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File No: OZ-7918  
Planner: A. Riley

<b>TO:</b>	<b>CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING DIRECTOR OF LAND USE PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: EMCO CORPORATION 1100 AND 1108 DUNDAS STREET PUBLIC PARTICIPATION MEETING ON SEPTEMBER 26, 2011 @ 4:30PM</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Director of Land Use Planning and City Planner, the following actions be taken with respect to the application by EMCO Corporation relating to the property located at 1100 and 1108 Dundas Street:

- a) The request to amend the Official Plan to add a Specific Area Policy (Chapter 10 policy) for the existing building at 1100 Dundas Street for office space, excluding medical/dental office, to a maximum of 2,508 square metres (27,000 square feet); and for the existing building at 1108 Dundas Street for office space, excluding medical/dental office, to a maximum of 6,224 square metres (67,000 square feet); and to include a limited amount of commercial uses including convenience stores, financial institutions, restaurants, and personal service establishments not exceeding a total of 1,000 square metres (10,764 square feet) **BE REFUSED** for the following reasons:
  - i) The proposal is contrary to the Official Plan policies for the General Industrial designation which allows office uses that are accessory to industrial uses;
  - ii) The proposal is contrary to the Official Plan policies of Section 2.4.1 – City Structure Policies, and other supporting Official Plan policies, that direct large scale office uses to the Downtown and Office Area designations as the primary office employment area in the City and limit the scale of office development in most other areas of the City; and
  - iii) The approval of the request for large scale office use would set a precedent in the area.
  
- b) The request to amend the Zoning By-law **FROM** General Industrial (GI1) **TO** General Industrial Special Provision (GI1( )) at 1100 Dundas Street for office space, excluding medical/dental office, to a maximum of 2,508 square metres (27,000 square feet) and convenience store, financial institution, restaurant, personal service establishment not exceeding a total of 1,000 square metres (10,764 square feet); and at 1108 Dundas Street for office space, excluding medical/dental office, to a maximum of 6,224 square metres (67,000 square feet) and convenience store, financial institution, restaurant, personal service establishment not exceeding a total of 1,000 square metres (10,764 square feet); **BE REFUSED** for the reasons as outlined in clause (a);
  
- c) The proposed by-law attached hereto as Appendix 'A' **BE INTRODUCED** at the Municipal Council meeting on October 3, 2011 to amend the Official Plan to add a Specific Area Policy to Chapter 10 to permit, in addition to uses permitted in the General Industrial designation, office uses will be permitted in existing buildings, excluding medical/dental offices and clinics, with a maximum aggregate gross floor area of 5000 m<sup>2</sup>, recognizing the uniqueness of this location along a major corridor in London leading to the Old East village and Downtown; and to include a limited amount of commercial uses including convenience stores, financial institutions, restaurants, and personal service

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establishments, but excluding pharmacies, not exceeding a total of 1,000 square metres (10,764 square feet);

- d) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 3, 2011 to amend the Zoning By-law No. Z.-1 (in conformity with the Official Plan, as amended in part (c) above), to change the zoning **FROM** General Industrial (GI1) **TO** General Industrial Special Provision (GI1( )) to permit in addition to the uses already permitted, office uses will be permitted in existing buildings, excluding medical/dental offices and clinics, at a maximum aggregate gross floor area of 5000 m2, and to include a limited amount of commercial uses including convenience stores, financial institutions, restaurants, and personal service establishments, but excluding pharmacies, not exceeding a total of 1,000 square metres (10,764 square feet);
- e) The Site Plan Approval Authority **BE REQUESTED** to consider the following design objectives through the Site Plan process:
  - i) Clearly define pedestrian linkages between the public sidewalk and the front entrances of all buildings; and
  - ii) Utilize and enhance landscaped areas.

**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

None

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

The purpose and effect of the requested amendments are to allow offices as permitted uses in the existing buildings, excluding medical/dental offices and clinics, and to permit a limited range of commercial uses.

**RATIONALE**

**Recommendations for Refusal**

1. The proposal is contrary to the Official Plan policies for the General Industrial designation which allows office uses that are ancillary to industrial uses. Office development which is not ancillary and incidental to a main permitted use is to be restricted to a small or medium scale in the General Industrial designation. The requested 5,295 m2 is considered a large scale in the Official Plan.
2. The proposal is contrary to the Official Plan policies of Section 2.4.1 - City Structure Policies, and other supporting Official Plan policies, that direct large scale office uses to the Downtown, as the primary office employment area in the City and Office Area designation and limit the scale of office development in most other areas of the City.
3. The approval of the request for large scale non-accessory office use would set a precedent in the industrial area.

**Recommendations for Approval**

1. The recommended Zoning By-law amendment is consistent with the policies of the Provincial Policy Statement. The requested amendment represents the adaptive reuse of existing building stock which is consistent with the policies of the *Provincial Policy Statement, 2005* pertaining to accommodating redevelopment which efficiently uses land, resources, infrastructure and public service facilities.
2. The request to amend the Official Plan to add a Specific Area Policy to Chapter 10 to allow for office uses, excluding medical/dental offices and clinics with a maximum aggregate gross floor area of 5000m2 and some small scale commercial uses all within the existing buildings

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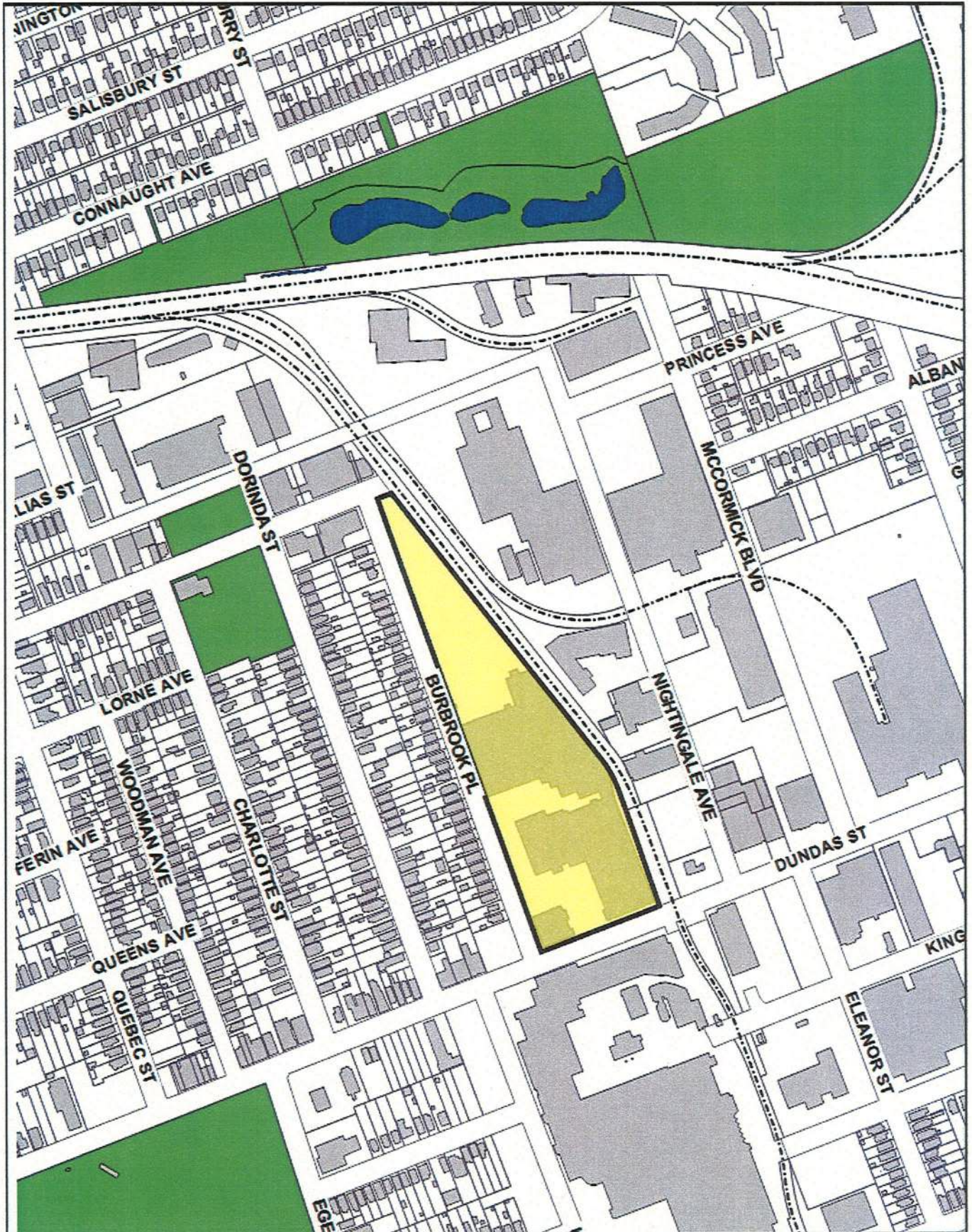
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**Planner: A. Riley**

recognizing the uniqueness of this location as an industrial area that has endured long periods of vacancies is appropriate.

3. Office development which is not ancillary and incidental to a main permitted use in the General Industrial designation will be restricted to a small or medium scale. The recommendation for 5,000m<sup>2</sup> is considered medium scale. Currently EMCO Corporation occupies office space at 1108 Dundas Street, and CCTF Corporation and Xerox Corporation occupies office space at 1100 Dundas Street. Continuing to permit these offices within the existing buildings at a medium scale is appropriate.
4. Permitting portions of the existing buildings to continue to be office uses, and permitting small scale commercial uses represents a logical infilling of the existing industrial area at this time until the McCormick Area study has been completed. Given that changes will be interior only, and office uses and commercial uses will be limited to the existing building and in size, the proposed office (re)development is consistent with the scale of development in the area.
5. The proposed office uses and commercial uses, in their recommended proportions size and scale on the subject lands, represents a positive redevelopment of an underutilized industrial site.
6. The proposed uses are consistent with the character of the area and will not negatively affect the existing and/or future of this area.
7. The proposal is subject to site plan approval. Issues such as access, parking, pedestrian linkages, open space and landscaping will be appropriately addressed at that time.
8. The recommended change to the Zoning By-law meets the intent of the Official Plan.

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Planner: A. Riley



**LOCATION MAP**

Subject Site: 1100 Dundas St  
Applicant: Emco Limited C/O Delta Faucet Canada  
File Number: OZ-7918  
Planner: Alanna Riley  
Created By: Alanna Riley  
Date: 2011-06-09  
Scale: 1:5000

**LEGEND**

-  Subject Site
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers

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<b>BACKGROUND</b>
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<b>Date Application Accepted: May 31, 2011</b>	<b>Agent: Insites Consulting</b>
<p><b>REQUESTED ACTION:</b> Change the Official Plan to amend Chapter Ten of the Official Plan to add a special policy to recognize office uses and selected other commercial uses within the General Industrial designation.</p> <p>Change the Zoning By-law from a General Industrial (GI1) Zone to a General Industrial Special Provision (GI1( )) Zone to permit offices, excluding medical/dental offices, and a small range of commercial uses.</p>	

<p><b>SITE CHARACTERISTICS:</b></p> <ul style="list-style-type: none"> <li>• 1100 Dundas Street – Office(CCTF and Xerox)</li> <li>• 1108 Dundas Street – Offices (Administrative Offices for EMCO)/Vacant             <ul style="list-style-type: none"> <li>• Frontage – 119.3 metres</li> <li>• Depth – N/A</li> <li>• Lot Area – 1.41 hectares</li> </ul> </li> </ul>
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<p><b>SURROUNDING LAND USES:</b></p> <ul style="list-style-type: none"> <li>• <b>North</b> – Industrial</li> <li>• <b>South</b> – Commercial/Industrial</li> <li>• <b>East</b> – Industrial</li> <li>• <b>West</b> – Residential/Commercial</li> </ul>
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<p><b>OFFICIAL PLAN DESIGNATION:</b> (refer to map on page 4)</p> <ul style="list-style-type: none"> <li>• General Industrial</li> </ul>
<p><b>EXISTING ZONING:</b> (refer to map on page 5 )</p> <ul style="list-style-type: none"> <li>• General Industrial (GI1)</li> </ul>

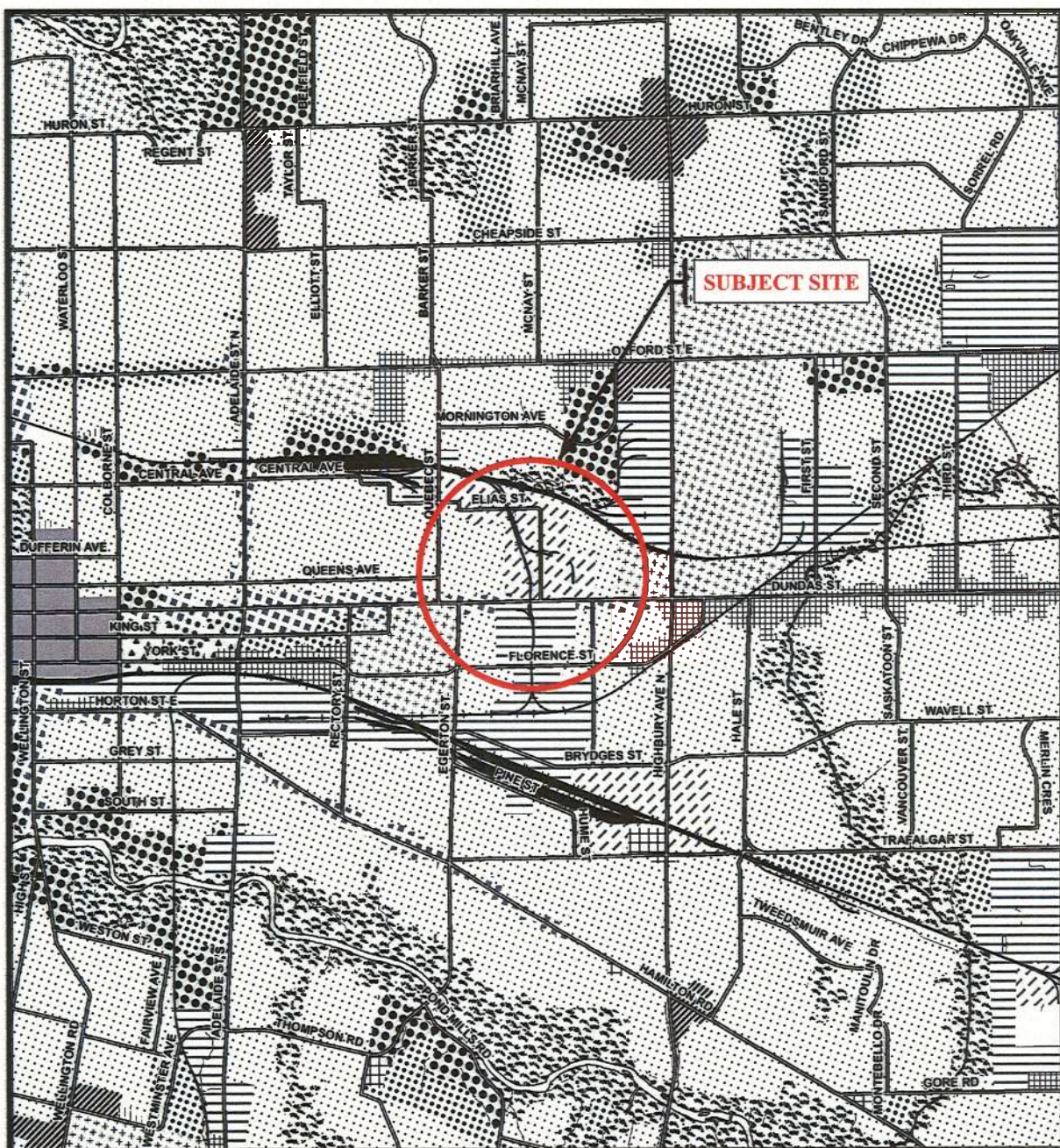
<b>PLANNING HISTORY</b>
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The subject lands are designated General Industrial in the City of London Official Plan (1989). The General Industrial (GI1) Zoning for the lands was established with the passing of Zoning By-law No. Z.-1 in July, 1993.

Council also directed staff to conduct an area review to establish a long term vision for the area and to determine whether policy changes are necessary to pursue this vision, recognizing that the character of this industrial area is in transition and a new policy focus may be required. The area review known as the McCormick Area Study was initiated and Phase Two of three phases is almost complete. The Director of Land Use Planning and City Planner has recommended this study be suspended until July 2012, or until sufficient department resources become available to resume it.



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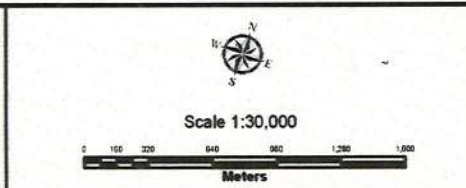


**Legend**

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

**CITY OF LONDON**  
Department of  
Planning and Development  
**OFFICIAL PLAN SCHEDULE A**  
- LANDUSE -

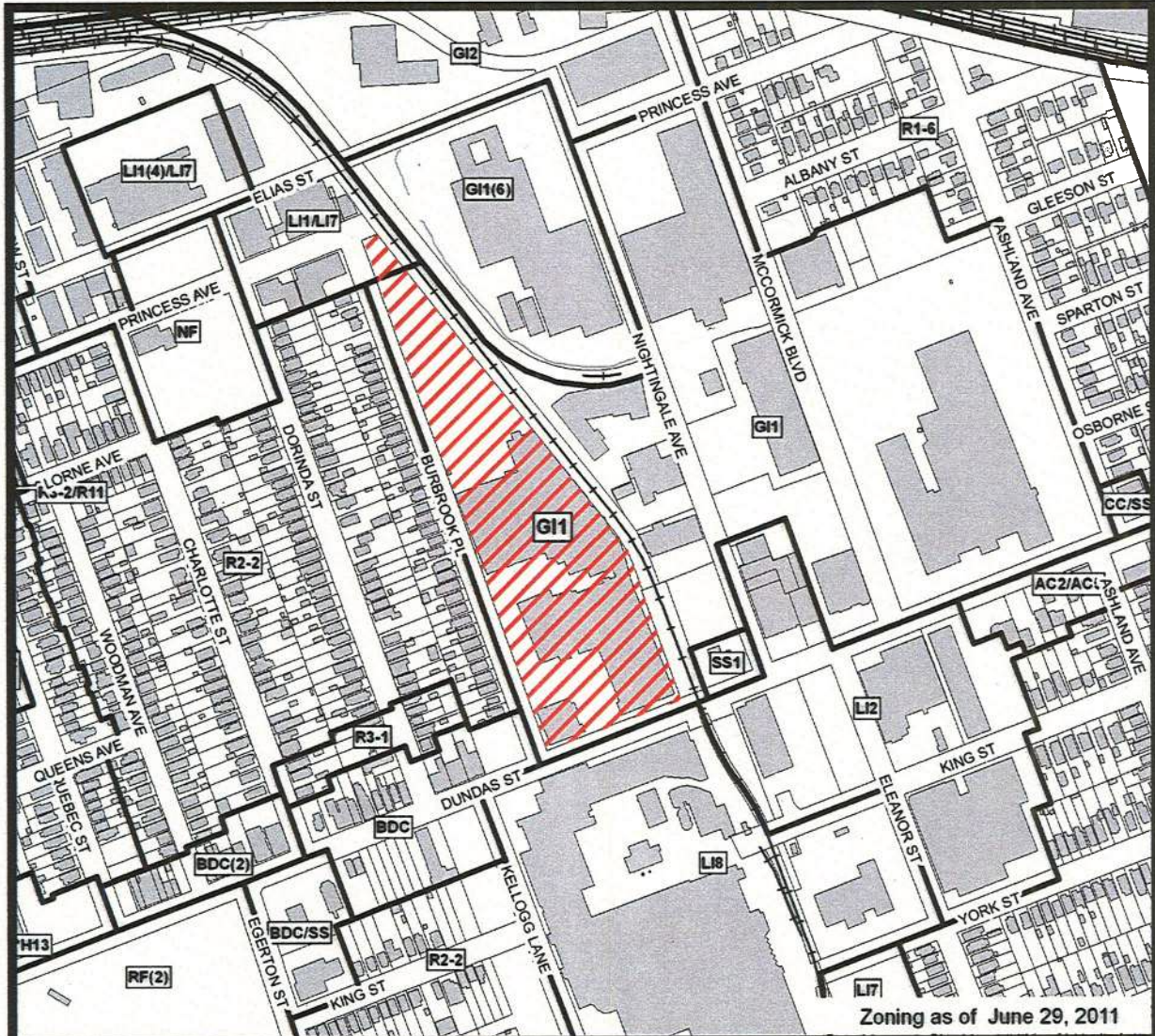
PREPARED BY: Graphics and Information Services



**FILE NUMBER:** OZ-7918  
**PLANNER:** AR  
**TECHNICIAN:** CK  
**DATE:** 2011 July 22

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Zoning as of June 29, 2011



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: G11**

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

- 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
- SA - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE
  
- 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

2) **ANNEXED AREA APPEALED AREAS**

**CITY OF LONDON**  
 PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

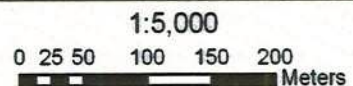
**ZONING BY-LAW NO. Z-1**  
**SCHEDULE A**



THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:  
**OZ-7918** AR

MAP PREPARED:  
**2011/07/22** CK



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<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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**Environmental and Engineering Services Department**

*The City of London's Environmental and Engineering Services Department has not identified any concerns with respect to the aforementioned Official Plan amendment application.*

**Urban Forestry**

*Urban Forestry has no comments on this application.*

**Parks Planning and Design**

*The Parks Planning and Design Section has reviewed the application and our files and has the following comments to be considered in your decision:*

- *Parkland dedication has not been collected for the subject lands. At the time of development parkland dedication, consistent with Municipal Council's policies, will be required either as parkland or cash-in-lieu of parkland.*

**London Hydro**

No objection.

**Bell Canada**

*We have no conditions/objections to the above application as submitted.*

*If there are any conflicts with existing Bell Canada facilities or easements, the Owner/Development shall be responsible for re-arrangements or relocations.*

<b>PUBLIC LIAISON:</b>	A notice of the possible Official Plan amendment was mailed to 128 surrounding property owners. Notice of the possible amendment was also published in the "Living in the City" section of London Free Press.	2 Replies
<p><b>Nature of Liaison:</b> Change the Official Plan to amend Chapter Ten of the Official Plan to add a special policy to recognize office uses and selected other commercial uses within the General Industrial designation.</p> <p>Change the Zoning By-law from a General Industrial (GI1) Zone to a General Industrial Special Provision (GI1( )) Zone to permit offices, excluding medical/dental offices, and a small range of commercial uses.</p>		
<p><b>Responses:</b></p> <ul style="list-style-type: none"> <li>• Concerned about services</li> <li>• Concerned about McCormick Area Study</li> </ul>		

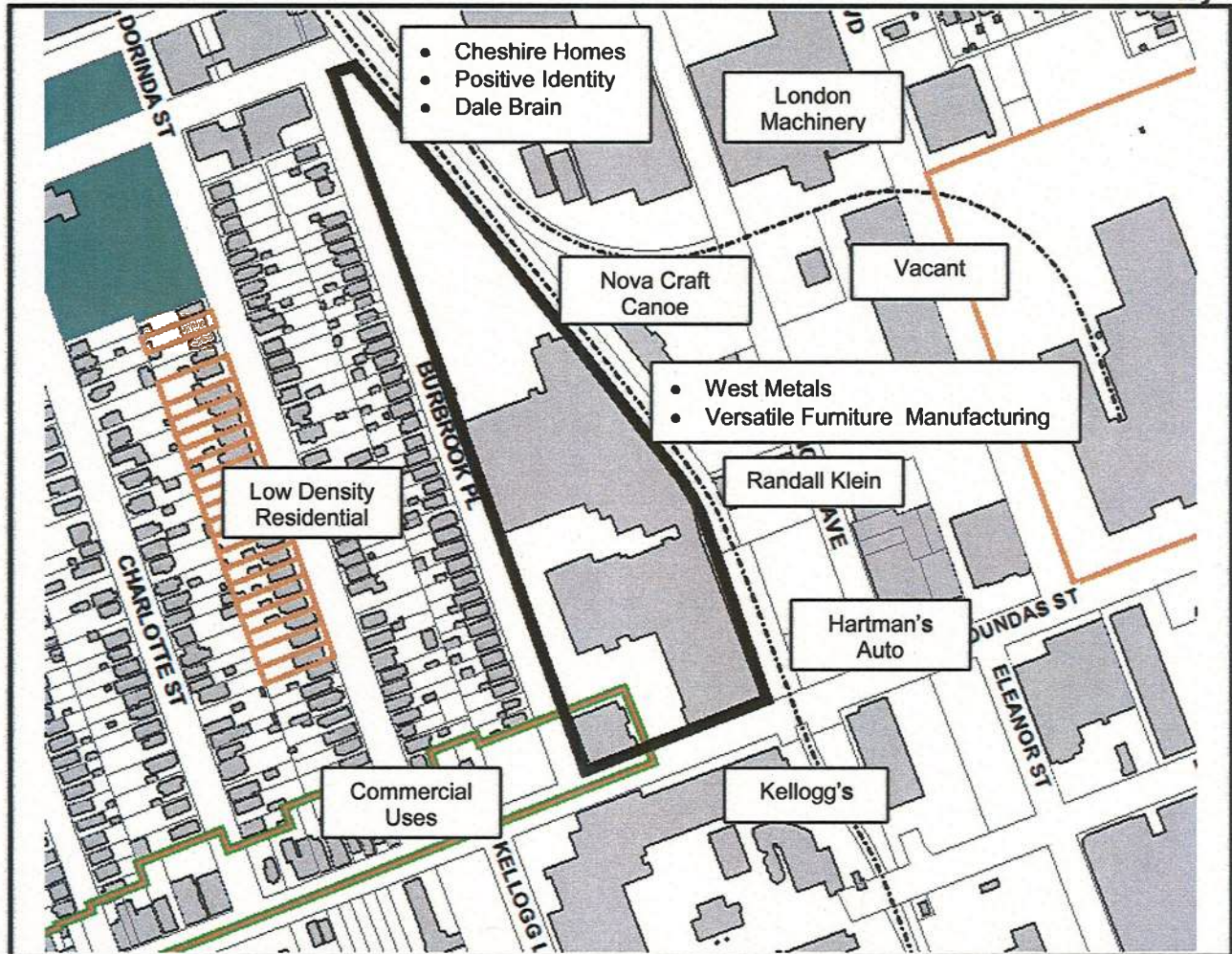
<b>ANALYSIS</b>
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**What is the existing situation?**

The subject site is located on the north side of Dundas Street at the corner of Burbrook Place. The 1.41 hectare subject area is irregular in shape with a 119 m (390.0) frontage along a major arterial corridor leading to Old East Village and Downtown in the City of London. This large site is located predominantly in an industrial area and contains two industrial buildings.



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Surrounding land uses consist of vacant and occupied industrial uses and railway spur lines to the north and east, and industrial to the south. Residential neighbourhoods and small scale commercial are located to the west.

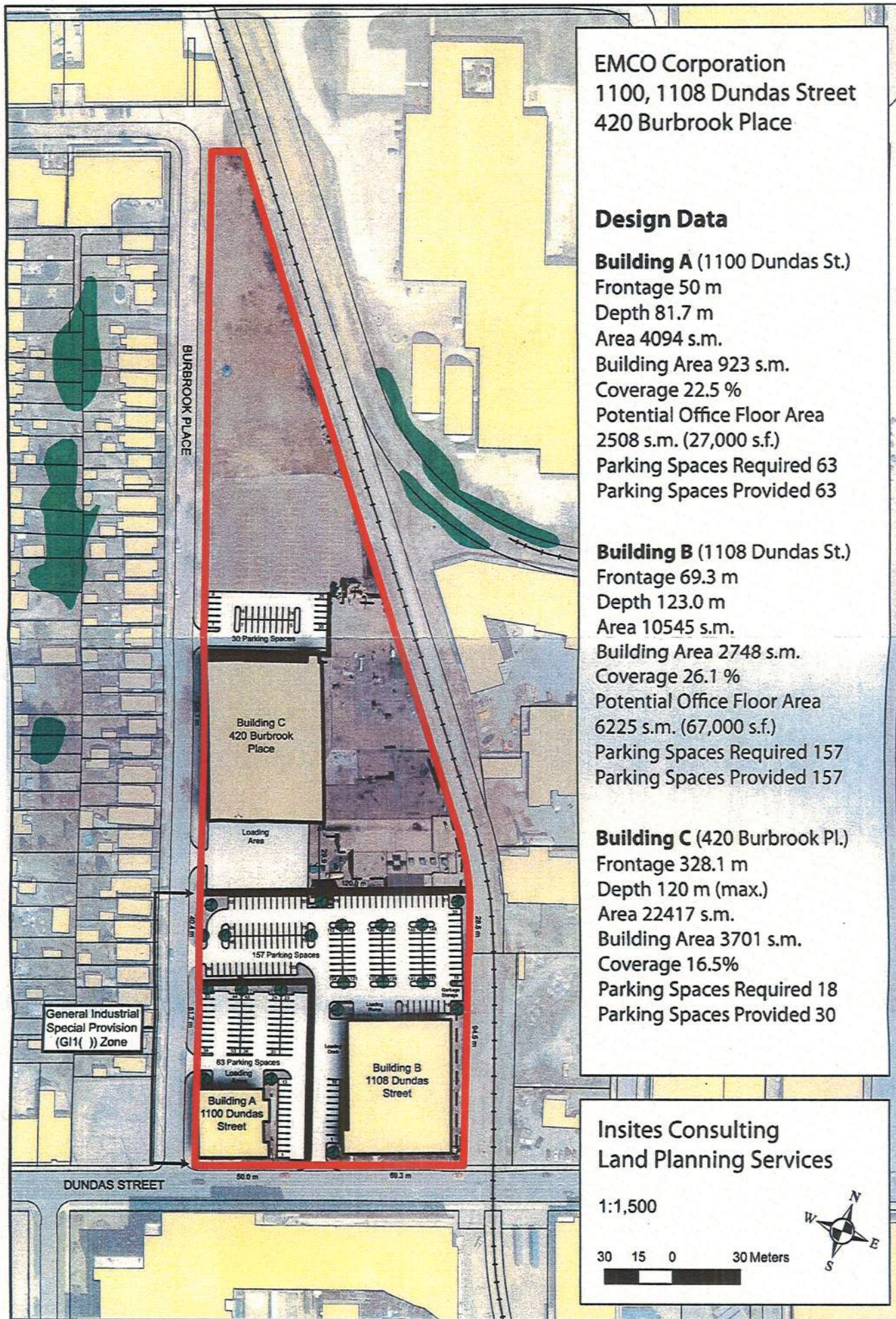
Considered a part of East London, the subject site is located in an area truly unique in its history and combined industrial/residential character. In the mid 1850s the railway lines began to appear in the area. With more industrial infill, the area became not only a place to pass through between Downtown London and lands to the east, but an employment destination. Jobs required workers and workers needed homes, often in close proximity to the factories and refineries that were springing up in the area. Public transportation was provided by the London Street Car line which ran along Dundas Street - ending at today's "Western Fair" in 1880 - and extended to Highbury Ave in 1902. With rail and road transportation in close proximity, the area retained much of the industrial character built up over a short period. The area not only attracted large manufacturing operations, but has also witnessed many smaller businesses and commercial enterprises open and thrive. The area was known to provide local residents with local employment and the impact of these industries, residences and commercial enterprises are still visible in the area today.

Opened as The Empire Manufacturing Co. brass foundry, this is the oldest continuously used site in the area. The site has seen change over the years, along with several changes in the area. Along with the many vacancies over the last decade or so, EMCO closed the manufacturing portion of this site in early 2011.

**What is the nature of the application?**

The details of the application are summarized in the following illustration. The subject area for the application is the front portion of the site, and contains two industrial buildings, 1100 and 1108 Dundas Street. 420 Burbrook Place is not part of this application. The smallest of the two buildings, 1100 Dundas Street is approximately 2508 m2 in size, currently occupied by CCTF Corporation and Xerox Corporation. 1108 Dundas Street, the large industrial building to the east is currently occupied by EMCO Corporation. The applicant is proposing to demolish the rear portion of 1108 Dundas and retain the front portion at 6224 m2. To note the rear part of the building was the manufacturing portion of the EMCO Corporation that closed in early 2011.

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The applicant requests amendments are to allow offices as permitted uses in the existing buildings, excluding medical/dental offices, and to permit a limited range of commercial uses.

To achieve the proposal, the applicant has requested an amendment to the Official Plan to add a Specific Area Policy to Chapter 10 and a Zoning By-law amendment too for the existing building at 1100 Dundas Street for office space, excluding medical/dental office, to a maximum of 2,508 square metres (27,000 square feet); and for the existing building at 1108 Dundas Street for office space, excluding medical/dental office, to a maximum of 6,224 square metres (67,000 square feet).

### **Is large scale office space appropriate in the General Industrial designation?**

The lands are designated *General Industrial* in the City of London Official Plan. General Industrial lands are intended for a broad range of industrial uses including activities that could have a detrimental impact on residential or other uses. For this reason, the General Industrial designation is for the most part intended to apply to areas which are appropriately separated from residential land uses. In this case however, the designation has been applied in recognition of this industrial area - which predates the Official Plan and has historically been adjacent to residential uses. Polices are to provide for the control of development in these areas to minimize potential adverse impacts, however policies can have the effect of limiting emerging development opportunities in favour of perpetuating the existing character of the area, or protecting the potential of the vacant or underutilized lands. Due to the historic industrial character of this area, there is an interesting variety of industrial and commercial users here.

A limited range of non-industrial uses may also be permitted, provided that they are complementary to, and supportive of, the surrounding industrial area. The surrounding properties are designated General Industrial, in addition to some Residential designation, and Light Industrial designation.

Main permitted uses in the General Industrial category include: any industrial use that includes assembling, fabricating, manufacturing, processing, and repairing activities; service trades; public and private utilities and related facilities; large storage facilities, such as wholesale and warehouse establishments, contractors yards, transportation terminals, and heavy equipment sales and service; and residential and other source recycling facilities, subject to policy 7.5.3. which are ancillary to the above uses are also allowed. Zoning on individual sites may not allow for the full range of permitted uses.

It is the intention of the applicant that the existing buildings continue to be used as office with a limited amount of commercial. Therefore, the issue at hand is the amount of the office space being proposed.

Given the vacancy rates experienced in this area over the past 10-15 years, this application does present a good opportunity for offices in existing buildings that no longer satisfactorily operate in their original planned function of manufacturing and with administrative offices. While this approach is a change of use and ideally an Office Designation would apply, there are ongoing uses existing on the site. In light of these ongoing uses, it would be unreasonable to change the designation of the site to Office designation at this time given the McCormick Area Study of the lands is not yet complete.

The Official Plan does not place size limits on the amount of ancillary office space that is permitted within Industrial designations. Rather, the Official Plan only limits the size of non-ancillary office space within these designations.

The Official Plan defines small scale office space as that which is 2,000 m<sup>2</sup> or less, and medium scale office space as that which is 2,000m<sup>2</sup> to 5,000 m<sup>2</sup>.

The intention of the Plan is to allow an industrial use to integrate office use which is ancillary and incidental to the main permitted use, without specific limits or caps on this ancillary office floor area. The only limits on size are those that apply to industrial uses in general, as noted in

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the policy above (ie "the zoning by-law may specify maximum building heights and site coverages so that the scale of new industrial development will have a minimal impact on any non-industrial uses in the surrounding area").

Clearly, the industrial zones implement this policy by restricting all office space that "is not ancillary and incidental to the main permitted use" by capping the total amount of office space.

Section 2.4 - City Structure Policies, of the Official Plan, indicate that the Downtown shall be the primary business, office, institutional, entertainment and cultural centre for the City. With regard to office development, the policies indicate that the Downtown shall continue to be the dominant office employment area in the City, and large office developments shall be encouraged to locate there. Opportunities will be provided for small and medium-scale office development in locations outside of the Downtown to accommodate uses that have site area, location or accessibility requirements which may not be appropriate for a Downtown location. Corporate head offices and major branch offices are expected to be large in scale and are also permitted in the Office Business Park designation.

Over 5000 m<sup>2</sup> is considered large scale and should be directed downtown, to Office Business Park designations or the Office Area designations which meet the intent of the Official Plan. Allowing for large scale office in the industrial designation could set a precedent. Large scale office uses that are non-accessory to permitted industrial uses can also create land use conflicts with industrial uses and undermine the viability of the office function in planned office areas, office business parks and the Downtown. The Official Plan clearly intends to avoid such development within industrial areas and directs such uses to the Downtown, Office Business Parks and Office Areas.

**Are the Recommended Amendments to Permit a Total Aggregate Office Use of 5000m<sup>2</sup> and a Limited Commercial Use Appropriate?**

Provincial Policy Statement

Municipalities are obligated under the Planning Act to be consistent with the Provincial Policy Statement (PPS), issued under Section 3 of the Planning Act, which provides policy direction on matters of provincial interest related to land use planning. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation. As it relates to this application, the PPS does encourage *intensification* and *redevelopment* of existing building stock.

Of particular interest is Section 1.1.3, Section 1.1.1, and Section 1.31 which state the following:

*1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

*1.1.1 Healthy, liveable and safe communities be sustained by such methods as, promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term, 'accommodating an appropriate range and mix of residential, employment, recreational and open space uses to meet the long-term needs', 'avoiding development and land use patterns which may cause environmental or public health and safety concerns' and, 'promoting cost-effective development standards to minimize land consumption and servicing costs.*

*1.3.1 Promote economic development and competitiveness by such means as, providing for an appropriate mix and range of employment to meet long-term needs" 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.*

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The office uses are existing. The proposal is consistent with the policies of the PPS which require that efficient development and land use patterns be promoted and as well as the policy which requires that cost-effective development standards to minimize land consumption and servicing costs be promoted.

The subject site, and the uses in the immediate area, are zoned and designated for a mix of general and light industrial uses. An expansion to the range of uses for this site to include the existing office uses and some small scale commercial uses is not incompatible with the range and types of uses that currently exist in this area and does not create a situation which increases the potential for environmental or public health and safety concerns above that which may currently exist in the area.

Policy 1.3.1 of the PPS requires planning authorities to promote economic development and competitiveness by such means as, "providing for an appropriate mix and range of employment to meet long-term needs" 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". The proposed uses will accommodate a wide range of uses.

## **Official Plan**

### **Chapter Ten – Specific Policy**

Notwithstanding the other land use policies contained within the Official Plan, Chapter 10 - Policies for Specific Areas may be applied where the application of existing policies would not accurately reflect the intent of Council with respect to the future use of the land. Under Chapter 10, there is the opportunity to provide policies to specific areas. Section 10.1.1 outlines the criteria to adopt policies for Specific Areas. Typically, Official Plan designations are not necessarily bound by property lines, except in the case of those properties specified in Chapter 10 - Policies for Specific Areas.

The criteria to adopt policies for Specific Areas under Chapter 10, must meet a series of conditions under Section 10.1.1. These conditions are defined as:

- i) The change in land use is site specific, is appropriate given the mix of uses in the area, and cannot be accommodated within other land use designations without having a negative impact on the surrounding area;
- ii) The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use;
- iii) The existing mix of uses in the area does not lend itself to a specific land use designation for directing future development and a site specific policy is required;
- iv) The policy is required to restrict the range of permitted uses, or to restrict the scale and density of development normally allowed in a particular designation, in order to protect other uses in an area from negative impacts associated with excessive noise, traffic, loss of privacy or servicing constraints.

These conditions are evaluated below.

#### *Change is site specific given the mix of uses in the area*

Despite numerous changes in this area over the years, the area has failed to remain a viable industrial area. The area has an adjacent stable residential community but at this time given the McCormick Area Study on the lands, a change in land use designation would not be appropriate and premature.

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Given the vacancy rates experienced in this area over the past 10-15 years, this application does present a good opportunity for continuing the office use in the existing buildings that no longer satisfactorily operates in its original planned function of manufacturing and with ancillary administrative offices.

*Maintain existing land use designations while allowing for a site specific use*

This proposal is essentially asking for an Office designation. This Chapter 10 approach will allow for the general land use designation to be maintained, and provide for the current office uses to remain with some additional small scale commercial, not only within the boundaries of the existing site, but this proposed by-law can, should Council deem appropriate, confine the offices and commercial to the existing buildings only.

*The existing mix of uses in the area does not lend itself to a specific land use designation*

Although permitting office and commercial space in an industrial area cannot be deemed as appropriately "directing future development" it does attempt to adaptively reuse buildings in an area that has experienced ongoing vacancies for close to 15 years.

*Restrict the range of permitted uses, or to restrict the scale and density of development normally allowed in a particular designation*

As noted above, the desired scale of offices outside of the Downtown are clearly defined as "opportunities will be provided for small and medium-scale office development in locations outside of the Downtown" and that under Chapter 5, Office Land Use Designation, the Scale of Development in Section 5.2.4., this section states that "office development between 2,000 square metres (21,529 sq.ft.) and 5,000 square metres (53,921 sq.ft.) gross floor area will normally be considered 'medium scale'"

Planning Impact Analysis

Section 7.2.2 of the Official Plan outlines some of the non-industrial uses that may be permitted by a site specific zoning by-law amendment in the General Industrial designation. Convenience stores, restaurants, personal services, and financial institutions are permitted by site specific zoning subject to Section 7.6 Planning Impact Analysis:

The proposed uses have been reviewed against the criteria listed in Section 7.6 (Planning Impact Analysis) in order to assess the proposed uses and identify any mitigation measures which may be required.

The proposed uses within the existing buildings with maximum gross floor areas are in keeping with the character of the existing industrial development in the area. As contemplated by the Official Plan, the proposed commercial uses will support the business activities of the industrial area, as well as the nearby residential areas, and the offices will continue to function without the manufacturing component.

The policies under Section 7.3 and 7.6 of the Official Plan provide criteria to assist in evaluating this sites suitability for the requested zoning. The recommended zone variation implements the Official Plan and is appropriate. The proposed development is compatible with the area and will not negatively affect the existing and/or future uses in the area, and the site is of sufficient size to accommodate the proposed uses.

Given the function and purpose of the buildings and the site's location on a major corridor into the Old East Village and Downtown, these uses and special provisions can be considered appropriate, considering the uses are kept within the existing buildings and how the site fits into the larger context of the area.

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**File No: OZ-7918**  
**Planner: A. Riley**

The request to amend the Official Plan and Zoning By-law to expand the amount of office uses on the subject site seeks to impose a change to the planned function of the lands that are intended to be used with the intent of the General Industrial policies of the Official Plan.

However, given that this area has endured long periods of vacancies and the manufacturing portion has been closed on this site, maintaining the existing offices and allowing a small amount of commercial is viable for this site. The Official Plan confines the amount of office uses permitted to "limited amounts". The Official Plan is very deliberate as to the location and scale of office space is to be located. By restricting the scale of offices outside of the Downtown as "*small and medium-scale office development*" these policies seek to minimize land use conflicts and to stabilize the viability of the Downtown. Amending the Official Plan to include a Specific Area Policy in Chapter 10 to allow for office uses with a maximum aggregate gross floor area of 5000m<sup>2</sup> (53,821 square feet) will acknowledge that this site no longer satisfactorily operates in its original planned function, recognizing the uniqueness of this location in an old industrial area, adjacent to a long-established old residential community and Old East Village.

***McCormick Area Study***

Chapter 10 of the Official Plan indicates that appropriate criteria for the review of possible Specific Area Policies is to be determined based on the possible impact on the surrounding land use designations.

Council clearly directed staff to conduct the McCormick Area Study to establish a long term vision for the area and to determine whether policy changes are necessary to pursue this vision, recognizing that the character of this industrial area is in transition and a new policy focus may be required. A new policy focus may result in changes to the land use designations on the subject property and in the surrounding area, as well as possible area specific policies. The Director of Land Use Planning and City Planner has recommended this study be suspended until July 2012, or until sufficient department resources become available to resume it.

It is also noted that the McCormick Area Study is a community driven study and the members of the public who have participated in the study thus far, are very engaged and have high expectations for the area. As evidenced by the responses to the current application from Old East Village Community Association and the Old East Village Business Improvement Association, those public expectations would be seriously disappointed if a change in the Official Plan designation from General Industrial is approved in the absence of an overall strategy for the area.

The objectives for existing industrial areas are set out in Section 7.1.5 of the Official Plan. They support the recognition of older, viable inner-city industrial areas and provision for their continuation and improvement, and encourage the rehabilitation or replacement of functionally obsolete industrial buildings, and the relocation of incompatible uses to more appropriate locations. Council, in directing that the McCormick Area Study be conducted, has recognized that this area may not be viable for industrial uses over the long term, and that a strategy needs to be put in place to ensure that the phasing out of some or all of the industrial uses is done in an orderly and planned fashion.

Therefore, a Chapter Ten Policy is appropriate as it sets out to recognize the existing buildings, existing office uses and allows very minimal commercial uses at this time.

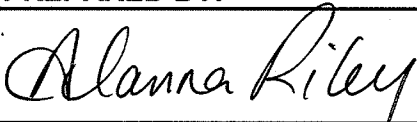


<b>CONCLUSION</b>
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These sites have catered to industrial uses over their history and the interface between them and the surrounding uses has evolved over the many years with no apparent indicators of adverse impacts. This recommendation provides for and regulates existing office uses and a limited range of commercial uses that are compatible with the surrounding community. It is the opinion of Planning Staff that the recommendation based on the criteria as outlined in this report is appropriate.

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File No: OZ-7918  
Planner: A. Riley

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
	
<b>ALANNA RILEY – PLANNER II COMMUNITY PLANNING AND URBAN DESIGN</b>	<b>JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN</b>
<b>RECOMMENDED BY:</b>	
	
<b>JOHN M. FLEMING, MCIP, RPP CITY PLANNER</b>	

September 15, 2011  
AR/ar





Agenda Item #      Page #

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**File No: OZ-7918**  
**Planner: A. Riley**

**Appendix 'A'**

**Bill No.** (number to be inserted by Clerk's Office)  
**2011**

**By-law No. C.P.-1284-\_\_\_\_\_**

**A by-law to amend the Official Plan for the EMCO Corporation, relating to 1100 and 1108 Dundas Street.**

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 October 3, 2011.**

**Joe Fontana**  
Mayor

**Catharine Saunders**  
City Clerk

First Reading – October 3, 2011  
Second Reading – October 3, 2011  
Third Reading – October 3, 2011

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**AMENDMENT NO.**  
**to the**  
**OFFICIAL PLAN FOR THE CITY OF LONDON**

**1. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is:

To add a policy in Chapter 10, Section 10.1.3, Policies for Specific Areas, of the Official Plan to permit in addition to uses permitted in the General Industrial designation, office uses with a maximum aggregate gross floor area of 5000 m<sup>2</sup>, excluding medical/dental office, in the existing buildings, recognizing the uniqueness of this location along a major corridor in London leading to the Old East Village and Downtown; and to include a limited amount of commercial uses including convenience stores, financial institutions, restaurants, and personal service establishments not exceeding a total of 1,000 square metres (10,764 square feet).

**B. LOCATION OF THIS AMENDMENT**

1. This Amendment applies to lands located 1100 and 1108 Dundas Street in the City of London.

**C. BASIS OF THE AMENDMENT**

1. The recommended Official Plan amendment to establish a Specific Area Policy (Chapter 10) conforms to the criteria for the adoption of site specific policies under Section 10.2.1 in the Official Plan. Policies for Specific Areas may be applied where the application of existing policies do not accurately reflect the intent of Council with respect to the future use of the land, and when the requested Official Plan amendment for the subject site is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.
2. The Specific Area Policy is considered appropriate given the site's unique location along a major corridor in London leading to the Old East Village and Downtown.

**D. THE AMENDMENT**

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

1. Chapter 10, Section 10.1.3., Polices for Specific Areas, of the Official Plan for the City of London Planning Area is amended by adding the following:

In the General Industrial designation of lands located at 1100 and 1108 Dundas Street, in addition to the uses permitted in the General Industrial designation, office uses will be permitted in existing buildings, excluding medical/dental offices and clinics, with a maximum aggregate gross floor area of 5000 m<sup>2</sup>, recognizing the uniqueness of this location along a major corridor in London leading to the Old East village and Downtown; and to include a limited amount of commercial uses including convenience stores, financial institutions, restaurants, and personal service establishments, but excluding pharmacies, not exceeding a total of 1,000 square metres (10,764 square feet);

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**File No: OZ-7918**  
**Planner: A. Riley**

Appendix 'B'

Bill No. (number to be inserted by Clerk's Office)  
 2011

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1100 and 1108 Dundas Street.

WHEREAS EMCO Corporation has applied to rezone 1100 and 1108 Dundas Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan as amended by the Official Plan Amendment No. \_\_\_\_;

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 of the lands located at 1100 and 1108 Dundas Street, as shown on the attached map comprising part of Key Map No. 74, from a General Industrial (GI1) Zone to a General Industrial Special Provision (GI1( )) Zone.
2. Section 41.4 of the General Industrial (GI1) Zone Variation, of the Zoning By-law No. Z.-1 is hereby amended by adding the following new special provision:

Section No. 41.4	GI1( )	
a)	Additional Permitted Use[s]	
i)	Offices within existing buildings, excluding medical/dental offices and clinics	
ii)	Convenience Stores, financial Institutions, restaurants, and personal service establishments, but excluding pharmacies	
b)	Regulations	
i)	Notwithstanding other regulations to the contrary, the maximum gross floor areas, building heights and building locations, shall be as existing on the date of this by-law;	
ii)	Restricted to existing buildings	
iii)	Aggregate Gross Floor Area for Non-ancillary Offices	5,000m2 (53,821 sq.ft.) (maximum)
iv)	Commercial Uses Gross Floor Area	1,000m2 (10,764 sq.ft.) (maximum)

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. P.13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on October 3, 2011

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**File No: OZ-7918**  
**Planner: A. Riley**

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

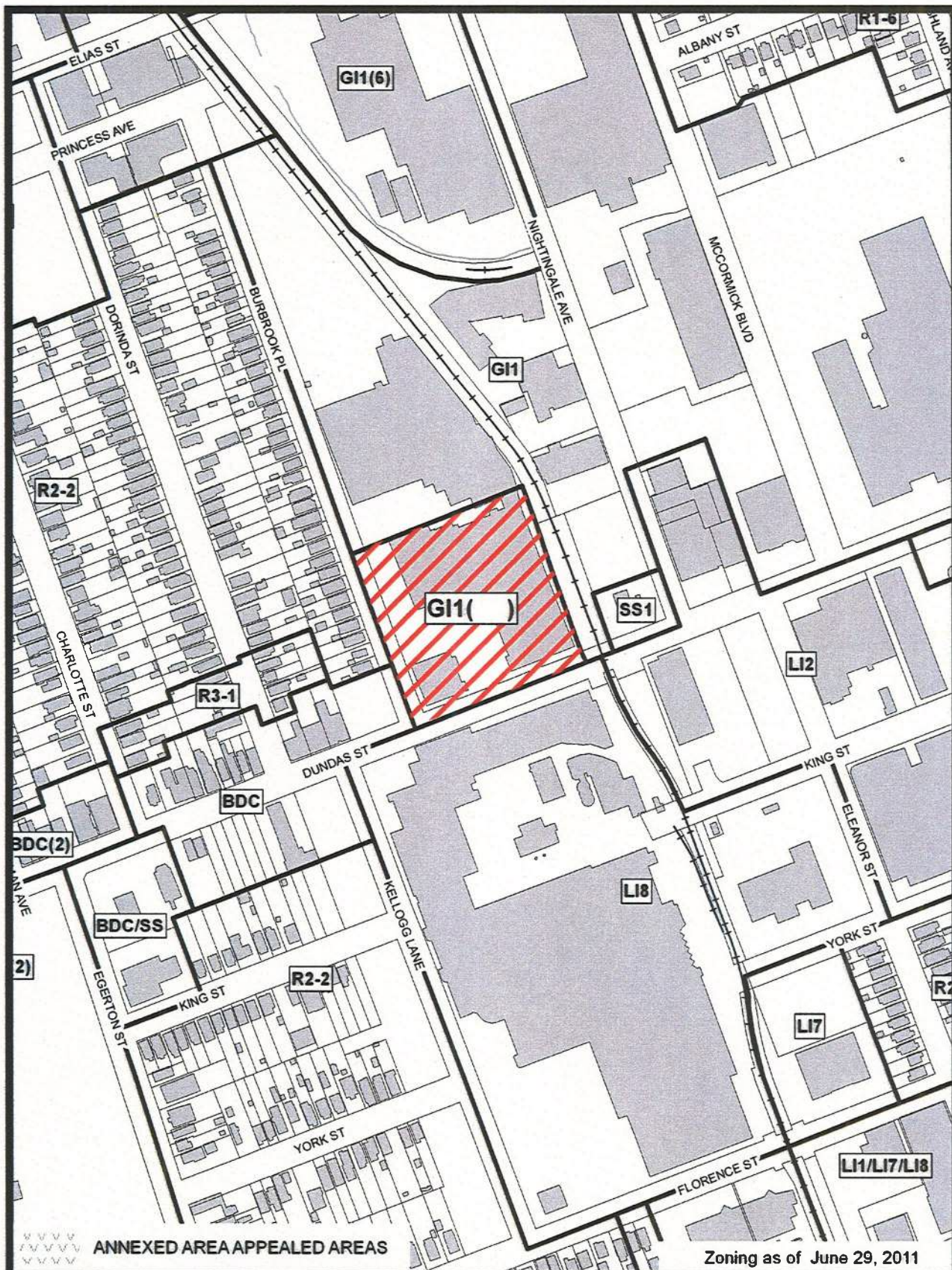
First Reading -	October 3, 2011
Second Reading -	October 3, 2011
Third Reading -	October 3, 2011

Agenda Item #

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



File Number: OZ-7918  
 Planner: AR  
 Date Prepared: 2011/09/07  
 Technician: CK  
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,500

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 Meters

