

File: O-8749
Planner: L. Maitland

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: CITY OF LONDON BRYDGES STREET AREA REVIEW PUBLIC PARTICIPATION MEETING ON DECEMBER 4, 2017

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to the Brydges Street Review:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 12, 2017 to amend the Official Plan by **ADDING** a new special policy to Chapter 10 "Policies for Specific Areas" to apply to the Brydges Street Area.
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at a future Council meeting, to amend The London Plan by **ADDING** new policies to the Specific Policies for the Industrial Place Types to apply to the Brydges Street Area and **ADDING** the subject lands to Map 7 – Specific Policy Areas – of The London Plan **AND** that three readings of the by-law enacting The London Plan amendments **BE WITHHELD** until such time as The London Plan is in force and effect.

EXECUTIVE SUMMARY

Summary of Request

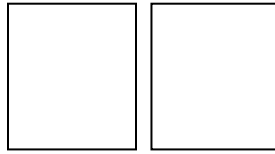
This report is the completion of a review of the Brydges Street Area to determine the appropriateness of industrial and potentially commercial land uses within the study area.

Summary of Recommended Action

The purpose and effect of the proposed Official Plan amendment is to add new special policy provisions to allow for limited commercial uses subject to meeting specific criteria within the industrial portion of the Brydges Street Area.

Rationale of Recommended Action

Following the Industrial Lands Development Strategy industrial lands within the interior of the city, like the Brydges Street Area, have been seen to struggle to attract new industrial users. There also remains existing successful industrial businesses within the study area. Recent comprehensive review has not indicated that the Brydges Street Area should be removed from the City's employment lands. Commercial uses subject to specific criteria set out through a special policy area have the potential to maintain the existing building stock and to reduce vacancy while new industrial users are sought. The criteria set out within the proposed amendment seek to ensure any commercial uses that do locate within the Brydges Street Area do not negatively affect existing or future industrial or residential uses.



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BACKGROUND

1.1 Study Area Description

The study area is a contiguous area of primarily developed industrial parcels along the CN Rail yard between Egerton and Hale Streets and north of the rail yard along Brydges Street.

1.2 Current Planning Information (see more detail in Appendix D)

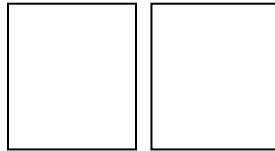
- Official Plan Designation – Primarily Light Industrial with some General Industrial, Neighbourhood Commercial Node and Low Density Residential
- The London Plan Place Type – Primarily Light Industrial with some Neighbourhood and Shopping Area
- Existing Zoning – A combination of LI, GI HI, R1, CC, SS and CSA Zones

1.3 Site Characteristics

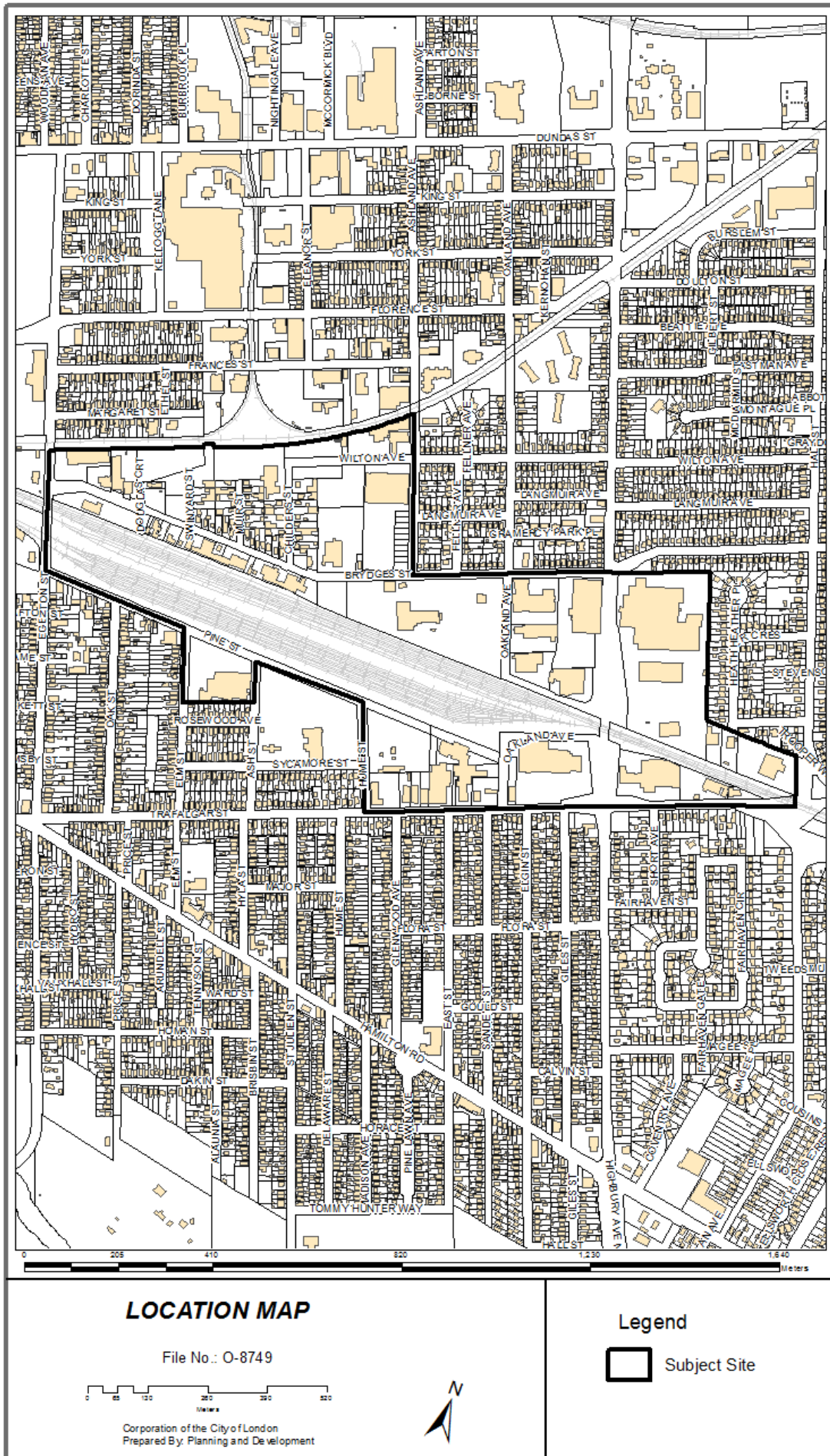
- Current Land Uses – The area is a combination of industrial, residential, and commercial uses including a number of vacant properties.
- Width and Depth – Approximately 1660m East-West, Approximately 870m North-South
- Shape – The study area is an irregular area, contiguous and adjacent to the rail yards reflecting the historical development of industrial land in East London.

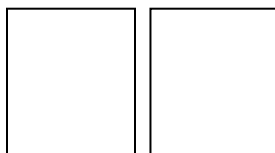
1.4 Surrounding Land Uses

- North – Residential uses, except for the industrial block along the rail spur
- East – The Argyle Neighbourhood
- South – The Hamilton Road Neighbourhood
- West – The Western Fair lands



1.5 Study Area





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2.1 Nature of Review

The nature of this review is to evaluate the existing industrial lands within the study area to determine the appropriate future uses of these lands, namely whether industrial uses should continue or all of a portion of the lands should be redesignated to permit commercial uses.

Objectives:

- Gain an understanding of the issues, concerns, needs and opportunities by engaging with stakeholders from study area.
- Supplement this with information from internal City stakeholders and external agencies and government.
- Conduct an inventory of current uses for lands within study area.
- Develop a set of evaluation criteria based on information provided by public and stakeholders, and if needed supplement with additional planning considerations that have not been raised.
- Evaluate lands within the study area using the inventory and set of criteria to determine if it is appropriate for industrial uses to continue or all of a portion of the lands should be redesignated to permit commercial uses.

PLANNING CONTEXT

3.1 Planning History

This Brydges Street review is the first review of this specific area in its entirety to review and evaluate the appropriate range of land uses in the area. Although there have been a number of minor variance applications within the study area, no Official Plan or Zoning by-law amendment applications have been made within the past 10 years, however, there have been issues related to uses not permitted by the zoning by-law occurring within the Study Area, and numerous by-law complaints have been received.

3.2 Proposed Amendment

The proposed amendment would create a special policy area for the industrial portion of the Brydges Street Area to permit a limited range of commercial uses within existing buildings, subject to specific criteria.

For the London Plan, the proposed amendment adds a new Specific Policy for the Industrial Place Type to the London Plan to allow for limited commercial uses within the Light Industrial place type portion of the Brydges Street Area within existing buildings, subject to specific criteria.

For the current (1989) Official Plan, the proposed amendment adds a new special policy to Chapter 10 to allow for limited commercial uses within the Industrial portion of the Brydges Street Area within existing buildings, subject to specific criteria.

3.3 Community Engagement (see more detail in Appendix C)

Community concerns raised were minimal and specifically addressed the conditions of Brydges Street including traffic impacts. One reply received requested that their residential property, outside of the study area, not be redesignated for commercial uses; this is not something contemplated as part of this review. Four industrial land owners wrote to seek assurances that they would be able to continue to use their site for industrial purposes.

No agency or internal responses warranted a change in the direction of the proposed course of action.

3.4 Policy Context

The PPS (2014) provides directive language to address a number of issues pertinent to the Brydges Street Area. With regards to the arrangement of the lands the policy directs for arrangements which are efficient and avoid the health concerns traditionally associated with the adjacency of industrial and residential uses. The PPS states:



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1.1.1 Healthy, liveable and safe communities are sustained by:...

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

The PPS (2014) speaks to the economic competitiveness of a municipality. The relevant clause, below, notes the importance of employment uses to find suitable sites and both current and future business needs.

1.3.1 Promoting economic development and competitiveness by:

b) providing opportunities for a diversified economic base, including 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.

The PPS (2014) is quite strong in its protection of employment lands, which are designated as industrial lands in the Official Plan. There is a particular focus, within the PPS on only removing employment lands as part of a comprehensive review.

1.3.2 Employment Areas

1.3.2.1 Planning authorities shall plan for, protect and preserve employment areas for current and future uses and ensure that the necessary infrastructure is provided to support current and projected needs.

1.3.2.2 Planning authorities may permit conversion of lands within employment areas to non-employment uses through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

1.3.2.3 Planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

The policy on conversion of lands would not permit the removal of the Brydges Street Area from industrial designation as part of this review as it would be considered outside a comprehensive review and therefore not be supportable under Provincial policy.

1989 Official Plan Policy

The policy in the 1989 Official Plan provides for a hierarchy of industrial land uses through the General Industrial and Light Industrial land use designations.

The objectives for the General Industrial designation include policy 7.1.2 ii) which directs General Industrial uses to “Provide appropriate locations for industrial uses which have characteristics that may not be compatible with other land uses.” In the case of the Brydges Street Area, the General Industrial designation abuts residential designations and uses which is not consistent with this objective.

The 1989 Official Plan objectives for Light Industrial, from 7.1.3, are twofold “i) Provide for the development and use of industrial lands for a range of activities which are likely to have a minimal impact on surrounding uses;” and “ii) Guide the development of older industrial areas in close proximity to residential neighbourhoods for industries which can meet appropriate operation, design and scale criteria.”



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The Official Plan, 1989 also contains objectives to address existing industrial areas, of which the Brydges Street Area could be considered one. These objectives, from 7.1.5, direct that planning amendments:

- i) Recognize older, viable inner-city industrial areas, and provide for their continuation and improvement*
- ii) Provide opportunities within existing industrial areas for the introduction of new industries that are compatible with existing and surrounding land uses.*
- iii) Encourage the rehabilitation or replacement of functionally obsolete industrial buildings, and the relocation of incompatible uses to more appropriate locations.*
- iv) In order to maintain an adequate supply of lands designated for industrial development, the conversion of lands for non-industrial purposes may only be permitted through a comprehensive review where it has been demonstrated that the lands are not required for industrial purposes over the long term, and that there is a need for the conversion of the lands.*

This policy recognizes that while many older industrial areas would not necessarily meet the requirements for new industrial uses, there remain many industrial uses that do occur in these locations, and that these viable industrial uses should be maintained. The policy also provides for the opportunity to allow these areas to transition over time as the industrial uses evolve. A way to provide for this transition is to consider other uses that would not impair the industrial use of the area, and to introduce new industrial uses that would also be compatible with the industrial nature of the area.

The London Plan

The London Plan policy outlines the nature of development to be located in the various types of industrial areas planned for under the plan.

HEAVY INDUSTRIAL PLACE TYPE

1109_ The Heavy Industrial Place Type is where those industries that generate significant planning impacts, such as noise, vibration, air emissions, hazardous materials, and unsightly outdoor storage, will be permitted. These uses will be physically separated from other uses to avoid land use conflicts and to allow them to operate effectively without regular complaints from adjacent uses. Appropriate attention will be placed on the stormwater management and sanitary sewer discharge of these uses.

(Minister's Modification No. 16, December 28, 2016)

Given the impacts anticipated by this form of industrial development, the application of this place type in the Brydges Street Area would not be appropriate for the long-term. There are existing, viable residential areas within the Study Area that have achieved a level of compatibility over time with the surrounding industrial uses. Introducing new, higher intensity industrial uses would not be appropriate in the area.

LIGHT INDUSTRIAL PLACE TYPE

1110_ The Light Industrial Place Type is where industries generating more minimal planning impacts will be permitted. It is appropriate to separate these uses from heavier industrial users, to avoid land use conflicts and to allow for positive industrial environments. It may also be necessary to separate some uses within the Light Industrial Place Type from sensitive land uses on adjacent lands.

Given the current industrial operations, the lotting pattern and road network, and the scale of the industrial development within the Study Area, the Light Industrial Place Type is the appropriate place type to accommodate future development and redevelopment in the Brydges Street Area. These types of industrial uses would also have fewer impacts on the residential areas imbedded within and adjacent to the Study Area.



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COMMERCIAL INDUSTRIAL PLACE TYPE

1112_ The Commercial Industrial Place Type is where commercial uses will be directed that do not fit well within our commercial and mixed use place types, due to the planning impacts that they may generate. Permitted commercial uses will have a tolerance for planning impacts created by a limited range of light industrial uses which may also be located within this place type. The Commercial Industrial Place Type will be located in automobile and truck dominated environments, away from neighbourhoods and pedestrian-oriented streetscapes.

The Commercial Industrial place type is for those Commercial uses with greater planning impacts, such as traffic, and as such are to be located away from pedestrian-focused areas and neighbourhoods.

The London Plan also provides broader policies to address how Industrial Place Types are to be implemented. Policy 1113 provides further direction on the how industrial place types are to be implemented.

1113_ We will realize our vision for the Industrial Place Types by implementing the following in all the planning we do and the public works we undertake:

...

3. Promote a broad industrial land base in the City of London through the provision of a wide choice of locations, lot sizes, services, and street and rail access in order to accommodate a wide range of target industrial sectors and industrial uses.

...

12. Protect and enhance London's freight rail services, in collaboration with the relevant railways.

...

15. Keep the majority of commercial uses out of our Heavy and Light Industrial Place Types.

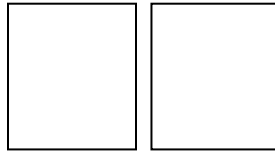
The three selected sub-policies above highlight considerations necessary in the study of the Brydges Street Area. Sub-policy 3 is supportive of maintaining unique industrial areas like Brydges street which have a mix of parcel size and good rail access and are already serviced and supported by the built road network. Sub-policy 12 speaks to the need to maintain industry alongside rail, for the Brydges Street Area this indicates a need to maintain the industrial uses which are able to take advantage of the rail yards within the study area. Sub-policy 15 speaks to the need to be very selective if and when commercial uses are considered within an industrial area.

Given that the Brydges Street area meets these criteria for the Industrial Place Type, it is not recommended that the Commercial Industrial Place Type be applied to these lands as they still exhibit a primarily industrial character, are primarily developed for industrial uses, and are centrally located along the rail corridor.

3.5 Previous Related Reports

OZ-8219 Non-Industrial Uses in Industrial Areas – December 20, 2013

This review established two primary considerations for locating non-industrial uses permitted in industrial areas, through Light Industrial Zone Variations. The first is the requirement that any non-industrial use established be located 300m from the nearest General Industrial (GI) or Heavy Industrial (HI) zone so as to prevent areas intended for heavier industrial uses from being functionally sterilized as a result of nearby more sensitive uses, as defined under the D-6 guidelines. The second requirement is that any non-industrial use be limited to arterial or primary collector categorized roads so as to mitigate the increased mix of non-industrial traffic with loading and trucking operations in industrial areas.



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This review noted two important considerations for future examinations in industrial areas, the risk of sensitive uses sterilizing future industrial development and the risk of traffic interrupting industrial operations through the introduction of new uses.

O-8014/O-8362 Lands South of Exeter Road, North of Dingman Drive, East of White Oak Road and West of the Marr Drain/Recommended Urban Growth Boundary Expansion for Future Industrial Growth – March 23, 2015

The findings of the Study concluded that the inventory of vacant industrial lands is quantitatively sufficient to accommodate the projected demand for industrial land over the 20 year planning period, and in fact, there are currently more lands identified to accommodate future industrial growth than would be required based upon the projections undertaken as part of both the Altus projections and the City’s Land Needs Study. The Study concluded that many of the lands do not meet the demands for current industrial uses, and that many of the identified industrial lands were poorly located to meet industrial demands over the longer term.

In reviewing potential lands for future industrial development, the following criteria were used:

- Market interest
- Parcel size and their suitability for land assembly
- Access to Hwy 401 interchanges
- Landowner interest in development
- Land use compatibility and neighbourhood planning
- Environmental/Natural heritage constraints
- Use of existing infrastructure
- Strategic location and economic development
- Financial implications

ANALYSIS

4.1 Study Area Characteristics

A review was done of the 122 properties in the Brydges Street Area, which included the Official Plan policy framework (London Plan Place Types and 1989 Official Plan designations), current zoning and existing uses. On August 15, 2017, a photographic inventory and visit to the area was done to determine the existing uses and current conditions of the built environment.

The current zoning matched with the 1989 Official Plan designations for 98% of the properties (119 of 122). The current zoning matches with Place Type under The London Plan for 78% of the properties (95 properties). Based on the assumption that General Industrial, Neighbourhood Commercial Node and Low Density Residential designations under the 1989 Official Plan can be seen as equivalent to The London Plan Heavy Industrial, Shopping Area and Neighbourhoods place types respectively, 79% of the properties (96 properties) within the Brydges Street Area do not see a change in policy framework between the two plans. For those properties which do see a change in policy it is a change from General Industrial designation (the more intensive of the industrial land use designations under the 1989 Official Plan) to the Light Industrial place type (the less intensive industrial place type under The London Plan).

There are a number of uses which do not fully conform to the land use designation or place type. In general these non-conforming uses can be categorized as:

- Commercial
- Residential
- Contracting/Residential



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- Vacant

Within the Industrially designated area, only five properties contain commercial uses. Of these five properties, only one has been zoned to permit the existing commercial uses. The remaining commercial uses are located in conversions of industrial buildings for commercial uses, however these properties are not zoned for these commercial uses.

Although the western portion of the study area is designated Light Industrial, the lotting pattern is arranged for residential uses. There are 18 properties which are used for residential purposes. These are located on Muir, Childers, and Brydges Streets. These residential properties have existed for some time, and have developed a compatibility with the existing adjacent industrial uses.

Fourteen properties contain both a contracting use and a residential component. These properties have both an industrial and residential use, however, such combinations of uses are not generally permitted in Industrial areas.

Eleven of the properties within the study area are vacant. The greatest cluster of vacancies is on the south side of Brydges Street on the relatively shallow properties backing on to the railyards. A number of additional properties are being used for storage, with storage containers on site. The largest area being used for container storage is on the property at 1175 Brydges and the rear of 185 Ashland Avenue, facing Brydges Street.

4.2 Considerations

There are three primary considerations in the review of a change in place type or designation for the Brydges Street area:

- Residential adjacency
- Industrial continuity
- Commercial suitability

These considerations are a result of the existing industrial land use policy framework; vacancies and commercial uses present; and the residential context of the surrounding area.

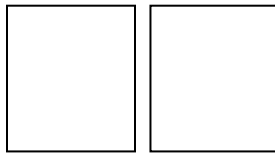
Residential adjacency

The mitigation and reduction of planning impacts from industrial uses on nearby residential land uses is a central tenet of land use planning. Within Ontario the PPS (2014) and D-6 guidelines both provided province-wide guidance which seeks to maintain the separation of more sensitive uses, such as residential, from industrial uses.

Both The London Plan and the Official Plan, 1989 contain policies which speak to the need to maintain separation where possible and mitigate where necessary the impacts of industrial uses on more-sensitive land uses. To help to mitigate these impacts, a Light Industrial place type has been applied through the London Plan to the portion of the Brydges Street Area currently designated General Industrial in the Official Plan, 1989. This will encourage a transition to industrial uses with lesser impacts. The proposed amendments do not seek to alter this long-term goal of transition to lower-intensity industrial land uses.

Industrial continuity

The maintenance of productive employment lands is of central importance in both municipal and provincial policy. Provincial policy, reflected in both The London Plan, and the Official Plan, 1989 only allows for the removal of industrial land through a comprehensive review. The recent comprehensive review conducted in association with the Industrial Lands Development Study and the London Plan did not call for the removal of the Brydges Street Area industrial lands from the City's employment lands inventory. As such, it is the intent that industrial uses be maintained within the Brydges Street Area.



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The review conducted with the Industrial Lands Development Study however did provide a series of criteria to be used in the location of new industrial lands. The same criteria can be used to address the adequacy of existing industrial areas to attract new employment uses.

The following is an examination of those criteria applied to the Brydges Street Area.

Market interest: The number of vacant properties along with those being underutilized as outdoor storage sites indicate limited market interest in the area for new industrial development.

Parcel size and their suitability for land assembly: The small parcels in the western portion of the study area do not allow for new large industrial developments without land assembly. Land assembly presents a significant challenge for the lots which abut residential uses. Creating larger parcels is also difficult along the south side of Brydges Street in the western portion of the study area as the lot depth is limited by the rail yards. The eastern portion of the study area is largely characterized by larger parcels.

Access to Hwy 401 interchanges: The study area is approximately 6km from the 401.

Landowner interest in development: Four comments received indicates that landowners were interested in maintaining their industrial uses long-term. The number of vacancies and buildings in poorer condition indicate that there are opportunities for redevelopment within the study area.

Land use compatibility and neighbourhood planning: The adjacency of residential uses to the study area would indicate that light industrial uses long-term would be the preferred direction.

Environmental/Natural heritage constraints: There are no significant natural heritage constraints for the study area.

Use of existing infrastructure: Maintaining employment uses in the Brydges Street Area would constitute an opportunity to use existing infrastructure including the adjacent rail yards.

Strategic location and economic development: Although the Brydges Street area does not allow for significant expansion of uses. The area is located adjacent to rail yards, and close to Highbury Avenue, which has 401 access.

When examined through the Industrial Lands Development Study criteria for locating new industrial lands, the Brydges Street Area does not exhibit all of the characteristics desired by new industrial users, however, not all existing or future industrial uses would require all of these site characteristics to be successful, as demonstrated by the current primarily industrial use of the area.

The London Plan approach recognizes the long-term continuation of industrial in the area by assigning the entire area the Light Industrial place type. Policies within the Official Plan, 1989, requires that “viable inner-city industrial areas” are continued and improved. They further direct that within these areas, efforts are made to “provide opportunities within existing industrial areas for the introduction of new industries that are compatible with existing and surrounding land uses,” and “encourage the rehabilitation or replacement of functionally obsolete industrial buildings, and the relocation of incompatible uses to more appropriate locations.”

Commercial suitability

Consideration for commercial uses within the industrial place type must be taken within the context of retaining the existing industrial place type within the London Plan, and maintaining the future potential for industrial uses in accordance with the Official Plan, 1989. The mechanism for considering commercial uses would be a special policy. Any special policy should prevent the loss of the potential for future industrial use and development through the location of inappropriate commercial uses.

A special policy which permits limited commercial uses in the industrial portion of the Brydges Street Area has the potential to decrease the current vacancy and therefore maintain the existing building stock before new industrial users are attracted to the area.



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A special policy would need to ensure that the existing industrial built environment is maintained by directing commercial uses to existing buildings, providing the opportunity to repurpose existing vacant buildings. Commercial uses which are permitted should not prevent the existing industrial buildings from being reconverted to industrial uses. This would allow for the future use of the area as industrial and would prevent redevelopment to a primarily commercial area that would detract from those industrial users which continue to operate.

A special policy would need to ensure that commercial users which would be a better fit in other commercial areas are not attracted to the industrial area, and that such commercial uses should also be limited in size and not have an impact on the industrial operations in the area. Commercial uses that generate high volumes of traffic could interfere with the current and planned industrial uses in the area.

Any permitted commercial use must not constitute a sensitive land use which would interfere with the use neighbouring properties for industrial uses. The long-term intention for the area remains light industrial, and no interim uses should be permitted which would prevent future industrial development in this industrially designated area.

4.3 Recommended course of action

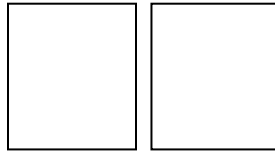
The recommended course of action strikes a balance the ability of the existing industrial in the area to continue and the inability of smaller industrial sites in the area to attract new industrial tenants. The proposed amendment would provide a special policy which allows limited commercial uses subject to specific criteria.

The proposed special policy would read as follows:

Within the Brydges Street Area a limited amount of commercial uses may be permitted, through a site-specific zoning by-law amendment provided the following conditions can be met:

- a. The commercial use is located within an existing building;*
- b. Additions to or enlargement of the building to accommodate commercial uses will be discouraged. Substantial additions or alterations to existing buildings to accommodate commercial uses will not be permitted;*
- c. The commercial use does not fit well within the Downtown, Transit Village, Rapid Transit Corridor, Urban Corridor, Shopping Area or Mainstreet Place Type due to its planning impacts;*
- d. The commercial use may generate noise, vibration or emission impacts;*
- e. The commercial use may generate large volumes of truck traffic;*
- f. The commercial use may require large storage and/or display space;*
- g. Minor variances to accommodate additional parking or minor variances that could have an impact on the industrial operations in the area will be discouraged;*
- h. The commercial use would not prevent the future re-use of the building for industrial uses;*
- i. The commercial use does not generate significant additional traffic that will interfere with the industrial uses or operations in the areas; and,*
- j. The commercial use does not constitute a sensitive land use which would have an impact on, or would impair or interfere with the existing or planned industrial use of the area.*

Note that within the current (1989) Official Plan, criterion c. above would read “The commercial use does not fit well within the Downtown, Enclosed Regional Commercial Node, New Format Regional Commercial Node, Community Commercial Node, Neighbourhood Commercial Node, Auto-oriented Commercial Corridor or Main Street Commercial Corridor land use designations due to its planning impacts”.



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CONCLUSION

The Brydges Street Area is an active industrial area characterized by pockets of vacancy and small parcel-sizes. The long-term policy approach of seeking light industrial uses which can co-exist with the adjacent neighbourhood is established by The London Plan. The recommended special policy allows for limited commercial uses, subject to meeting specific criteria, which would maintain the existing industrial building stock long-term. The recommended special policy for the Brydges Street Area accommodates the needs of existing industrial land users and maintains employment lands for future use.

PREPARED BY:	SUBMITTED BY:
LEIF MAITLAND LONG RANGE PLANNING AND RESEARCH	GREGG BARRETT, AICP MANAGER, LONG RANGE PLANNING AND RESEARCH
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

November 10, 2017

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Appendix “A”

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. C.P.-1284-__

A by-law to amend the Official Plan for the City of London, 1989 relating to the Brydges Street Area.

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 December 12, 2017

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – December 12, 2017
Second Reading – December 12, 2017
Third Reading – December 12, 2017

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AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To establish a policy in “Chapter 10 – Policies for Specific Areas” of the Official Plan, 1989, for the City of London to address the specific issues regarding the industrial lands in the Brydges Street Area.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located within the Brydges Street Area in the City of London.

C. BASIS OF THE AMENDMENT

Following the Industrial Lands Development Strategy industrial lands within the interior of the City, like the Brydges Street Area, have been seen to struggle to attract new industrial users. There also remains existing successful industrial businesses within the study area. Recent comprehensive review has not indicated that the Brydges Street Area should be removed from the City’s employment lands. Commercial uses subject to specific criteria set out through a special policy area have the potential to maintain the existing building stock and reduce vacancy while new industrial users are sought. The criteria set out within the proposed amendment seek to ensure any commercial uses which do locate within the Brydges Street Area do not negatively affect existing or future industrial or residential uses.

D. THE AMENDMENT

The Official Plan, 1989, for the City of London is hereby amended as follows:

1. Chapter 10 “Policies for Specific Areas” of the Official Plan for the City of London is amended by adding the following new policy including the following new figure:

___) Within the Brydges Street Area, as shown on Figure ___ below, a limited amount of commercial uses may be permitted, through a site-specific zoning by-law amendment provided the following conditions can be met:

- a. The commercial use is located within an existing building;
- b. Additions to or enlargement of the building to accommodate commercial uses will be discouraged. Substantial additions or alterations to existing buildings to accommodate commercial uses will not be permitted;
- c. The commercial use does not fit well within the Downtown, Enclosed Regional Commercial Node, New Format Regional Commercial Node, Community Commercial Node, Neighbourhood Commercial Node, Auto-oriented Commercial Corridor or Main Street Commercial Corridor land use designations due to its planning impacts;
- d. The commercial use may generate noise, vibration or emission impacts;
- e. The commercial use may generate large volumes of truck traffic;
- f. The commercial use may require large storage and/or display space;
- g. Minor variances to accommodate additional parking or minor variances that could have an impact on the industrial operations in the area will be discouraged;
- h. The commercial use would not prevent the future re-use of the building for industrial uses;

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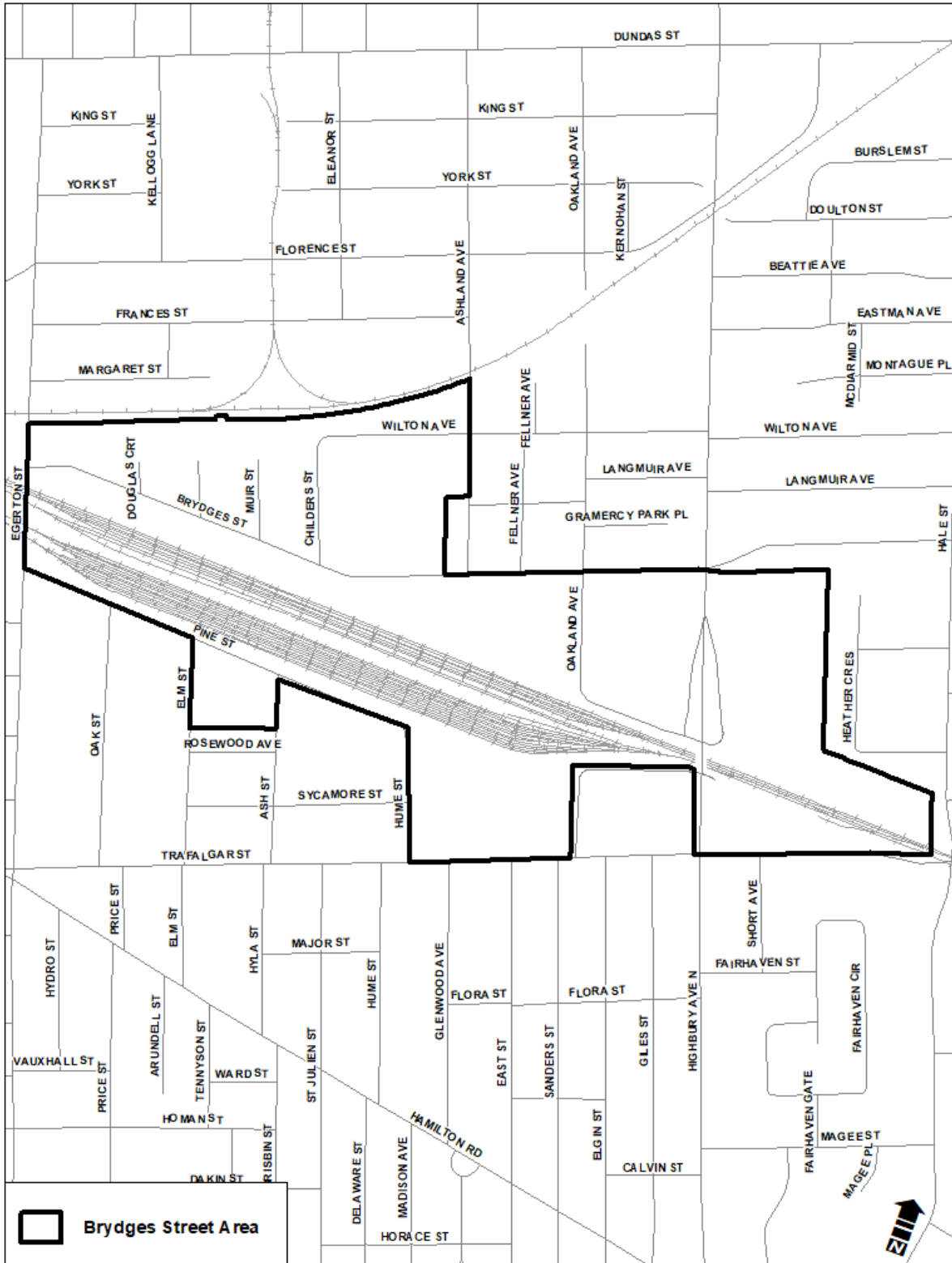
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Planner: L. Maitland

- i. The commercial use does not generate significant additional traffic that will interfere with the industrial uses or operations in the areas; and,
- j. The commercial use does not constitute a sensitive land use which would have an impact on, or would impair or interfere with the existing or planned industrial use of the area.

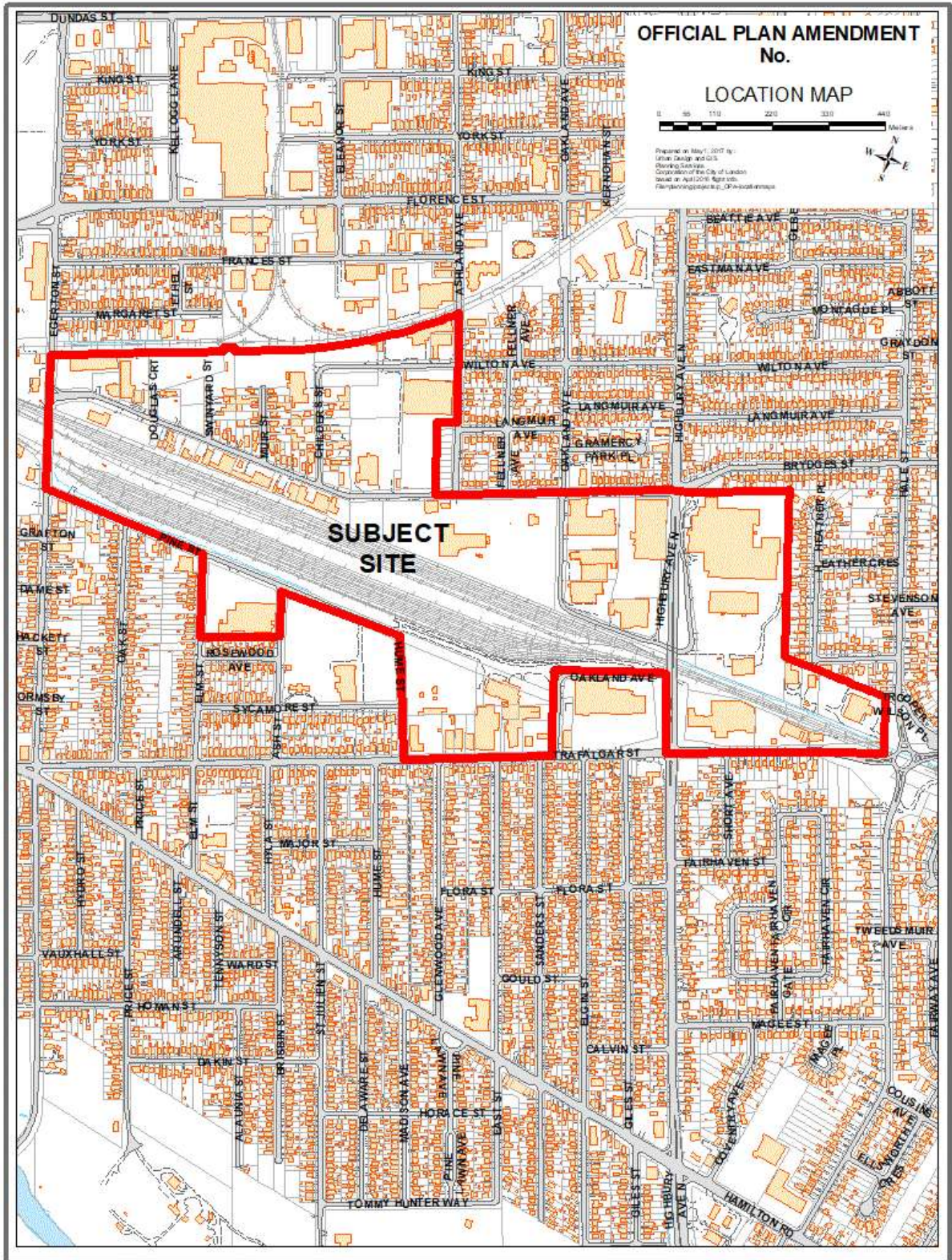
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Figure _



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Appendix “B”

Bill No. (number to be inserted by Clerk's Office)
2017

By-law No. C.P.-

A by-law to amend The London Plan for the City
of London, 2016 relating to Brydges Street Area.

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 London Plan for the City of London Planning Area – 2016, 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

Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading –
Second Reading –
Third Reading –

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AMENDMENT NO.

to the

THE LONDON FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

- 2. To establish a policy in “Specific Policies for the Industrial Place Types” of The London Plan for the City of London to address the specific issues regarding the industrial lands in the Brydges Street Area.

B. LOCATION OF THIS AMENDMENT

- 2. This Amendment applies to lands located within the Brydges Street Area in the City of London.

C. BASIS OF THE AMENDMENT

Following the Industrial Lands Development Strategy industrial lands within the interior of the City, like the Brydges Street Area, have been seen to struggle to attract new industrial users. There also remains existing successful industrial businesses within the study area. Recent comprehensive review has not indicated that the Brydges Street Area should be removed from the City’s employment lands. Commercial uses subject to specific criteria set out through a special policy area have the potential to maintain the existing building stock and reduce vacancy while new industrial users are sought. The criteria set out within the proposed amendment seek to ensure any commercial uses which do locate within the Byrdges Street Area do not negatively affect existing or future industrial or residential uses.

D. THE AMENDMENT

The London Plan is hereby amended as follows:

- 2. Policy 1140 – Light Industrial Specific Policies, of The London Plan for the City of London is amended by adding the following new policy:

1140a_ Within the Brydges Street Area, as shown on Map 7, a limited amount of commercial uses may be permitted, through a site-specific zoning by-law amendment provided the following conditions can be met:

- a. The commercial use is located within an existing building;
- b. Additions to or enlargement of the building to accommodate commercial uses will be discouraged. Substantial additions or alterations to existing buildings to accommodate commercial uses will not be permitted;
- c. The commercial use does not fit well within the Downtown, Transit Village, Rapid Transit Corridor, Urban Corridor, Shopping Area or Mainstreet Place Type due to its planning impacts;
- d. The commercial use may generate noise, vibration or emission impacts;
- e. The commercial use may generate large volumes of truck traffic;
- f. The commercial use may require large storage and/or display space;
- g. Minor variances to accommodate additional parking or minor variances that could have an impact on the industrial operations in the area will be discouraged;
- h. The commercial use would not prevent the future re-use of the building for industrial uses;
- i. The commercial use does not generate significant additional traffic that will interfere with the industrial uses or operations in the areas; and,
- j. The commercial use does not constitute a sensitive land use which would have

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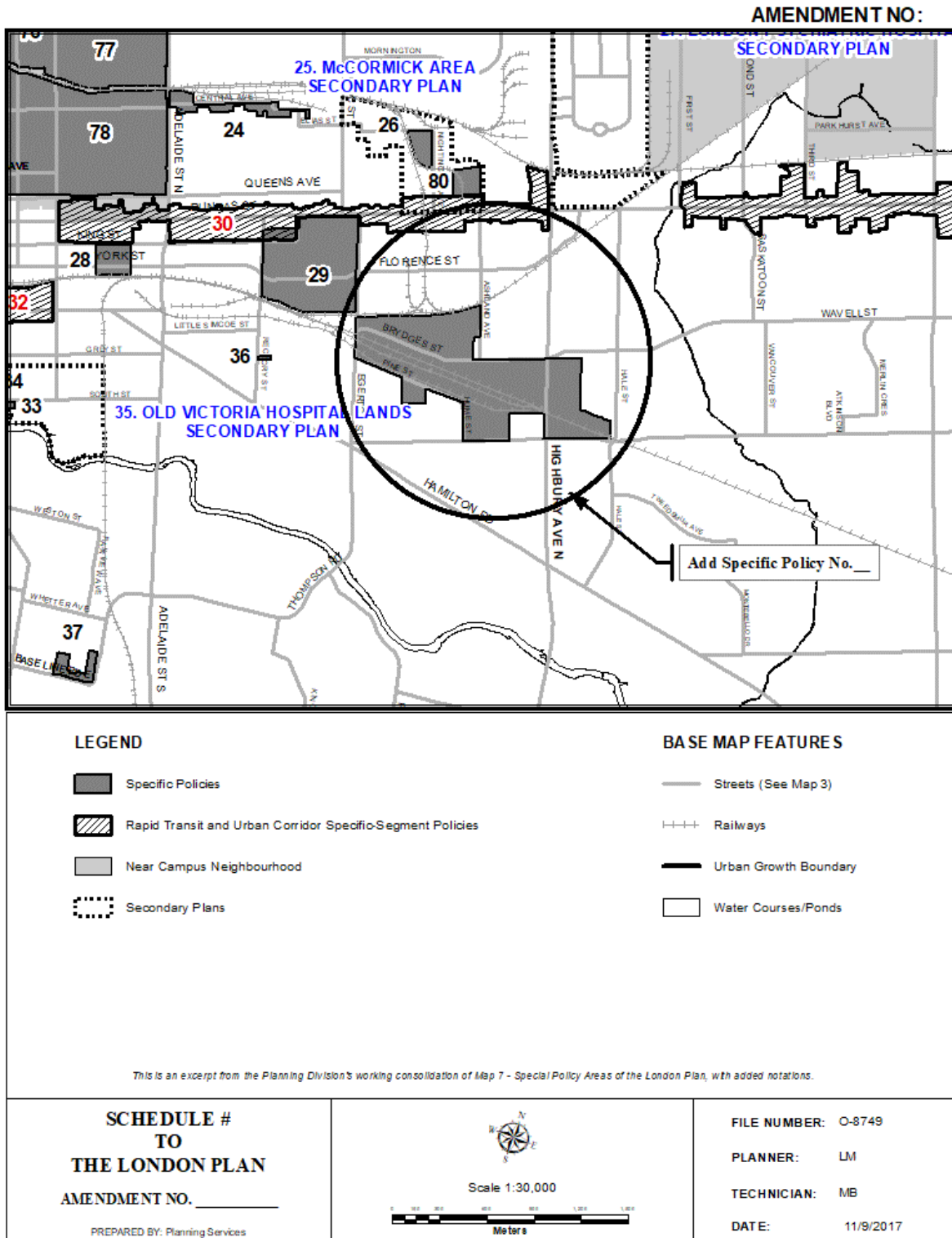
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an impact on, or would impair or interfere with the existing or planned industrial use of the area.

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- Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by the Brydges Street Area, as indicated on “Schedule 1” attached hereto as a new special policy area with the associated policy amendments.



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Appendix “C”

Community Engagement

Public liaison: On March 30, 2017, Notice of Application was sent to 801 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* March 30, 2017.

18 replies were received

Nature of Liaison: The purpose and effect of the requested Official Plan amendment is to evaluate the existing industrial lands within the study area to determine if it is appropriate for them to be continued for industrial uses or whether all of a portion of the lands should be redesignated to permit commercial-industrial uses.

Change The London Plan place types from Light Industrial, Shopping Area and Neighbourhoods to Commercial Industrial.

Change the Official Plan (1989) land use designations from General Industrial, Light Industrial, Neighbourhood Commercial Node and Low Density Residential to Commercial Industrial.

The proposed amendments would reflect the commercial-industrial character of the area.

Responses: A summary of the various comments received include the following:

Concern for:

Protections for existing industrial uses

- *1160 Brydges:* Sean Ford wrote on behalf of Dancor, that they purchased the property with the intent to use it as a transportation terminal and would only support amendments which maintained the right to continue this.
- *100 Hume:* Scott Allen of MHBC provided a letter on behalf of Lafarge Canada to request a policy framework that would continue to support the existing batching plant and not place it in a legal non-conforming position where planning applications would be required to make minor modification to continue the use.
- *1050 Brydges:* Scott P. Naylor of Warehouse Properties Limited, wrote to indicate that they rent their property for warehouse properties and would be opposed to any new policy which restricted the industrial activities they currently host on site.
- *450 Highbury Ave N:* Kate Burns of the London Transit Commission wrote to seek assurances that the London Transportation Operations would not be restricted by the potential redesignation for Commercial/Industrial uses.

Heather Crescent, Kelco:

Anne-Marie Stewart of Heather Crescent has commented that they have no desire to see the Industrial use replaced on Heather as the current user is of a lower intensity in keeping with the residential character of the area.

Brydges Street west of Highbury:

A resident, W. Gross, has requested that this particular residential area remain residential as there is sufficient commercial opportunity in the area.

Road surfacing and traffic noise:

One resident, noted that the traffic generated by trucks and buses along Brydges Street shake the house and create 24 hour noise, resulting in the moving out of their spouse. They are of the opinion that road resurfacing would help with this.

Support for Commercial Industrial

One resident noted that they personally have no issue with the commercial uses currently operating in the General Industrial designated property at 1255 Brydges. A further resident called to indicate their support for the redesignation to Commercial/Industrial. L. Kirkness indicated he was hoping that his client at 1350 Trafalgar would be able to avail of a future Commercial Industrial place type.

A number of additional comments were simply requests for further information and clarification regarding the potential outcomes of the study.

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Agency/Departmental Comments

Wastewater and Drainage Engineering: No Comment.

Transportation Engineering: A road widening dedication of 13.0m from centre line would be required.