

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: 512 McCormick Boulevard
Public Participation Meeting

Date: November 1, 2021

Recommendation

That, on the recommendation of the Director, Planning & Development, with respect to the application of Derek Panzer relating to the property located at 512 McCormick Boulevard, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 16, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (1989), to change the zoning of the subject property **FROM** a Residential R1 (R1-6) Zone **TO** a Light Industrial Special Provision (LI1(_)) Zone.

Executive Summary

Summary of Request

The owner has requested to rezone the subject lands to permit Urban Agriculture through the conversion of shipping containers which will be used solely for the growing of food.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to permit Urban Agriculture as a new use on the subject lands.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Key Directions;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the General Industrial designation;
4. The recommended amendment aligns with the Council-adopted Urban Agriculture Strategy;
5. The recommended amendment facilitates the development of an underutilized parcel of land that would otherwise be undevelopable.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Planning History

None.

1.3 Property Description

The subject lands are located on the east side of McCormick Boulevard, north of Princess Avenue, in the East London Planning District. The subject lands have a frontage of approximately 38.1 metres, an area of approximately 768 square metres, and are irregular in shape.



Figure 1: Image of the subject lands

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

- 1989 Official Plan Designation – General Industrial
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Residential R1 (R1-6) Zone

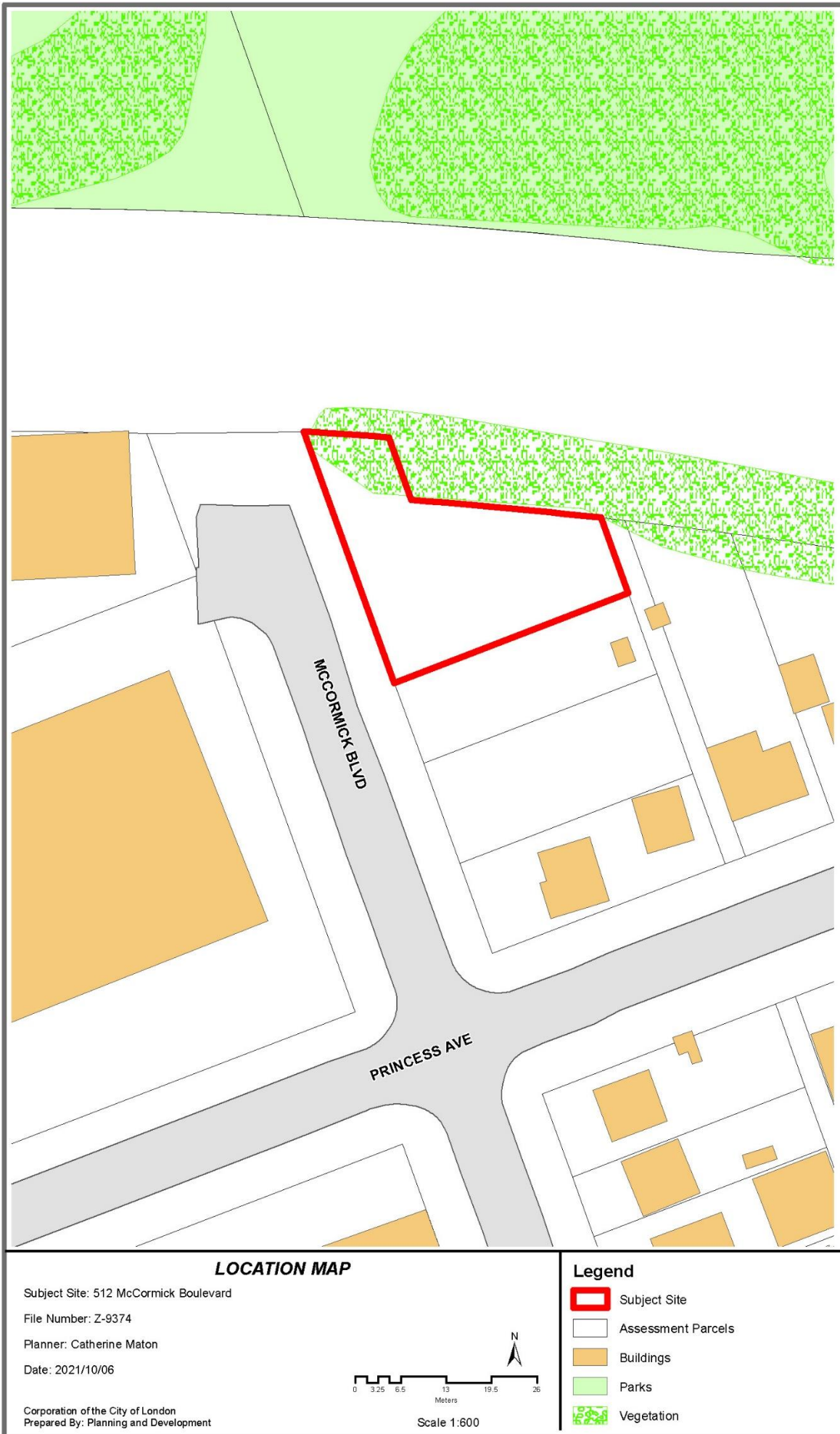
1.5 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 38.4 metres (125.9 feet)
- Depth – 35.8 metres (117.4 feet)
- Area – 800 square metres (8,611 square feet)
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Railway tracks (Canada Pacific Rail)
- East – Residential
- South – Hydro substation
- West – Industrial

1.7 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The owner is proposing to develop the subject lands with up to eight shipping containers to be converted for, and wholly devoted to, growing food. A site concept plan and massing model are provided below in Figures 2 and 3.

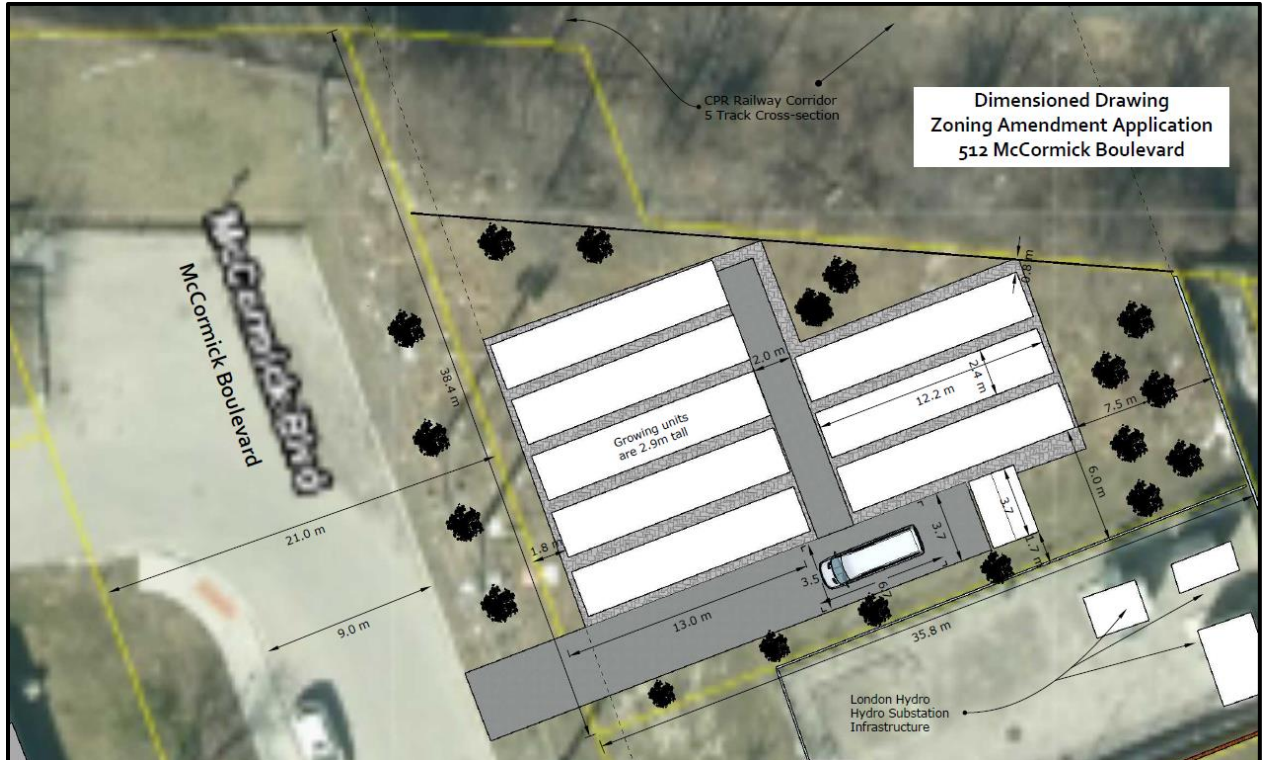


Figure 2: Site concept plan

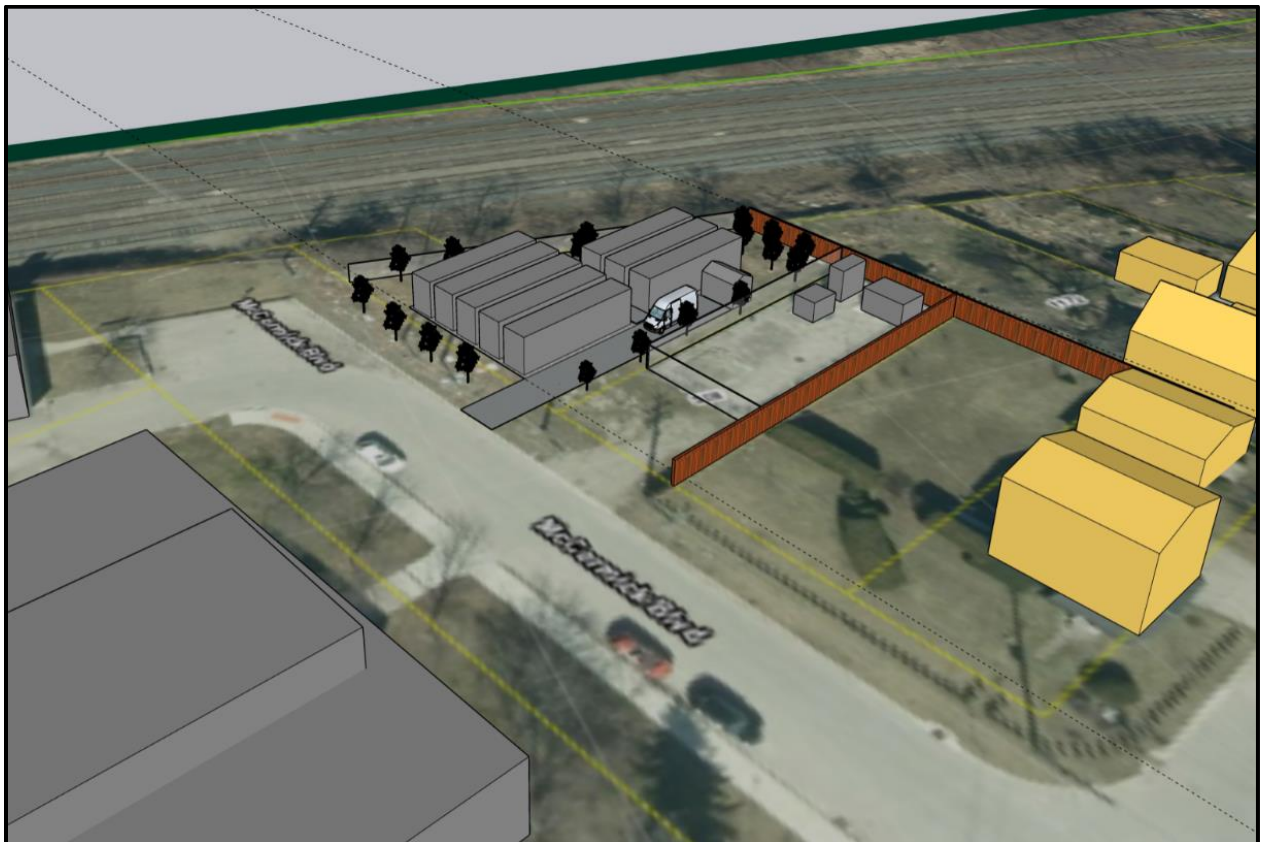


Figure 3: Conceptual massing model

2.2 Requested Amendment

The owner has requested to rezone the subject lands from a Residential R1 (R1-6) Zone to a Light Industrial Special Provision (LI1(_)) Zone to permit the use of the subject lands for Urban Agriculture. Special provisions would permit: the proposed Urban Agriculture use; up to 8 shipping containers converted for, and wholly devoted to,

growing food; a minimum lot area of 800 square metres; minimum interior side and rear yard depths of 1.2 metres per 3 metres of building height; and a minimum parking rate of one space for Urban Agriculture.

Through the review and circulation of the application, community members expressed concern that the shipping containers could be stacked multiple high. To address this concern, the applicant amended their application to include an additional special provision to prohibit vertical stacking of shipping containers.

2.3 Community Engagement (see more detail in Appendix B)

Seven (7) written responses and two phone calls were received from seven (7) neighbouring property owners, which are addressed in Appendix B of this report.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3).

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 London Plan provides Key Directions (54_) that must be considered to help the City effectively achieve its vision. These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to plan strategically for a prosperous city by:

- Protecting our valuable agricultural land and building upon London’s role as an agri-food industrial hub. (Key Direction #1, Direction 14).

The London Plan provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Supporting neighbourhood-scale food production. (Key Direction #7, Direction 11).

The London Plan provides direction to make wise planning decisions by:

- Plan so that London is resilient and adaptable to change over time. (Key Direction #8, Direction 4).

The site is in the Neighbourhoods Place Type on a Neighbourhood Street, as identified on *Map 1 – Place Types and Map 3 – Street Classifications. A range of low-rise residential uses are contemplated, including single detached dwellings, semi-detached

dwellings, duplex dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, in accordance with Table 10 – Range of Permitted Uses in Neighbourhoods Place Type. The maximum intensity is 2.5 storeys in accordance with *Table 11 – Range of Permitted Heights in Neighbourhoods Place Type.

1989 Official Plan

The site is designated General Industrial in accordance with Schedule 'A' of the 1989 Official Plan. The General Industrial designation is intended for a broad range of industrial uses including activities that could have a detrimental impact on residential or other uses and is intended to apply to areas which are appropriately separated from residential areas (7.2). However, the General Industrial designation is also applied to certain older industrial areas located adjacent to residential uses (7.2).

Urban Agriculture Strategy

The Urban Agriculture Strategy was adopted by Council in November 2017. The Strategy identified five broad categories as the basis of the Strategy: growing; processing; distribution; food loss and recovery; and education and connection. Under each category, community-identified priorities were described, and a series of actions were identified for these priorities. For each action, roles were identified for each of the partners (Urban Agriculture community, Agencies, and City).

The Goals of the Strategy are to: 1. Develop a strategy to direct urban agriculture efforts in the City of London; 2. Address all aspects of urban agriculture within the city and present policy and regulation amendments where necessary; 3. Determine the roles and responsibilities of the City and community in the implementation of the strategy; 4. Address gaps that may exist in providing for urban agriculture; and, 5. Outline criteria for pilot site selection and/or urban agriculture projects.

The City is currently undertaking a City-wide Official Plan Amendment and Zoning By-law Amendment to address goals 2 and 4. An information report was brought to the Planning and Environment Committee on June 21, 2021 before circulating draft amendments for public review. It is expected that a final report, with recommended amendments, will be presented at a public meeting in the fall of 2021.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use, Intensity, and Form

Provincial Policy Statement, 2020

The PPS promotes the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)). The PPS further promotes planning to prepare for the regional and local impacts of a changing climate (1.1.1i)).

Settlement areas are directed to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

Planning authorities are to promote economic development and competitiveness by providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs (1.3.1). In addition, long-term economic prosperity should be supported by promoting opportunities for economic development and community investment-readiness; optimizing the long-term availability and use of land, resources, infrastructure and public service facilities; and sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agri-food network (1.7.1 a), c), i)).

The recommended amendment facilitates the introduction of a land use that will have minimal impacts on the surrounding residential neighbourhood and makes efficient use of a vacant lot that would otherwise be undevelopable. The proposed Urban Agriculture use would utilize existing land and services, contributes to economic prosperity, and provides for an alternative and innovative way of growing food in a changing climate. The proposed land use provides opportunities to support local food and assists in maintaining and improving the local agri-food network in accordance with policy 1.7.1 of the PPS.

The London Plan

The City Building policies of The London Plan establish a policy framework for food systems in the City of London. A food system refers to all of the processes, networks, and infrastructure that are involved in the growth, harvest, processing, packaging, distribution, transport, marketing, sale, serving, consumption, and disposal of food within a city or a region. London's food system includes the prime agricultural land in and around our city, as well as the significant agri-food industry that exists in London that processes, packages, and transports our food to the world. Our food system includes such things as backyard and community gardens, local businesses, and restaurants that sell and serve food, and farmers markets that bring residents, food businesses, and local growers together (648_).

The Food System policies in The London Plan encourage, foster, and support the following goals through planning, public projects, and investment: a sustainable food system that contributes to the economic, ecological, and social well-being of our city and region; local food production and access to local, regional, national and international agricultural trade markets; alternative ways that Londoners grow, process and sell food within the city; and opportunities for urban food production on private and public lands (653_). Further, the policies direct coordinated community and regional efforts to develop a more sustainable food system that considers all stages of the food system and provides opportunities for urban agriculture (654_6).

Table 10 permits a range of residential uses but does not specifically list Urban Agriculture as a permitted use. While not listed as a permitted use in Table 10, the vision policies for the Neighbourhoods Place Type directs how the vision for Neighbourhoods is to be realized, which includes integrating facilities to support neighbourhood urban agricultural systems into neighbourhoods (918_9). However, the City is currently undertaking a City-wide Official Plan Amendment and Zoning By-law Amendment to implement the Council-adopted Urban Agriculture Strategy and remove barriers from the policy and regulatory frameworks to better facilitate Urban Agriculture uses within the Urban Growth Boundary. The recommended amendment through this application is consistent with the draft amendments currently under review by staff.

Due to the site's immediate adjacency to the CP Railway to the north, minimum setbacks and berming requirements essentially sterilize the site for residential redevelopment. As such, it is reasonably anticipated that the site could never fulfill its planned residential function under The London Plan. It should also be noted that the Neighbourhoods Place Type on *Map 1 is currently under appeal, therefore the policies of the Neighbourhoods Place Type are informative but are not determinative for the purpose of this recommendation.

1989 Official Plan

The General Industrial designation is intended for a broad range of industrial uses including activities that could have a detrimental impact on residential or other uses but is also applied to certain older industrial areas located adjacent to residential uses (7.2). The primary permitted uses contemplate a range of heavier industrial uses, including: industrial uses that involve assembling, fabricating, manufacturing, processing, and repairing activities; service trades; public and private utilities and related facilities; large storage facilities, such as wholesale and warehouse establishments, contractors yards, transportation terminals, and heavy equipment sales and service; and residential and other source recycling facilities (7.2.1).

Staff is satisfied the proposed use fits within the range of permitted uses as a manufacturing and processing use. In addition, given the site's proximity to existing sensitive land uses, staff is satisfied the proposed use is more compatible with the surrounding residential neighbourhood than the range of heavier industrial uses that would be contemplated under the existing General Industrial designation. It should also be noted that the undersized nature of the site severely constrains its ability to develop with a heavier industrial use due to zoning and provincial D-6 requirements to ensure compatibility with adjacent residential properties.

4.2 Issue and Consideration #2: Zoning

Given the General Industrial designation under the 1989 Official Plan and the site's inability to develop with a residential use, it has been determined that an industrial zone is more appropriate for the site than the current Residential R1 (R1-6) Zone. However, given the proximity of adjacent residential uses, a Light Industrial Zone variation is more appropriate than a heavier General Industrial Zone variation. Through the circulation of the application, neighbouring property owners expressed concern that the proposed Light Industrial (LI1) Zone would permit a range of industrial uses that may not be appropriate for the site. Staff and the applicant have taken this into consideration by tying necessary special provisions to the Urban Agriculture use only.

The site is currently undersized with a lot area of 800 square metres, whereas the proposed LI1 Zone requires a minimum of 2,500 square metres. The recommended amendment includes a special provision to recognize the existing lot area of 800 square metres for the Urban Agriculture use only. As such, further planning approvals and public consultation would be required to recognize the reduced lot area for any other future use, regardless of whether it is permitted under the LI1 Zone. In addition, concerns were raised regarding the potential for the shipping containers to be stacked. To address this concern, the applicant has amended their request to include an additional special provision prohibiting vertical stacking of shipping containers.

There is currently no parking requirement for Urban Agriculture in Zoning By-law Z.-1. As such, the requested amendment includes a special provision for a parking rate of one space for the Urban Agriculture use. The site design includes a single-lane driveway with parking available for one vehicle, or two vehicles if arranged in tandem. As the proposed on-site operations do not involve retailing, the applicant anticipates one parking space is sufficient to accommodate one staff person approximately 20 hours per week. Concerns were raised regarding the adequacy of this parking rate, especially given the limited availability of on-street parking on McCormick Boulevard. However, staff have no concerns due to the limited staff and clientele regularly on site.

The LI1 Zone requires a 15 metre setback from any residential zone, which severely affects the developability of the site as the southerly and easterly lot lines abut an R1-6 Zone. The requested amendment includes reduced interior side and rear yard depths of 1.2 metres per 3 metres of building height, requiring a setback of 1.2 metres for the 2.9-metre-tall shipping containers. However, as with the other requested special provisions, the reduced 1.2 metre setback would only apply to the proposed Urban Agriculture use. As such, the 15 metre setback would still apply to all other industrial uses permitted under the LI1 Zone and would effectively sterilize the site for industrial development

without further planning approvals and public consultation. The limited as-of-right building envelope is generally depicted in the hatched area shown in Figure 4 below.



Figure 4: L11 Zone building envelope (hatched area)

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions. Further, the recommended amendment is in conformity with the in-force policies of the 1989 Official Plan, including but not limited to the General Industrial designation. The recommended amendment aligns with the Council-adopted Urban Agriculture strategy and facilitates the development of an underutilized parcel of land which would otherwise be undevelopable with a use that does not detract from the surrounding residential and industrial uses.

Prepared by: Catherine Maton, MCIP, RPP
Senior Planner

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

Submitted by: George Kotsifas, P. Eng
Deputy City Manager, Planning and Economic
Development

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-21_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 512
McCormick Boulevard

WHEREAS Derek Panzer has applied to rezone a portion of an area of land located at 512 McCormick Boulevard, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

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

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable the lands located at 512 McCormick Boulevard, as shown on the attached map comprising part of Key Map No. A108, from a Residential R1 (R1-6) Zone to a Light Industrial Special Provision (LI1(_)) Zone.
- 2) Section Number 40.4 of the Light Industrial (LI1) Zone is amended by adding the following Special Provision:

LI1(_)	512 McCormick Boulevard	
a)	Additional Permitted Use:	
i)	Urban Agriculture	
b)	Regulations for the Additional Permitted Use:	
i)	Lot Area (minimum)	800 sq.m (8,611 sq.ft)
ii)	Interior Side Yard Depth Abutting Residential (minimum)	1.2m (4ft) per 3m (9.8 ft) of building height
iii)	Rear Yard Depth Abutting Residential	1.2m (4ft) per 3m (9.8 ft) of building height (minimum)
iv)	Parking (minimum)	1
v)	Up to 8 shipping containers converted for, and wholly devoted to, growing food are permitted	
vi)	Vertical stacking of shipping containers is expressly 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.

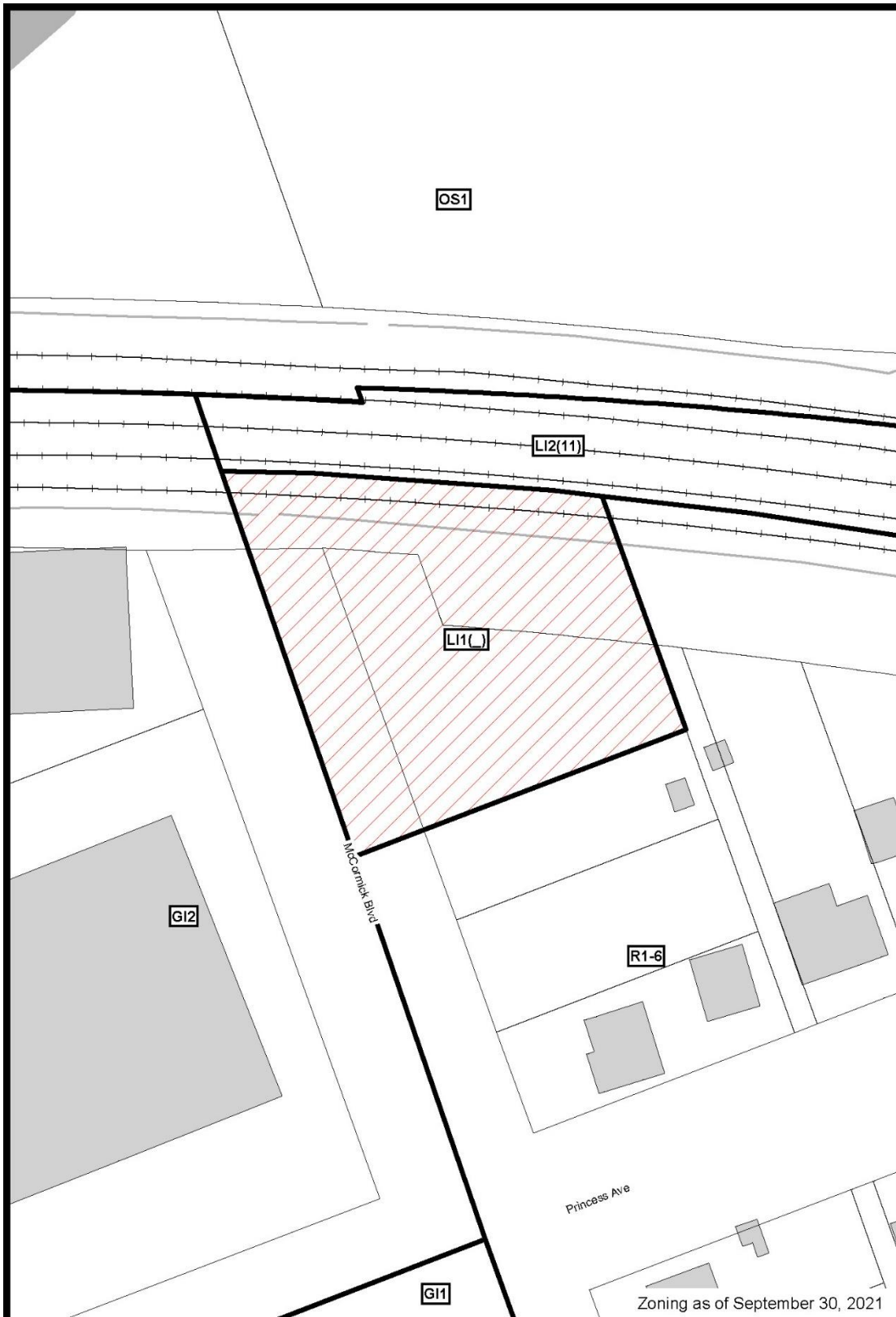
PASSED in Open Council on November 16, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – November 16, 2021
Second Reading – November 16, 2021
Third Reading – November 16, 2021

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



File Number: Z-9374
Planner: CM
Date Prepared: 2021/06/10
Technician: rc
By-Law No: Z.-1-

SUBJECT SITE 

1:600

0 3 6 12 18 24 Meters



Appendix B – Public Engagement

Community Engagement

Public liaison: On June 23, 2021, Notice of Application was sent to 33 property owners and five tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 24, 2021. A “Planning Application” sign was also posted on the site.

Seven replies were received.

The applicant hosted a Community Information Meeting on September 16, 2021. Nine members of the public were in attendance. Comments from the meeting were generally positive and in support of the proposal, with some concerns related to the potential noise emitted from heating and cooling units.

Nature of Liaison: The purpose and effect of this zoning change is to permit Urban Agriculture on the subject lands. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-6) Zone **TO** a Light Industrial Special Provision (LI1(_)) Zone. Special provisions would permit: the proposed Urban Agriculture use; up to 8 shipping containers converted for, and wholly devoted to, growing food; a minimum lot area of 800 square metres; minimum interior side and rear yard depths of 1.2 metres per 3 metres of building height; and a minimum parking rate of one space for Urban Agriculture.

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

Concern for: The potential for cannabis to be grown on site; possible odours emitted from the containers; existing nefarious activity in the area and the risk that the proposed shipping containers could exacerbate this activity; stacking of the containers; narrowness of McCormick Boulevard and its ability to accommodate the turning radius of large trucks; and the lack of available on-street parking and the request for only one parking space on site.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
Bill Brock	Jay and Darlene Shaw 1172 Princess Avenue London, ON N5W 3N3
Mark Toth 1173 Princess Avenue London, ON N5W 3N4	Mark Toth 1173 Princess Avenue London, ON N5W 3N4
	Scott Toth 500 McCormick Boulevard London, ON N5W 4C7
	Marlene Goncalves 511 McCormick Boulevard London, ON N5W 4C8
	Chris Baluk 1230 Sparton Street London, ON N5W 3J4
	Eleanor J. Rath

From: Darlene Shaw
Sent: Sunday, June 27, 2021 9:44 PM
To: Maton, Catherine <cmaton@london.ca>
Cc: Helmer, Jesse <jhelmer@london.ca>
Subject: [EXTERNAL] FILE Z-9374

Good day. We just received of "NOTICE OF PLANNING APPLICATION". We have some questions/concerns that we are hoping you can provide some answers to.

- is the product to be grown vegetables not marijuana?
- we are concerned about possible smells coming from the containers (I assume they are vented) and also possible smells from compost/manure that will be on site. If on site will they be stored in open piles round site?
- is this a retail site?
- If council approves when is this planned?
- Since we have a bit of a problem with theft/break-ins in the area (due to homelessness, drug addicts and just some trouble making youth) will the property be securely fenced all the way around? We a small concern this may attract more trouble depending on set up layout. If not properly fenced we fear people besides trying to break in will set up overnight sleeping between containers for example and also lead to more needles laying around.
- If I am reading correctly containers are not stacked higher than one high?
- Also concerned since our property borders the back of this property that our fence is not secure enough to keep certain individuals out of their property since we all ready have challenges there now.

Thank you,

Jay & Darlene Shaw
1172 Princess Ave,
London

From:
Sent: Tuesday, July 13, 2021 12:26 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] File: Z-9374 planning application.

Hello,

We have not met or spoken, and my name is not familiar.

Please allow me to introduce myself. My name is Mark Toth, and I am a resident within 120 meters of the subject property at 512 McCormick Blvd. I have actually lived within 65 meters of the property for 61 years.

As one of the "old-timers" in the neighborhood, I can sense other residents waiting for me to weigh-in on the proposed by-law amendment.

I have read the 53-page planning justification report prepared by the applicant. (Big surprise right. :) Who actually reads that stuff before asking questions.) I read it closely enough to notice that in section 3.4, the train tracks were incorrectly identified as being owned by CN, but correctly named as CPR everywhere else in the document.

Having said that, I still have a few questions and concerns.

I noticed from your voicemail message that you are not going into your office at city hall. I was hoping for a short, informal, in-person conversation. My business experience has demonstrated that these types of initial meetings between strangers are the most productive, efficient, and beneficial. Given that this is not possible, would you be open to a phone conversation at your convenience?

Best Regards,
Mark Toth

From: Joshua Scott
Sent: Tuesday, July 13, 2021 4:12 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] 512 McCormick Blvd.

Dear Catherine Maton,
July 13, 2021
Planning and Development, City of London

I am writing with respect to the Notice of Planning Application for a Zoning By-Law Amendment for 512 McCormick Boulevard (File: Z-9374 / Applicant: Derek Panzer) and to put into perspective the big picture.

Our family has lived in the house at 500 McCormick Boulevard for 61 years and also own the adjacent property of 504 McCormick Blvd. The next lot is the London Hydro Substation at 508 McCormick Boulevard and then the purchased empty lot of 512 McCormick Boulevard. In over 55 years, the 512 lot has remained vacant and has never been up for sale. After it was purchased, there was never any property maintenance done which is visible in the London Free press picture. The property attracts many transient people who use the unkept lot for doing drugs, prostitution and a place to discard unwanted items (picture attached). There has been an increase in vehicle break-ins and theft in the neighbourhood since recent project developments have come to a halt. Our property has had three incidents in the last month with stolen property from neighbours left on the lawn.

The railroad has tried numerous times to install fences of various types to try and stop people from crossing the tracks, North to South/South to North, but the fences have been destroyed, cut through or removed.

Although a notice was sent out to the neighbourhood asking for comments with respect to the planning application, it appears that this so-called proposal is well on its way to being approved. It is unsettling to read in the London Free Press dated Saturday July 3, 2021 on page A3 that two shipping containers are already on their way from Massachusetts.

I would like to bring to your attention the background of the neighbourhood, points of concern and what City Planning and Development has not followed through with in their proposals / construction for the revitalization of the neighbourhood:

- The abandoned McCormick's Candy Factory and property has not been maintained for years and the abandoned building is the home for drugs, prostitution and the homeless
- The double fence around the abandoned McCormick's Candy Factory does not keep anyone out
- Graffiti is an issue and an eyesore
- The piles of building rubble and ground materials have not been removed for years
- The City does not regularly maintain the city property / boulevard grass
- The abandoned McCormick's Candy Factory building has increased the homeless traffic who are seen on a regular basis pushing shopping carts, full of collected materials, through the neighbourhood and down to the McCormick Factory property
- The sewer replacement /road construction on McCormick Boulevard ended a couple of years ago and the street has not received its final layer of asphalt. The street does not drain properly after a rain and there is always a pool of water at Dundas Street
- The City had stated their plans for a pedestrian overpass which would line up with the sidewalk on the west side of McCormick Boulevard, cross over the railway tracks, to connect with McCormick Park on the north side of the tracks

I am stating all these facts to let you know that the proposal for 512 McCormick Boulevard is just one more property that has the potential to be a disaster. Eight freight containers is not beautifying the neighbourhood but actually taking the neighbourhood look into an opposite negative direction.

The owners of 512 McCormick Boulevard are quoted in saying that their purchased property is "sandwiched between a rail line and a London Hydro Substation". If City Planning and Development keeps their promises, the 512 property will be in the center of a developed area for all to see. Eight freight containers is not what ALL want to see on their neighbourhood walk while crossing on a pedestrian overpass to and from McCormick Park and Dundas Street.

It makes me laugh when I look at the picture of the two owners in the London Free Press standing on their property of 512 McCormick Boulevard. Everyone who has seen this picture can clearly see that the property has not been maintained at all. That is something that the owners should not be proud of, as we as longtime property owners have had to look at, with 4 foot high weeds, overgrown grass and debris / garbage every day.

According to the statement by Mr. Panzer and Mr. Cane, their urban farming operation of the freight containers will be conducted remotely, which means that their physical presence will not be needed on the property. It is clear that their physical presence and care for the property is currently one of absence and neglect.

If the application is approved, I would like the following questions to be considered and noted:

1. Will there be a tall security fence surrounding the property on all four sides, not a chain link fence which can easily be cut through, that will keep transient people off the property?
2. Will there be security cameras with a nearby security company monitoring the property 24/7 and then responding to trespassers?
3. Will the freight containers be secure from potential break-ins?
4. Will there be any deterrent for the potential of graffiti as these containers will be a blank canvas?
5. Will the property be lit at night by light fixtures installed by the owner or will it only be illuminated by existing street lights which will not illuminate the entire property as a deterrent for trespassers / vandals? (lighting that will not illuminate adjacent properties like a baseball field)
6. Will there be any noise from the site?
7. Will there be any smell / odour from the site?
8. Will the containers or property be used for the growing of marijuana at any time?
9. Will there be regular inspections of the contents of the containers to ensure that there are no environmental safety concerns?
10. Will the property be maintained on a daily / weekly basis (lawn care)?
11. Will the containers be approved to be stacked at a later date?
12. Will the property be allowed to be rented out by an Absentee Landlord?
13. Will we still see tents used by the homeless and debris on / near the property as there is now?

I thank you for your time and trust that the concerns stated above will be reviewed and considered in your decision in this application for a Zoning By-Law Amendment.

Sincerely,
Scott Toth
500 McCormick Blvd.
London, Ontario
N5W 4C7

From: Marlene Goncalves

Sent: Monday, July 26, 2021 1:06 PM
To: Maton, Catherine <cmaton@london.ca>
Cc: Helmer, Jesse <jhelmer@london.ca>
Subject: [EXTERNAL] File: Z-9374 Applicant: Derek Panzer

Greetings,

We received the "Notice of Planning Application" zoning By-Lay Amendment for 512 McCormick Boulevard.

Unfortunately, we only received it on Thursday, first it took a while to receive and second, we were away on vacation and didn't open until today. We now see that comments were required by July 14th, 2021.

We own the business across the street from this property under review at 511 McCormick Blvd., Airia Brands Inc., and have been there for over 25 years.

We definitely have concerns about the proposed zoning amendment for a host of reasons, specifically:

- several years back the city undertook narrowing McCormick Blvd and since it's difficult to pass on this street if multiple vehicles are passing each other
- not enough parking for the businesses already in existence
- parking on the streets wasn't properly executed and therefore limited
- trucks of any kind are a challenge on this street (waste disposal trucks, delivery trucks, transport trucks) all have a terrible time maneuvering in and around this area. Often trucks are "stuck" parallel on the road due to other vehicles obstructing the way and the street not being wide enough to support the size of the trucks
- "A minimum parking rate of one space for Urban Agriculture" - we know that any business going in this space will certainly require more than one spot for vehicle parking and there is absolutely no space for parking on the street or elsewhere. We and our neighbouring businesses already have issues as to where our employees will park let alone adding another business with no proper designed parking of their own
- Winter and snow removal is already a challenge with parking in this area let alone adding requirements for more parking

Please advise how we should proceed next given the July 14th, 2021 comment date has passed.

Looking forward to hearing from you at your earliest convenience.

Regards,

Marlene Goncalves

From: Joshua Scott
Sent: Tuesday, August 3, 2021 3:28 PM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Re: 512 McCormick Blvd.

Catherine,

Thank you so much for your responses to my many questions. My brother, Mark Toth, also told me that you also had a conversation with him over the phone. He was impressed with the fine details that are being considered and the owners 53 page proposal. I feel much better about the plan and look forward to a good rapport with the owners.

I noticed the new planning application sign on the property. Sometimes my teacher proofreading won't turn off for the summer. LOL

I think the sign is supposed to read... shipping containers, and not shopping containers. LOL
Have a great day and week
Scott

From: Chris Baluk
Sent: Tuesday, August 10, 2021 4:06 PM
To: Maton, Catherine <cmaton@london.ca>; Helmer, Jesse <jhelmer@london.ca>
Subject: [EXTERNAL] 512 McCormick Blvd

Good Afternoon, I recently read an article in the London Free Press about the rezoning of 512 McCormick Blvd. I live nearby at 1230 Sparton St. I greatly support rezoning of this address for this business. The land is not suited in any way for a residence, Business initiatives of this kind should be welcomed and supported by the City and it's residents.

Thank you for your time,
Christopher Baluk
1230 Sparton St.
London, ON
N5W 3J4

From: Eleanor J. Rath
Sent: Wednesday, October 20, 2021 11:46 AM
To: Maton, Catherine <cmaton@london.ca>
Subject: [EXTERNAL] Notice of Public Meeting - Zoning By-law Amendment for 512 McCormick Boulevard

Hi Catherine:

As a member of the Agricultural Advisory Committee, I would like to voice my support for the Zoning By-law Amendment to permit Urban Agriculture in the form of shipping containers on the property known civically as 512 McCormick Boulevard.

It is good to see the City considering options for new forms of urban agriculture. This particular location appears to be well suited for this type of use.

Thank you for the opportunity to review and comment on this planning application.

--

Eleanor J. Rath, CMO
Member of Agriculture Advisory Committee

Agency/Departmental Comments

June 24, 2021: 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.

June 29, 2021: Parks Planning & Design

Parkland dedication is waived as per Parkland Conveyance and Levy By-law - CP-9 for industrial lands.

July 14, 2021: Engineering

No Engineering concerns related to the re-zoning application.

September 14, 2021: Site Plan

I have reviewed the submitted concept site plan and have no further comments at this time. The comments provided through the Record of Site Plan Consultation can be addressed through the Site Plan Application process.

September 14, 2021: Urban Design

There are no UD comments/Concerns for zoning at this stage related to ZBA application at 512 McCormick Blvd. More detailed comments will be provided at site plan.

Appendix C – 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, 2020

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

1.1.1 a)

1.1.1 e)

1.1.1 i)

1.1.3.1

1.1.3.2 a)

1.1.3.2 b)

1.1.3.2 c)

1.1.3.2 d)

1.3 – Employment

1.3.1 a)

1.3.1 d)

1.7 – Long-term Economic Prosperity

1.7.1 a)

1.7.1 c)

1.7.1 i)

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

Policy 7_ Our Challenge, Planning of Change and Our Challenges Ahead, Managing the Cost of Growth

Policy 52_ Our Strategy, Values

Policy 54_ Our Strategy, Key Directions

Policy 55_ Our Strategy, Key Directions, Direction #1 Plan Strategically for a Prosperous City

Policy 61_ Our Strategy, Key Directions, Direction #7 Build Strong, Healthy and Attractive Neighbourhoods for Everyone

Policy 62_ Our Strategy, Key Directions, Direction #8 Make Wise Planning Decisions

Policy 648_ City Building Policy, Food System, What is a Food System?

Policy 650_ City Building Policy, Food System, Why Are Food Systems Important to Our Future?

Policy 653_ City Building Policy, Food System, What Are We Trying to Achieve?

Policy 654_ City Building Policy, Food System, How Are We Going to Achieve This? Comprehensive Food System Planning

Table 10 Range of Permitted Uses in Neighbourhoods Place Type

*Table 11 Range of Permitted Heights in Neighbourhood Place Type

918_ Place Type Policies, Urban Place Types, Neighbourhoods, How Will We Realize Our Vision?

Policy 919_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form

921_ Place Type Policies, Urban Place Types, Neighbourhoods, Approach for Planning Neighbourhoods – Use, Intensity and Form, Permitted Uses

*935_1 Place Type Policies, Urban Place Types, Neighbourhoods, Approach for
Planning Neighbourhoods – Use, Intensity and Form, Intensity
Policy 1578_ Our Tools, Planning and Development Applications, Evaluation Criteria
For Planning and Development Applications

*Map 1

Map 3

1989 Official Plan

Chapter 7 – Industrial Land Use Designations

Introduction

7.1.1 – Objectives for All Industrial Designations

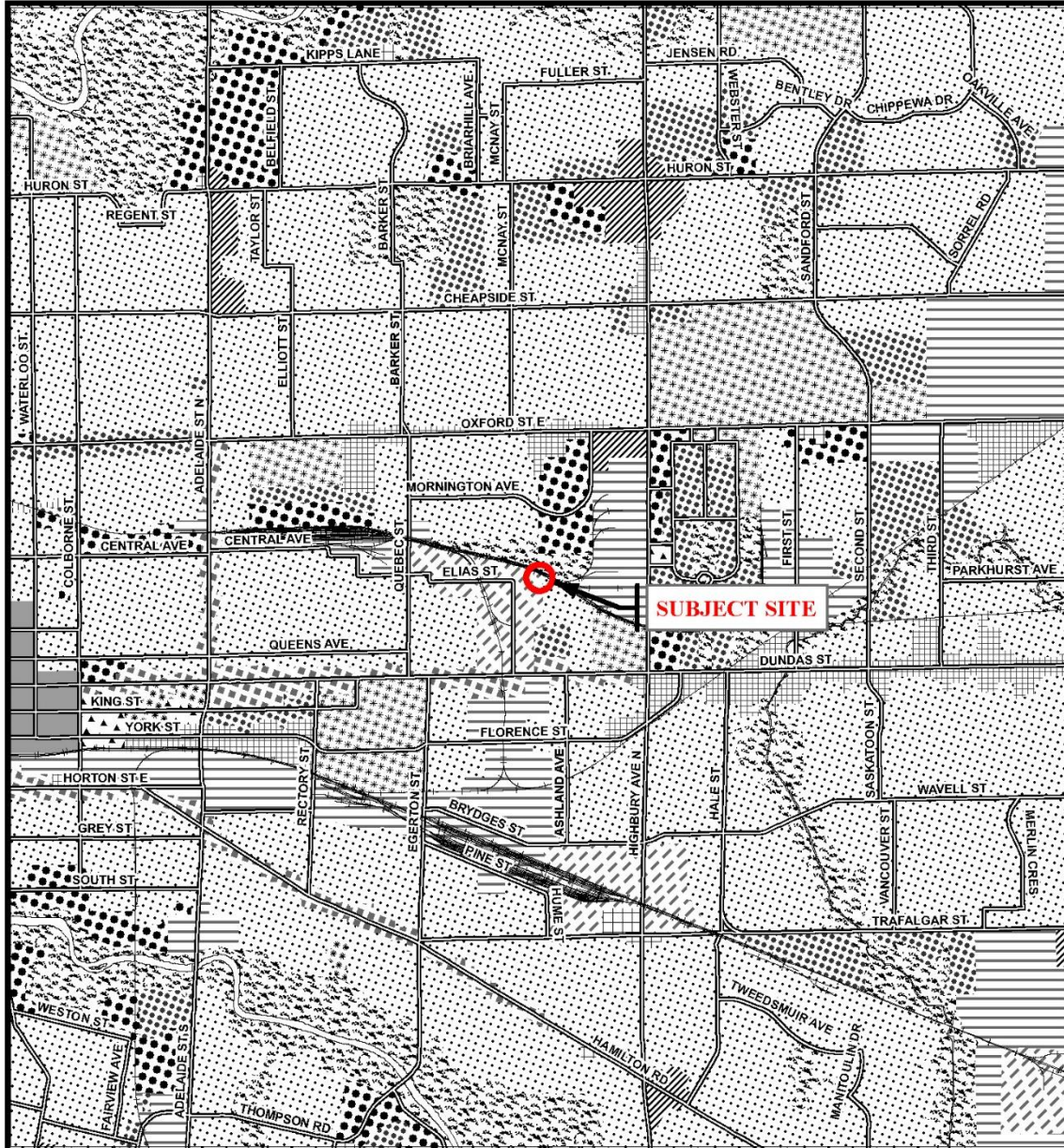
7.1.2 – General Industrial Objectives

7.2 – General Industrial

7.2.1 – Main Permitted Uses

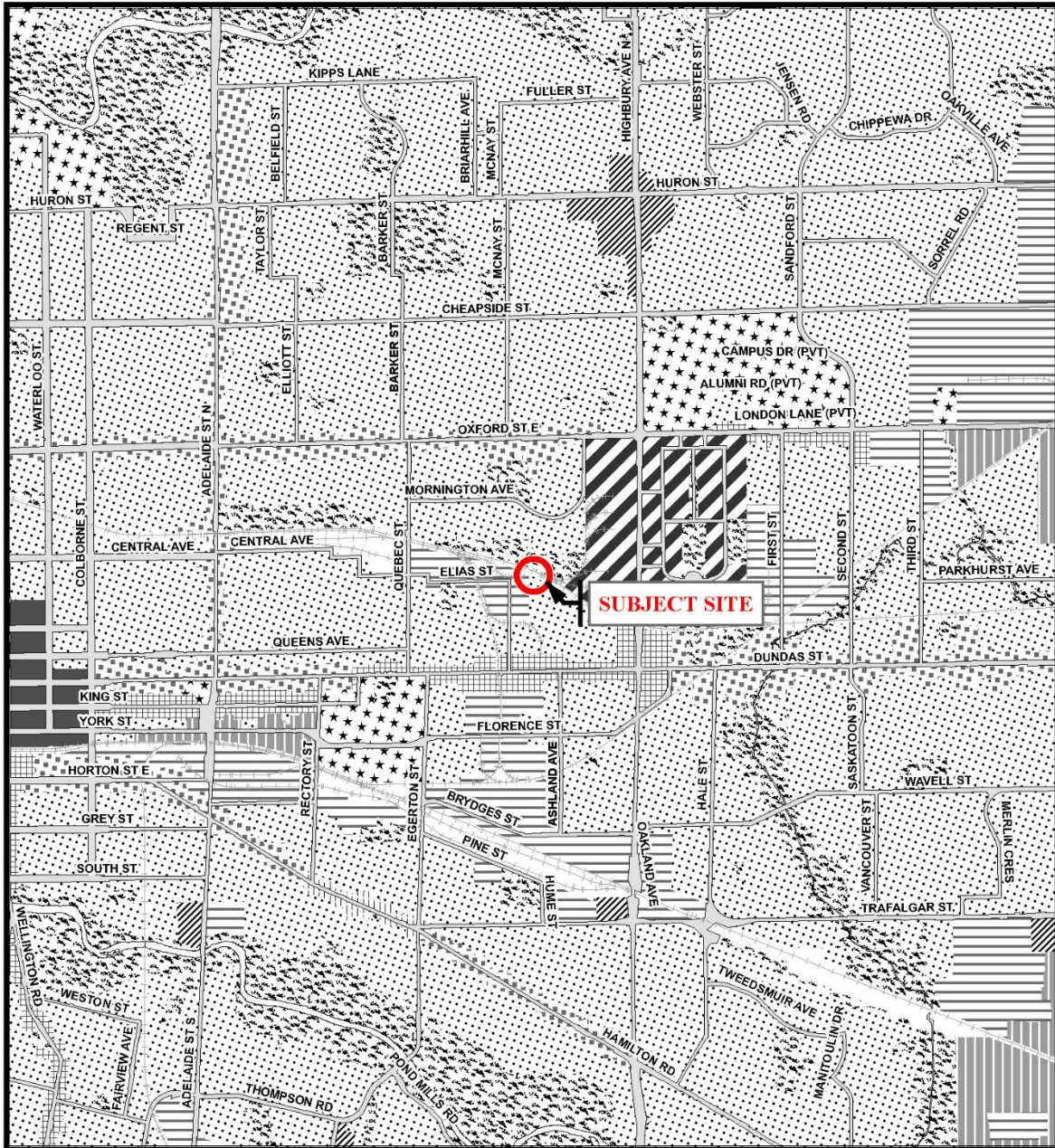
Appendix D – Relevant Background

Additional Maps



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</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>0 150 300 600 900 1,200 1,500</p> <p>Meters</p>	FILE NUMBER: Z-9374
		PLANNER: CM
		TECHNICIAN: RC
		DATE: 2021/10/06



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

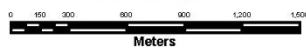
Planning Services /
Development Services

**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning Services



Scale 1:30,000

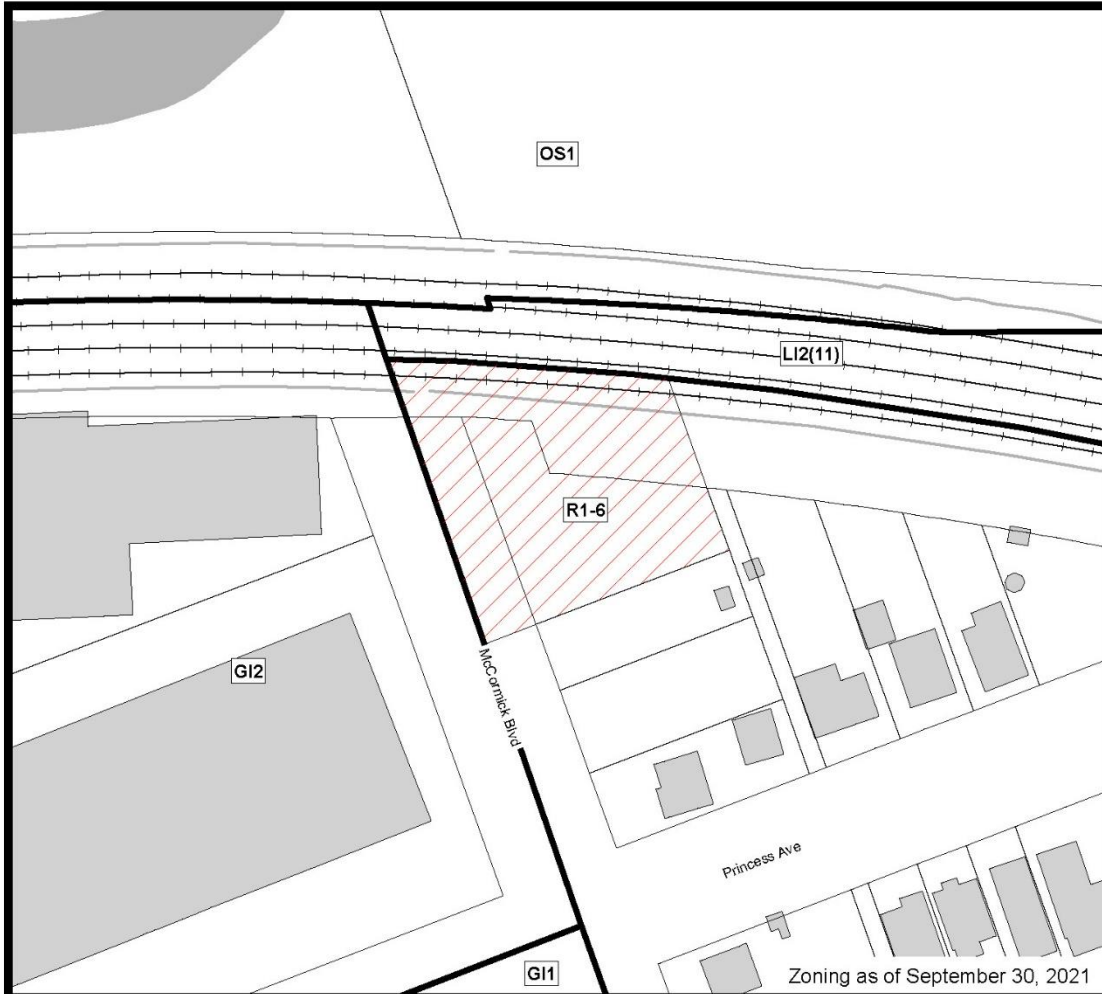


File Number: Z-9374

Planner: CM

Technician: RC

Date: October 6, 2021



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "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:

Z-9374

CM

MAP PREPARED:

2021/10/06

rc

1:1,000

0 5 10 20 30 40

Meters