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**File: Z-8165**  
**Planner: B.Turcotte**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: CHAMPION LIFE CENTRE 1069 CLARKE ROAD PUBLIC PARTICIPATION MEETING ON THURSDAY, JUNE 20, 2013</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Champion Life Centre relating to the property located at 1069 Clarke Road: the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 25<sup>th</sup>, 2013 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Restricted Service Commercial/Light Industrial (RSC2/RSC4/LI7) Zone which permits such uses as: automobile rental establishments; dry cleaning and laundry depots; convenience stores; bake shops; personal; service establishments; day care centres; building or contracting establishments; and, automobile repair garages **TO** a Restricted Service Commercial/Light Industrial Special Provision (RSC2/RSC4/LI3( )/LI7) Zone which permits, in addition to the range of uses noted above, assembly halls, commercial recreation establishments, private clubs and private parks. The Special Provision ( ) requires that a minimum of 46 parking spaces be provided for on-site.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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None

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of the recommended action is to provide for assembly hall uses in an existing multi-tenant industrial building. A Special Provision ( ) Zone is further recommended requiring that a minimum of 46 parking spaces be provided on the site.

<b>RATIONALE</b>
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1. The recommended amendment is consistent with Section 1.0 of the *Provincial Policy Statement, 2005* which requires that communities promote "...efficient land use and development patterns..." in support of "...strong, livable and healthy communities...";
2. The recommended amendment is consistent with the desired results of Council's Strategic Plan, 2011-2014 which include and call for economies in the operation of infrastructure;
3. The recommended amendment is consistent with Section 2.3.1v) of the Official Plan which encourages "...a compact urban form which is conducive to the maintenance and efficient use of services...";

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4. The recommended amendment is consistent with, and would serve to implement, the locational and compatibility criteria of the Official Plan as they pertain to complimentary non-industrial land uses in the Light Industrial land use designation;
  
5. The applicant has submitted a site plan depicting coverage, setback and landscaped elements that meet or exceed the minimum requirements of the requested Light Industrial (LI3) Zone. It has been further demonstrated that the site is of a sufficient size and configuration to mitigate potential land use impacts associated with parking. To the extent that the site can accommodate a total of 46 parking spaces, the implementation of a Special Provision is appropriate.

<b>BACKGROUND</b>
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<b>Date Application Accepted:</b> February 28 <sup>th</sup> , 2013	<b>Agent:</b> W. Thomson (900551 Ontario Ltd.)
<p><b>REQUESTED ACTION:</b></p> <p>Possible amendment to Zoning By-law No. Z.-1 to change the zoning from a Restricted Service Commercial/Light Industrial (RSC2/RSC4/LI7) Zone to a Restricted Service Commercial/Light Industrial Special Provision (RSC2/RSC4/LI3(_)/LI7) Zone to permit assembly halls, commercial recreation establishments, day care centres, private clubs and private parks in addition the range of uses permitted in the RSC2/RSC4/LI7 Zone.</p> <p>The applicant is further seeking to reduce the number of required on-site parking spaces to 46 stalls.</p>	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Mix-use, multi-tenant building</li> <li>• <b>Frontage</b> – 56.4 metres (185 ft.)</li> <li>• <b>Depth</b> – 70 metres (229 ft.)</li> <li>• <b>Area</b> – 3948 sq. metres (0.39 hectares)</li> <li>• <b>Shape</b> - Regular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> - Light Industrial (Advance Converting Technologies Inc.)</li> <li>• <b>South</b> - Light Industrial (Arcon Electronics)</li> <li>• <b>East</b> - General and Heavy Industrial (vacant lot)</li> <li>• <b>West</b> - Light Industrial (Fuel Depot Yard)</li> </ul>

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<b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map)
<ul style="list-style-type: none"> <li>Light Industrial</li> </ul>
<b>EXISTING ZONING:</b> (refer to Z.-1 Zoning By-law Map)
<ul style="list-style-type: none"> <li>Restricted Service Commercial/Light Industrial (RSC2/RSC4/LI7)</li> </ul>

<b>PLANNING HISTORY</b>
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In 1977 a two storey industrial building was constructed at 1069 Clarke Road. Approximately fifteen (15) years ago the building was altered internally to provide for multi-unit tenancy. While there have been instances of vacancies over the past five years, all four 4 units of the 1,768 sq. metre (19,030 sq. ft.) building are currently occupied.

The Champion Life Centre, a Christian Ministry, has been leasing space in the building since August of 2010.

On June 11<sup>th</sup>, 2012 a pro-active By-law Enforcement Complaint was registered against the Champion Life Centre for the operation of a church use where no such use is permitted by the Z.-1 Zoning By-law. The Complaint remains under investigation pending the review of the current Zoning By-law Amendment application.

On February 28<sup>th</sup>, 2013, 900551 Ontario Ltd (the property owner and acting agent for Champion Life Centre) submitted a Zoning By-law Amendment application for 1069 Clarke Road. The effect of the application, if adopted by Council, would recognize the existing assembly hall use and require the provision of 46 parking spaces for the entire site.

A site plan was submitted in support of the Zoning By-law Amendment application. The site plan has been reviewed by the City's Development Services Service Area. Development Services has indicated that, for the purpose of the current review, Site Plan Approval will not be required.

On March 22<sup>nd</sup>, 2013 the City of London issued an Order to Comply applying to lands known municipally 1069 Clarke Road. The Order, with a compliance date of April 12<sup>th</sup>, 2013, requires the property owner and Champion Life Centre to apply for and obtain a Building Permit for the church use. In support of such an application, the applicant would be required to submit architectural drawings and would be subject to Development Charges. The City has yet to receive the necessary Building Permit Application and the Order remains active.

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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**City of London**

**Storm Water Management:**

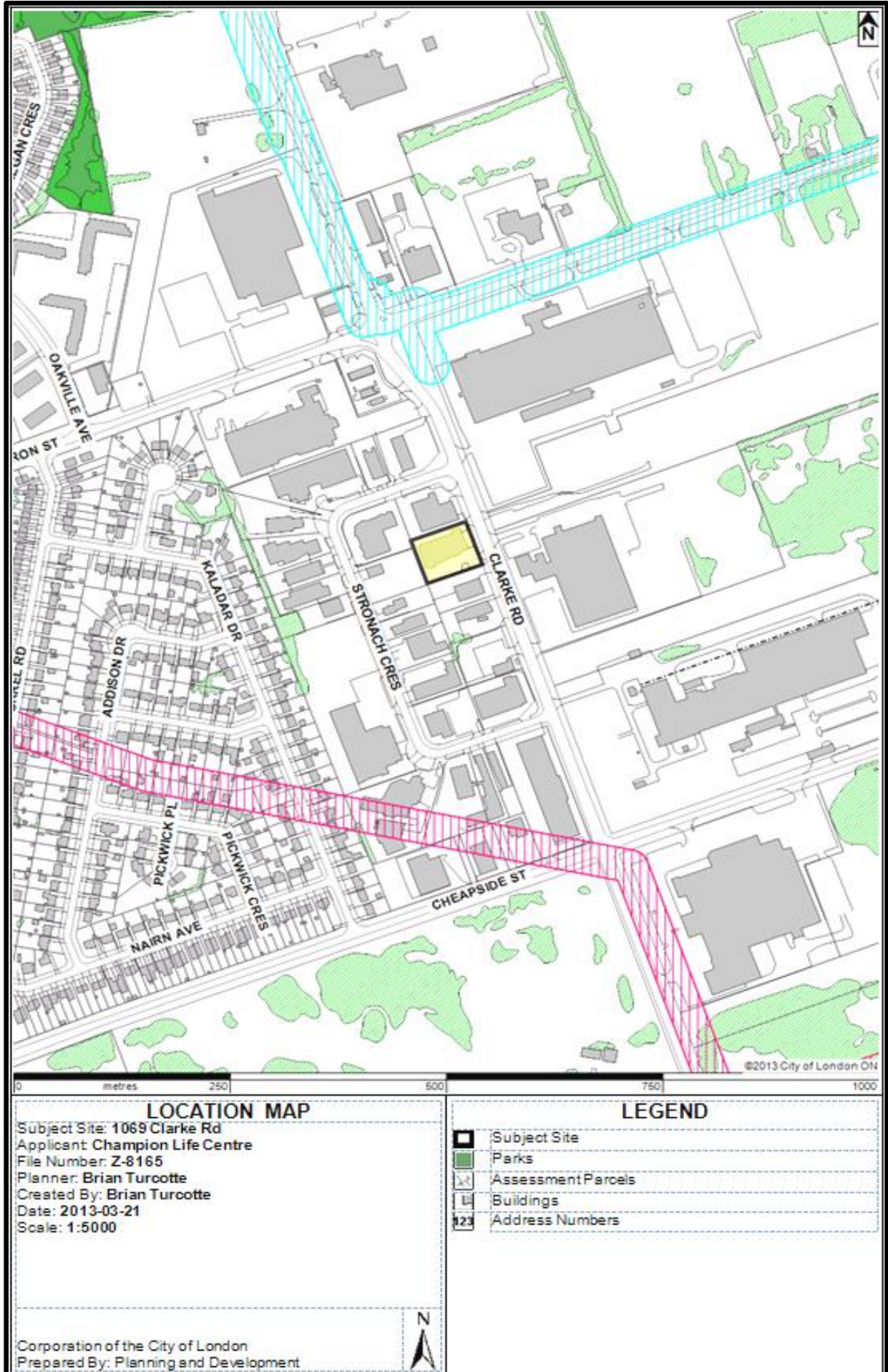
- The SWM Unit has no objection to the proposed application, all necessary servicing and storm drainage requirements/controls; SW M, etc. will be addressed at the Site Plan approval stage, if warranted.

**Wastewater and Drainage:**

- Wastewater and Drainage has no objection to this Re-Zoning.

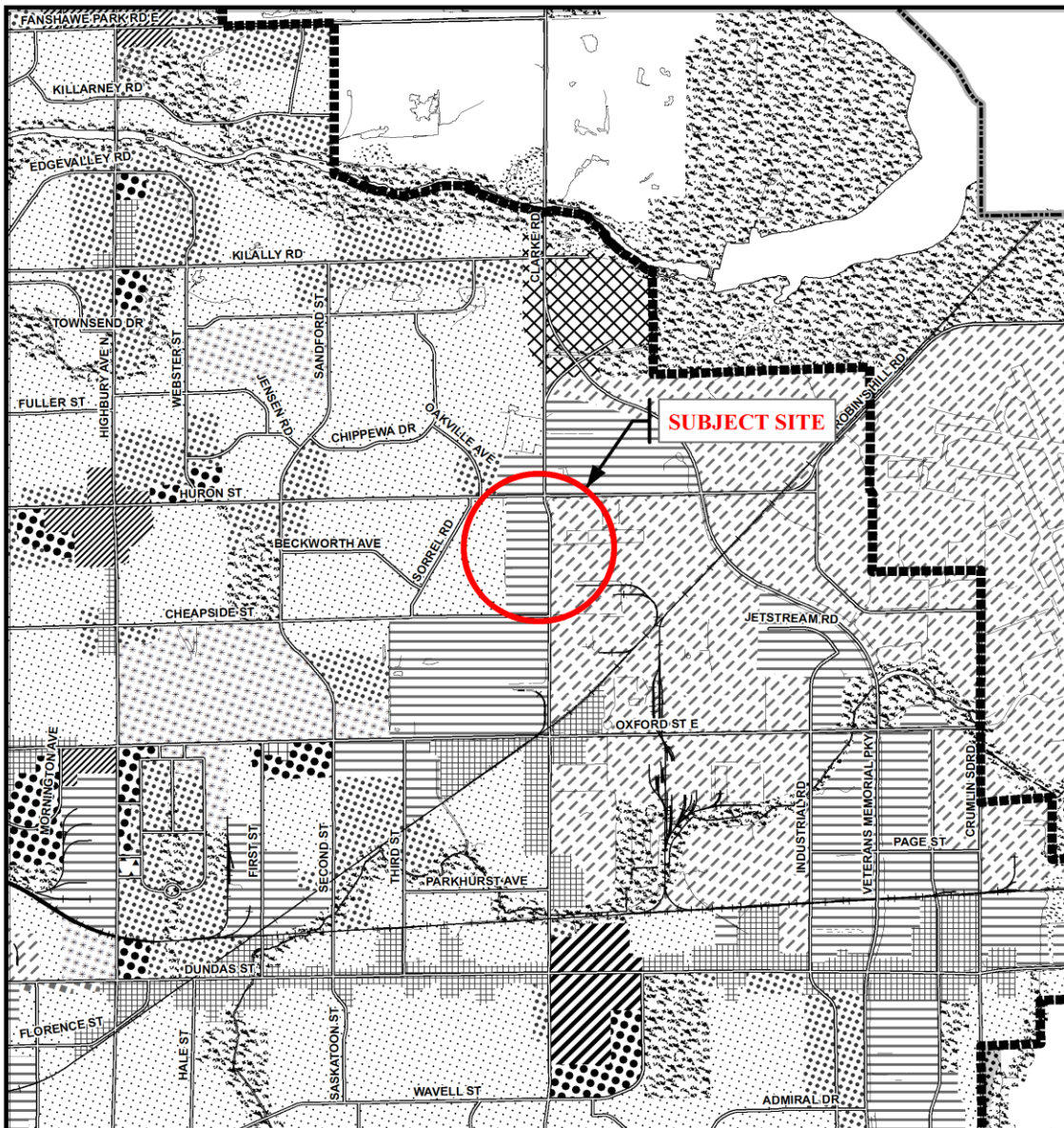
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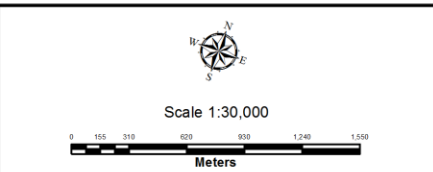
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Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential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

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

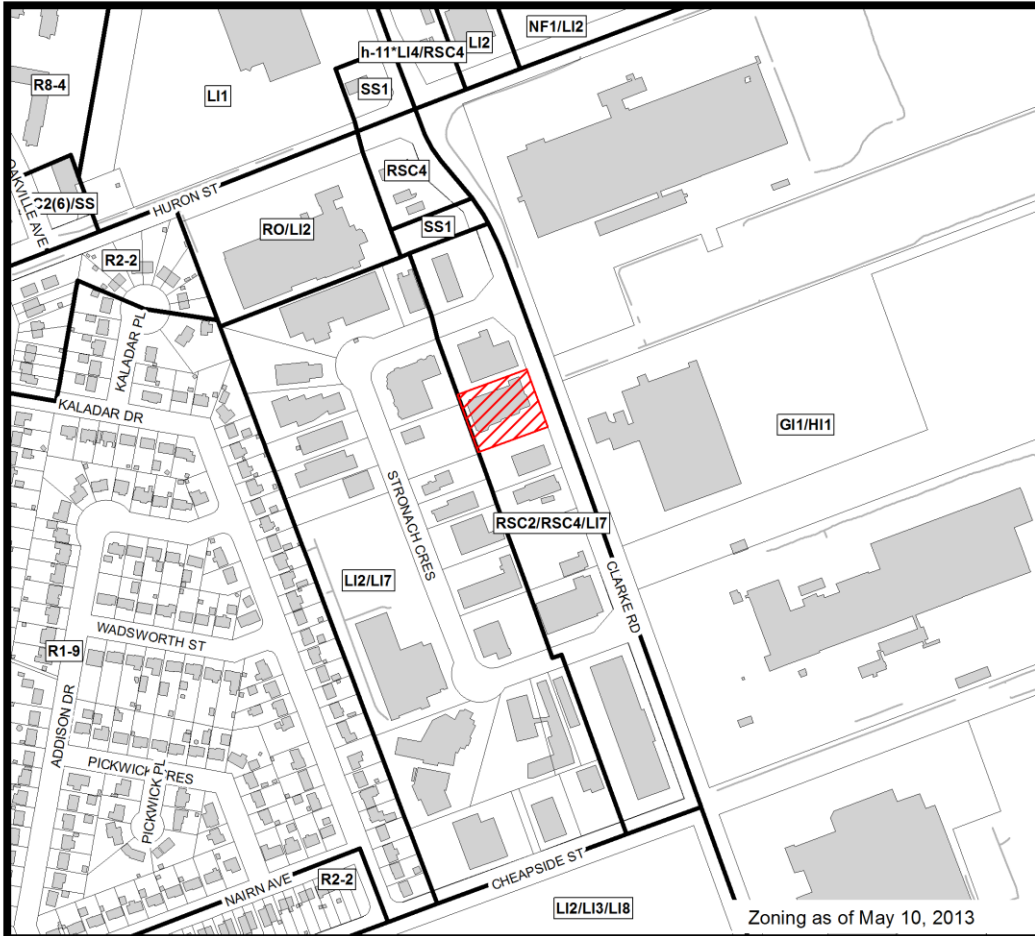


FILE NUMBER: Z-8165  
 PLANNER: BT  
 TECHNICIAN: MB  
 DATE: 2013/05/15

PROJECT LOCATION: e:\planning\projects\p\_officialplan\work\consolidated\excerpts\mxd\_templates\scheduleA\_NEW\_b&w\_8x14.mxd

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File: Z-8165  
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Zoning as of May 10, 2013



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: RSC2/RSC4/LI7**

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
  
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE
  
- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE
  
- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW
  
- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
  
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION
  
- "h" - HOLDING SYMBOL
- "d" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APEALED AREAS

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

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



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

FILE NO:  
**Z-8165** **BT**

MAP PREPARED:  
**2013/05/15** **MB**

1:5,000  
0 25 50 100 150 200  
Meters

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- Urban Forestry has no comments for this rezoning.

**Transportation Planning and Design:**

- Transportation Planning and Design has no objection to this rezoning.

**London Hydro:**

- No objection

<b>PUBLIC LIAISON:</b>	On April 4 <sup>th</sup> , 2013, Notice of Application was sent to 24 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on March 28 <sup>th</sup> , 2013. A “Possible Land Use Change” sign was also posted on the site.	1 reply was received
<p><b>Nature of Liaison:</b> The purpose and effect of this zoning change is to permit an assembly hall use in an existing industrial building. Further, consideration is being sought to reduce the total number of required parking spaces on the property for all uses, including the uses associated with the requested Light Industrial (LI3) Zone, from 71 to 46 spaces.</p> <p>Possible change to Zoning By-law Z.-1 <b>FROM</b> a Restricted Service Commercial/Light Industrial (RSC2/RSC4/LI7) Zone which permits such uses as: automobile rental establishments; dry cleaning and laundry depots; convenience stores; bake shops; personal service establishments; day care centres; building or contracting establishments; and automobile repair garages <b>TO</b> a Restricted Service Commercial/Light Industrial Special Provision (RSC2/RSC4/LI3( )/LI7) Zone which permits, in addition to the range of uses noted above, assembly halls, commercial recreation establishments, private clubs and private parks. The requested Special Provision ( ) Zone would require a minimum of 46 parking spaces for the entire site.</p>		
<p><b>Responses:</b> Noting the odd occasion (outside of normal business hours), when the operations of Champion Life Centre may get a “wee loud” or lead to “tight parking” on the occasional summer weekend when an event is being held, a tenant neighbour of the applicant expressed no objection to the proposed rezoning. Diresco Inc. characterized Champion Life Centre as a “good neighbour” and any irregular operational impacts as “minor inconveniences”.</p>		

<b>ANALYSIS</b>
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**What is the nature of the application?**

The application seeks to provide for a “place of worship” use in an existing multi-tenant industrial building. The application further seeks to reduce the total number of required off-street parking stalls, in a post-application scenario, from 53 to 46 parking spaces. No exterior additions and/or alterations to the building are being proposed or are contemplated.

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The Light Industrial (LI3) Zone variation requested by the applicant provides for a range of uses including: assembly halls; private clubs; commercial recreation establishments; day care centres; and, private parks. Municipal staff has interpreted a “place of worship” use to be included within the “assembly hall” definition of the Z.-1 Zoning By-law.

The review of the request to amend the Zoning By-law to provide for the addition of the Light Industrial (LI3) Zone variation, with a Special Provision to provide for a minimum of 46 on-site parking spaces for the subject site, shall have consideration for:

- the policies of the Provincial Policy Statement;
- the desired “Results” advanced in Council’s Strategic Plan 2011-2014; and,
- the policies of the Official Plan.

### **The Requirements of the Provincial Policy Statement:**

The *Provincial Policy Statement, 2005* (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The PPS is more than a set of individual policies. It is intended to be read in its entirety and the relevant policies are to be applied to each situation.

As it relates to the current application, Section 1.0 entitled “Building Strong Communities” notes:

*“Ontario’s long-term prosperity, environmental health and social well-being depend on wisely managing change and promoting efficient land use and development patterns. Efficient land use and development patterns support strong, livable, healthy communities, protect the environment and public health and safety, and facilitate economic growth”.*

Accordingly, the PPS requires municipalities to promote efficient development and land use patterns that efficiently utilizes existing infrastructure.

Noting the above, the following local circumstances are relevant in the review of the current application:

- the subject site, with the exception of sidewalks, is fully serviced with municipal works (water, sewer and roads); and,
- commercial and industrial vacancies in the area are not uncommon. Since purchasing the property in 2007, the current owner has seen a 75% turnover in occupancy. Vacancies can average between six to twelve months. The building is currently leased.

### **Council’s Strategic Plan 2011-2014**

Council’s 2011-2014 Strategic Plan identifies five “results” that contribute to a high quality of life in London. These results, which are based on identified governance principles, include: a strong economy; sustainable infrastructure; a caring community; a green and growing city; and, a vibrant and diverse community. Strategies, in support of the results, include:

- achieving effectiveness, economy and efficiency in the operation of infrastructure;
- encouraging volunteerism and community engagement; and,



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- Increasing the health and well-being of all citizens.

Council's strategic direction calling for "economies" in the operation of infrastructure is consistent with the PPS's requirement for efficient land use and development patterns. Further, the promotion of healthy communities is a common theme in both the PPS and Council's Strategic Plan.

### **The Policies of the Official Plan:**

The Official Plan contains Council's objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses.

Industrial land uses have traditionally included manufacturing, transportation, warehousing, distribution and utilities. In the different industrial designations, manufacturing is further divided into general and light industrial uses based on noise impacts, environmental impacts, the need for large parking areas, and the outdoor storage of materials and/or finished products. The subject site, as well as lands to the north, south and west are designated Light Industrial in the City of London Official Plan.

Lands designated as Light Industrial allow for a range of industrial and manufacturing uses. Permitted uses in the Light Industrial designation include a variety of industrial uses that are located within enclosed buildings, require only a limited amount of outdoor storage and are unlikely to cause adverse environmental impacts.

Certain non-industrial uses may also be permitted in the Light Industrial designation provided they are complimentary to, and supportive of, the surrounding industrial area. These uses, which include convenience stores, personal service establishments, automobile service stations, financial institutions, private clubs and day cares, are directed, by policy, to arterial roads at the periphery of industrial areas.

The Official Plan also includes criteria to be reviewed for site specific uses within the Light Industrial designation including:

- The compatibility of the proposed use with adjacent land uses;
- The size and shape of the parcel and the ability of the site to provide adequate services; and,
- Compliance with the Zoning By-law.

### **Compatibility with Adjacent Land Uses:**

The subject lands are located on the west side of Clarke Road between Huron Street to the north and Cheapside Street to the south (see Figure 1).

Lands on the west side of Clarke Road have been developed for a range of light industrial and commercial uses. Buildings in this area, including those fronting Stronach Crescent to the west, are generally of a similar vintage, height and construction technique. There are a number of vacancies in the immediate area of the subject site.

Clarke Road, which services the surrounding industrial area, is an Arterial Road with average daily traffic volumes of 15,000 vehicles per day. It is also a 24 hour truck route. Stronach Crescent, which loops from Clark Road, is classified as a local street. The site is not directly serviced by London Transit nor are there sidewalks along this particular stretch of Clarke Road.

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The area is fully serviced with municipal sewer and water works.

A review of decisions of the Committee of Adjustment and the City's by-law enforcement tracking system would suggest that there are no issues in the immediate vicinity of the subject site, or the site itself, associated with parking or a shortage thereof.

**Figure 1 - 1069 Clark Road and environs**



Noting the above, the following observations are advanced in respect to issues of site location and the compatibility of the proposed uses recognized in the requested Light Industrial (LI3) Zone:

- The subject site and surrounding lands are designated Light Industrial in the Official Plan;
- Buildings in the area are of a similar vintage, height and construction technique;
- The area is characterized by a range of industrial and non-industrial land uses. Vacancies in the vicinity of the subject site are not uncommon;
- Certain non-industrial uses may be permitted in the Light Industrial designation provided they are complementary to, and supportive of, the surrounding industrial area. The "assembly hall" use being sought by the applicant has been interpreted by City staff to be a complementary non-industrial use;
- Complementary non-industrial uses are directed by policy to locations on arterial roads at the periphery of industrial areas. The policy aims to minimize the impacts of non-industrial traffic on industrial areas;
- Access to the site is via Clark Road – an Arterial Road. Traffic accessing and egressing the

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site will not impair, or serve to restrict, vehicles servicing the industrial operations on Stronach Crescent to the west.

- Champion Life Centre has occupied its current location at 1069 Clark Road since August of 2010. The ministry seeks simply to continue operations at this location. No exterior additions and/or alterations to the existing 2 storey building are contemplated by way of this application.
- The “assembly hall” use sought by the Champion Life Centre ministry has in fact been an “existing use” use since the organization assumed occupancy in August of 2010. A review of decisions of the Committee of Adjustment, and the City’s by-law enforcement tracking system, would suggest that there are no issues in the immediate vicinity of the subject site, or the site itself, associated with parking or a shortage thereof.

**In summary:**

*The use sought by the applicant is consistent with, and would serve to implement, the locational and compatibility criteria of the Official Plan as they pertain to complementary non-industrial land uses in the Light Industrial land use designation.*

**The size and shape of the parcel and the ability of the site to provide adequate services**

The two storey, 1768 sq. metre (19,030 sq. ft.) building is approximately 40 years old. The building has masonry bearing walls on a poured concrete foundation. Five front door entrances are located on the south façade of the building and four roll-up doors are located on the north. The building has been altered internally to provide for four separate leaseable units.

The building was purchased by the current owner in 2007. Since the time of purchase there have been unit vacancies lasting, on average, six to twelve months. Presently the building is fully occupied (See Table 1 below).

Champion Life Centre has occupied a unit at 1069 Clark Road since August of 2010. The non-conformity of the church use came to the attention of the City in 2012 when a Building Inspector, while on an inspection of a patio being constructed for the Emerald Isle Society, inventoried the site.

**Table 1 – Tenant, Tenant Description and Allocated Floor Space**

<b>Tenant</b>	<b>Tenant Description</b>	<b>Floor Area</b>
<b>Champion Life Centre</b>	A Christian Ministry offering a regular Sunday service and regular weekly meetings in the evenings	575 sq. m
<b>Emerald Isle Society</b>	A ethnic cultural association operating as a private club weekday evenings and Saturday	367 sq. m
<b>Diresco Inc.</b>	A building services/restoration company operating on a traditional business schedule	394 sq. m
<b>Horizon Solutions</b>	An industrial supplier of public address and audio systems operating on a traditional business schedule	432 sq. m

To assist in measuring the operational impacts of the proposed use, Champion Life Centre has provided details of their programming schedule (see Table 2). According to the applicant, meetings and services are conducted outside of traditional business hours:

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**Table 2 – Champion Life Centre Programming**

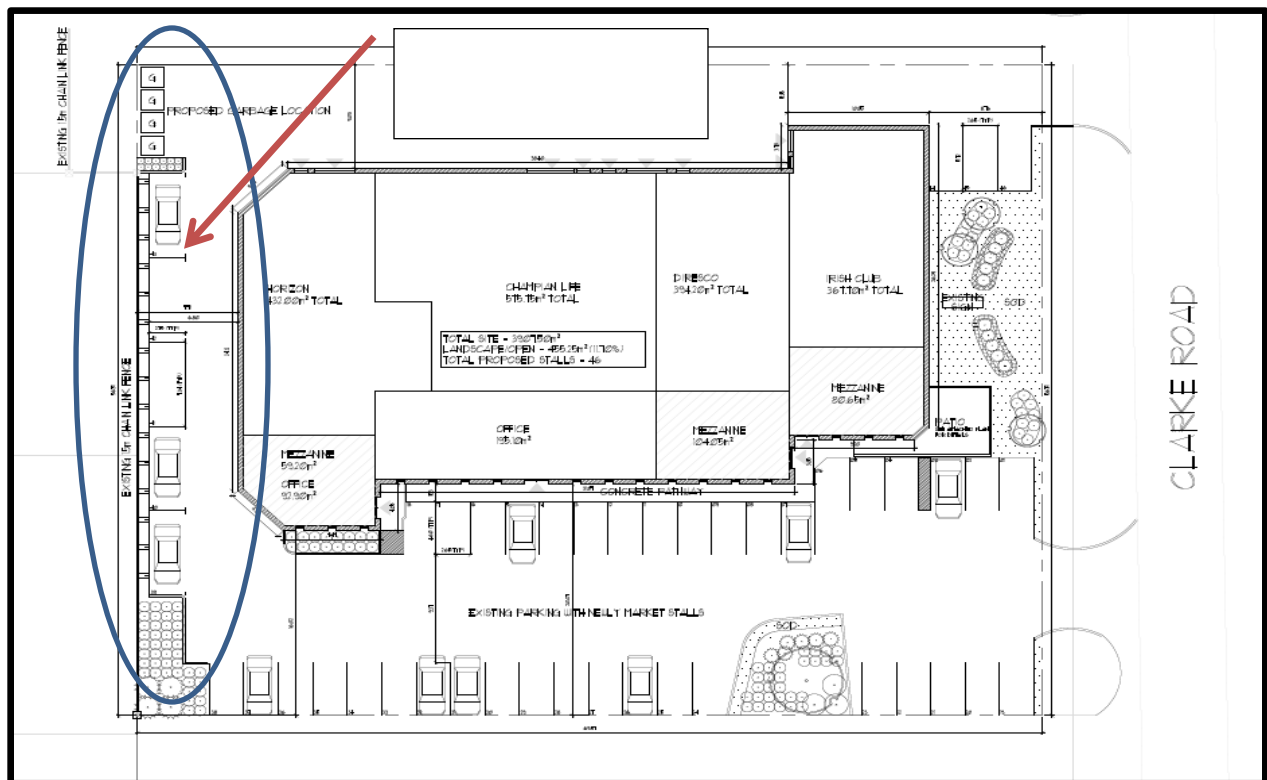
Programming	Frequency	# Attendees
Leadership and Prayer Meeting	Every Wednesday	15-20
Young Adult Gathering	Every other Friday	10-15
Youth Gathering	Every Saturday	15-20
Men’s Gathering	Every other Saturday	25-30
Women’s Gathering	Once a month	30-40
Senior’s Gathering	Once a month	10-15
Worship Service	Every Sunday	100-130

The site is flat, 56 metres in width and 0.3 hectares in size. The site is fully serviced by municipal water and sewer works. Access/egress points on the north and south side of the easterly perimeter facilitate opportunities for “looped” vehicular circulation. A site plan submitted to the Department in October of 2012 depicts a total of 36 off-street parking spaces located along the east and south sides of the existing building. A loading dock is located on the north side of the building and disposal containers are currently located on the southwest corner of the site.

A revised site plan (see Figure 2) and zoning referral form submitted in support of the application notes coverage, setback, and landscaped elements that exceed the minimum requirements for the Light Industrial (LI3) Zone stipulated in the Z.-1 Zoning By-law. The revised site plan further provides for a total of 46 off-street parking spots located along the east, south and west sides of the building (see Figures 3 and 4). The Zoning Referral form notes that in a post application scenario, a total of 53 off-street parking spaces would be required given the current tenant mix and allocation of floor space.

The revised site plan has been reviewed by the City’s Development Services Service Area. Development Services has indicated that, for the purpose of the current review, Site Plan Approval will not be required.

**Figure 2 – Revised Site Plan**



**Figure 3 - 1069 Clark Road – East Façade**

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Figure 4 - 1069 Clark Road, south Facade and westerly perimeter



Noting the above, the following observations are advanced in respect to the size and configuration of the site (relative to the requirements of the Light Industrial (LI3) Zone) and the ability of the site to mitigate potential land use impacts:

- The Z.-1 Zoning By-law definition of an “assembly hall” has been interpreted to include a place of worship. The requested Light Industrial (LI3) Zone, in-as-much as it provides for “assembly hall” uses, would provide for the place of worship use sought by the applicant;
- The coverage, setback and landscaped elements of the site (as detailed on the Revised Site

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**File: Z-8165**  
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Plan shown on Figure 2) meet or exceed the minimum requirements of the requested Light Industrial (LI3) Zone;

- Given the current tenant mix and floor space allocation in a post application scenario, the implementation of the requested Light Industrial (LI3) Zone would require a total of 53 on-site parking spaces;
- The Z.-1 Zoning By-law parking requirements for the range of uses currently permitted in the existing Restricted Service Commercial/Light Industrial (RSC2/RSC4/LI7) Zone (automobile rental establishments; dry cleaning and laundry depots; convenience stores; bake shops; personal; service establishments, etc.) are no more, or less, restrictive than the requirements for those uses permitted in the requested Light Industrial (LI3) Zone (assembly halls, commercial recreation establishments, day care centres and private clubs);
- Occupancy and tenant mix, both at 1069 Clark Road and the larger area, may be characterized as fluid. Whereas the anticipated mix of uses in a post application scenario may require 53 parking spaces, a changeover in occupancy could result in a higher or lower number of parking spots being required;
- Given the existing building footprint, the property is of a size and configuration so as to be able to provide for 46 on-site parking spaces. These spaces can be provided along the east, west and southerly perimeters of the property without inhibiting on-site vehicular movement;
- The building is currently leased. The Champion Life Centre has been operating out of its existing location in the building for approximately two years. The Centre's programming occurs outside of traditional business hours;
- The City's records are "silent" in respect to noise complaints or a deficiency of on-site parking relating to the existing assembly hall use. A fellow tenant has characterized Champion Life Centre as a "good neighbor" and any operational impacts of the assembly hall use as "irregular" and "minor inconveniences";
- Given the operational programming of the Champion Life Centre, the fact that the City's records are silent in respect to insufficient on-site parking; and noting that the building is completely leased, it would appear that the requested Light Industrial (LI3) Zone, with a special provision requiring the provision of 46 on-site parking spots, is appropriate.

**In summary:**

*Whereas the current tenant mix would require the provision of 53 on-site parking spaces, a site plan depicting 46 on-site parking spaces has been submitted in support of the current application.*

*Given the existing building footprint, the operational programming of the Champion Life Centre, the ministry's occupancy of the building since August of 2012, the fact that the City's records are silent in respect to a deficiency on-site parking, and noting that the building is currently 100% leased, it would appear that the site is of a sufficient size and configuration to mitigate potential impacts associated with the requested range of uses.*

**Is the Requested Zoning By-law Amendment Appropriate?**

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The applicant has requested the Light Industrial (LI3) Zone variation be added to the existing Restricted Service Commercial/Light Industrial (RSC2/RSC4//LI7) Zone to provide for an existing assembly hall use. The applicant has also requested a Special Provision that would require, notwithstanding the requirements of the Z.-1 Zoning By-law, the provision of 46 on-site parking spaces.

The assembly hall use sought by the applicant is permitted in the Light Industrial designation and implementing Light Industrial (LI3) Zone variation. The site meets the locational and compatibility criteria of the Official Plan as these criteria pertain to complementary non-industrial land uses within the Light Industrial land use designation.

A site plan submitted in support of the application depicts coverage, setback and landscaped elements that meet or exceed the minimum requirements of the requested Light industrial (LI3) Zone variation. It has been further demonstrated that the site is of a sufficient size and configuration to mitigate potential land use impacts. To the extent that the site can accommodate a total of 46 parking spaces, the implementation of a Special Provision would appear appropriate.

<b>CONCLUSION</b>
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The continuation of the use of this site for a place of worship is appropriate and should not have a negative impact on adjacent properties.

Further, the recommended action is consistent with the policies of the Provincial Policy Statement and the “desired results” of Council’s Strategic Plan, in-as-much as the use would provide for the efficient utilization of existing infrastructure and contribute to the realization of a healthy community.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>BRIAN TURCOTTE, SENIOR PLANNER COMMUNITY PLANNING AND DESIGN</b>	<b>JIM YANCHULA, MCIP, RPP MANAGER, COMMUNITY PLANNING AND DESIGN</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

May 14<sup>th</sup>, 2012

BT

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File: Z-8165  
Planner: B.Turcotte

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

<u>Telephone</u>	<u>Written</u>
	Bill Norris, Operations Manager Diresco Inc 1069 Clark Road London Ontario N5V3B3



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**File: Z-8165  
Planner: B.Turcotte**

**E-mail Response to Public Circulation (received April 17<sup>th</sup>, 2012)**

Mr Turcott

Thank you for taking time to discuss the zoning issue at 1069 Clarke Rd, (Champion Life Centre)

I have been a tenant in unit C since June of 2012 and in that time our neighbours have proven to be fantastic.

There is the odd occasion after regular business hours and when they are having functions that it gets a wee loud. And a few weeks in the summer when they hold a youth camp that parking gets tight. However Given that they are awesome neighbors i choose to overlook these MINOR inconviences and hope they continue to be Diresco's neighbors.

Bill Norris  
MWR,MSR,AMRS  
Operations Manager  
Diresco Inc

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**File: Z-8165**  
**Planner: B.Turcotte**

**Bibliography of Information and Materials**  
**Z-8165**

**Request for Approval:**

City of London Zoning By-law Amendment Application Form, completed by 900551 Ontario Limited on behalf of Champion Life Centre, February 28<sup>th</sup>, 2013

**Reference Documents:**

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005.

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

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

Phase 1 Environmental Assessment for 1069 Clark Road – January 10, 2007, Sendex Consulting Engineers and Scientists

Phase 2 Environmental Assessment for 1069 Clark Road – March 2, 2007, Sendex Consulting Engineers and Scientists

**Correspondence: (all located in City of London File No. Z-8165)**

All correspondence sent and received between February 28, 2013 and May 14, 2013

**Other:**

Site visit April 29<sup>th</sup>, 2013 and photographs of the same date.

Two empty rectangular boxes for agenda item and page numbers.

**File: Z-8165  
Planner: B.Turcotte**

**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
2013

By-law No. Z.-1-12\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1069 Clarke Road.

WHEREAS Champion Life Centre has applied to rezone an area of land located at 1069 Clarke Road, 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 to lands located at 1069 Clarke Road, as shown on the attached map comprising part of Key Map No. A103, from a Restricted Service Commercial/Light Industrial (RSC2/RSC4/LI7) Zone to a Restricted Service Commercial/Light Industrial Special Provision (RSC2/RSC4/LI3(\_)/LI7 Zone.
- 2) Section Number 40.4 of the Light Industrial (LI3) Zone is amended by adding the following Special Provision:
  - ) LI3 ( ) 1069 Clarke Road
    - a) Permitted Uses
      - i) Any use permitted in the LI3 Zone Variation
    - b) Regulations
      - i) Parking 46 spaces  
(Minimum)

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 June 25, 2013.

Joe Fontana  
Mayor

Agenda Item # Page #

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**File: Z-8165**  
**Planner: B.Turcotte**

Catharine Saunders  
City Clerk

First Reading - June 25, 2013  
Second Reading – June 25, 2013  
Third Reading - June 25, 2013

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File: Z-8165  
Planner: B.Turcotte

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

