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File: Z-8532  
Planner: Mike Corby

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: CATHERINE BURNS 1895 BLUE HERON DRIVE PUBLIC PARTICIPATION MEETING ON NOVEMBER 30, 2015</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Catherine Burns relating to the property located at 1895 Blue Heron Drive, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 8, 2015 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Light Industrial Special Provision (LI1(3)) Zone **TO** a Light Industrial Special Provision (LI1(\_)) Zone.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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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.

July 2014 – O-8340 – Report to amend Section 10 Policies for Specific Areas of the Official Plan to replace the existing text in section 10.1.3 lxxii), with new text which reflects the existing commercial/industrial mix of uses within the area.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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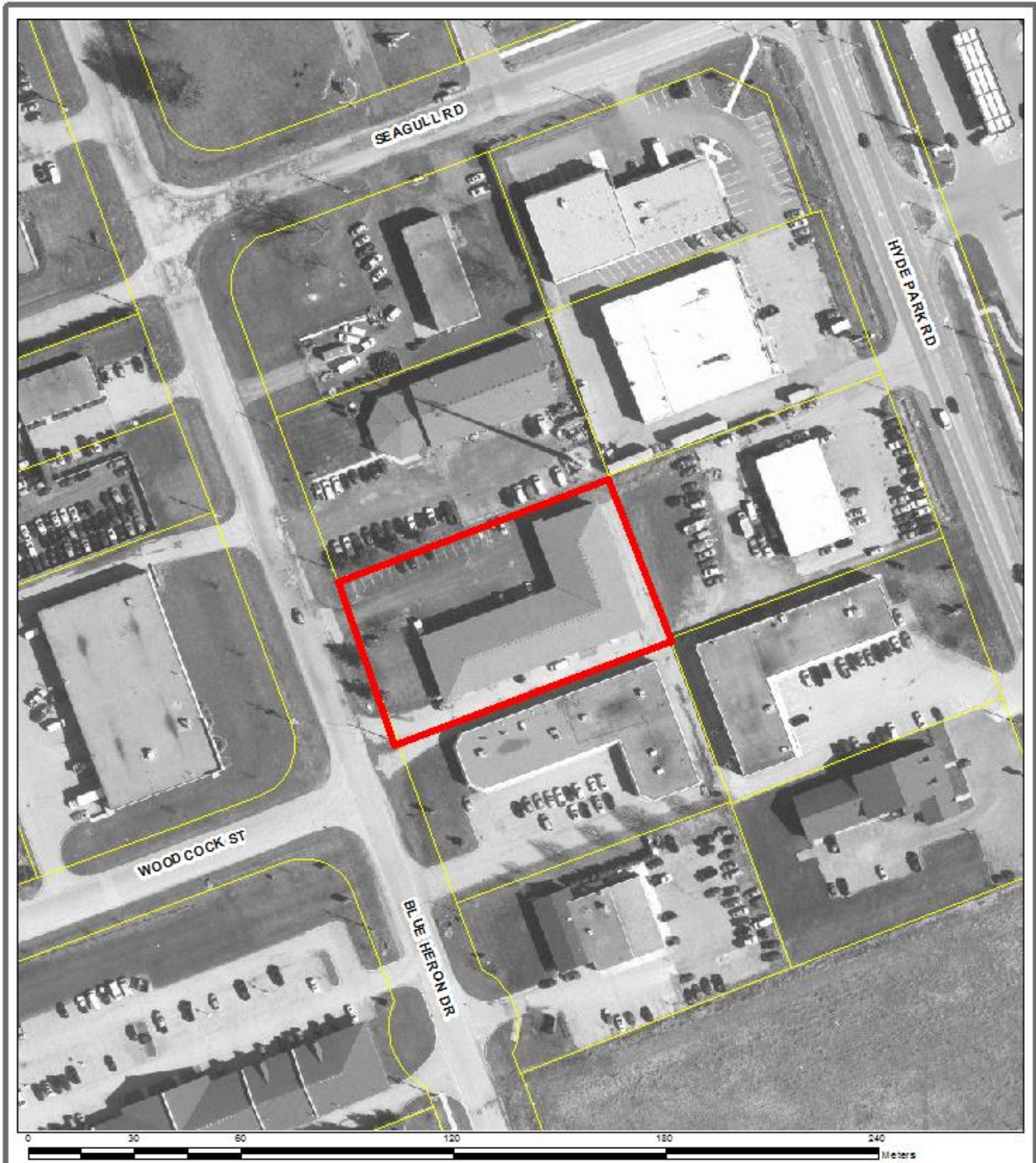
The purpose and effect of this zoning change is to permit Building or Contracting Establishments and Commercial Recreation Establishment uses on the subject site.

<b>RATIONALE</b>
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1. The recommended Zoning By-law amendment is consistent with the Provincial Policy Statement 2014, which promotes healthy, liveable and safe communities by accommodating an appropriate range and mix of uses.
2. The recommended amendment is consistent with the permitted uses in the Official Plan's (Policies for Specific Area) 10.1.3 lxxii which specifically identifies a wider range of permitted uses in the Hyde Park industrial subdivision.
3. The recommended zone facilitates increased usability of the subject site by providing an opportunity to fill on-site vacancies by accommodating uses that are similar to, and compatible with, the existing industrial uses on the subject site and surrounding area.
4. The existing built form and on-site parking is capable of supporting the requested Commercial Recreation Establishment and Building or Contracting Establishments use without resulting in any negative impacts onto abutting uses.

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### LOCATION MAP

Subject Site : 1895 Blue Heron Drive  
Applicant: Catherine Burns  
File Number : Z-8532

Planner : MC  
Created By : TT  
Date : 2015/10/23  
Scale : 1:1500

### Legend

 Subject Site

Prepared by : Graphics & Information Services , Planning Division  
Corporation of the City of London  
File=planning/projects/loc\_bcat/locmaps/MXDc



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**Planner: Mike Corby**

**BACKGROUND**

<b>Date Application Accepted:</b> September 28, 2015	<b>Agent:</b> Rick Dykstra
<b>REQUESTED ACTION:</b> To change the zoning of the subject property <b>FROM</b> a Light Industrial Special Provision (LI1(3)) Zone <b>TO</b> a Light Industrial Special Provision (LI1(_)) Zone.	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Light Industrial Uses</li> <li>• <b>Frontage</b> – 48.77m (160ft)</li> <li>• <b>Depth</b> – 82.3m (270ft)</li> <li>• <b>Area</b> – 0.4 ha (0.99ac)</li> <li>• <b>Shape</b> - Rectangle</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> - Light Industrial</li> <li>• <b>South</b> - Light Industrial</li> <li>• <b>East</b> - Commercial/ Light Industrial</li> <li>• <b>West</b> - Light Industrial</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map)
<ul style="list-style-type: none"> <li>• Light Industrial</li> </ul>
<b>EXISTING ZONING:</b> (refer to Zoning Map)
<ul style="list-style-type: none"> <li>• LI1(3)</li> </ul>

**PLANNING HISTORY**

The surrounding area which includes the subject site was part of a recent review of non-industrial uses in areas designated for industrial development. Through this review it was determined that this area is more appropriately identified as a commercial-industrial area and permits the location of commercial recreation establishments uses within the area. This policy provides opportunity for appropriate mixed use development in the area.

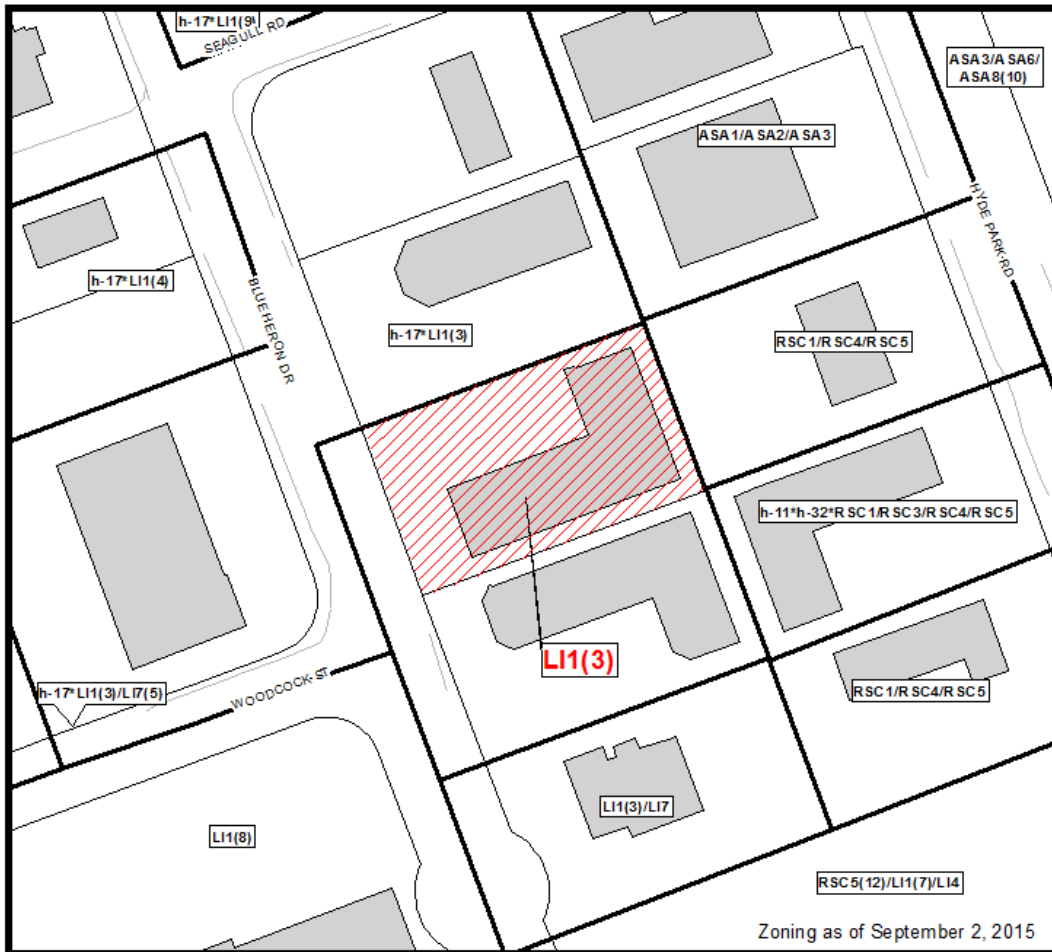
**SIGNIFICANT DEPARTMENT/AGENCY COMMENTS**

“None”



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Zoning as of September 2, 2015

**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: L1(3)**

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

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"h" - HOLDING SYMBOL</li> <li>"d" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
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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:  
Z-8532 MC

MAP PREPARED:  
2015/10/23 TT

1:1,500  
0 5 10 20 30 40 Meters

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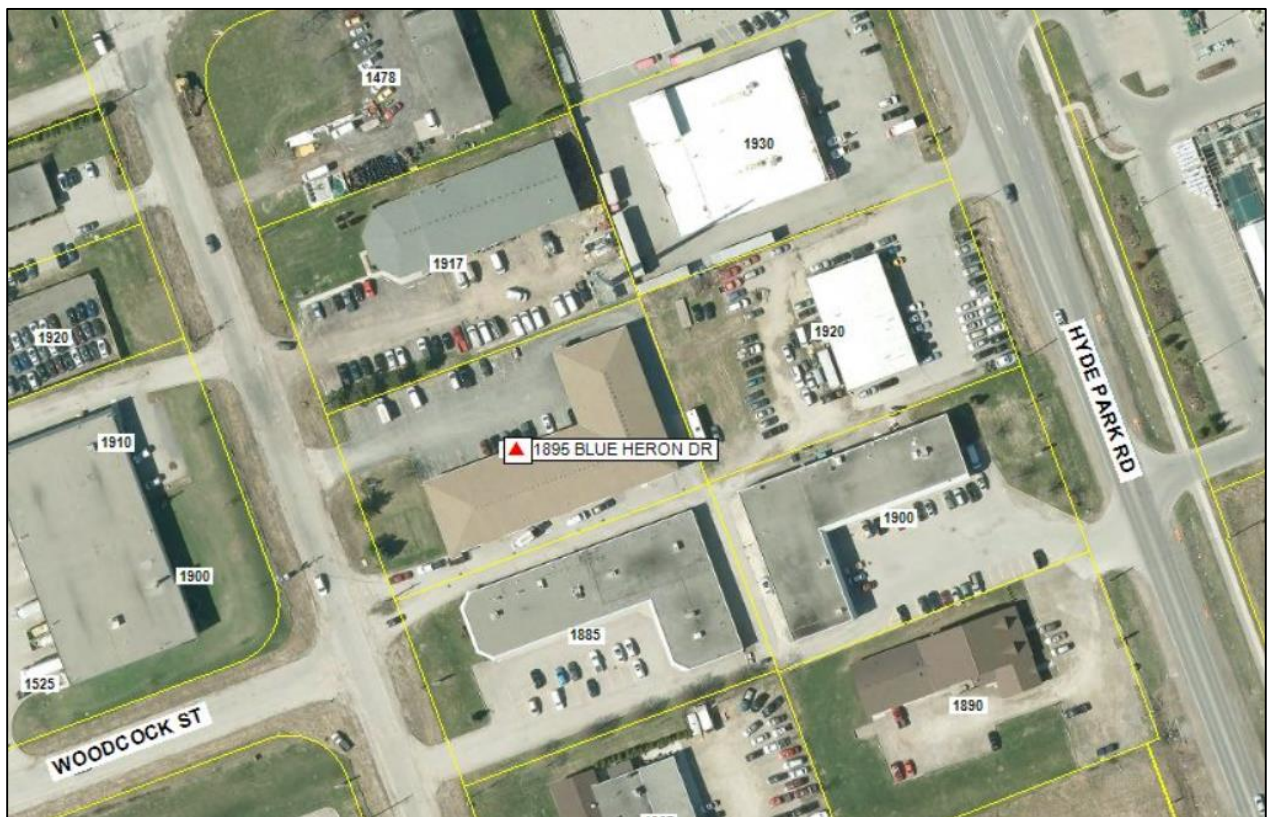
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**Planner: Mike Corby**

<b>PUBLIC LIAISON:</b>	On October 7, 2015, Notice of Application was sent to 19 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 October 8, 2015. A "Possible Land Use Change" sign was also posted on the site.	No replies were received
<p><b>Nature of Liaison:</b> The purpose and effect of this zoning change is to permit Building and Contracting Establishments and Commercial Recreation Establishment uses on the subject site.</p> <p>Change Zoning By-law Z.-1 <b>FROM</b> a Light Industrial Special Provision (LI1(3)) Zone <b>TO</b> a Light Industrial Special Provision (LI1(_)) Zone.</p>		
<b>Responses:</b> None		

**ANALYSIS**

Subject Site

The subject site is located at 1895 Blue Heron Drive which is situated in the northwest corner of the City in a developed industrial subdivision which is home to a wide range of light industrial and commercial uses. The subdivision is located southwest of the Hyde Park Road and Fanshawe Park Road intersection, directly behind existing commercial uses which run along the Hyde Park and Fanshawe corridors creating a buffer from the industrial uses. The subject site is approximately 0.4 ha in size and has an existing industrial plaza building which has multiple units within it.



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Nature of Application

The surrounding industrial subdivision was recently reviewed at the request of Council as part of a broader report regarding non-industrial uses in areas designated for industrial development. Within this report Staff identified this light industrial portion of Hyde Park as mixed use and proposed a special policy to reflect the existing function of the area as a mixed commercial-industrial area. The applicant is seeking to implement these policies by adding two additional uses to the subject site to increase the mix of permitted uses. The requested amendment is to add Commercial Recreation Establishments and Building or Contracting Establishment uses to the subject site.

Use

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. Section 1.1 *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs.

The PPS also encourages settlement areas (*1.1.3 Settlement Areas*) to be the main focus of growth and development. This proposed application ensures that additional growth is accommodated within a settlement area and increases the vitality of the site and surrounding area by permitting a greater mix of uses on the site. The proposed Commercial Recreation Establishments and Building or Contracting Establishment efficiently uses the existing infrastructure and public service facilities and facilitates the continuation of the existing compact form and density on the subject site while requiring no additional land consumption or servicing costs.

Section 1.3 *Employment* of the PPS requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses, and providing opportunities for a diversified economic base. The special Official Plan policies for the area and the recommended zoning amendment will facilitate the ability to provide an appropriate mix and range of employment uses by permitting the subject site the opportunity to diversify its economic base. The amendment also achieves the goal of Section 1.7 *Long-Term Economic Prosperity* in the PPS which supports opportunities for economic development and community investment-readiness. The amendment increases the ability of the subject site to attract businesses thereby supporting the long term prosperity of the area.

As previously mentioned Planning Staff have recently completed a review of non-industrial uses within light industrial areas in an effort to provide for more mixed use development in the area. This policy has been approved and replaced the previous Official Plan Special Policy (section 10.1.3 lxxii). The request for a Commercial Recreation Establishment is appropriate as the new Official Plan policies specifically identify Commercial Recreation uses as a permitted use specific to the Hyde Park Industrial Area.

The policy also outlines specific criteria that potential non-industrial uses are required to meet in order to be permitted in the area. Through the review of non-industrial uses it was determined that:

*“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.”*

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The Building or Contracting Establishment use meets the relevant criteria as it could require the storage, display, or parking of heavy equipment, large outdoor storage areas or a large warehouse or components. The definition of Building or Contracting Establishments reads as follows:

*“means a premises used for the purposes of undertaking or managing activities engaged in maintaining and building new structures, or works, additions or renovations and typically includes the offices of general building contractors, general contractors, specialized trades and building maintenance services such as window cleaning and extermination services and may include a showroom and/or display area open to the general public. Also included is the prefabrication of building equipment and materials and wrecking and demolition contractors' offices, but does not include salvage yards.”*

Intensity

The surrounding light industrial area has developed and established a level of intensity that is appropriate for the area. The subject site has been developed to accommodate a specific number of units for potential light industrial uses under the existing zoning. The proposed new uses vary in intensity based on the parking requirements of the Zoning By-law. The Building and Contracting Establishment use requires a parking rate of 1 space per 100m<sup>2</sup> which is in keeping with uses that are already permitted. No new impacts would be felt by implementing the use and the site could accommodate the required parking easily.

The Commercial Recreation Establishment requires a much higher parking ratio as it generally attracts more day-to-day activity and visitors. The parking rate is at 1 space per 20m<sup>2</sup>. If the whole of the building were to convert to a Commercial Recreation Establishment then 66 parking spaces would be required. The current property only has 32 spaces with little if any room to expand for additional parking. In order to control the intensity of the use Staff is recommending a restriction on the total gross floor area for Commercial Recreation Establishment uses. Staff recommends a maximum GFA of 400m<sup>2</sup> which is just under 1/3 of the existing building size which means 20 spaces would be required. This would leave enough parking spaces for the other additional uses in the building and ensure minimal impacts are created on abutting properties. This also ensures the intensity of the subject site is appropriate and in keeping with the goals and objectives of the area.

Form

The existing building form consists of a small industrial mall that was built for multiple small scale light industrial uses. The existing form is in keeping with section 7.6.3 (Scale of Development) of the Official Plan as the form has minimal impact on any non-industrial uses in the surrounding area. It is one storey in height with no outdoor storage areas existing and building access is oriented toward an internal on-site parking area which protects impacts on abutting lands. The proposed recommendation will have no change on the existing form.



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Other

The existing zoning applied to the site includes a special provision zone which lists 3 additional permitted uses. Planning Staff are also recommending that the additional permitted uses listed under the existing special provisions be maintained. These include the following:

Additional Permitted Uses

- i) Electrical and electronic products industries;
- ii) Office, store and business electronic products industries;
- iii) Commercial schools.

Regulations

- i) Outdoor Storage 0 (%) Maximum

The existing zoning applied to the site also includes a special provision requiring a 20% Landscaped Open Space coverage. Staff is recommending that the requirement for 20% minimum Landscape Open Space be removed as the applicant has identified that only 15% Landscaped Open Space exists it has been this way since the site was developed. The requirement for 20% was added prior to the area developing in anticipation of the area developing as an Office Business Park prior to annexation which never was achieved. The LI1 base zone requires only 10% Landscaped Open Space therefore the subject site is still in compliance with the general requirements of the zone.

<b>CONCLUSION</b>
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The recommended amendment is consistent with the Provincial Policy Statement 2014, which promotes healthy, livable and safe communities by accommodating an appropriate range and mix of uses. It is also consistent with the permitted uses in the Official Plan's special policy section 10.1.3 lxxii which specifically identifies a wider range of uses in the Hyde Park industrial subdivision. The recommended zone provides an opportunity to fill on-site vacancies by accommodating uses that are similar to, and compatible with, the existing industrial uses in the area limiting any negative impacts on abutting land uses.

Agenda Item # Page #

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**Planner: Mike Corby**

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>MIKE CORBY</b> <b>CURRENT PLANNING</b>	<b>MICHAEL TOMAZINCIC, MCIP, RPP</b> <b>MANAGER, CURRENT PLANNING</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP</b> <b>MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

October 23, 2015

MC/mc

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**File: Z-8532**  
**Planner: Mike Corby**

**Bibliography of Information and Materials**  
**Z-8532**

**Request for Approval:**

City of London Zoning By-law Amendment Application Form, completed by Rick Dykstra (Ricor), September 23, 2015.

**Reference Documents:**

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, 2014.

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

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

Ricor Engineering Ltd. Planning Justification Report, September 22, 2015.

**Correspondence: (all located in City of London File No. Z-8532. unless otherwise stated)**

**None**

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File: Z-8532  
Planner: Mike Corby

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)  
2016

By-law No. Z.-1-16\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1895 Blue Heron Drive.

WHEREAS Catherine Burns has applied to rezone an area of land located at 1895 Blue Heron Drive, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1895 Blue Heron Drive, as shown on the attached map comprising part of Key Map No. A.101, from a Light Industrial Special Provision (LI1(3)) Zone to a Light Industrial Special Provision (LI1(\_)) Zone.

2) Section Number 40.3 of the Light Industrial (LI1) Zone is amended by adding the following Special Provision:

- ) LI1 ( ) 1895 Blue Heron Drive
  - a) Additional Permitted Use[s]
    - i) Building or Contracting Establishment
    - ii) Commercial Recreation Establishment
    - iii) Electrical and electronic products industries;
    - iv) Office, store and business electronic products industries;
    - v) Commercial schools.
  - b) Regulations
    - i) Outdoor Storage (%) Maximum 0
    - ii) Gross Floor Area for Commercial Recreation Establishment (maximum) 400m<sup>2</sup> (4305 sq.ft.)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on December 8, 2015.

Matt Brown  
Mayor

Agenda Item # Page #

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**File: Z-8532**  
**Planner: Mike Corby**

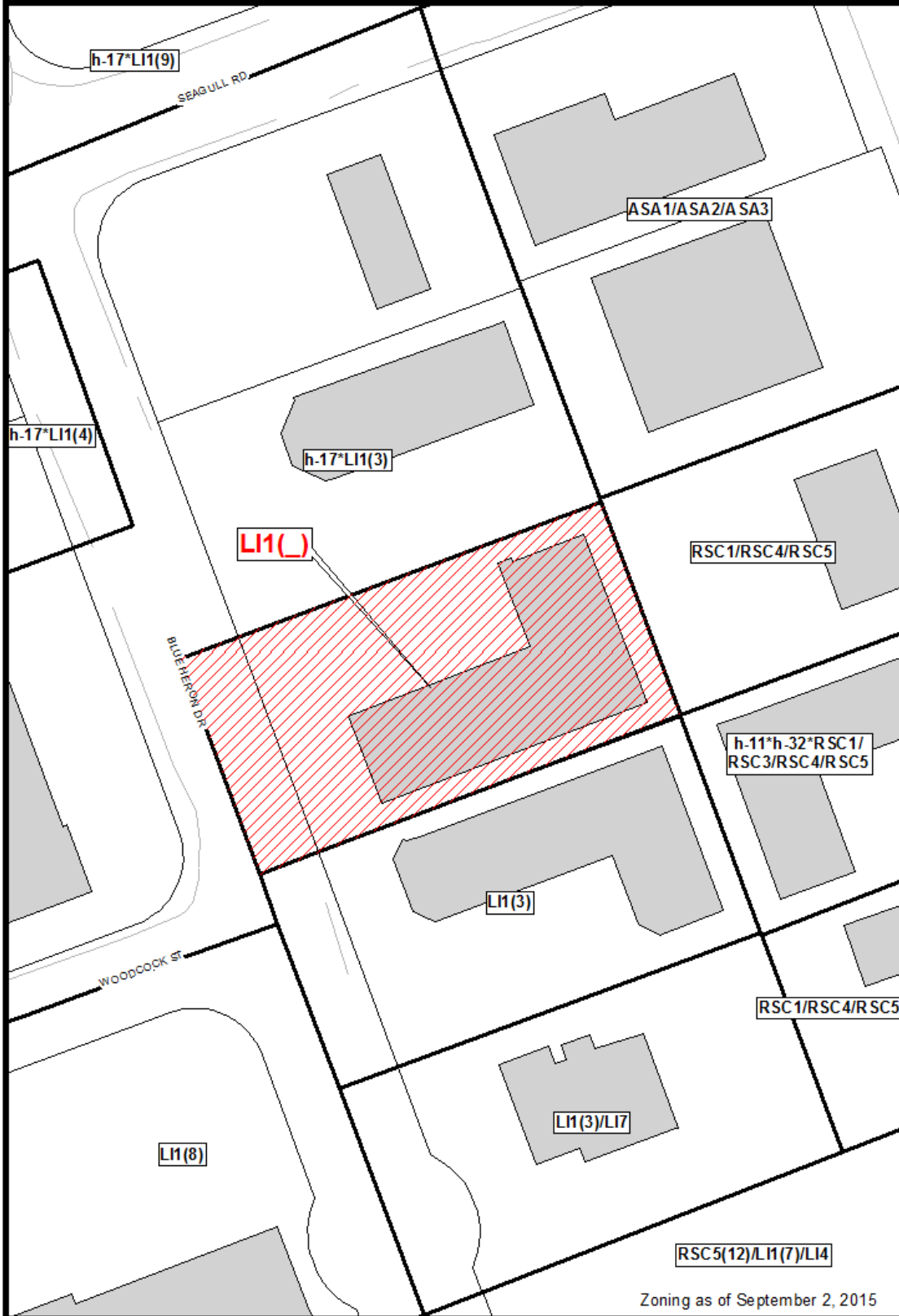
Catharine Saunders  
City Clerk

First Reading - December 8, 2015  
Second Reading - December 8, 2015  
Third Reading - December 8, 2015

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File: Z-8532  
Planner: Mike Corby

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



Zoning as of September 2, 2015

File Number: Z-8532  
 Planner: MC  
 Date Prepared: 2015/10/23  
 Technician: TT  
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,000

