Commercial uses intended for the Downtown, New Format Regional Commercial Node, Enclosed Regional Commercial Node, Community Commercial Node, Neighbourhood Commercial Node, and Main Street Commercial Corridor designations.
- 2. Commercial uses that are sensitive to noise, vibration, emissions, the visual impact of outdoor storage, and the other potential impacts that may be generated by uses in this area.

The full range of uses described above will not necessarily be permitted on all sites within the Hyde Park Industrial Area.