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File No: OZ-7999  
Planner: N. Musicco

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING AND ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING DIRECTOR OF LAND USE PLANNING &amp; CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: KNUTSON DEVELOPMENT CONSULTANTS LTD. 176 AND 184 RECTORY STREET PUBLIC PARTICIPATION MEETING ON MONDAY APRIL 16, 2012</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Director of Land Use Planning & City Planner, the following actions be taken with respect to the application of Knutson Development Consultants Limited relating to the properties located at 176 and 184 Rectory Street:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on May 1, 2012 to amend the Official Plan to change the exiting "Low Density Residential" designation of the subject lands by ADDING a special policy in Chapter 10 - "Policies for Specific Areas" to permit a 'rental and repair establishment' including the repair, maintenance and provision of filters for HVAC equipment.
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on May 1, 2012 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan, as amended in part (a) above) to change the zoning of the property located at 176 and 184 Rectory Street **FROM** a Residential (R3-2) Zone which permits single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, converted dwellings and fourplex dwellings **TO** a Residential/Light Industrial Special Provision (R3-2/LI8( )) Zone to recognize existing industrial uses and add 'repair and rental establishment' to the list of permitted uses.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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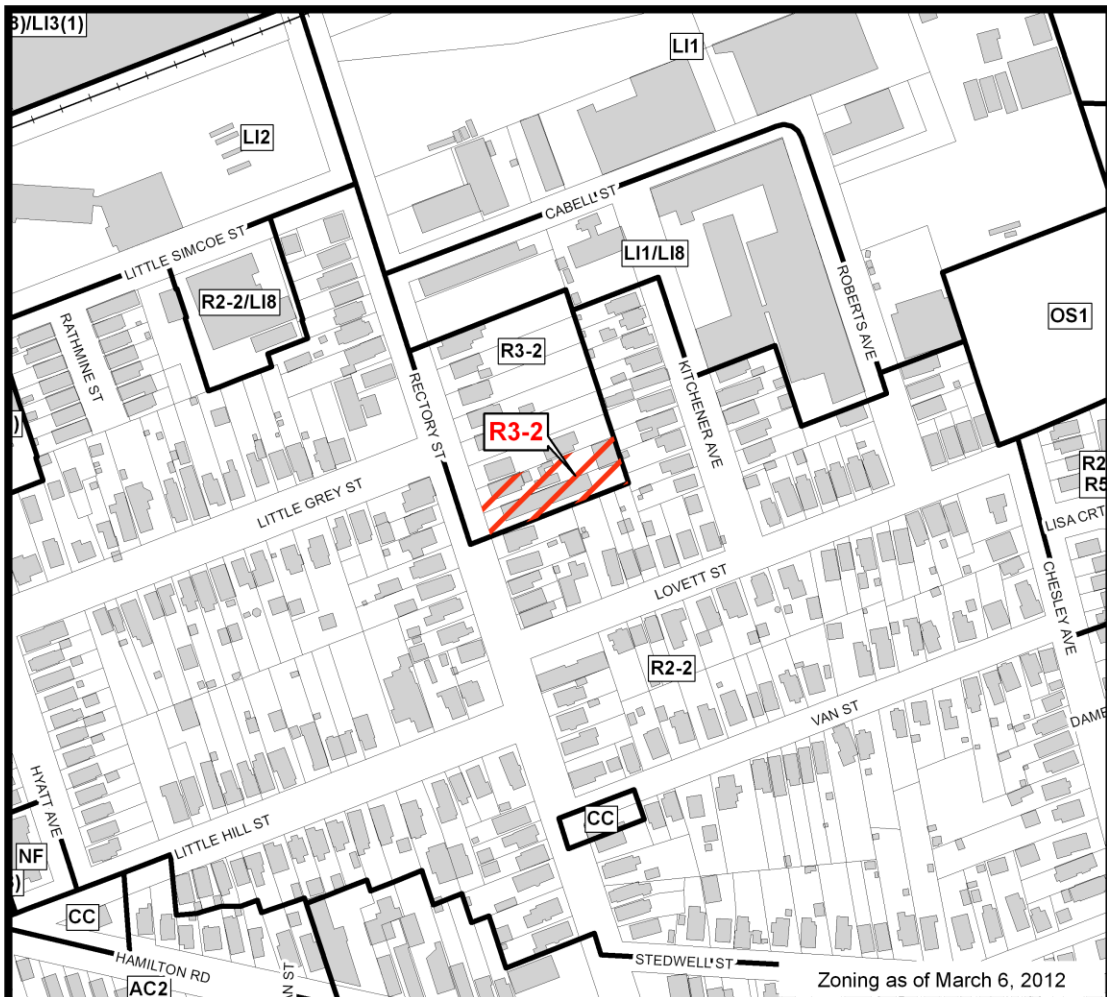
The requested amendment would permit the ongoing use of 176 and 184 Rectory Street as a rental and repair facility including the repair, maintenance and provision of filters for HVAC equipment.

<b>RATIONALE</b>
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- The recommended amendments are consistent with the polices of the Provincial Policy Statement (2005).
- The recommended special policy in the Official Plan amendment is supported by Policy 10.1.1 ii), which allows Council to apply specific policies where the change in land use is site specific and is located in an area where Council wishes to maintain the existing land use designation, while allowing for a site specific use.
- The subject lands are of a size and shape to accommodate the proposal. The recommended Zoning By-law amendment provides appropriate regulations to control the use and intensity of the building and limits the development to 'existing industrial uses'.
- The use has achieved an acceptable measure of compatibility with adjacent uses, is not associated with any building deterioration or lack of property maintenance, and does not interfere with the development of conforming uses in the surrounding area.

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**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R3-2**

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
- SS - 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

2) ANNEXED AREA APEALED AREAS

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

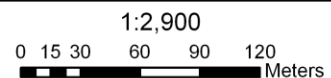
**CITY OF LONDON**  
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



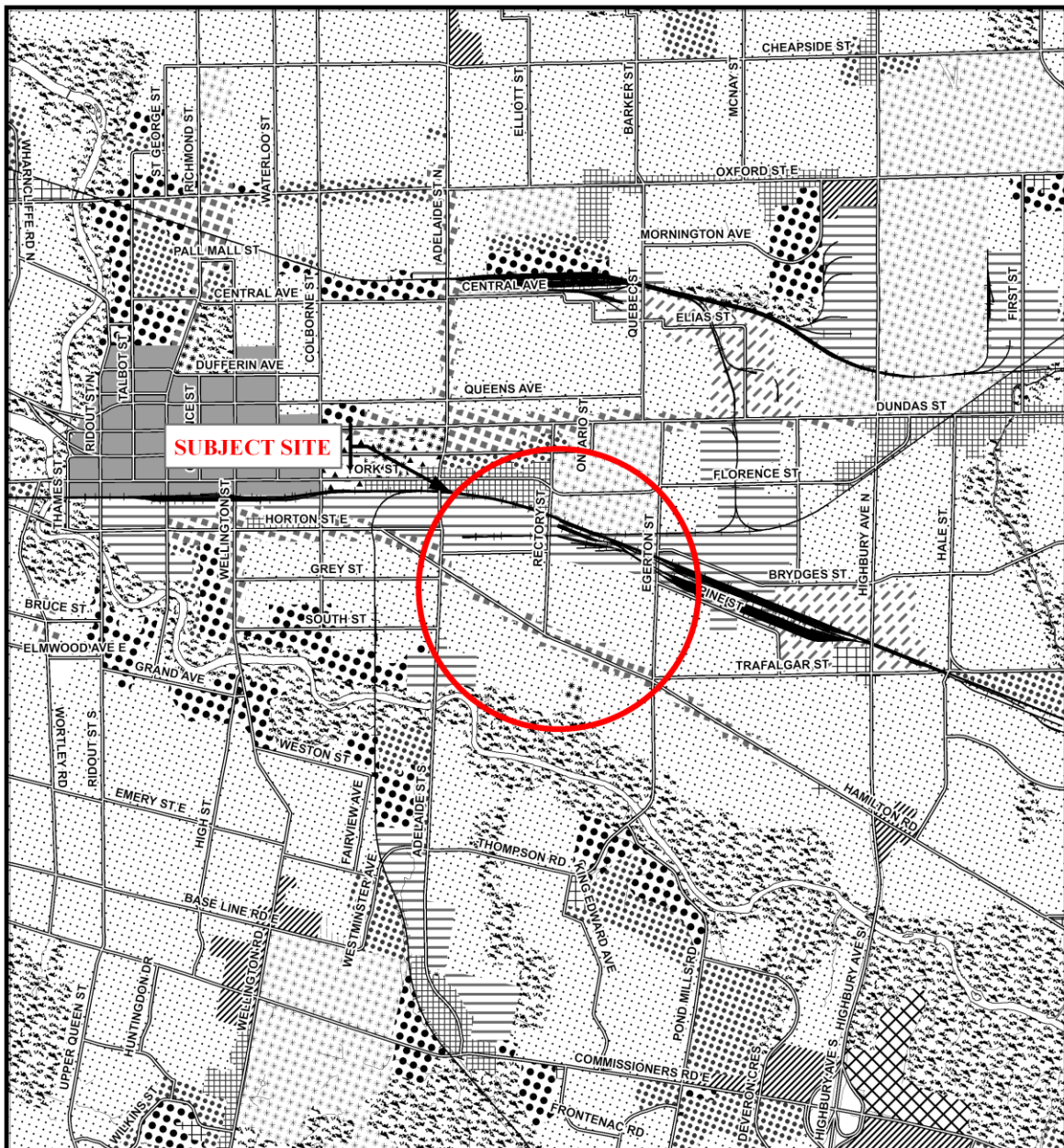
FILE NO:  
OZ-7999 NM

MAP PREPARED:  
2012/03/08 CK



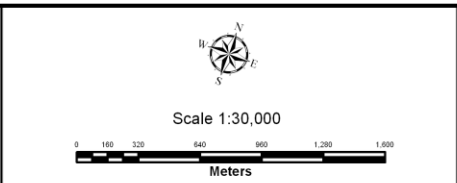
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Legend	
	Downtown Area
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density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

**CITY OF LONDON**  
Department of  
Planning and Development  
**OFFICIAL PLAN SCHEDULE A**  
- LANDUSE -  
  
PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-7999  
PLANNER: NM  
TECHNICIAN: CK  
DATE: 2012/03/08

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**BACKGROUND**

<b>Date Application Accepted:</b> December 19, 2011	<b>Agent:</b> Ric Knutson Knutson Developing Consultants Limited
<b>REQUESTED ACTION:</b> The requested amendment to add a new Special Policy Chapter 10 to the Official Plan that would permit the ongoing use of 176 and 184 Rectory Street as a rental and repair facility including the repair, maintenance and provision of filters for HVAC equipment. Possible amendment to the Zoning By-law Z.-1 <b>FROM</b> a Residential (R3-2) Zone which permits single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, converted dwellings and fourplex dwellings <b>TO</b> a Residential Special Provision (R3-2( )) Zone to add 'repair and rental establishment' to the list of permitted uses.	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Whites Rent-All, associated open storage for equipment for sale, repair and servicing of HVAC equipment and provision of filters.</li> <li>• <b>Frontage</b> – 24 meters</li> <li>• <b>Depth</b> – 73 meters +/-</li> <li>• <b>Area</b> – 0.18 hectares</li> <li>• <b>Shape</b> - irregular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• North: Residence with commercial and industrial uses.</li> <li>• South: Multi-unit residential and single family detached.</li> <li>• East: Multi-unit residential and single family detached.</li> <li>• West: Single family detached.</li> </ul>

<b>OFFICIAL PLAN DESIGNATION:</b> Low Density Residential (refer to map)
The primary permitted uses in areas designated Low Density Residential shall be single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster houses may also be permitted subject to the policies of this Plan and provided they do not exceed the maximum density of development permitted under policy 3.2.2. Residential Intensification may be permitted subject to the provisions of policy 3.2.3. Zoning on individual sites would not normally allow for the full range of permitted uses.
<b>EXISTING ZONING:</b> Residential (R3-2) (refer to map)
The R3 Zone provides for and regulates low to low-medium density residential development permitting single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, fourplex dwellings; and allows for the conversion of an existing dwelling. There are four variations to the R3 Zone in order to provide for a wide range of lot sizes and dwelling styles. The R3-2 and R3-3 Zone variations are intended to be used throughout the City for most low to medium-low residential developments. The permitted uses include: singles, semis, duplex, triplex, fourplex and converted dwellings.

**PLANNING HISTORY**

176 Rectory Street has been functioning as a continuous light industrial use for approximately 65 years. The industrial use expanded onto the adjacent lot (184 Rectory Street) 13 years ago. The general area is a combination of mixed uses that have evolved over many years. Immediately north of 184 Rectory Street is another light industrial use recognized as legal non-conforming that is currently zoned Residential R3-2 and has been in existence for many years. There are several industrial uses to the north of the property that developed over the years in association with the CN railway.

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<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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<b>PUBLIC LIAISON:</b>	On December 23, 2011 a Notice of Application was sent to 18 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on December 24, 2011. A "Possible Land Use Change" sign was also posted on the site.	<b>RESPONSES:</b>  2
<b>Nature of Liaison:</b> The requested amendment to add a new Special Policy Chapter 10 to the Official Plan that would permit the ongoing use of 176 and 184 Rectory Street as a rental and repair facility including the repair, maintenance and provision of filters for HVAC equipment. Possible amendment to the Zoning By-law Z.-1 <b>FROM</b> a Residential (R3-2) Zone which permits single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, converted dwellings and fourplex dwellings <b>TO</b> a Residential Special Provision (R3-2( )) Zone to add 'repair and rental establishment' to the list of permitted uses.		
<b>Responses:</b> Don Chu (826 Lovett Street) – Concerns with privacy screening and noise. Mark Ennett (828 Lovett Street) - Concerns with privacy screening and noise.		

**Upper Thames River Conservation Authority**

No objection.

**Sanitary Sewers Division**

No comment.

**Storm Water Management Division**

No comment.

**Transportation Division**

No comment

**Development Approvals Business Unit**

Since there are not any additions or alterations to the existing building, or the change in use will have the effect of substantially increasing the usability of the site, there is no development as per Section 41 of the Planning Act and no site plan approval is required.

**London Hydro**

No objection.

**Bell Canada**

Bell Canada has no conditions/objections to the application. If there are any conflicts with existing Bell Canada facilities or easements, the Owner/Developer shall be responsible for re-arrangements or relocations.

<b>ANALYSIS</b>
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The subject site is located east of Adelaide Street north and north Hamilton Road. There is a mix of general/ light Industrial and residential uses in this area. To the north of the site, the uses along Rectory Street range from industrial types historically associated with the proximity of the Railway tracks to older commercial areas associated with Dundas Street and Hamilton Road. Residential type uses border the subject lands to the east and west of the site. The Canadian National Railway is located approximately 300 meters north of the subject site.

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**Nature of the Request**

The applicant has applied for an Official Plan and Zoning By-law Amendment to add a special policy that would permit the continued use of 176 and 184 Rectory Street as a rental and repair facility including the HVAC Air Filter Service which has been on the site for years. This amendment includes a change to the zoning to add “repair and rental establishment’ to the list of permitted uses. The associated activities will also include the repair and maintenance of small engines, sale of bits and blades associated with the rental equipment.

**Response to Public Concerns**

176 Rectory Street has been in continuous light industrial use for in excess of 65 years and expanded onto 184 Rectory Street thirteen years ago. The applicant has agreed to add privacy fencing to buffer any adjacent residential uses; however there is no regulatory method to ensure this offer us executed since site plan control does not apply to this application.

**Provincial Policy Statement**

The Provincial Policy Statement, 2005 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. It is intended to be read in its entirety and the relevant policies are to be applied in each situation. As it relates to this application, the PPS provides some direction to this matter.

*Section 1.1.1(2) of the Provincial Policy Statement provides that “accommodating an appropriate range and mix of residential, employment (including industrial, commercial and institutional uses), recreational and open space to meet the long-term needs” helps to sustain healthy, livable and safe communities.*

*Section 1.1.3.2 indicates that Land use patterns within settlement areas shall be based on: a) densities and a mix of land uses which:*

- (a) 1. efficiently use land and resources;*
- 2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; and*
- 3. minimize negative impacts to air quality and climate change, and promote energy efficiency.*
- (b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3.*

*Section 1.1.3.3 states that 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.*

The recommended Official Plan and Zoning By-law amendments support building strong communities by promoting efficient development and expanding the range of employment opportunities in an area that is already serviced with municipal services and multi-modal transportation opportunities, and will provide a neighbourhood scale service in a manner that is compatible with the surrounding residential neighbourhood.

**Official Plan**

The Official Plan contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality. The polices promote orderly urban growth and compatibility among land uses. While the objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for social, economic and environmental matters.

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The subject properties are designated Low Density Residential in the Official Plan, permitting single detached, semi-detached and duplex dwellings as the main permitted uses. Secondary uses that are considered to be integral to, or compatible with, residential neighbourhoods, including group homes, home occupations, community facilities, funeral homes, and office conversions, may be permitted according to criteria set out elsewhere in the Plan.

Chapter 10 of the Official Plan allows Council to consider policies for specific areas where one or more of four of the following criteria apply:

- 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 wished 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 the 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.*

The applicable criterion is that "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 a site specific use." Should Council wish to consider the use of this criterion, it should evaluate whether it wishes to maintain the underlying Low Density Residential designation on the lands, and whether it considers the proposed use to be appropriate as a site specific use within the low density residential area. The Official Plan states that "The appropriate criteria to be applied will be determined from potential impacts on surrounding land use designations.

With regard to the existing Low Density Residential designation, the single detached residential neighbourhood is generally stable with the exception of those properties within the surrounding site that are currently being used as Industrial uses and should remain within the Low Density Residential designation. Changing the subject lands to another designation with a broad range of new permitted uses, forms and intensities would not be supportive of the intent for this area. Treated as a special policy, the proposal can be reviewed on its merits as a specific case and the policy can provide appropriate limitations on the future development of the land in order to maintain compatibility with the residential neighbourhood.

**19.5.1 - Recognition in the Zoning By-law**

*A legally established land use which does not conform to the Plan may be recognized as a permitted use in the Zoning By-law where Council is of the opinion that:*

**Hazardous Substances**

- i) *The use does not involve hazardous activities or substances that threaten the safety of the surrounding area.*

**Pollution**

- ii) *The use does not contribute to air or water pollution problems.*

**Compatibility**

- iii) *The use can or has achieved an acceptable measure of compatibility with adjacent uses, is not associated with any building deterioration or lack of property maintenance, and does not interfere with the development of conforming uses in the surrounding area.*

**Maintenance of Existing Role**

- iv) *The long-term continuation and any potential expansion of the use will not detract from the general intent of the Official Plan.*

**Amendments**

- v) *Recognition of the use in the Zoning By-law is not likely to result in proposals to amend the Plan to allow similar types of uses.*

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The proposed amendments will not change the current existing uses. The Special Policy Official Plan amendment and Special Provision Zoning By-law amendment will bring the uses into conformity. The use does not contribute to air or water pollution problems. The requested amendment would permit the ongoing use of 176 and 184 Rectory Street as a rental and repair facility including the repair, maintenance and provision of filters for HVAC equipment.

**Zoning By-law**

The R3 Zone provides for and regulates low to low-medium density residential development permitting single detached dwellings, semi-detached dwellings, duplex dwellings, triplex dwellings, fourplex dwellings; and allows for the conversion of an existing dwelling. There are four variations to the R3 Zone in order to provide for a wide range of lot sizes and dwelling styles. The R3-2 and R3-3 Zone variations are intended to be used throughout the City for most low to medium-low residential developments. The permitted uses include: singles, semis, duplex, triplex, fourplex and converted dwellings.

The applicant requested an amendment to the Residential R3-2 Zone to add 'repair and rental establishment'. Through the review of the application, Planning Staff have concluded that adding a Light Industrial Special Provision (LI8( )) Zone is more in keeping with the surrounding neighbourhood. Adding the Light Industrial (LI8) Zone will recognize the existing industrial uses and the special provision will address the request for the 'repair and rental establishment' to be added. The 'repair and rental establishment' use is more in keeping with an industrial zone.

*"REPAIR AND RENTAL ESTABLISHMENT" means a business engaged in maintaining, repairing, installing and renting articles and equipment for household, personal, construction and industrial use such as: radios and televisions; refrigeration and air conditioning; appliances; watches, clocks and jewellery; and reupholstery and furniture repair; power tools, mobile construction equipment and moving equipment. This does not include any other use specifically referred to or defined in this By-Law.*

*EXISTING DEFINED INDUSTRIAL USE" means the legally existing use on the effective date of this By-law and any other use included within the same definition as defined in Section 2.0 (Definitions) of this By-law. For example, lands containing an existing printers shop, which is defined as a service trade, would permit any uses that conform to the service trade definition*

**Planning Impact Analysis**

Planning Impact Analysis will be used to evaluate applications for an Official Plan amendment and/or Zoning By-law amendment, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding land uses. Planning Impact Analysis is intended to document the criteria reviewed by municipal staff through the application review process to assess an application for change. Depending upon the situation, other criteria may also be considered.

Proposals for changes in the use of land which require the application of Planning Impact Analysis will be evaluated on the basis of criteria relevant to the proposed change and identify ways of reducing any adverse impacts on surrounding land uses. Other criteria may be considered through the Planning Impact Analysis to assist in the evaluation of the proposed change. The criteria considered include the following:

- i) *compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;*

The use has achieved an acceptable measure of compatibility with adjacent uses, is not associated with any building deterioration or lack of property maintenance, and does not interfere with the development of conforming uses in the surrounding area.

- ii) *the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed uses;*



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The subject lands are of a size and shape to accommodate the proposal. The application is not required to go through the Site Plan Approval process as no external site renovations or building additions have been proposed.

- iii) the potential traffic generated by the proposed change, considering the most intense land uses that could be permitted by such a change, and the likely impact of this additional traffic on City streets, pedestrian and vehicular safety, and on surrounding properties;*

The City of London Environmental Engineering Review Division does not have any concerns with the proposed amendment to add 'repair and rental establishment' to the list of permitted uses.

- iv) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;*

The applicant is not proposing any external changes to the building. The subject lands are of a size and shape to accommodate the proposal.

- v) the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;*

The City of London Transportation Department has no concerns with the amendment to add 'repair and rental establishment' to the list of permitted uses.

- ix) the exterior design in terms of bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area and its conformity with the City's commercial urban design guidelines;*

The applicant is not proposing any changes to the site. The applicant will be utilizing the existing buildings for the repair and rental establishment use.

- x) the potential impact of the proposed development on surrounding natural features and heritage resources;*

There are no natural features surrounding the subject lands.

- xi) constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration, and rail safety may limit development;*

The Canadian National Railway is located to the north of the property. The Canadian National Railway was circulated the Notice of Application and Notice of Public Meeting and they did not provided any comments relating to this application. The location of the building is not being altered.

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<b>CONCLUSION</b>
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The requested Specific Policy Area is considered appropriate to address as a unique situation suitably dealt with through a special policy in Chapter 10 of the Official Plan. Restrictions within the special policy will limit the repair and rental establishment use to 176 and 184 Rectory Street exclusively. The special provisions in the Zoning By-law will also limit the repair and rental establishment use to the two properties. Any further expansion of the repair and rental establishment use would require a submission of a new application. The use has achieved an acceptable measure of compatibility with adjacent uses, is not associated with any building deterioration or lack of property maintenance, and does not interfere with the development of conforming uses in the surrounding area.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>NICOLE MUSICCO – 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 DIRECTOR OF LAND USE PLANNING &amp; CITY PLANNER</b>	

April 5, 2012  
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Agenda Item # Page #

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**Responses to Public Liaison Letter and Publication in “Living in the City”**

**Telephone**

Don Chu (826 Lovett Street) 519-642-7032  
Mark Ennett (828 Lovett Street) 519-673-3503

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File No: OZ-7999  
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**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 City of London,  
1989 relating to 176 and 184 Rectory 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 May 1, 2012

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading - May 1, 2012  
Second Reading - May 1, 2012  
Third Reading - May 1, 2012

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

**A. PURPOSE OF THIS AMENDMENT**

The purpose of this Amendment is to amend the Official Plan to change the existing "Low Density Residential" designation of the subject lands by ADDING a special policy in Chapter 10 - "Policies for Specific Areas" to permit a 'rental and repair establishment' including the repair, maintenance and provision of filters for HVAC equipment.

**B. LOCATION OF THIS AMENDMENT**

This Amendment applies to lands located at 176 and 184 Rectory Street.

**C. BASIS OF THE AMENDMENT**

The requested amendment is to add 'Repair and Rental Establishment' to the list of permitted uses.

- The recommended amendments are consistent with the polices of the Provincial Policy Statement (2005).
- The recommended special policy in the Official Plan amendment is supported by Policy 10.1.1 ii), which allows Council to apply specific policies where the change in land use is site specific and is located in an area where Council wishes to maintain the existing land use designation, while allowing for a site specific use.
- The subject lands are of a size and shape to accommodate the proposal. The recommended Zoning By-law amendment provides appropriate regulations to control the use of the building and the intensity of the uses and the building and limits the development to 'existing industrial uses'.

**D. THE AMENDMENT**

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

1. Section 10.1.3 -Policies for Special Areas of the Official Plan for the City of London is amended by adding the following:

176 and 184 Rectory Street

In the Low Density Residential designation at 176 and 184 Rectory Street a 'Repair and Rental Establishment' may also permitted in the existing buildings.

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**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 176 and 184 Rectory Street.

WHEREAS 1209571 Ontario Limited has applied to rezone an area of land located at 176 and 184 Rectory Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

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

- (a) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 176 and 184 Rectory Street, as shown on the attached map comprising part of Key Map No. 86 **FROM** a Residential (R3-2) Zone **TO** a Residential/Light Industrial Special Provision (R3-2/LI8( )) Zone
- 1. Section 40.4 of the Light Industrial Section of By-law No. Z.-1 is amended by adding the following Special Provision:

**40.4** LI8( ) 176 Rectory Street and 184 Rectory Street

a) Additional Permitted Uses:

i) Repair and Rental Establishment

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 subsection 34(21) 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 subsection.

PASSED in Open Council on May 1, 2012

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading - May 1, 2012  
Second Reading - May 1, 2012  
Third Reading - May 1, 2012

Agenda Item # Page #

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File No: OZ-7999  
Planner: N. Musicco

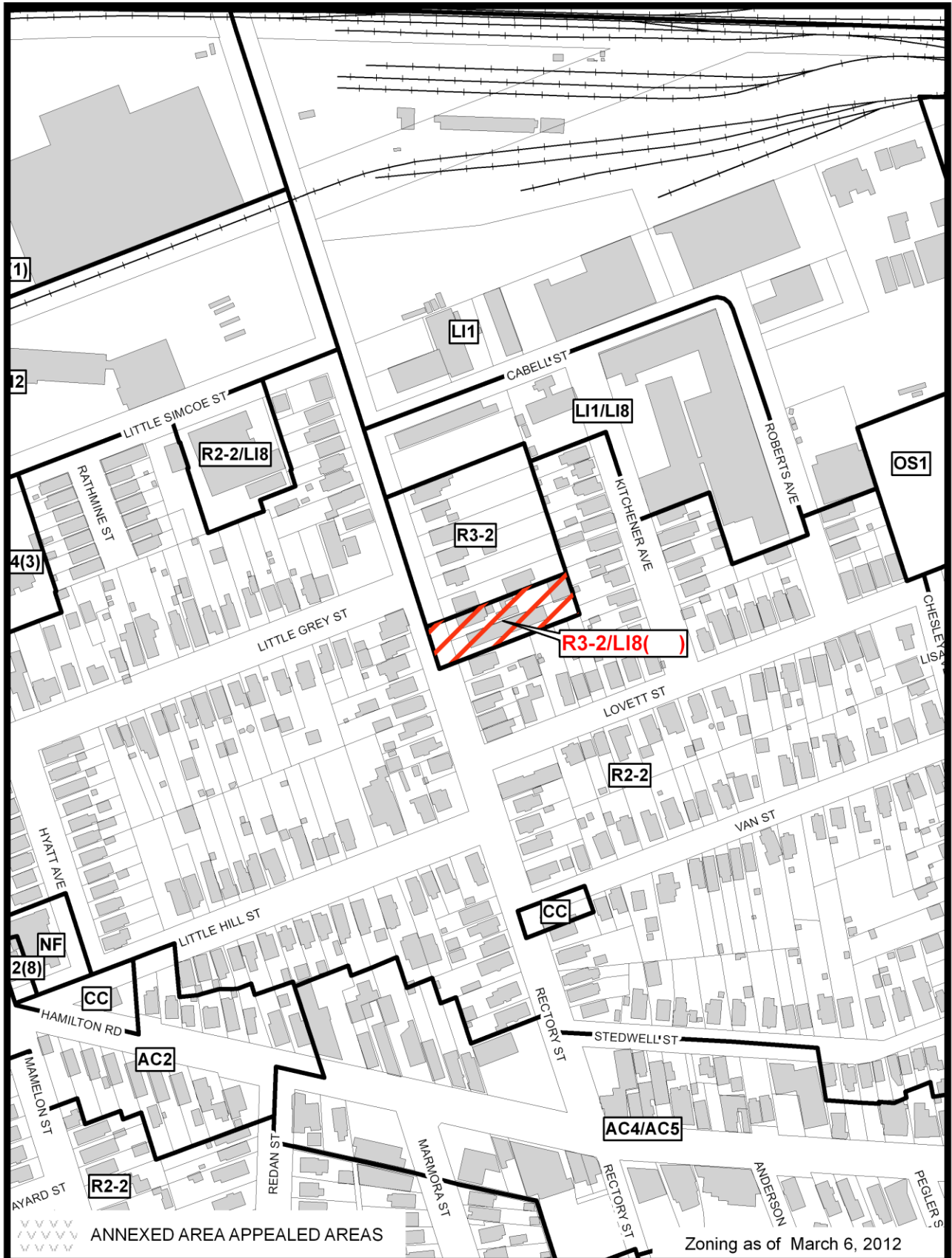
Agenda Item #

Page #

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



File Number: OZ-7999

Planner: NM

Date Prepared: 2012/03/15

Technician: CK

By-Law No: Z.-1-

SUBJECT SITE



1:2,800

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**Bibliography of Information and Materials (OZ-7999)**

**Request for Approval:**

City of London Official Plan / Zoning By-law Amendment Application Form, completed by Stephen Cornwell December 11, 2011.

**Reference Documents:**

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

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

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 01, 2005.

City of London, Notice of Application, December 23, 2011.

City of London, Living in the City – December 24, 2011.

City of London, Notice of Public Meeting, March 30, 2012.

City of London, Living in the City - Saturday March 31, 2012.

**Correspondence: (all located in City of London File No. OZ-7999 unless otherwise stated)**

**City of London**

A. Galloway, Stormwater Management Unit, City of London – Email to N. Musicco – January 5, 2012

J. Leunissen (DABU) – Email to N. Musicco – January 11, 2012

**External Responses**

D. Dalrymple, London Hydro, Memo to N. Musicco, December 23, 2011.

C. Creighton, UTRCA, Letter to N. Musicco, January 17, 2012

L. Raffoul (Bell Canada) Memo to N. Musicco – January 6, 2012