

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Scott Mathers, MPA, P.Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Dancor Oxford Incorporated
1985 Gore Road
Removal of Holding Provisions

Date: March 7, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Dancor Oxford Inc. relating to the property located at 1985 Gore Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting March 22, 2022, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London, to change the zoning of the subject property **FROM** a Holding Light Industrial LI2 and General Industrial G11 (h*LI2/G11) Zone, **TO** a Light Industrial LI2 and General Industrial G11 (LI2/G11) Zone to remove the "h" holding provision.

Executive Summary

Purpose and Effect of the Recommended Action

The purpose and effect of this zoning change is to remove the "h" holding provision so that the development of a warehouse establishment can proceed in accordance with the approved zoning.

Rationale of the Recommended Action

1. The conditions for removing the "h" have been met and the recommended amendment will allow a warehouse establishment to be developed in compliance with the Zoning By-law.
2. A Development Agreement has been entered into and securities have been provided.

Linkage to the Corporate Strategic Plan

This application supports the Building a Sustainable City area of focus in the Corporate *Strategic Plan* by ensuring that the City of London's growth and development are well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

February 27, 1989 – Report to Planning Committee on Draft Plan of Industrial Subdivision (39T-88003).

November 29, 2004 – Report to Planning Committee regarding Zoning By-law Amendment Application (Z-6788).

1.2 Planning History

A proposed Draft Plan of Industrial Subdivision (39T-88003) was accepted as a complete application on February 15, 1988, and was presented to Planning Committee on February 27, 1989. Draft Approval was issued on November 22, 1990, but the application was not taken beyond this stage.

An application for a Zoning By-law Amendment and Removal of Holding Provisions was accepted on September 23, 2004, and presented to Planning Committee on November 29, 2004. The requested amendment was to add the Light Industrial LI2 Zone to permit the following additional uses: business service establishments, manufacturing and assembly industries, warehouse establishments, wholesale establishments, repair and rental establishments and service trades on lots with a minimum frontage of 30 m (98.4 ft) and a minimum area of 2000 m² (0.49 ac). Staff recommended approval of the Zoning By-law Amendment and refusal of the Removal of Holding Provisions.

This application to remove the holding provisions was accepted as complete on January 27, 2022. An application for Site Plan Approval (SPA21-107) has also been submitted and is being processed concurrently.

1.3 Property Description

The subject lands are located in the northeast quadrant of the City, and are situated south of Gore Road and west of Veterans Memorial Parkway. The site is Part Lot 2 of Registered Plan 33R-20871 and is approximately 15.23 hectares. The subject lands are bounded by the CN rail line to the north and the River Road Park to the south.

1.4 Current Planning Information

- The *London Plan* Place Type – Heavy Industrial
- Official Plan Designation – General Industrial
- Existing Zoning – Holding Light Industrial and General Industrial (h*LI2/GI1)

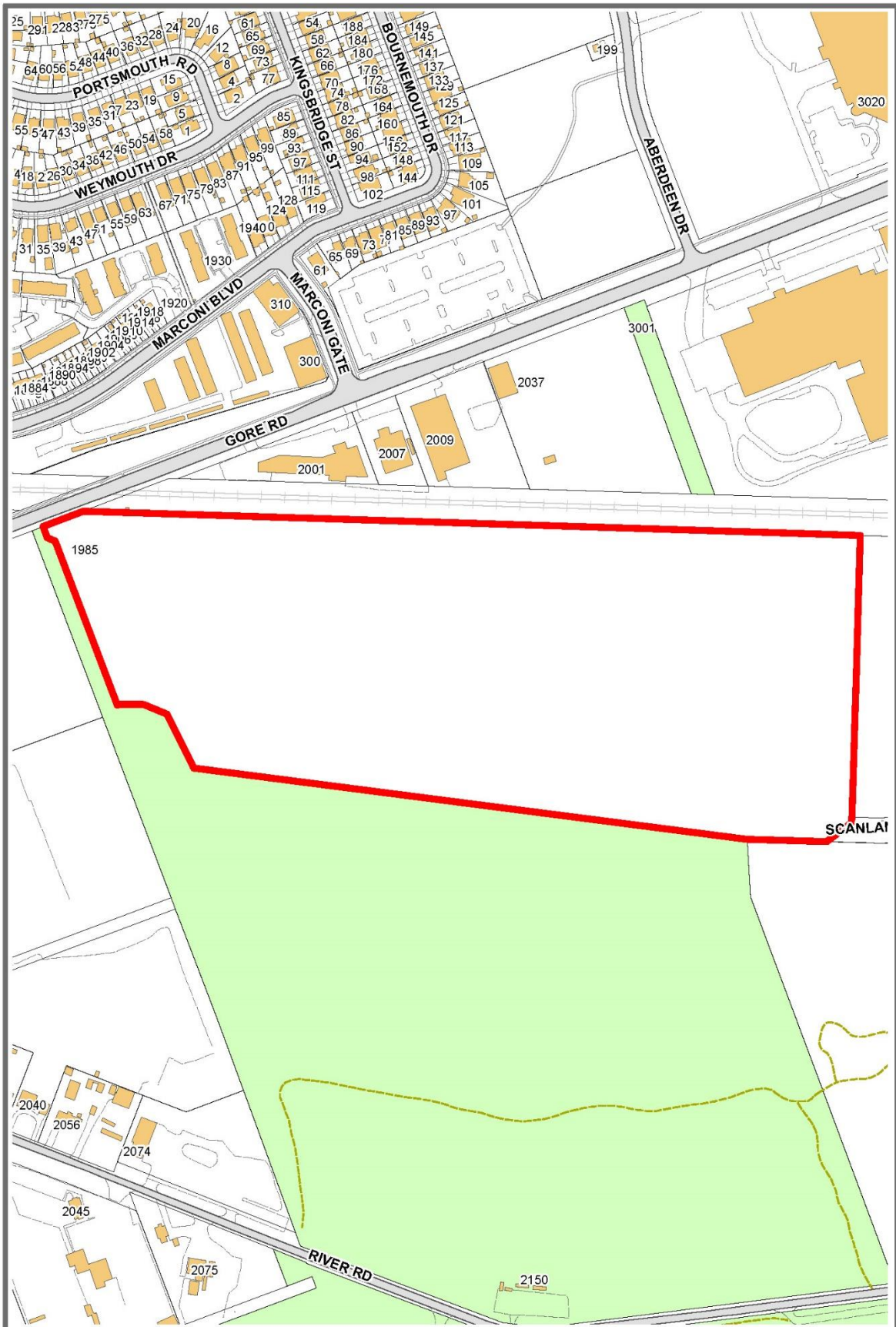
1.5 Site Characteristics

- Current Land Use – Vacant
- Area – 15.23 Hectares
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Residential and Neighbourhood Shopping Area
- East – Light Industrial
- South – River Road Park
- West – General Industrial

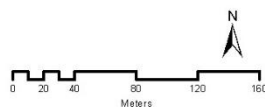
1.7 Location Map



LOCATION MAP

Location: 1985 Gore Road
 File Number: H-9467
 Planner: Alison Curtis
 Date: 02/02/2022

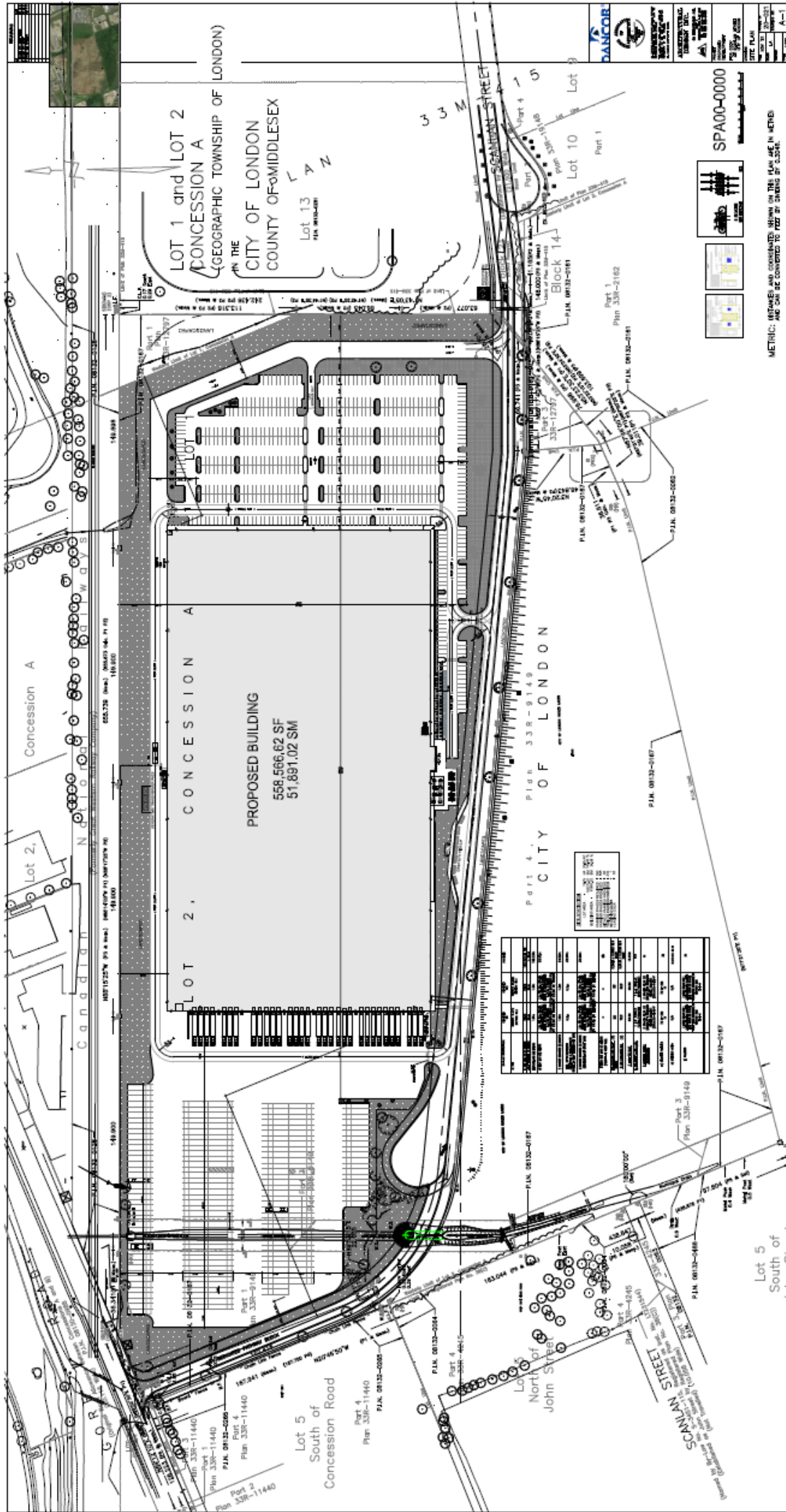
Corporation of the City of London
 Prepared By: Planning and Development



Legend

-  Subject Site
-  Buildings
-  Parks
-  Driveways/Parking Lots

1.8 Proposed Site Plan (subject to change)



2.0 Discussion and Considerations

The purpose of this amendment application is to remove the h holding provision from the subject lands. The h holding provision requires the orderly development of the lands and the adequate provision of municipal services through the execution of a subdivision or development agreement.

2.1 Consultation (see more detail in Appendix B)

Information regarding the application to remove Holding Provisions was provided to the public as follows:

- Notice of Intent to Remove Holding Provisions was published in the Public Notices and Bidding Opportunities section of the *Londoner* on February 10, 2022.
- Notice of Intent to Remove Holding Provisions was circulated to the relevant internal and external agencies on January 20, 2022.

There was no response from the public.

2.2 Policy Context (see more detail in Appendix C)

Section 36 of the *Planning Act* permits the use of holding provisions to restrict future uses until conditions for removing the holding provision are met. To use this tool, a municipality must have approved Official Plan policies related to its use (Section 36(2) of the *Planning Act*), a municipal council must pass a zoning by-law with holding provisions, an application must be made to council for an amendment to the by-law to remove the holding symbol, and council must make a decision on the application within 90 days to remove the holding provision(s).

The *London Plan* and the *1989 Official Plan* contain policies with respect to holding provisions, the process, notification and removal procedures.

3.0 Financial Impact/Considerations

Fees, development charges and taxes will be collected through the completion of the works associated with this application. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1. Why is it appropriate to remove this Holding Provision?

h Holding Provision

The h Holding Provision states that:

“h Purpose: To ensure the orderly development of lands and the adequate provision of municipal services, the “h” symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development.

Section 41 of the *Planning Act* requires municipalities to make a decision regarding Site Plan Control applications within 30 days of submission of a complete application. In most situations, resubmissions of drawings are required to satisfy City requirements. The City will often issue a conditional letter of approval with a list of conditions and comments to obtain approval from Site Plan Control, upon which the resubmission of drawings is based. In the case of this application, the applicant has obtained conditional approval and, while staff are working on finalizing details on external works for the

extension of Scanlan Street and services for the site, the on-site plans are at a point where staff are comfortable with the issuance of a Development Agreement and obtaining security for the completion of works, and the completion of off-site works for the provision of services. This satisfies the requirements for the removal of the “h” holding provision.

Conclusion

It is appropriate to remove the “h” holding provision from the subject lands at this time as the applicant has received conditional approval from Site Plan and a Development Agree can be issued and securities obtained.

Prepared by: **Alison Curtis, MA**
Planner 1, Planning and Development

Reviewed by: **Bruce Page, MCIP, RPP**
Manager, Planning and Development

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

Submitted by: **Scott Mathers, MPA, P. Eng.,**
Deputy City Manager,
Planning and Economic Development

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections
cc: Michael Pease, Manager, Development Planning (Site Plan)

Appendix A

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

2022

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to remove holding provision from the zoning for lands located at 1985 Gore Road

WHEREAS Dancor Oxford Incorporated have applied to remove the holding provision from the zoning for the lands located at 1985 Gore Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS it is deemed appropriate to remove the holding provision from the zoning of the said land;

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 the lands located at 1985 Gore Road, as shown on the attached map, to remove the holding provision so that the zoning of the lands as a Light Industrial and General Industrial (LI2/GI1) Zone comes into effect.
2. This By-law shall come into force and effect on the date of passage.

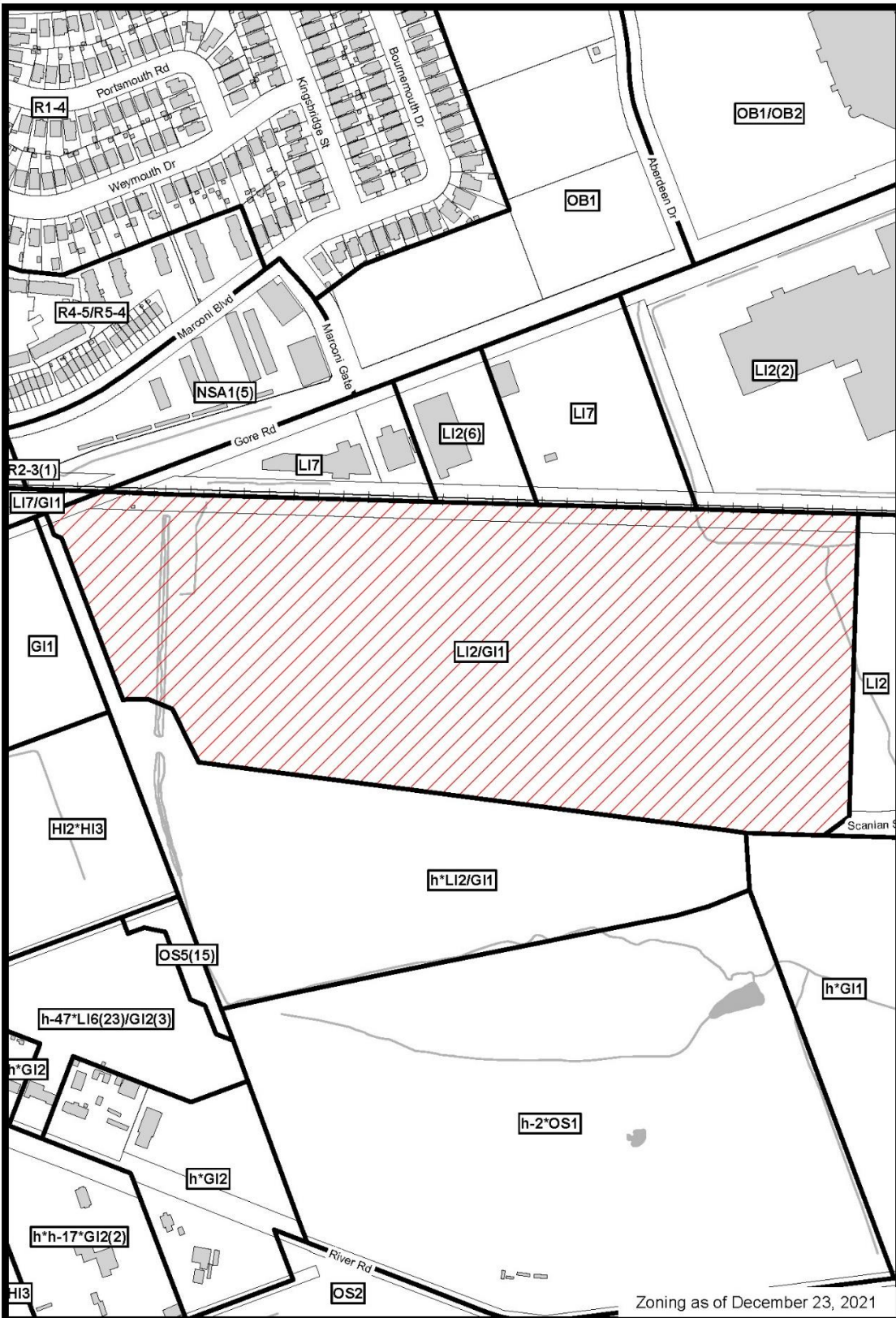
PASSED in Open Council on March 22, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading - March 22, 2022
Second Reading – March 22, 2022
Third Reading - March 22, 2022

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



File Number: H-9467
 Planner: AC
 Date Prepared: 2022/02/02
 Technician: RC
 By-Law No: Z-1-

SUBJECT SITE 

1:4,000

0 20 40 80 120 160 Meters



Appendix B – Consultation

Community Engagement

Public Liaison: Notice of the Intent to Remove Holding Provisions was published in the Londoner on November 4, 2021, and notice of the application were circulated to the relevant internal and external agencies.

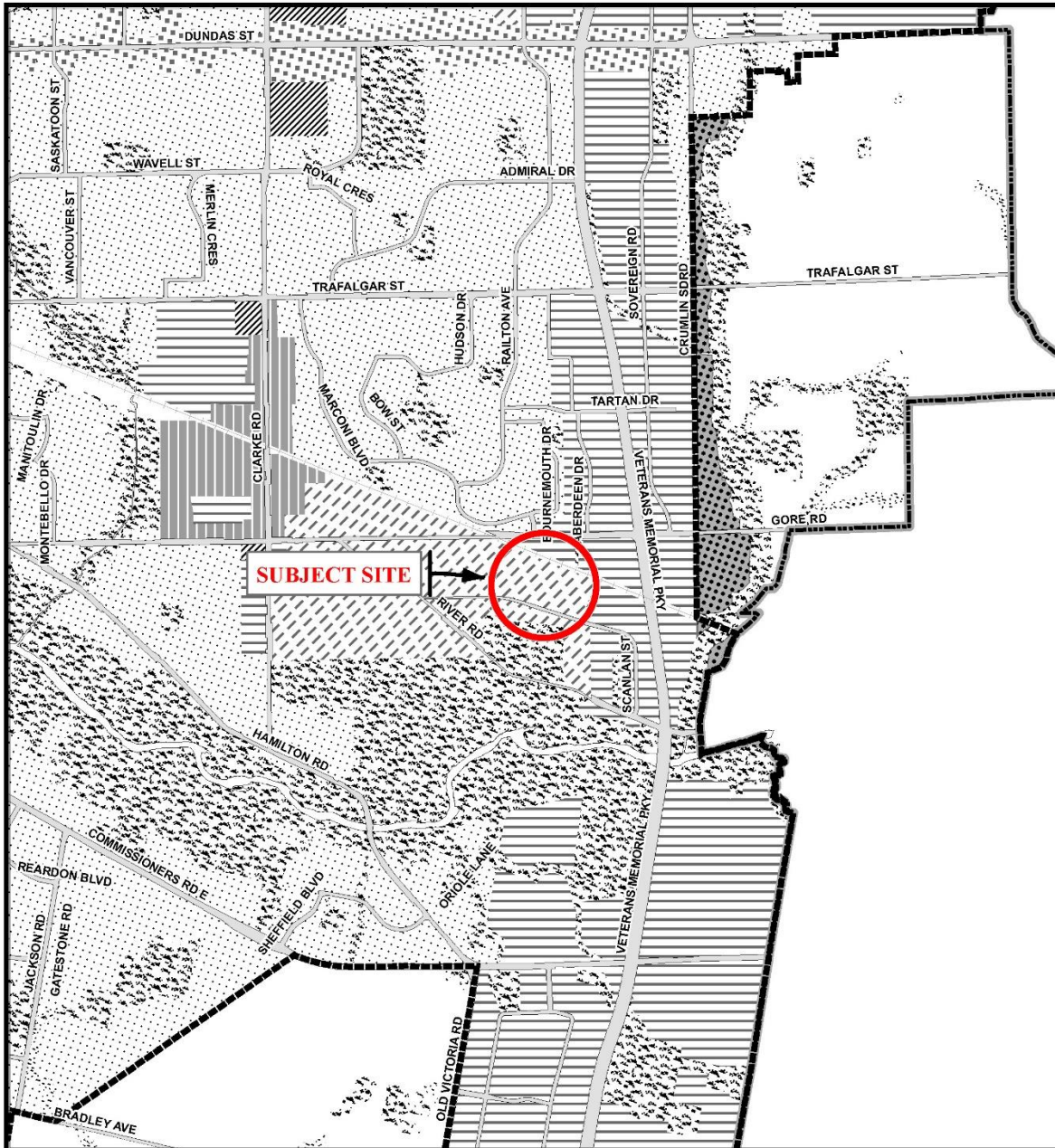
No replies were received.

Londoner Notice: City Council intends to consider removing the h, h-54, h-71, and h-100 holding provisions from the subject lands to allow for the development of a 63-unit Phased Condominium. The purpose of the “h” provision is to ensure the orderly development of lands and adequate provision of municipal services. The “h” symbol shall not be deleted until the required security has been provided and/or a subdivision agreement has been entered into for the subject lands. Holding Provision “h”-54” ensures that there are no land use conflicts between arterial roads and the proposed residential uses. This symbol shall not be deleted until the owner agrees to implement all noise attenuation measures recommended in noise assessment reports acceptable to the City of London. Holding Provision “h-71” encourages street-oriented development and requires the owner to prepare a building orientation plan demonstrating how the front façades of dwelling units can be oriented to all abutting streets (except where a noise barrier has been approved), acceptable to the General Manager of Planning and Development. The recommended building orientation will be incorporated into the approved site plan and executed development agreement prior to the removal of the “h-71” symbol. Holding Provision “h-100” requires the construction of a looped watermain system and a second public access to be available to the satisfaction of the City Engineer to ensure there is adequate water service and access. Council will consider removing the holding provisions as they apply to these lands no earlier than November 22, 2021.

File: H-9389 Planner: A. Curtis x.4497

Appendix C: Policy Context

London Plan Excerpt



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.

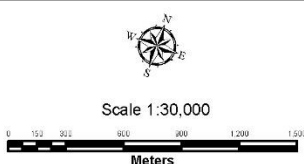
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

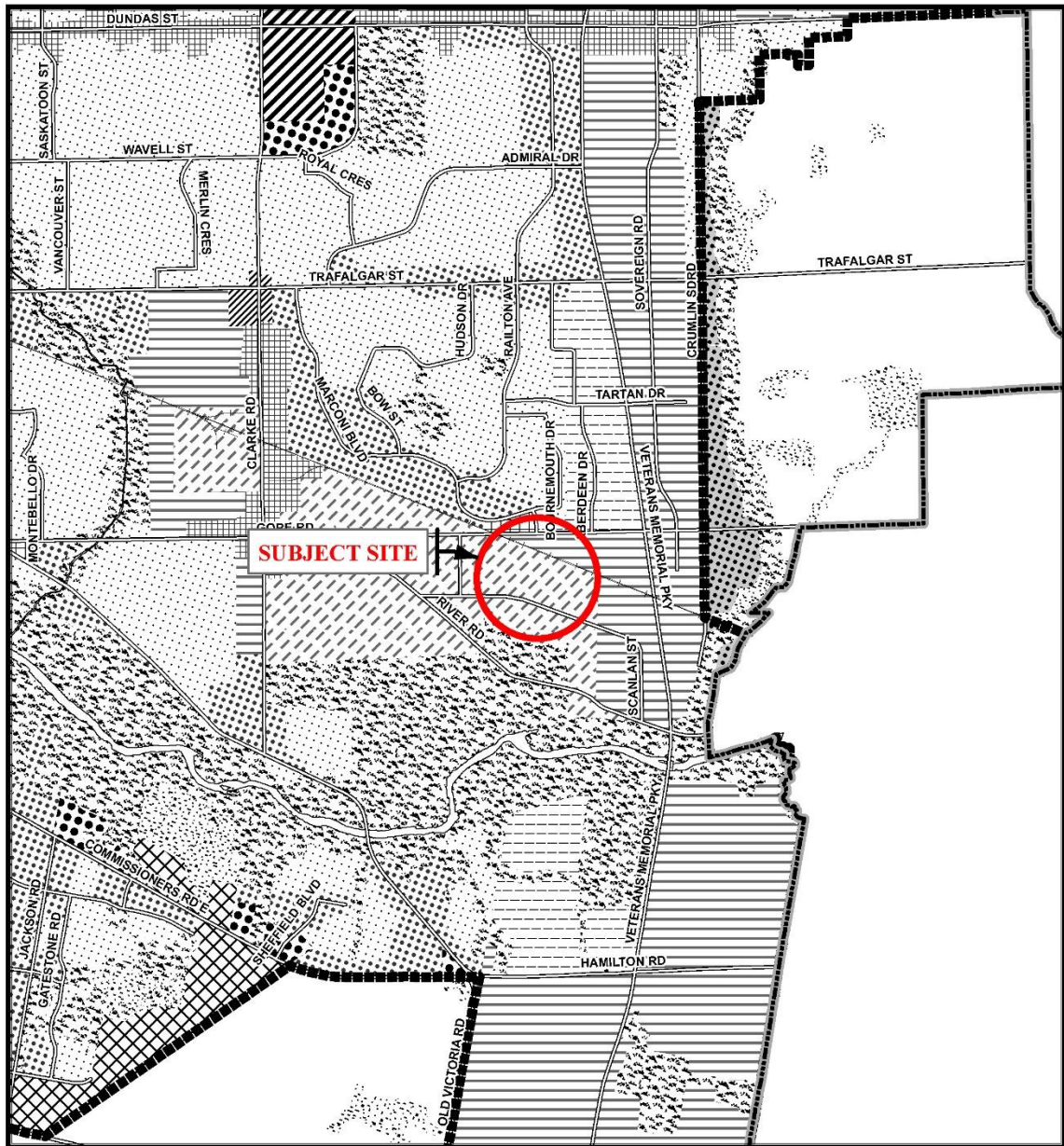
LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



File Number: H-9467
Planner: AC
Technician: RC
Date: February 2, 2022

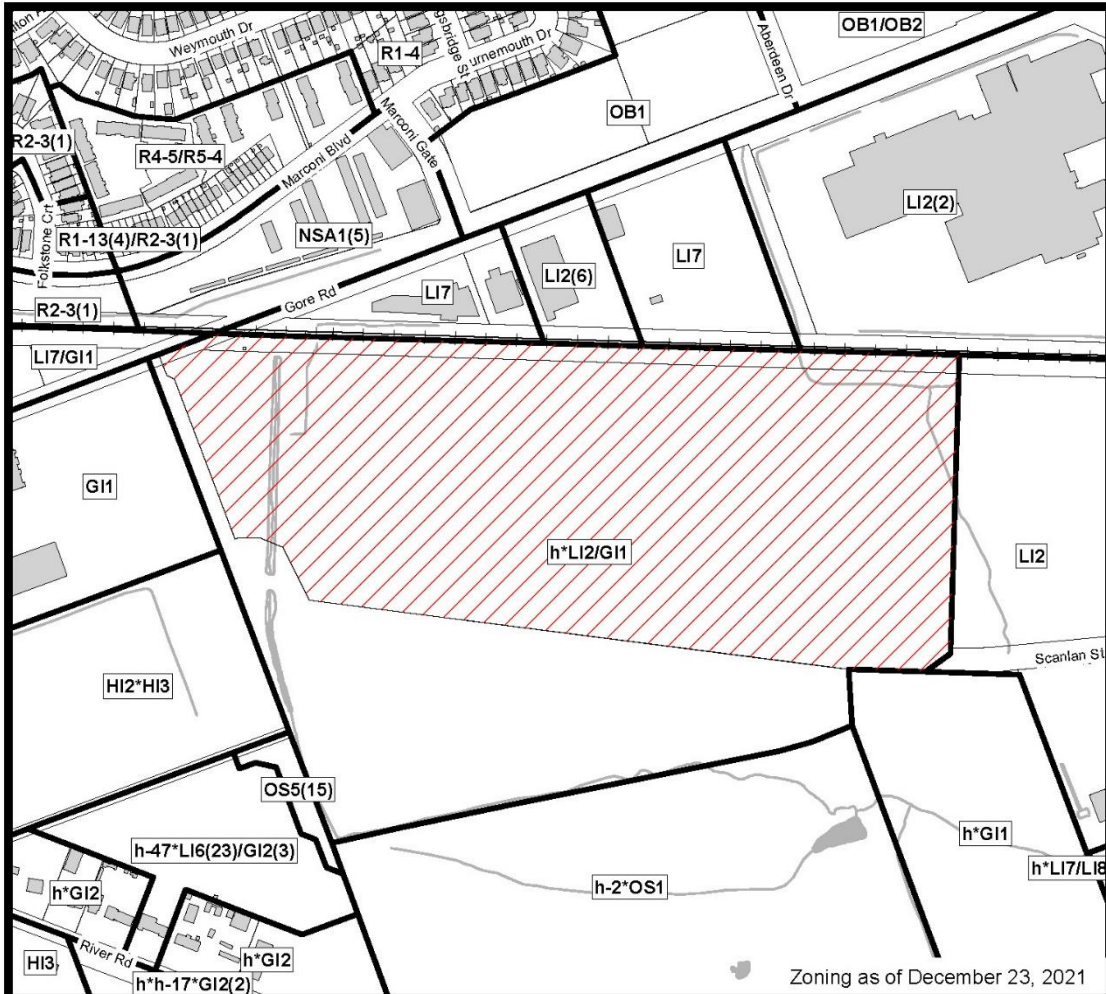
1989 Official Plan Excerpt



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>Meters</p>	<p>FILE NUMBER: H-9467</p>
		<p>PLANNER: AC</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/02/02</p>

Zoning By-law Excerpt



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 | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | 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:

H-9467

AC

MAP PREPARED:

2022/02/02

RC

1:5,000

0 25 50 100 150 200

Meters