

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Tricor Contracting Limited
585 Third Street

Public Participation Meeting on: September 23, 2019

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Tricor Contracting Limited relating to the property located at 585 Third Street:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 1, 2019 to amend the Official Plan by **ADDING** a policy to section 10.1.3 – Policies for Specific Areas;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at a future Council meeting, to amend The London Plan by **ADDING** a policy to Specific Policies for the Neighbourhoods Place Type; by **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.
- (c) the proposed by-law attached hereto as Appendix "C" **BE INTRODUCED** at the Municipal Council meeting on October 1, 2019 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 subject property **FROM** a Holding Residential R3/Residential R5/Residential R8/Restricted Office/Temporary Zone (h-1/R3-2/R5-4/R8-4/RO2/T-55) Zone, **TO** Holding Residential R3/ Residential R5/Residential R8/Restricted Office/Light Industrial Special Provision (h-1/R3-2/R5-4/R8-4/RO2/LI7(_));

Executive Summary

Summary of Request

The requested amendment would permit the existing industrial uses in the existing buildings to continue, limit the maximum gross floor area of existing industrial uses to their existing size, and recognize existing site conditions. The requested amendment would permit repair and rental establishments, warehouse (in association with any permitted use), electrical contracting, service trade uses, support offices, convenience stores and accessory parking with no outdoor storage for the permitted uses on site.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended OPA and ZBA is to permit the existing non-residential uses in the existing buildings and recognize existing site conditions. The recommended OPA would add a policy to Chapter 10 (Policies for Specific Area) to the 1989 OP, and a policy to Specific Policies for the Neighbourhoods Place Type to The London Plan ("The LP") to permit the current and longstanding uses of the property, comprised of support offices and electrical general contractor to continue to operate within the existing building at 585 Third Street.

The recommended ZBA would change the zoning of the subject lands from a Holding Residential R3/Residential R5/Residential R8/Restricted Office/Temporary Zone (h-1/R3-2/R5-4/R8-4/RO2/T-55) Zone, to a Holding Residential R3, Residential R5, Residential R8, Restricted Office, Light Industrial (h-1/R3-2/R5-4/R8-4/RO2/LI7(_)) Zone. The recommended Light Industrial (LI7) Zone would permit exiting industrial uses, existing lot area and lot frontage and other existing site conditions such as minimum yard depths, maximum lot coverage, minimum landscaped open space, minimum parking area setback to required road allowances.

Rationale of Recommended Action

1. The recommended amendments are consistent with the 2014 Provincial Policy Statement ("PPS") which directs municipalities to maintain suitable sites for employment uses and consider the needs of existing and future businesses. The PPS also promotes appropriate development standards to facilitate compact development in settlement areas.
2. The recommended amendment conforms to the in-force policies of the 1989 Official Plan which list the necessary condition(s) for approval of Policies for Specific Areas, and would augment the general policies, including but not limited to Multi-family Medium Density Residential ("MFMDR") designation to allow the continued use of the existing non-residential building on the subject lands for existing industrial uses until the subject lands can redevelop for residential uses in accordance with the MFMDR designation.
3. The recommended amendment conforms to the in-force policies of The London Plan and would augment the general policies, including but not limited to Neighbourhoods Place Type to allow the continued use of the existing non-residential building on the subject lands for existing industrial uses until the subject lands can redevelop for residential uses in accordance with the Neighbourhoods Place Type.
4. The recommended amendment to Zoning By-law Z.-1 will conform to the Official Plan and The London Plan as recommended to be amended. The recommended amendment to the Zoning By-law will permit the existing industrial uses in the existing building and limit the uses to their existing size to maintain an acceptable level of compatibility with the surrounding residential uses. The recommended amendment to the Zoning By-law will regularize and permit existing site conditions which can accommodate the existing uses to continue without serious adverse impacts for surrounding residential land uses.
5. The recommended amendment will recognize these long-standing, established uses which have achieved a measure of compatibility with the surrounding uses.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located between Oxford Street East and Culver Drive and are known municipally as 585 Third Street on the west side of Third Street and consist of a rectangular shaped parcel approximately 0.38 hectare (0.937 acres) in size. The subject lands have an existing single storey building with a gross floor area of 1,360 m² (14,650 sq ft) with loading bays on the south side of the building. The existing structure was originally constructed in the 1950's and renovated and improved over the years. The subject lands are surrounded by board-on-board fencing and is accessible only from Third Street (pictured below from entrance to the subject lands).



Figure 1 - The subject lands have an enclosed storage area to the rear of the building (westerly portion of land), only visible internally (pictured below).



Figure 2 - The surrounding uses have a mixed range of 1 and 2-storey residential and commercial buildings.



Figure 3 - The building is set back from the adjacent residential development and is fenced along the lot lines between the residential townhouse development on the lands to the north, south and west

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

- Official Plan Designation – Multi-Family, Medium Density Residential
- The London Plan Place Type – Neighbourhoods
- Existing Zoning – Holding Residential R3/Residential R5/Residential R8/Restricted Office/Temporary Zone (h-1*R3-2/R5-4/R8-4/RO2/T-55)Zone

1.3 Site Characteristics

- Current Land Use – Warehouse and Service Trade Office
- Frontage – 47.60m (156.18 feet)
- Depth – 80.50m (264.1 feet)
- Area – 0.38 ha (0.93 acres)
- Shape – Rectangular

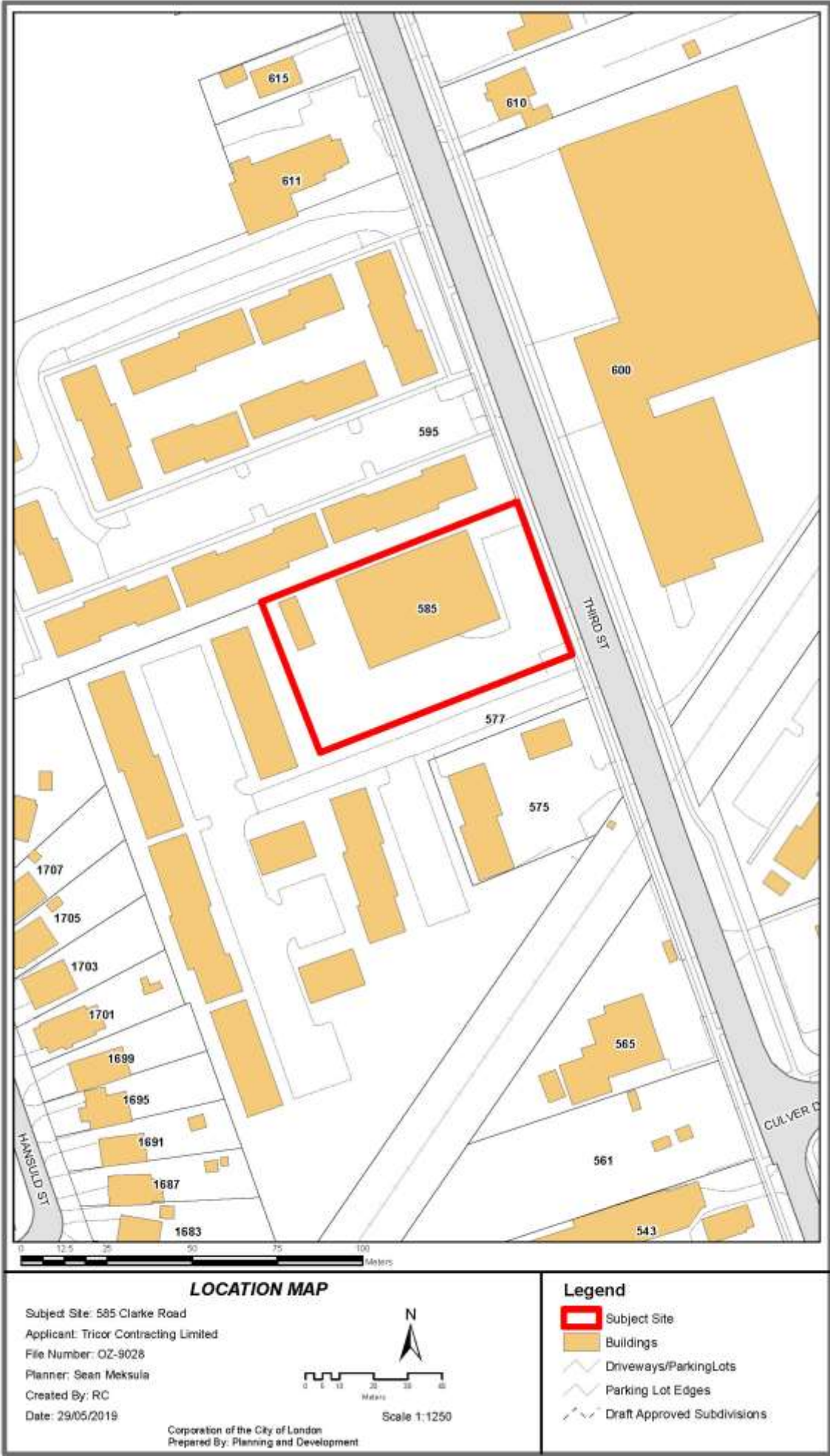
1.4 Surrounding Land Uses

- North – Residential
- East – Light Industrial
- South – Light Industrial
- West – Residential



Figure 4: 600 Third Street (east side) looking east

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The requested amendments are intended to recognize and permit existing industrial uses in the existing buildings and existing site conditions such as interior side yard, lot area, and rear yard depth through the regulations of the Zoning By-law. The recommended amendments do not permit expansions or alterations to the existing buildings or changes in the existing site conditions at 585 Third Street. Site Plan Approval is not required.

3.0 Relevant Background

3.1 Planning History

The subject lands are comprised of a purpose-built industrial building constructed in the 1950s were designated and zoned for medium density residential development by Council in 1988. Concerns with regards to proximity to the railway were raised at that time and as a result, the subject lands were permitted to operate as a personal service establishment and to vary a legal non-conforming use to a Building or Contracting Establishment use, provided there is no outdoor storage. This approval largely established the existing use of an electrical contractor on the subject lands today.

In 2000, a Zoning By-law amendment requested a temporary use zone to permit a range of industrial uses within the existing building which was approved by Council. A further request for an automobile repair garage was denied. The temporary use lapsed in 2003 and following municipal by-law compliance enforcement in 2006, the property owners reinstated and maintained the temporary zone to continue to operate the existing electrical contracting and other service trade uses, including associated office and warehouse uses, and accessory parking with no outdoor storage for the permitted uses. Subsequent requests for extension of the temporary use have been approved by Council in 2010, 2013 and 2016.

3.2 Requested Amendment

The applicant has requested an OPA to the 1989 OP to add a policy to Chapter 10 (Policies for Specific Areas), to allow the existing industrial uses to continue in the existing buildings until such time as the subject lands can be redeveloped for residential land uses in accordance with the Multi-family Medium Density Residential (MFMDR) designation. The specific policy area would permit electrical contracting or other service trade uses, including associated office and warehouse uses, to continue in the existing building with no outdoor storage.

The applicant also requested a ZBA to Zoning By-law Z.-1 to change the zoning of the subject lands to remove the Temporary Use zone, which permitted the requested uses on a temporary basis, and apply a Light Industrial zone to recognize the existing uses for the duration of their occupancy at this site. The requested zoning would also recognize the existing lot area and other existing site conditions.

The requested Light Industrial (LI7) Zone would recognize the existing Electrical Contracting and other service trade uses, including associated office and warehouse uses, in the existing building with no outdoor storage for the permitted uses and recognize the accessory parking for permitted uses. The recommended LI7() Zone recognizes other existing site conditions such as: lot area, rear yard depth, and interior side yard setbacks..

3.3 Community Engagement (see more detail in Appendix D)

Notice of Application was published in the Public Notices and Bidding Opportunities section of The Londoner on March 7, 2019, and sent to property owners in the surrounding area on March 6, 2019. The notice advised of a possible amendment to the 1989 OP to add a Specific Policy to Chapter 10 (Policies for Specific Areas) and a

possible amendment to The London Plan to add a Specific Policy to the Neighbourhoods Place Type to permit the existing non-residential uses in the existing building. The notice also advised of a possible amendment to Zoning By-law Z.-1 a Holding Residential R3/Residential R5/Residential R8/Restricted Office/Temporary Zone (h-1/R3-2/R5-4/R8-4/RO2/T-55) Zone to a Holding Residential R3/ Residential R5/Residential R8/Restricted Office/Light Industrial Special Provision (h-1/R3-2/R5-4/R8-4/RO2/LI7(_))Zone to permit existing uses at a total gross floor area of 1,360 m². One phone call was received expressing support for the application.

3.4 Policy Context (see more detail in Appendix E)

3.4.1 Provincial Policy Statement, 2014 (PPS)

The PPS provides broad policy direction on matters of Provincial interest related to land use planning and development. The PPS does not assign land use designations to properties. The PPS provides policies on key issues such as the efficient use of land and infrastructure and ensuring appropriate opportunities for employment and residential development, including support for a mix of land uses.

3.4.2 The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject lands are located within the “Neighbourhoods” Place Type on Map 1 – Place Types in The London Plan, with frontage on a “Neighbourhood Connector” (Third Street) on Map 3 – Street Classifications (*1781_). The broadest range of use and intensity contemplated for the subject lands in The London Plan are single-detached, semi-detached, duplex and converted dwellings, townhouses, secondary suites, group homes and home occupations, triplexes, and small-scale community facilities; permitting a minimum height of 1-storey and a maximum height of 2.5-storeys (Permitted Uses *921_ and *922_). The existing non-residential uses on the subject lands are not contemplated within the Neighbourhoods Place Type therefore requiring the need for an amendment. At the time of writing this report the Neighbourhoods Place Type policies were not in force and effect due to appeals to the Ontario Municipal Board.

3.4.3 1989 Official Plan

The 1989 OP contains policies that guide the use and development of land within the City of London and is consistent with the policy direction set out in the PPS. The 1989 OP assigns land use designations to properties, and the policies associated with those land use designations provide for a general range of uses, and form and intensity of development that may be permitted.

The subject lands are designated Multi-Family Medium Density Residential MFMDR on Schedule “A” – Land Use to the 1989 OP. The MFMDR designation is intended for multiple-unit residential developments having a low-rise profile, and densities that exceed those found in Low Density Residential areas but do not approach the densities intended for the Multi-Family, High Density Residential designation. Residential uses that typically comprise medium density development include row houses, cluster houses, low-rise apartment buildings, and certain specialized residential facilities such as small-scale nursing homes, homes for the aged and rest homes.

A limited range of non-residential uses are contemplated in the MFMDR designation including secondary uses that are considered to be integral to, or compatible with, residential neighbourhoods and/or convenience commercial uses. The existing non-residential use on the subject lands are not contemplated in the MFMDR designation but

some secondary uses that are contemplated by policy which have similar potential impacts include commercial recreation facilities and small-scale office developments.

4.0 Key Issues and Considerations

4.1 Specific Policy Areas

As noted above, within the Multi-family Medium Density Residential designation and the Neighbourhoods Place Type certain non-residential uses are contemplated as permitted secondary or convenience commercial uses that are compatible with a neighbourhood environment (Policy 3.3 and Policy 3.3.1). However, the existing non-residential uses on the subject lands are not contemplated in the Multi-family Medium Density designation nor the Neighbourhoods Place Type necessitating the need for specific area policies. The applicant has requested specific area policies be added to the 1989 OP to augment the general policies of the LDR designation that would otherwise apply.

The London Plan (The LP)

The London Plan includes Specific Policies to the Neighbourhoods Place Type that serve to augment the general policies for Neighbourhoods Place Type with more specific policies. In The London Plan, Specific Area Policies may be applied where the applicable place type policies would not accurately reflect the intent of City Council with respect to a specific site or area (Policy 1729_).

Specific Area Policies may only be considered in limited circumstances where the following conditions apply (Policy 1730_ 1.-5.):

1. "The proposal meets all other policies of the Plan beyond those that the specific policy identifies." With the exception of the general policies for the Neighbourhoods Place Type, the proposal by the applicant generally conforms to the policies of The London Plan.
2. "The proposed policy does not have an adverse impact on the integrity of the place type policies or other relevant parts of this Plan." The existing uses are well established and have achieved a measure of compatibility with the surrounding land uses. Since the specific area policy will limit the non-residential uses to the existing building and their existing size, the specific area policy will discourage the non-residential use from establishing any further, or intensifying, on the subject lands.
3. "The proposed use is sufficiently unique and distinctive such that it does not establish an argument for a similar exception on other properties in the area." The existing building located on the subject lands was purpose-built for non-residential uses. The continued use of the existing building on the subject lands will not create a precedent for the recommended specific area policies elsewhere.
4. "The proposed use cannot be reasonably altered to conform to the policies of the place type." As noted above, the existing building on the subject land was purpose-built for non-residential uses and cannot readily be repurposed for low-rise, low-density housing forms as intended by the place type policies.
5. "The proposed policy is in the public interest, and represents good planning". In the near-term, permitting the existing non-residential use in the existing non-residential building would avoid potential hardships or vacancies when trying to find an adaptive reuse of the space and contribute to the vitality of the neighbourhood.

1989 Official Plan (1989 OP)

Chapter 10 – "Policies for Specific Areas" in the 1989 OP allows Council to consider policies for specific areas when it is in the interest of Council to maintain the existing land use designation while allowing for a site-specific change in land use (Policy 10.1.1 ii). In the near-term, the recommended amendment would permit the continued use of the existing non-residential building on the subject lands for existing non-residential uses,

while not affecting the long-term ability of the subject lands to redevelop in accordance with the MFMDR designation once market conditions warrant redevelopment for residential uses.

To assist in evaluating the appropriateness of policies for specific areas relative to surrounding land uses, a Planning Impact Analysis will be undertaken (Policy 10.1.2.). The existing non-residential uses recommended to be permitted on the subject lands have been reviewed through a Planning Impact Analysis according to the relevant criteria of Section 3.7, and the relevant criteria have been met based on the analysis provided through-out in this report and summarized in Appendix F.

4.2 Land Use Compatibility

Staff considered the appropriateness and compatibility of permitting the existing non-residential uses on the subject lands within the surrounding neighbourhood.

Provincial Policy Statement, 2014 (PPS)

The PPS directs that municipalities shall support economic development and competitiveness by "...maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses" and by "encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities" (Policy 1.3.1 b) and c)).

Consistent with the PPS, permitting the existing non-residential use on the subject lands would allow the subject lands to continue to be used for employment uses that contribute to economic activity and employment options within the neighbourhood.

The London Plan

For all planning and development The London Plan tries to achieve good fit and compatibility with the surrounding context (Policy *193_). For all planning and development applications potential impacts on adjacent properties will be considered along with the degree to which impacts can be managed and/or mitigated. (Policy 1578_5.) As noted above, the use of the existing non-residential buildings on the subject lands for non-residential uses have not caused serious adverse impacts on adjacent residential uses, and have achieved a reasonable level of acceptance within the neighbourhood over the past nineteen (19) years.

The current Temporary (T-55) Zone that applies to the subject land permits "existing industrial use" which in this case includes repair and rental establishment, warehouse, service, electrical contracting, service trade uses, support offices, and accessory parking with no outdoor storage. The recommended amendments would provide greater clarity than the current Temporary (T-55) Zone during the near term future to the industrial permission of the subject lands. However, in an effort to move towards conformity with the Multi-Family Medium Density Residential designation and Neighbourhoods Place Type, it is recommended that the existing non-residential uses be permitted and regulated by the Light Industrial (LI7) Zone.

Given the low number of community responses received through the community engagement process (a total of 1) which expressed no concerns but complete support for the existing uses to be permitted on the subject lands, it would appear the existing non-residential uses on the subject lands have achieved an acceptable level of compatibility with the surrounding residential properties.

The applicant has requested a special provision be added to the Holding Residential R3/Residential R5/Residential R8/Restricted/Office/Light Industrial (h-1/R3-2/R5-4/R8-4/RO2 Zone to recognize the existing Building or Contracting Establishment; Service Trade; Support Office; as permitted uses; and Warehouse in association with a permitted use. Existing residential zoning is in place which would allow the lands to redevelop in accordingly once market conditions warrant redevelopment for residential uses.

In order to recognize existing lot conditions a number of Special Provisions are required. Minimum Lot Area of 1,900m² (20,452.6 sq. ft.), minimum Lot Frontage of 26m (85 feet), minimum North Interior Side Yard Setback of 0.5m (1.6 feet), minimum South Interior Side Yard Setback of 18m (59 feet), and minimum Rear Yard Setback of 5.5m (18.0 feet). These proposed special provisions are existing conditions which have achieved a measure of compatibility with the surrounding residential uses. By recognizing the existing special provisions through zoning, it will regularize the lot deficiencies, eliminate the existing legal non-conforming status and prevent the existing uses from encroaching closer to residential properties without a subsequent planning application and public process.

1989 Official Plan (1989 OP)

An objective for all residential designations in the 1989 OP is to minimize the potential for land use compatibility issues which may result from an inappropriate mix of low, medium and high residential densities or residential and non-residential uses (Policy 3.1.1 vii). The use of the existing non-residential building on the subject lands for non-residential uses has not caused serious adverse impacts on near-by residential uses historically, and has achieved a reasonable level of acceptance within the neighbourhood over the past nineteen (19) years.

4.3 Parking

Provincial Policy Statement, 2014 (PPS)

The PPS promotes appropriate development standards to facilitate compact development in settlement areas (Policy 1.1.3.4). Consistent with the PPS, the existing on-site parking supply of 35 parking spaces can accommodate the existing non-residential uses. The existing parking supply is anticipated to provide reasonable parking levels to maintain existing business activities.

The London Plan (LP)

The LP directs that the Zoning By-law establish parking standards that don't require excessive amounts of parking, and recognizes that in areas well served by transit, reduced parking rates may be appropriate (Policy 271_). The LP provides for accessory parking lots in utility corridors where acceptable to the relevant utility, compatible with surrounding land uses, and permitted in the applicable place type (Policy 463_). Within the Neighbourhoods Place Type, The London Plan directs that on-street parking may be permitted to address parking requirements (Policy 936_4.).

The existing 35 parking spaces, are anticipated to be sufficient for the property and the existing uses. This is because using the Business or Contracting Establishment (manufacturing establishment) parking standard of one space per 200 m², five (5) parking spaces would be required for 960 total m². This floor area is based on the main building comprising approximately 1115 m² less 225 m² for the Compex Display office plus 70 m² for the associated storage for a total of 960 m². The Compex Display 225 m² floor area would require 6 parking spaces using the Office-Business, Service & Professional Standard of 1 per 40 m². On this basis, a total of 11 parking spaces would be required for the entire site. Planning Staff have taken into account the existence of the existing 35 parking spaces when considering the appropriateness of the requested site-specific provision that would permit the existing on-site parking supply as the minimum parking requirement for all permitted non-residential uses. The 35 parking spaces located on-site is more than sufficient to accommodate the existing uses on the lands.

Since the purpose and intent of the recommended amendments is to recognize and permit the existing non-residential uses that have existed on the subject lands for some time to continue, the demand for parking is not expected to be more intense than previously experienced. More information and detail is available in Appendix B and C of this report.

1989 Official Plan (1989 OP)

The 1989 OP supports the provision of parking that is adequate for the land uses which are to be supported, and at a standard that promotes compatibility with adjacent land uses (Policy 18.2.12). Similar to the above London Plan analysis, the recommended special provisions are anticipated to provide reasonable parking levels to maintain existing business activities.

5.0 Conclusion

The recommended amendments to permit the continued use of the existing non-residential buildings on the subject lands for existing non-residential uses is consistent with the PPS which directs municipalities to maintain suitable sites for employment uses and consider the needs of existing businesses. Consistent with the PPS, which promotes appropriate development standards to facilitate compact development, recognizing and permitting the existing on-site parking supply as the minimum parking requirement for existing non-residential uses would avoid an unnecessary oversupply of parking. The existing non-residential uses currently operate on the subject lands with the existing site conditions without serious impacts to surrounding residential land uses.

The continued use of the existing non-residential buildings on the subject lands for non-residential uses within a residential area necessitates the need for amendments to the 1989 Official Plan and The London Plan to add specific area policies. The recommended amendments meet the conditions in the 1989 Official Plan and The London Plan for specific area policies. Since the specific area policy will limit the non-residential uses to the existing buildings, the specific area policy will discourage the non-residential uses from expanding further or intensifying on the subject lands. It is not expected that the specific area policies will affect the ability of the subject lands to redevelop for residential uses in the future.

Once the 1989 Official Plan and The London Plan are amended to include specific area policies, the recommended amendment to the Zoning By-law would conform to the 1989 Official Plan and The London Plan. The recommended amendment to the Zoning By-law will permit the existing non-residential uses in the existing buildings and limit the non-residential uses to their existing range of business activities and size to maintain an acceptable level of compatibility with the surrounding residential uses.

Prepared by:	Sean Meksula, MCIP, RPP Planner II, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

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Appendix A

Bill No. (number to be inserted by Clerk's Office)
(2019)

By-law No. C.P.-1284-
A by-law to amend the Official Plan for
the City of London, 1989 relating to 585
Third 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 1, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 1, 2019
Second Reading – October 1, 2019
Third Reading – October 1, 2019

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

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy in Section 10.1.3 – “Policies for Specific Areas” to the Official Plan for the City of London to permit existing industrial uses in existing buildings.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 585 Third Street in the City of London.

C. BASIS OF THE AMENDMENT

Chapter 10 – “Policies for Specific Areas” of the Official Plan allows Council to consider policies for specific areas where one of four criteria apply. One of these criteria is “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” (Section 10.1.1 II).

The recommended amendment will recognize and permit the existing industrial land uses in the existing buildings until such time as the subject lands can be redeveloped for residential land uses as intended in the Low Density Residential designation.

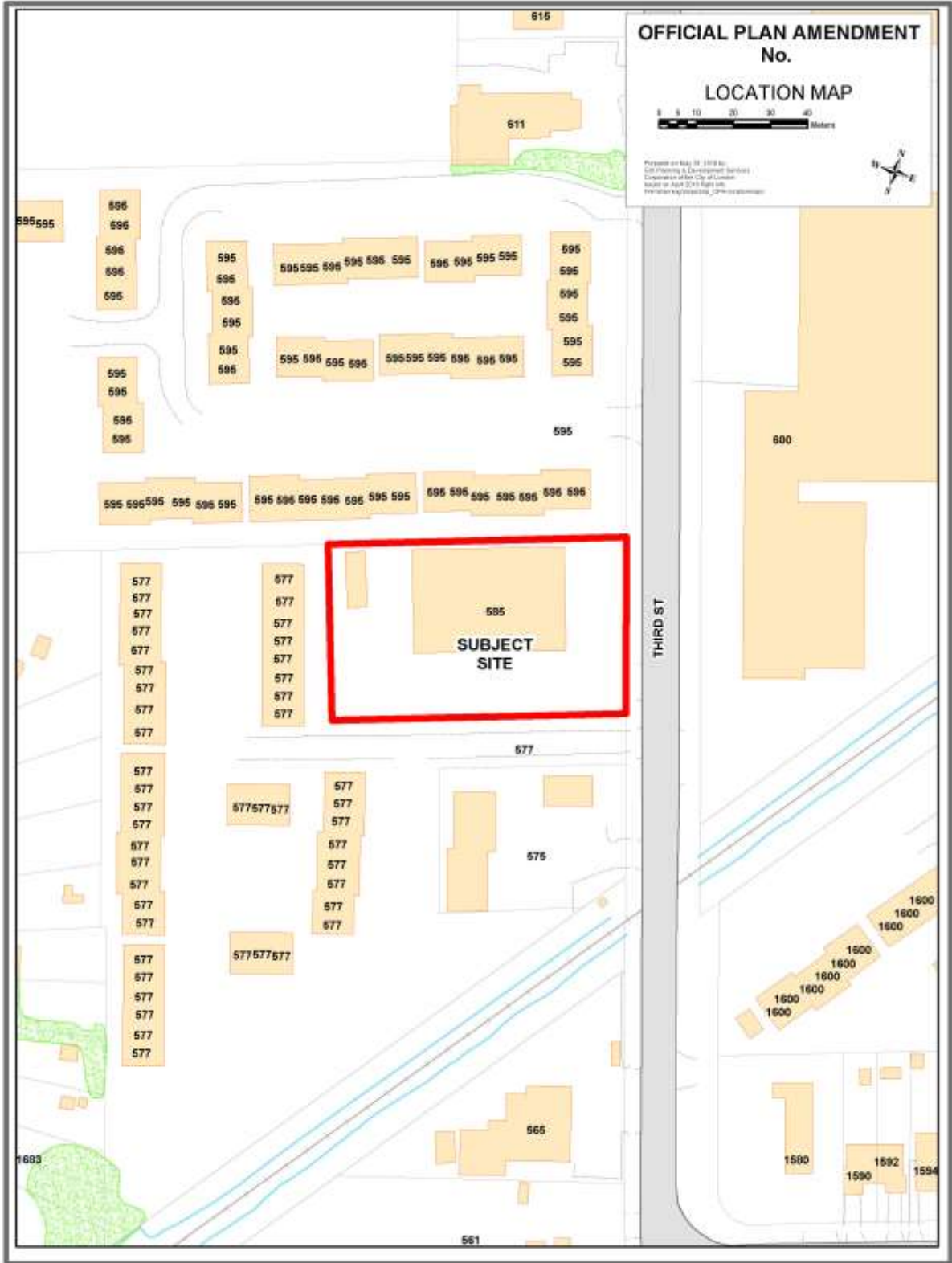
D. THE AMENDMENT

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

1. Section 10.1.3 – “Policies for Specific Areas” of the Official Plan for the City of London is amended by adding the following:

585 Third Street

In addition to the uses permitted in the Multi-Family, Medium Density Residential Designation, a Building or Contracting Establishment, Service Trade, and Support Office may be permitted as well as a Warehouse in association with a permitted use with no outdoor storage for the permitted uses.



Appendix B

Bill No. (number to be inserted by Clerk's Office)
2019

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for
the City of London, 2016 relating to 585
Third Street.

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

1. Amendment No. # 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. The Amendment shall come into effect in accordance with subsection
17(27) of the *Planning Act, R.S.O. 1990, c. P.13*.

PASSED in Open Council on October 1, 2019.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – October 1, 2019
Second Reading – October 1, 2019
Third Reading – October 1, 2019

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

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add new policies to the Specific Policies for the Neighbourhoods Place Type and to add certain lands described herein to Map 7 – Specific Policy Areas, to The London Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 585 Third Street in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment will recognize and permit the existing industrial land uses in the existing buildings until such time as the subject lands can be redeveloped for residential land uses as intended in the Neighbourhoods Place Type.

D. THE AMENDMENT

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

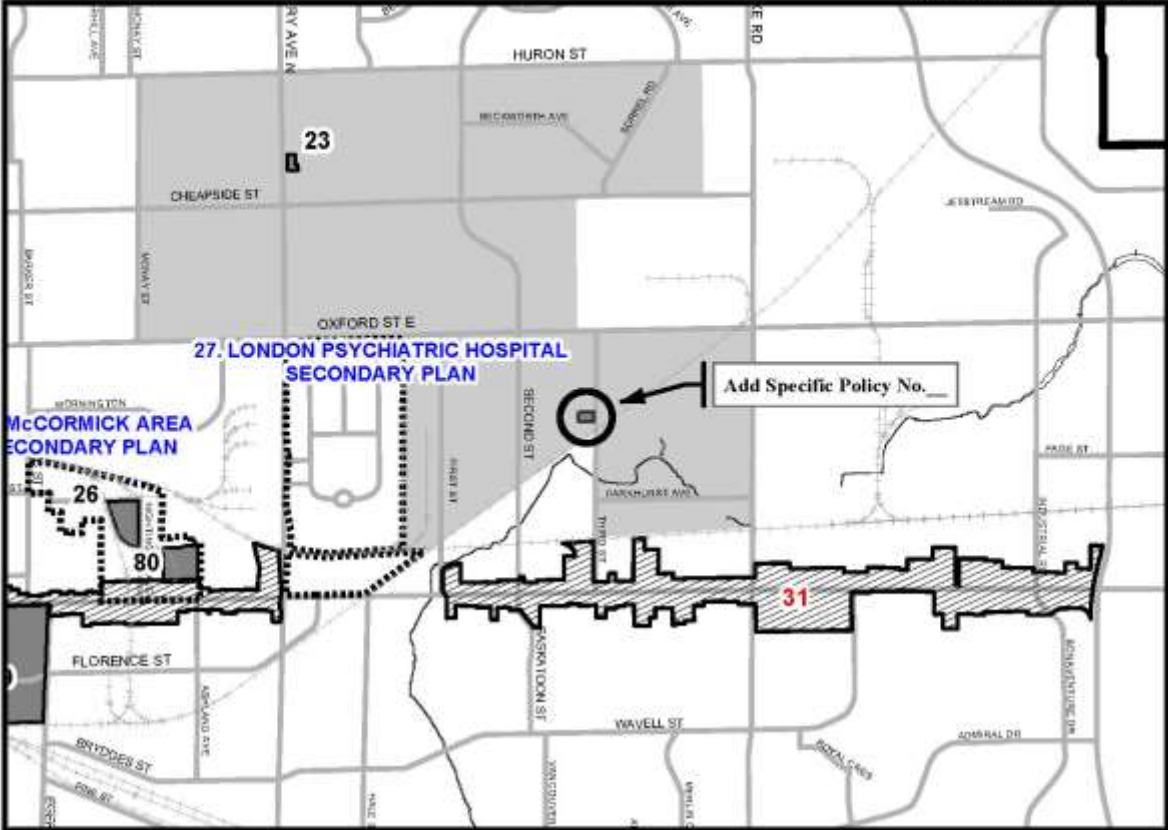
1. Specific Policies for the Neighbourhoods Place Type of The London Plan for the City of London are amended by adding the following:

585 Third Street

()_ In the Neighbourhoods Place Type at 585 Third Street, in addition to the uses permitted in the Neighbourhoods Place Type, a Building or Contracting Establishment, Service Trade, and Support Office may be permitted as well as a Warehouse in association with a permitted use with no outdoor storage for the permitted uses.

2. Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a specific policy area for the lands located at 585 Third Street in the City of London, as indicated on “Schedule 1”

AMENDMENT NO: _____



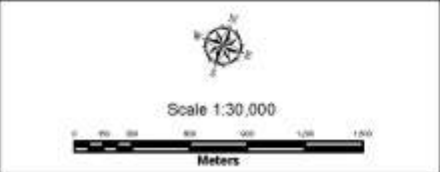
<p>LEGEND</p> <ul style="list-style-type: none"> Specific Policies Rapid Transit and Urban Corridor Specific-Segment Policies Near Campus Neighbourhood Secondary Plans 	<p>BASE MAP FEATURES</p> <ul style="list-style-type: none"> Streets (See Map 3) Railways Urban Growth Boundary Water Courses/Ponds
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This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

**SCHEDULE 1
 TO
 THE LONDON PLAN**

AMENDMENT NO. _____

PREPARED BY: Planning Services



FILE NUMBER: OZ-9028
 PLANNER: SM
 TECHNICIAN: RC
 DATE: 5/30/2019

Appendix C

Bill No. (number to be inserted by Clerk's Office)
2019

By-law No. Z.-1-19 _____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 585
Third Street.

WHEREAS Tricor Contracting Limited has applied to rezone an area of land located at 585 Third Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (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:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 585 Third Street, as shown on the attached map comprising part of Key Map No. A108, from a Holding Residential R3/Residential R5/Residential R8/Restricted Office/Temporary Zone (h-1/R3-2/R5-4/R8-4/RO2/T-55) Zone, to a Holding Residential R3/Residential R5/Residential R8/Restricted Office/Light Industrial Special Provision (h-1/R3-2/R5-4/R8-4/RO2/LI7()) Zone.
- 2) Section Number 40.4 of the Light Industrial (LI7) Zone is amended by adding the following Special Provision:
 -) LI7() 585 Third Street
 - a) Permitted Uses
 - i) Building or Contracting Establishment
 - ii) Service Trade
 - iii) Support Office
 - iv) Warehouse (in association with a permitted use)
 - b) Regulation[s]
 - i) Lot Area (minimum) 1,900m² (20,452.6sq.ft.)
 - ii) Lot Frontage 26m (85 feet)
 - iii) North Interior Side Yard Setback 0.5m (1.6 feet)
 - iv) South Interior Side Yard Setback 18m (59 feet)
 - v) Rear Yard Setback 5.5m (18.0 feet)
 - vi) Outdoor storage is prohibited

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

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

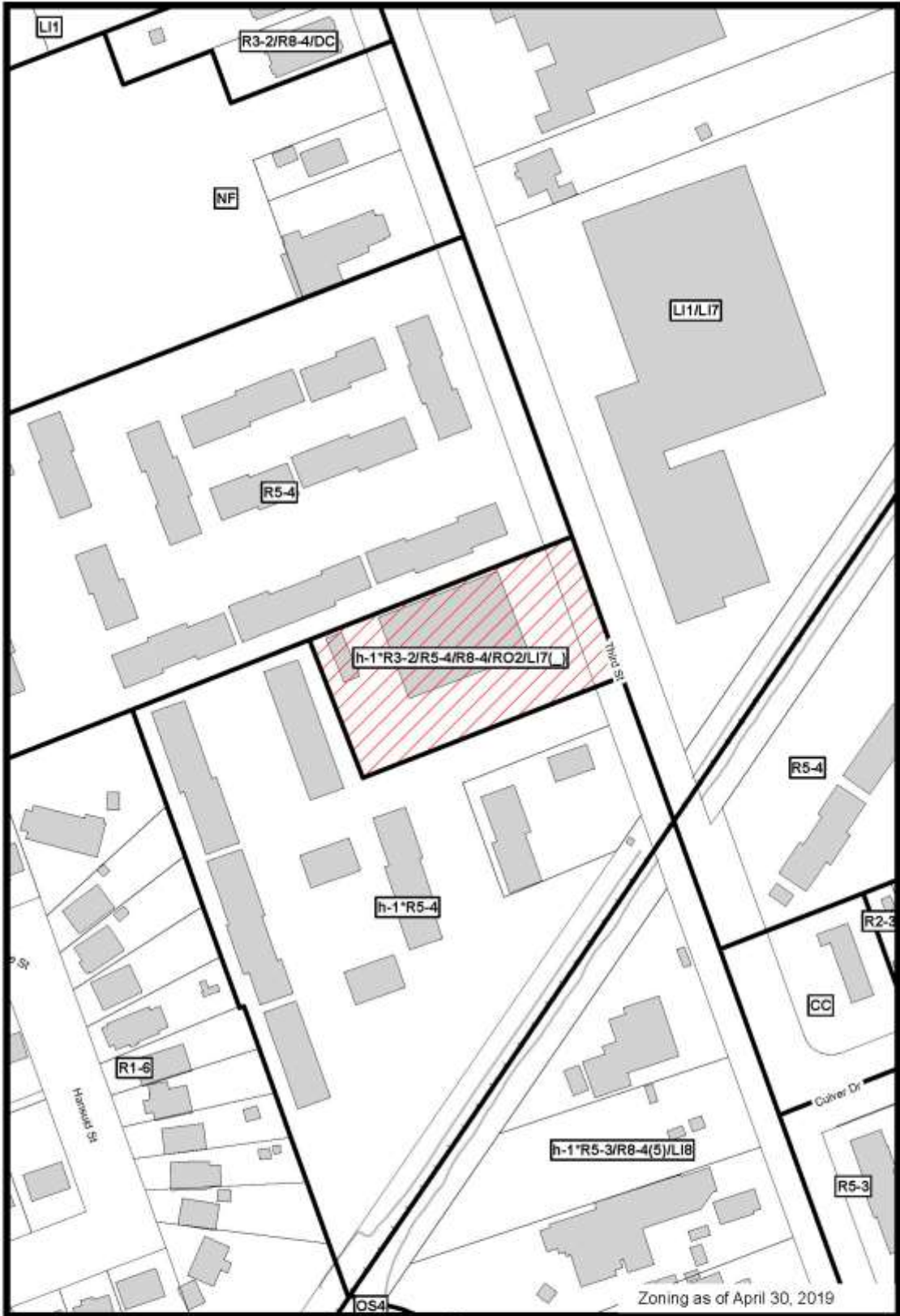
PASSED in Open Council on October 1, 2019.

Ed Holder
Mayor


Catharine Saunders
City Clerk

First Reading – October 1, 2019
Second Reading – October 1, 2019
Third Reading – October 1, 2019

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




File Number: OZ-9028
Planner: SM
Date Prepared: 2019/08/22
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:1,500

0 5 10 20 30 40
Meters



Appendix D – Public Engagement

Community Engagement

Public liaison: On March 6, 2019, Notice of Application was published in the Public Notices and Bidding Opportunities section of The Londoner. On March 7, 2019, Notice of Application was also sent to 250 property owners in the surrounding area. On August 28, 2019 a Revised Notice of Application was published in Notices and Bidding Opportunities section of The Londoner. On August 29, 2019, the revised Notice of Application was also sent to 250 property owners in the surrounding area. A “Planning Application” sign was also posted on the site.

1 reply was received

Nature of Liaison: The notice advised of a possible amendment to the 1989 OP to add a Specific Policy to Chapter 10 (Policies for Specific Areas) and a possible amendment to The LP to add a Specific Policy to the Neighbourhoods Place Type to permit the existing use in the existing building. The notice also advised of a possible amendment to change the zoning from a Holding Residential R3/Residential R5/Residential R8/Restricted Office/Temporary Zone (h-1/R3-2/R5-4/R8-4/RO2/T-55) Zone to a Holding Residential R3, Residential R5, Residential R8, Restricted Office, Light Industrial (h-1/R3-2/R5-4/R8-4/RO2/LI8) Zone to permit existing uses at a total gross floor area of 1,360 m².

Nature of the Revised Liaison: To add a Specific Policy for the Neighbourhoods Place Type to permit, in addition to the uses permitted in the Neighbourhoods Place Type, the existing industrial uses which include, Building or Contracting Establishment, Service Trade, Support Office and Warehouse (in association with a permitted use). The notice also advised of a possible amendment to change the zoning from a Holding Residential R3/Residential R5/Residential R8/Restricted Office/Temporary Zone (h-1/R3-2/R5-4/R8-4/RO2/T-55) Zone to a Holding Residential R3, Residential R5/Residential R8/Restricted Office/Light Industrial Special Provision (h-1/R3-2/R5-4/R8-4/RO2/LI7()) Zone to permit existing uses which include, Building or Contracting Establishment, Service Trade, Support Office and Warehouse (in association with a permitted use). With Special Provisions to recognize existing lot conditions including minimum Lot Area of 1,900m² (20,452.6 sq. ft.), minimum Lot Frontage of 26m (85 feet), minimum North Interior Side Yard Setback of 0.5m (1.6 feet), minimum South Interior Side Yard Setback of 18m (59 feet), and a Rear Yard Setback of 5.5m (18.0 feet).

Responses: One telephone message was received but the person did not leave their name or phone number. They were in support of the application and said the owners were good people and that he would like to see the application move forward.

Agency/Departmental Comments

April 2, 2019: Development Services (Engineering)

No comments for the re-zoning.

The following items are to be considered during the site plan approval stage:

- Road widening dedication of 10.75m from centre line required along Third Street
- If site plan is required detailed comments regarding access design and location will be made through that process

March 22, 2019: London Hydro

- London Hydro has no objection to this proposal or possible official plan and or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

March 21, 2019: Upper Thames River Conservation Authority

- No objection to this application.

Appendix E – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement

1.1.3.4 – *Settlement Areas*

1.3.1 b) and c) – *Employment*

1989 Official Plan

3.1.1 vii) – *General Objectives for all Residential Designations*

3.3 – *Multi-Family Medium Density Residential*

3.3.1 – *Multi-Family Medium Density Residential, Permitted Uses*

10.1.1 ii) – *Policies for Specific Areas, Criteria*

10.1.2. – *Policies for Specific Areas, Planning Impact Analysis*

18.2.12 – *Transportation Planning, Parking Policies*

The London Plan

Table 11 – *Range of Permitted Heights in Neighbourhoods Place Type*

Table 10 – *Range of Permitted Uses in Neighbourhoods Place Type*

193_ – *City Building Policies, City Design, What are we trying to achieve*

271_ – *City Building Policies, City Design, Parking*

463_ – *City Building Policies, Civic Infrastructure, Policies for all Infrastructure*

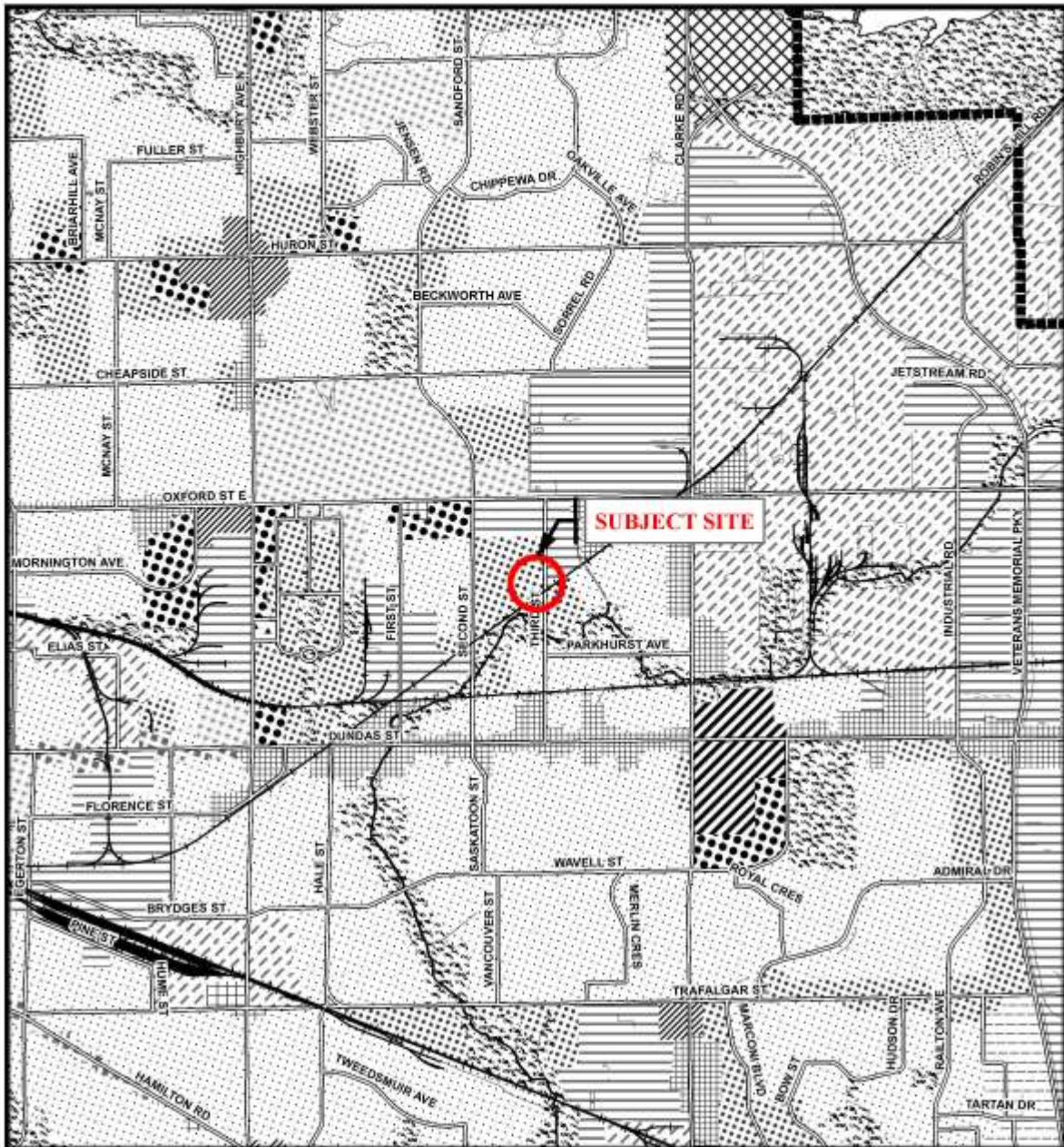
936_4. – *Place Type Policies, Urban Place Types, Neighbourhoods, Form*

1578_5. – *Our Tools, Evaluation Criteria for Planning and Development Applications*

1729_ – *Our Tools, Specific Area Policies*

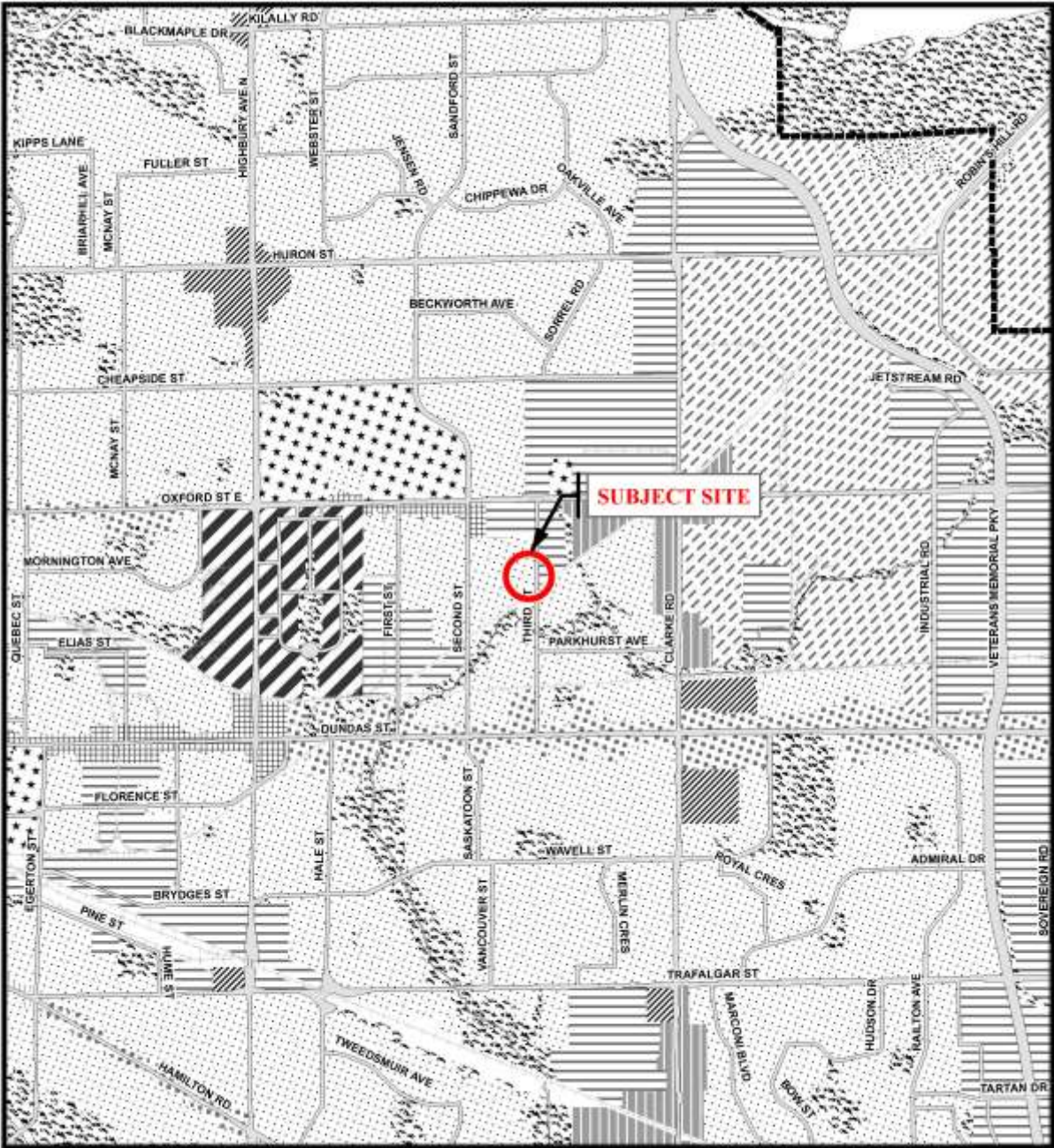
1730_1.-5. – *Our Tools, Specific Area Policies*

Appendix F – Relevant Background



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

<p>CITY OF LONDON Planning Services / Development Services OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	FILE NUMBER: OZ-9028
		PLANNER: SM
		TECHNICIAN: RC
		DATE: 2019/05/29



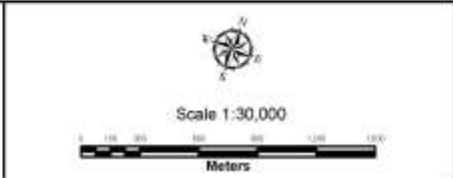
Legend

Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: OZ-9028
Planner: SM
Technician: RC
Date: May 29, 2019



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

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

- | | |
|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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 |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT 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-9028 SM

MAP PREPARED:
 2019/05/29 RC

1:2,000
 0 10 20 40 60 80 Meters

Planning Impact Analysis 1989 OP, Section 3.7 Applicable Criteria Only	
(a) 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 existing non-residential uses have not historically caused serious adverse impacts on near-by residential uses and have achieved a reasonable level of acceptance within the neighbourhood.
(b) 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 use;	The existing building is intended to remain to accommodate the existing use. No further expansions to the building are proposed. There are no concerns with the ability of the site to accommodate the existing uses given the past track record and the ability to provide parking. The existing industrial building can be utilized to house these uses without the need for the site to be re-developed.
(c) the supply of vacant land in the area which is already designated and/or zoned for the proposed use;	The existing non-residential uses on the subject lands are not contemplated in the immediate residential neighbourhood. These lands are in the vicinity that are zoned to permit industrial uses but these lands are occupied and not available to the existing uses to relocate.
(f) the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;	The requested amendments do not contemplate expansions or alterations to the existing buildings or changes in the existing site conditions. The existing conditions are not anticipated to have potential impacts on surrounding land uses.
(h) 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 requested amendments do not contemplate expansions or alterations to the existing buildings or changes in the existing site conditions. The existing conditions are not anticipated to have potential impacts on surrounding land uses.
(i) the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;	The requested amendments do not contemplate expansions or alterations to the existing buildings or changes in the existing site conditions. The existing conditions are not anticipated to have potential impacts on surrounding land uses.
(l) compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law; and	The recommended amendments permit existing site conditions in the Zoning By-law. The subject lands will be compliant with the Zoning By-law as amended. Site Plan Approval is not required, therefore compliance with the Site Plan Control By-law will not be addressed at this time.