

PC.29

Shell Type = use for removing a holding provision

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H-8181/L. Mottram

TO:	CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE
FROM:	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: CITY OF LONDON 2405 CONCEPT DRIVE (FORMERLY 2430 BRADLEY AVENUE) MEETING ON JULY 22nd, 2014

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Services, based on the application by the City of London relating to the property located at 2405 Concept Drive (formerly 2430 Bradley Avenue) the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on July 29, 2014 to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning of the subject lands **FROM** a holding Light Industrial Special Provision (h*h-11*h-18*LI2(9)) Zone **TO** a Light Industrial Special Provision (LI2(9)) Zone to remove the holding provisions.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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August 29, 2011 – Built and Natural Environment Committee – Report from the Director of Development Planning and Managing Director – Development Approvals Business Unit on an application by the City of London regarding proposed zoning amendments on the lands located at 2430 Bradley Avenue (File No. Z-7947).

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this action is to remove the holding provisions to allow development of the lands for light industrial uses permitted under the Light Industrial LI2(9) Zone.

RATIONALE

1. The conditions for removing the holding (h, h-11 and h-18) provisions have been satisfied and the recommended amendment will allow development of the lands in accordance with the Light Industrial Special Provision (LI2(9)) Zone.
2. These lands are part of the City's Innovation Industrial Business Park - Phase II. Full municipal services are available to service the site, appropriate access arrangements have been made with public road access via the internal street network, and an archaeological assessment and resource mitigation has been carried out to the satisfaction of the Ministry of Tourism, Culture and Sport and the City of London.

BACKGROUND

On August 29 and 30, 2011 Municipal Council passed a zoning by-law amendment for lands located at 2430 Bradley Avenue, north side, immediately west of Veterans Memorial Parkway. This area is currently developing under the City's Industrial Land Development Strategy as *Innovation Industrial Park Phase II*. The zoning was amended from an Urban Reserve (UR6) Zone to a holding Light Industrial Special Provision (h*h-11*h-18*LI2(9)) Zone to permit a broad

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range of light industrial and business park uses such as manufacturing and assembly industries, research and development, food and beverage processing industries, and electronic products industries.

Council approved the zoning subject to a number of holding provisions which would not be removed until such time as a subdivision agreement or development agreement is entered into (*Note: Council has subsequently amended the wording of the holding (“h”) condition to ensure that the required security has been provided and to ensure Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development*), that satisfactory access arrangements have been made, and that an archaeological assessment and resource mitigation has been completed.

SODECIA CANADA INC. are proposing to develop a new 7618 square metre (approx. 82,000 sq. ft.) technical and manufacturing centre in the first of two phases on the northerly portion of lands located at 2430 Bradley Avenue (see attached location map).

Date Application Accepted: May 1, 2013	Agent: City of London - Realty Services
REQUESTED ACTION: Request to remove the Holding (h, h-11 and h-18) Provisions from the zoning of lands located 2430 Bradley Avenue within the City’s “Innovation Park Phase II” industrial subdivision.	

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

The *Upper Thames River Conservation Authority* reports:

“The UTRCA has no objections to this application. As indicated the subject lands are regulated so we recommend that the proponent contact Mark Snowsell Land Use Regulations Officer to obtain the necessary approvals from the Authority for the proposed development.”

PUBLIC LIAISON:	Notice of Application was published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on June 20, 2013.	No replies
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ANALYSIS

The purpose of the holding (“h”) provision in the zoning by-law is as follows:

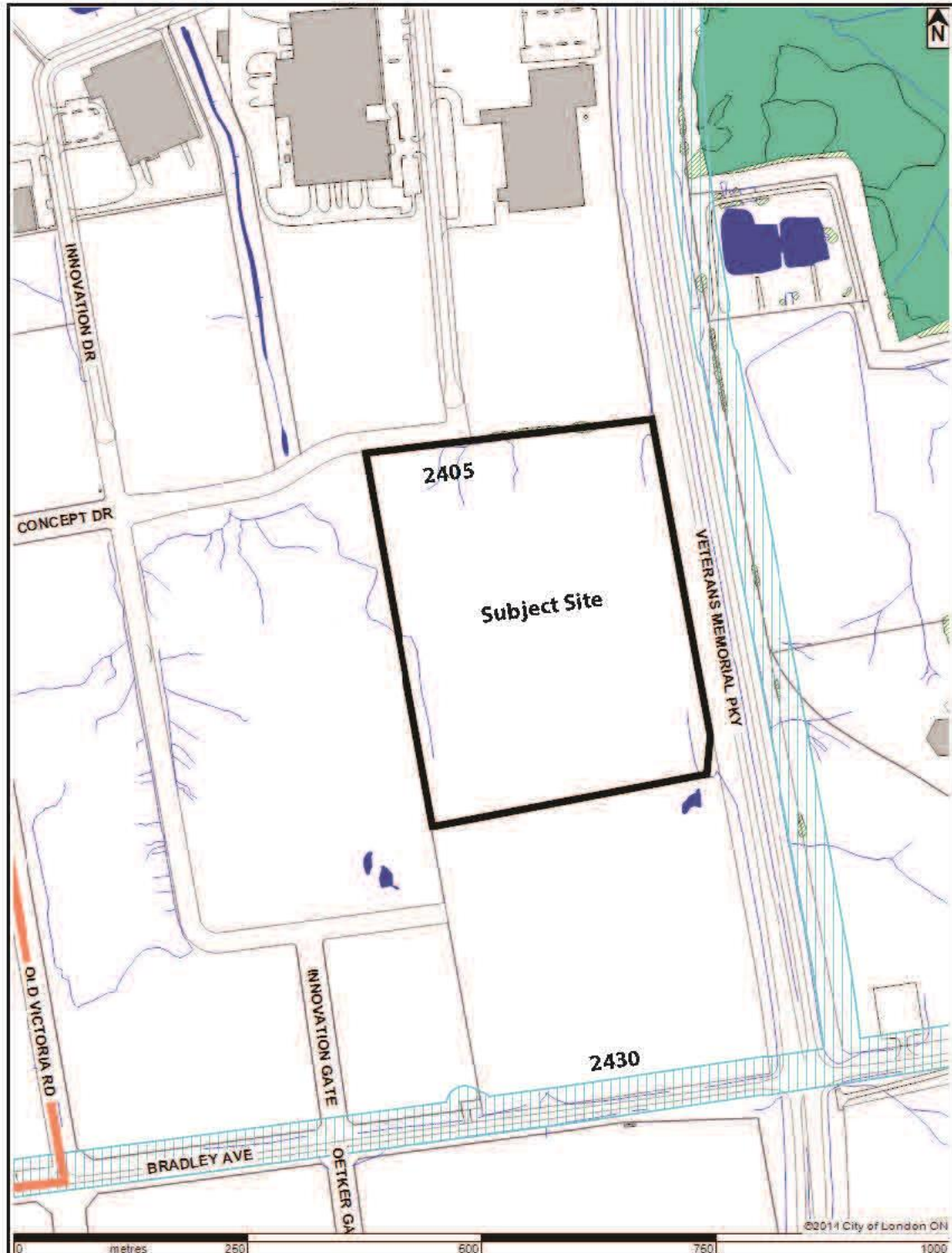
Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.”






Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the By-law.

Two empty rectangular boxes for agenda item and page numbers.

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Location Map

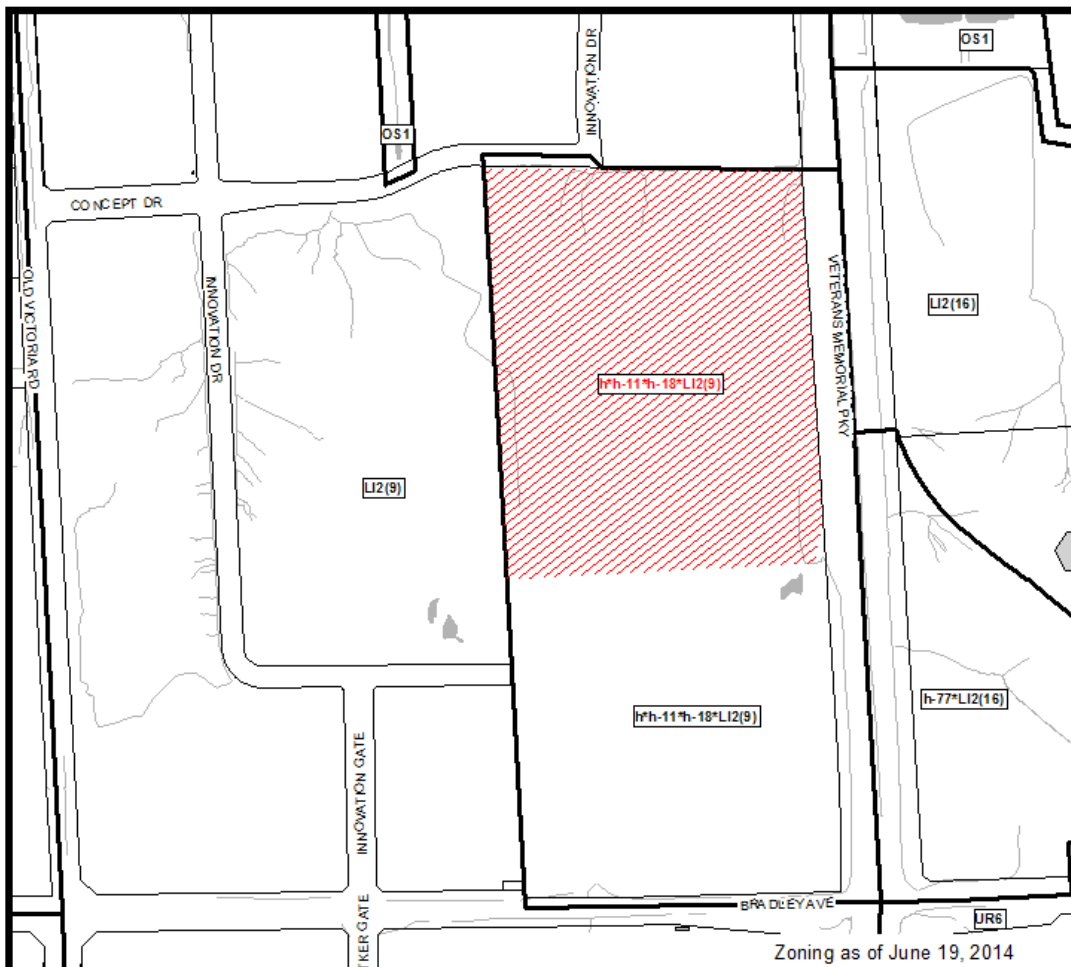


<p>LOCATION MAP</p> <p>Subject Site: 2405 Concept Drive (formerly 2430 Bradley Avenue) Applicant: City of London File Number: H-8181 Planner: L. Mottram Created By: LM Date: 2014-07-03 Scale: 1:5000</p> <p>Corporation of the City of London Prepared By: Planning and Development</p>	<p>LEGEND</p> <ul style="list-style-type: none">  Subject Site  Parks  Assessment Parcels  Buildings  Address Numbers
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Zoning Map



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h*h-11*h-18*LI2(9)

1) **LEGEND FOR ZONING BY-LAW Z-1**

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| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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 |
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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:
H-8181 Map2 LM

MAP PREPARED:
July 7, 2014 DT

1:5,500
0 25 50 100 150 200 Meters

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Site plan approval has been given for the proposed technical and manufacturing centre. A Development Agreement is being entered into between Sodicia Canada Inc. and the City of London. The City received confirmation that securities have been posted in accordance with the provisions of the development agreement.

The purpose of the holding (“h-11”) provision in the zoning by-law is as follows:

Purpose: To ensure the orderly development of land 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.

Permitted Interim Uses: Existing uses.

Council’s intent is that the site plan and development agreement provides for appropriate access arrangements to the satisfaction of the City that does not include vehicular access (ingress or egress) to Bradley Avenue. Vehicular access will be provided from Concept Drive in accordance with the approved site plan. The northerly portion of the site being acquired and developed does not have frontage or access to Bradley Avenue.

The purpose of the holding (“h-18”) provision in the zoning by-law is as follows:

Purpose: To ensure that lands are assessed for the presence of archaeological resources prior to development. The proponent shall carry out an archaeological resource assessment of the entire subject property or identified part thereof and mitigate, through avoidance or documentation, adverse impacts to any significant archaeological resources found, to the satisfaction of the Ministry of Citizenship, Culture and Recreation, and the City of London. No grading or other soil disturbance shall take place on the subject property prior to the issuance of a letter of clearance by the City of London Planning Division. (Z.-1-051390)

The property will be assessed by a consultant archaeologist, licensed by the Ministry of Citizenship, Culture and Recreation under the provisions of the Ontario Heritage Act (R.S.O. 1990); and any significant sites found will be properly mitigated (avoided, excavated or the resource protected), prior to the initiation of construction, servicing, landscaping or other land disturbances. The condition will also be applied where a previous assessment indicates the presence of significant archaeological resources but mitigation has not been carried out. (Z.-1-97502)

Development Services is in receipt of a letter of Review and Acceptance of an Archaeological Assessment from the Ministry of Tourism and Culture dated November 25, 2011 for the above-noted property. It indicates three archaeological sites, AfHg-211, Location 2 and Location 3, were found on the subject property and it is recommended that one of these, AfHg-211, be considered significant enough to warrant Stage 3 investigations and that Location 2 and Location 3 be considered sufficiently documented. The Ministry advises that they concur with the recommendation and “that the provincial interest in the archaeological site identified as Location 2 and Location 3 has been addressed”.

Development Services is also in receipt of a letter of Review and Entry into the Ontario Public Register of an Archaeological Assessment Report from the Ministry of Tourism, Culture and Sport dated May 30, 2013 for the above-noted property. It indicates the report documents the Stage 3 archaeological assessment of one archaeological site within the subject property and recommends the following:

Due to the late date of the artifacts and the habitation of the property through the 20th century, Location 1 (AfHg-211) is deemed to have limited cultural heritage value or interest and no further work is required.

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Based on the information contained in the report, the Ministry advises that they are satisfied that the fieldwork and reporting for the archaeological assessment is consistent with the Ministry's 2011 *Standards and Guidelines for Consultant Archaeologists* and the terms and conditions for archaeological licenses.

Based on the letters from the Ministry of Culture, Tourism and Sport, in accordance with Holding Provision h-18, the City of London is satisfied there will be no adverse impacts on any archaeological resources from the development of the above-noted lands.

CONCLUSION

Based on our review, the applicable holding zone requirements have been satisfied and it is appropriate to proceed to lift the holding ("h", "h-11" and "h-18") symbols from the zoning map.

RECOMMENDED BY:	REVIEWED BY:
LARRY MOTTRAM MCIP, RPP SENIOR PLANNER DEVELOPMENT PLANNING	BRUCE HENRY MANGER DEVELOPMENT PLANNING
CONCURRED BY:	SUBMITTED BY:
TERRY GRAWAY MCIP, RPP MANAGER – DEVELOPMENT SERVICES & PLANNING LIAISON	GEORGE KOTSIFAS, P. ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES AND CHIEF BUILDING OFFICIAL

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

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove the holding provisions from the zoning for an area of land located at 2405 Concept Drive (formerly 2430 Bradley Avenue).

WHEREAS the City of London has applied to remove the holding provisions from the zoning for an area of land located at 2405 Concept Drive (formerly 2430 Bradley Avenue), as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provisions from the zoning of the said lands;

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 2405 Concept Drive (formerly 2430 Bradley Avenue), as shown on the attached map, to remove the holding provisions so that the zoning of the lands as a Light Industrial Special Provision (LI2(9)) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

PASSED in Open Council on July 29, 2014.

J. Baechler
Mayor

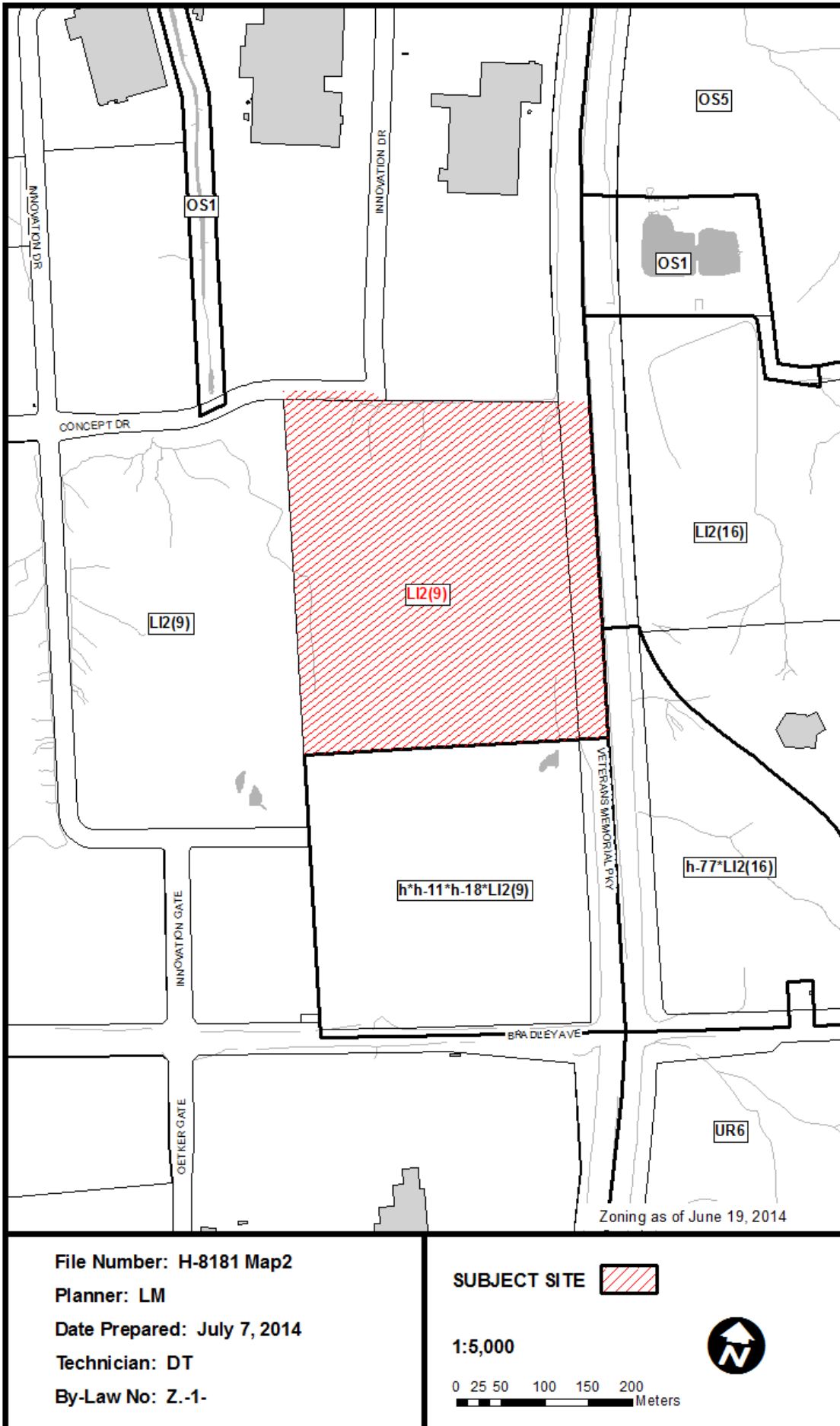
Catharine Saunders
City Clerk

First Reading - July 29, 2014
Second Reading – July 29, 2014
Third Reading - July 29, 2014


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



File Number: H-8181 Map2
 Planner: LM
 Date Prepared: July 7, 2014
 Technician: DT
 By-Law No: Z.-1-

SUBJECT SITE 

1:5,000

0 25 50 100 150 200 Meters

