

то:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: MULTIPLEX CHEMICALS LTD. 1065, 1069 and 1093 MARGARET STREET PUBLIC PARTICIPATION MEETING ON MARCH 7, 2016

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Multiplex Chemicals Ltd. relating to the properties located at 1065, 1069 and 1093 Margaret Street:

- (a) Consistent with Policy 19.1.1. of the Official Plan, the subject lands, representing a portion of 1069 Margaret Street, **BE INTERPRETED** to be located within the "Light Industrial" designation;
- (b) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 22, 2016 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject properties **FROM** a Residential R2 (R2-2) Zone, and a Light Industrial (LI1/LI7/LI8) Zone **TO** a Residential R2 Special Provision (R2-2(*)) Zone, a Light Industrial Special Provision (LI1(*)) Zone, a Light Industrial Zone (LI1/LI7/LI8) and a Light Industrial Special Provision Zone (LI1(**)).

PREVIOUS REPORTS PERTINENT TO THIS MATTER

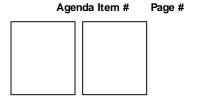
None

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose of the recommended zoning change is to permit a range of site-specific special zoning regulations which recognize existing land uses and development patterns on the subject lands to facilitate the re-creation of four historic lots which have merged on title. The amendment would allow the lots to be sold as separate parcels and would allow for limited redevelopment in accordance with the recommended zoning standards.

RATIONALE

- The recommended amendment is consistent with the objectives of the Provincial Policy Statement, 2014, which promote healthy, liveable and safe communities by encouraging efficient development patterns to reduce land consumption and servicing costs and by accommodating an appropriate range and mix of land uses to meet current and projected needs;
- ii) The recommended Zoning By-law amendment conforms to the intent of the City of London's Official Plan which designates the lands for Low Density Residential and Light Industrial uses over the long term and supports reductions to development



standards where compatibility with adjacent development can be achieved, and public health and safety maintained;

- iii) The amendment will facilitate the re-creation of four historic lots by recognizing existing development patterns at 1065, 1069 and 1093 Margaret Street while requiring that any future redevelopment of the sites be consistent with current zone standards and thereby compatible with the surrounding neighbourhood context; and
- iv) The recommended amendment will provide limited opportunities for future changes to the use of the existing warehouse at 1069 Margaret Street to other light industrial uses that are compatible with the surrounding residential environment, provided that all other regulations of the Zoning By-law are maintained;

BACKGROUND

Date Application Accepted: December 21, 2015 | **Agent**: Ric Knutson

REQUESTED ACTION: Change Zoning By-law Z.-1 from a Residential R2 (R2-2) Zone and a Light Industrial (LI1/LI7/LI8) Zone to a Residential R2 Special Provision (R2-2(*)) Zone, a Light Industrial Special Provision (LI1(*)) Zone, a Light Industrial (LI1/LI7/LI8) Zone, and a Light Industrial Special Provision (LI1(**)) Zone to recognize existing land uses and provide special zoning regulations to recognize the existing buildings which would facilitate the recreation of four lots that have merged on title.

SITE CHARACTERISTICS:

- Current Land Use: Single detached dwelling (1065 Margaret St.), Warehouse (1069 Margaret St.), & Chemical Processing Facility (1093 Margaret)
- Frontage 130.8 metres
- **Depth** 40.2 metres
- **Area** 5,307m²
- Shape Rectangular

SURROUNDING LAND USES:

- North Low Density Residential
- South CN Railway Corridor
- East Light Industrial
- West Low Density Residential

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)

Low Density Residential and Light Industrial

EXISTING ZONING: (refer to Zoning Map)

Residential R2 (R2-2) and Light Industrial (LI1/LI7/LI8)



LOCATION MAP

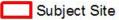
Subject Site: 1065, 1069, & 1093 Margaret St Applicant: Multiplex Chemicals Limited

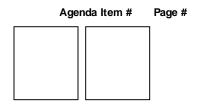
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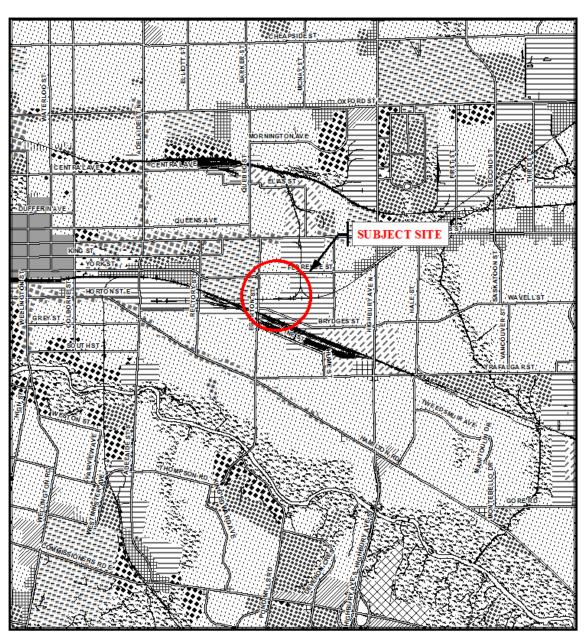
Prepared by : Graphics & Information Services , Planning Division Corporation of the City of London File-planning/projectsip_boat binmaps/MXDs

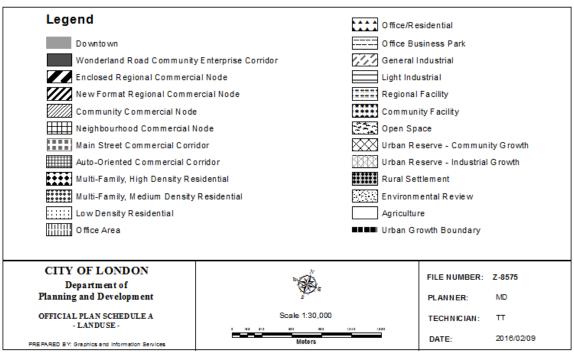
Planner: MD Created By : TT Date : 2016/02/09 Scale : 1:900

Legend



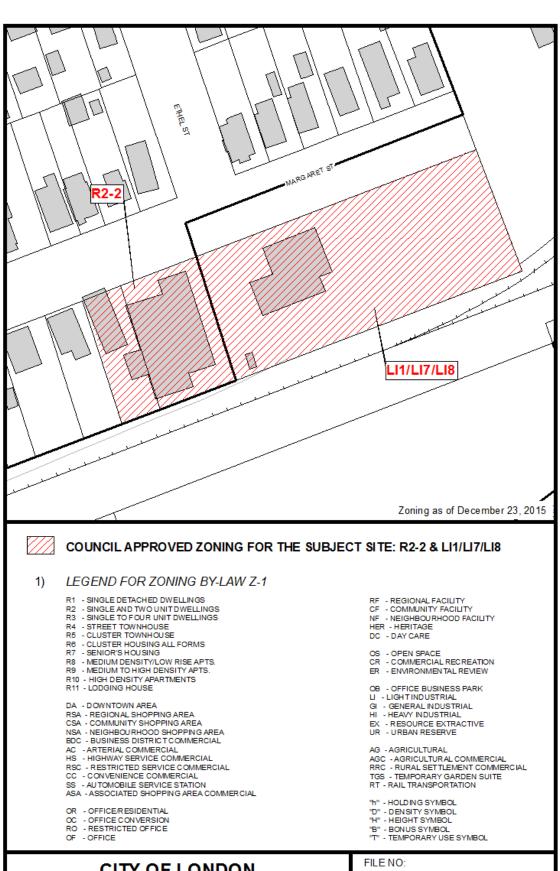






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File: Z-8575 **Planner: Mike Davis**



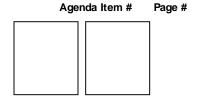
CITY OF LONDON

PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

ZONING BY-LAW NO. Z.-1 **SCHEDULE A**



Z-8575 MDMAP PREPARED: 2016/02/09 TT 1:900 0 45 9 18 27 36 Meters THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS



PLANNING HISTORY

The subject lands originally formed separate parcels in a historic London Township Reference Plan which appears to have been created in 1872, prior to the enactment of the Ontario Planning Act. Upon registration of these lots under the same title (Multiplex Chemicals Ltd.) these lots have become merged, meaning they cannot be sold as separate parcels. The applicant wishes to divest of the subject properties separately. A Zoning By-law amendment is required in order to re-create these historic lots by way of consent because the lands were developed years ago and the existing development patterns to not conform to current standard zoning regulations.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

None

PUBLIC LIAISON:

On January 13, 2016, Notice of Application was sent to ninety **(90)** property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 14, 2016. A "Possible Land Use Change" sign was also posted on the site.

No (0) replies were received

Nature of Liaison: The purpose and effect of this zoning change is to permit a range of site-specific special zoning regulations which would recognize the existing land uses and development patterns on the subject lands and allow for the re-creation of four lots which have merged on title. Possible change to Zoning By-law Z.-1 **FROM** a Residential R2 (R2-2) Zone and a Light Industrial (LI1/LI7/LI8) Zone **TO** a Residential R2 Special Provision (R2-2(*)) Zone, a Light Industrial Special Provision (LI1(*)) Zone, a Light Industrial Special Provision (LI1(**)) Zone to recognize existing land uses and provide special zoning regulations to recognize the existing buildings which would facilitate the recreation of four lots that have merged on title.

Responses: N/A

ANALYSIS

Subject Site:

The subject site includes the lands municipally known as 1065, 1069 and 1093 Margaret Street and is located on the south side of Margaret Street, approximately 200 metres east of Egerton Street. The property is situated approximately 250 metres southwest of the former Kellogg's Plant and forms part of a linear network of inner-city industrial lands that historically developed adjacent to the CN Rail corridor. The western portion of the site (1065 Margaret St.) currently contains a single detached dwelling. The remainder of the site contains an existing warehouse building (1069 Margaret Street) and a chemical processing facility (1093 Margaret Street). Lands to the north have been developed for low density residential uses while lands to the east and south include a range of industrial uses. As noted previously, these lands form part of a historic reference plan. The reference plan originally divided these lands into six separate parcels known as lots 14, 15, 16, 17, 18 & 19 of Plan 299. Lot 14 of Plan 299 generally reflects what is municipally known as 1065 Margaret Street, while 1069 Margaret Street includes lot 15 and the remaining lots are identified municipally as 1093 Margaret Street (see figure 2 on page 10).

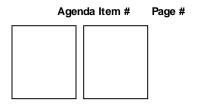
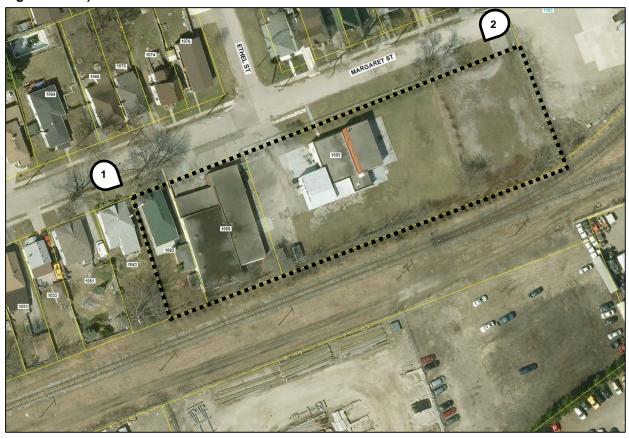


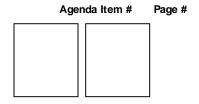
Figure 1: Subject Site



Note: Location of numbered icons below corresponds to vantage point of street level views below

Street View: Looking southeast from 1065 Margaret Street.





Street View: Looking northwest from 1093 Margaret Street.



Nature of Application:

The purpose of the application is to amend the Zoning By-law to allow for the re-creation of four historic lots that have merged on title. In order to facilitate the severance of these lots, reductions to current zoning standards are required to recognize the existing lot conditions and apply regulations that are in line with the existing buildings on the site. The recommended amendment would allow for the continuation of the existing buildings, but require that future redevelopment of these sites conform to current zoning standards. In addition to the foregoing, this application would allow for the existing warehouse building at 1069 Margaret Street to be reused/redeveloped for a limited range of light industrial uses, and would allow for the development of a small-scale light industrial use on the vacant lands comprising the eastern portion of 1093 Margaret Street.

In order to facilitate this request, the application proposes to change the zoning of the subject site from a Residential R2 (R2-2) Zone and a Light Industrial (LI1/LI7/LI8) Zone to a Residential R2 Special Provision (R2-2(*)) Zone, a Light Industrial Special Provision (LI1(*)) Zone, a Light Industrial (LI1/LI7/LI8) Zone, and a Light Industrial Special Provision (LI1(**)) Zone.

The following chart is intended to detail the nature of the proposed zoning changes, while the site plan is intended to depict the lot configuration this amendment would facilitate.

Table 1: Proposed Zoning Changes

Summary of Proposed Zoning Changes		
Part 1 (1065 Margaret St.)	From: Residential R2-2 To: Residential R2 Special Provision (R2-2(*))	
	Purpose: to allow for reduced front yard and interior side yard setbacks for the existing dwelling and outbuildings	
Part 2 (1069 Margaret St.)	From: Residential R2-2	
	To: Light Industrial Special Provision (LI1(*))	
	Purpose: To allow for reduced lot area and frontage reflective of	
	the historic lot pattern, to allow for reduced interior side yard and	
	front yard setback for the existing building, and to allow for a	
	limited range of light industrial uses to allow for an appropriate and	

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	economical re-use of the property.
Part 3 (1093 Margaret St. – western portion)	No changes proposed
Part 4 (1093 Margaret St.	From: Light Industrial (LI1/LI7/LI8)
eastern portion)	To: Light Industrial Special Provision (LI1(**))
	Purpose: To allow for a reduced lot area and frontage reflective of the historic lot pattern and to limit the range of permitted industrial uses to those that are compatible with the surrounding residential environment.

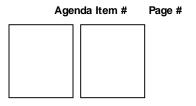
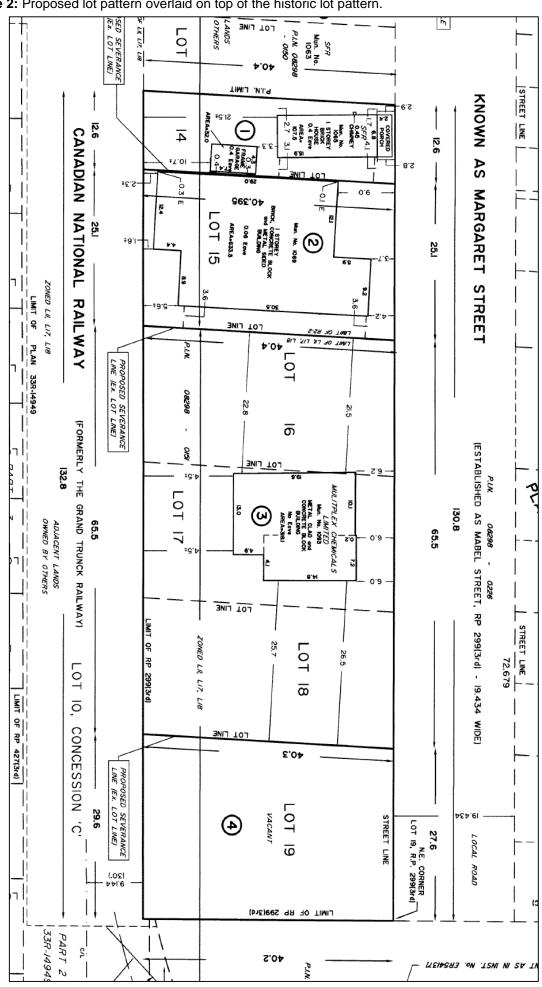
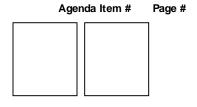


Figure 2: Proposed lot pattern overlaid on top of the historic lot pattern.





Use:

For the most part, those uses permitted by the existing zoning on the site will continue to apply. The primary change to the Zoning By-law with regard to use permissions is to *Part 2*, as depicted in Figure 2 above (1069 Margaret Street). *Part 2* is currently zoned Residential R2-2 by the City's Zoning By-law Z.-1. The R2-2 zone permits low density residential uses including single detached, semi-detached, duplex and converted dwellings. This parcel contains an existing warehouse which is considered to be legal non-conforming. The recommended zoning change would result in the parcel being zoned Light Industrial Special Provision (LI1(*)). This special light industrial zone would allow for the continuation of the existing warehouse, as well as a limited range of light industrial uses which are appropriate for the site, given its location adjacent to a residential neighbourhood. The recommended permitted uses for *Part 2* include:

LI1(_) Permitted Uses:

- Bakeries:
- Business service establishments;
- Offices support establishments;
- Printing, reproduction and data processing industries;
- Research and development establishments
- Warehouse establishments:
- Wholesale establishments
- Custom workshops;
- Brewing on premises establishments

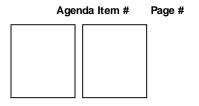
* It is important to note that the scale of these additional permitted uses would be limited by the applicable parking requirements outlined in Section 4.19 of the Zoning By-law.

In this regard, Section 1.3 – *Employment* – of the Provincial Policy Statement, 2014 (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 City's Official Plan implements this provincial policy direction by designating lands across the City for a range of urban land uses.

As noted previously throughout this report, the subject lands are designated "Light Industrial" by the City's Official Plan. In accordance with Section 7.3 of the City's Official Plan, the Light Industrial designation is "intended for industries which have a limited impact on the surrounding environment and which are frequently small in scale. Such industries can normally be located in closer proximity to other land uses without significant conflicts if appropriate site planning techniques are utilized. Uses permitted in the Light Industrial designation will be required to meet higher development and operating standards when located near residential areas and major entryways to the City."

The limited range of light industrial uses proposed for *Part 2* includes only those light industrial uses that are unlikely to cause adverse effects with respect to air, odour or water pollution, excessive noise levels or vibration in accordance with provincial D-6 Series Guidelines and do not require outdoor storage. It should also be noted that changing the use of this property from the existing warehouse to any of the new additional permitted uses would require compliance with the current parking standards outlined in Section 4.19 of the Zoning By-law which would effectively serve to regulate the intensity of any new uses. Compliance with the parking standards in conjunction with the special zoning provisions limiting the range of permitted uses will ensure that any future re-use of the property is of a nature that is appropriate for its context.

In analyzing the appropriateness of allowing the additional industrial uses, it is important to consider that: a change in use to residential would likely require significant site remediation works which may be difficult to justify economically, given the limited density of residential units the site would yield under the existing R2 zoning; and, a new residential use at this location may be impacted by railway setback regulations so by maintaining the site as a small-scale light industrial



use provides a buffer between railway and the residential lands to the north. Therefore, in conjunction with the fact that this building has achieved a level of compatibility with the neighbourhood through its historical presence, it is reasonable and appropriate to allow for the limited range of light industrial uses moving forward in order to maintain economically viable uses for this property. Maintaining a range of viable uses for this property will help to prevent deterioration and/or lack of maintenance.

Intensity:

As highlighted throughout this report, the recommended Zoning By-law amendment will result in the re-creation of four (4) historic lots which have merged on title. It is important to consider that three of the four proposed lots have been built out, and as such, from a practical perspective the intensity of the development on the ground will remain consistent with what currently exists for the majority of the site.

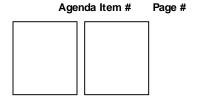
In addition to the three lots that would contain existing buildings, the recommended Zoning By-law amendment would introduce potential for the future development of a small-scale light industrial uses on the vacant lands referred to as $Part\ 4$ (Eastern portion of 1093 Margaret Street). In order to facilitate this request, the zoning amendment proposes a reduction to the lot area and frontage requirements on the lands identified as $Part\ 2$ and $Part\ 4$ as per figure 2 found on page 10 of this report above. In the context of the overall intensity of the subject lands, the effect of these reductions is to allow for 4 lots whereas compliance with the current standards would yield 3 lots across the entirety of the lands.

With regard to the proposed changes to intensity standards, the PPS 2014 promotes costeffective development patterns and standards to minimize land consumption and servicing costs; densities and a mix of land uses which efficiently use land and resources; and, providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

In this regard the recommended Zoning By-law amendment will implement the policy objectives of the PPS by allowing for the creation of an additional lot from the portion of the subject site that is surplus to 1093 Margaret Street. This additional lot will provide for the efficient use of the vacant eastern portion of the overall site and, will contribute to greater utilization of existing services. This small light industrial lot will provide a new opportunity for a small-scale employment use that provides an affordable parcel for a new small-scale business.

Form:

As noted throughout this report, three of the four lots that will be facilitated by the recommended Zoning By-law amendment are "built-out". As such, the recommended changes to the Zoning By-law relating to form (i.e. setbacks, building height, location of parking, etc.) are intended to recognize the existing built form, and from a practical perspective, will not result in actual changes to the form of development on the site. As noted, *Part 4* will be vacant and future development of this site will be in accordance with all of the standard regulations of the LI1 zone as it relates to form. Additionally, the recommended Zoning By-law amendment precludes outdoor storage within the front and side yards in order to maintain an aesthetic quality that is compatible with the surrounding residential environment.



CONCLUSION

The recommendation for approval of the proposed Zoning By-law amendment has been supported by the foregoing planning analysis. The proposed amendment has been evaluated in the context of the applicable land use policy and is consistent with the policies of the Provincial Policy Statement, 2014 which support the provision of an appropriate mix and range of employment uses, and providing opportunities for a diversified economic base. It is important to recognize that the subject site is generally built out, and the primary intention of the recommended Zoning By-law amendment is to allow for the re-creation of these lots which have merged on title. From a practical perspective, the only physical effects of the amendment will be to allow for limited flexibility in the redevelopment/re-use of the existing warehouse at 1065 Margaret Street and the creation of a new lot on the eastern portion of 1093 Margaret Street for a small-scale light industrial use in conformity with the existing Light Industrial designation. The redevelopment of these sites will be required to comply with the applicable provisions of the recommended Zoning By-law. The existing industrial uses have achieved an acceptable measure of compatibility with the adjacent residential neighbourhood. The recommended amendment will allow for a viable economic use of the subject lands that supports the general intent of the Official Plan and limit permitted uses such that it does not introduce impacts with respect to air, odour or water pollution, or excessive noise levels in accordance with provincial guidelines. Given the foregoing, the recommended amendment represents sound land use planning.

PREPARED BY:	SUBMITTED BY:		
MIKE DAVIS, B.U.R.PI. PLANNER II, CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING		
RECOMMENDED BY:			
JOHN M. FLEMING, MCIP, RPP			
MANAGING DIRECTOR, PLANNING AND CITY PLANNER			

February 18, 2016

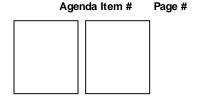
Mike Davis

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Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	<u>Written</u>
N/A	N/A



Bibliography of Information and Materials Z-8575

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Ric Knutson, November 30, 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.

Knutson Development Consultants Inc. Planning Justification Report, November 2015.

Holstead, Orendorff & Redmond Ltd. Site Survey, August 12th, 1983.

Correspondence: (all located in City of London File No. Z-8575 unless otherwise stated)

City of London -

Geisen A., City of London Transportation Planning and Design. E-mail to M. Davis (Preapplication Consultation). August 20, 2015.

Moore R., City of London Wastewater and Drainage Engineering. E-mail to M. Davis. January 29, 2016.

Departments and Agencies -

Creighton C., UTRCA. Letter to M. Davis. February 2nd, 2016.

Other:

Site visit February 2nd, 2016.

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Appendix "A"

 $\begin{array}{ll} \textbf{Bill No.} \;\; \text{(number to be inserted by Clerk's Office)} \\ 2016 \end{array}$

By-law No. Z.-1-16

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1065, 1069 and 1093 Margaret Street.

WHEREAS Multiplex Chemicals Ltd. has applied to rezone an area of land located at 1065, 1069 and 1093 Margaret Street, 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 1065, 1069 and 1093 Margaret Street, as shown on the attached map comprising part of Key Map No. A108, from a Residential R2 (R2-2) Zone and a Light Industrial (LI1/LI7/LI8) Zone to Residential R2 Special Provision (R2-2(*)) Zone, a Light Industrial Special Provision (LI1(*)) Zone, a Light Industrial Zone (LI1/LI7/LI8) and a Light Industrial Special Provision Zone (LI1(**)) Zone.
- 2) Section Number 6.4 of the Residential R2 (R2-2) Zone is amended by adding the following Special Provision:
 - _) R2-2(*) 1065 Margaret Street
 - a) Regulations:

Notwithstanding the regulations contained in Table 6.3 – Regulations for R2 Zone variations – the following regulations apply to the building(s) existing on the date of the passing of the By-law:

- i) Front Yard Depth 0.0 metres (Min.)
- ii) Interior Side Yard 0.0 metres (Min.)
- 2) Section Number 40.4 of the Light Industrial (LI1) Zone is amended by adding the following Special Provision:
 - _) LI1(*) 1069 Margaret Street
 - a) Permitted Uses:
 - i) Bakeries;
 - ii) Business service establishments;
 - iii) Offices support;
 - iv) Printing, reproduction and data processing industries;
 - v) Research and development establishments;
 - vi) Warehouse establishments;
 - vii) Wholesale establishments;
 - viii) Custom workshop;
 - ix) Brewing on premises establishments.



b) Regulations:

i) Lot Area 1,000m² (Min.)

ii) Frontage 25.0 metres (Min.)

c) Additional Regulations for Existing Building(s)

Notwithstanding the regulations contained in Table 40.3 – Regulations for LI Zone variations – the following regulations apply to the building(s) existing on the date of the passing of the By-law:

i) Interior Side Yard Depth 0.0 metres (Min.)

ii) Front Yard Depth 3.5 metres (Min.)

iii) Lot Coverage 65% (Max.)

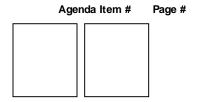
- 2) Section Number 40.4 of the Light Industrial (LI1) Zone is amended by adding the following Special Provision:
 - _) LI1(**) 1093 Margaret Street (eastern portion)
 - a) Permitted Uses:
 - i) Bakeries;
 - ii) Business service establishments;
 - iii) Offices support;
 - iv) Printing, reproduction and data processing industries;
 - v) Research and development establishments;
 - vi) Warehouse establishments;
 - vii) Wholesale establishments;
 - viii) Custom workshop;
 - ix) Brewing on premises establishments;
 - x) Automobile body shops;
 - xi) Automobile repair garages;
 - xii) Repair and rental establishments;
 - xiii) Service and repair establishments;
 - xiv) Service trades;
 - b) Regulations:

i) Lot Area 1,100m² (Min.)

ii) Frontage 27.0 metres (Min.)

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 March 22, 2016.

Matt Brown Mayor

Catharine Saunders City Clerk

First Reading – March 22, 2016 Second Reading – March 22, 2016 Third Reading – March 22, 2016

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

