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**File: Z-7967
B. Debbert**

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR, LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: 1145505 ONTARIO LIMITED 45 ARTISANS CRESCENT PUBLIC PARTICIPATION MEETING ON NOVEMBER 28, 2011 @ 4:30 P.M.

RECOMMENDATION

That, on the recommendation of the Director, Land Use Planning and City Planner, based on the application of 1145505 Ontario Limited relating to the property located at 45 Artisans Crescent, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on December 6, 2011 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to **CHANGE** Section 4.13 5) to permit vehicles to manoeuvre into loading areas at 45 Artisans Crescent, using the Artisans Crescent road allowance.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended action is to allow vehicles to use the Artisans Crescent road allowance to manoeuvre into the loading areas at 45 Artisans Crescent.

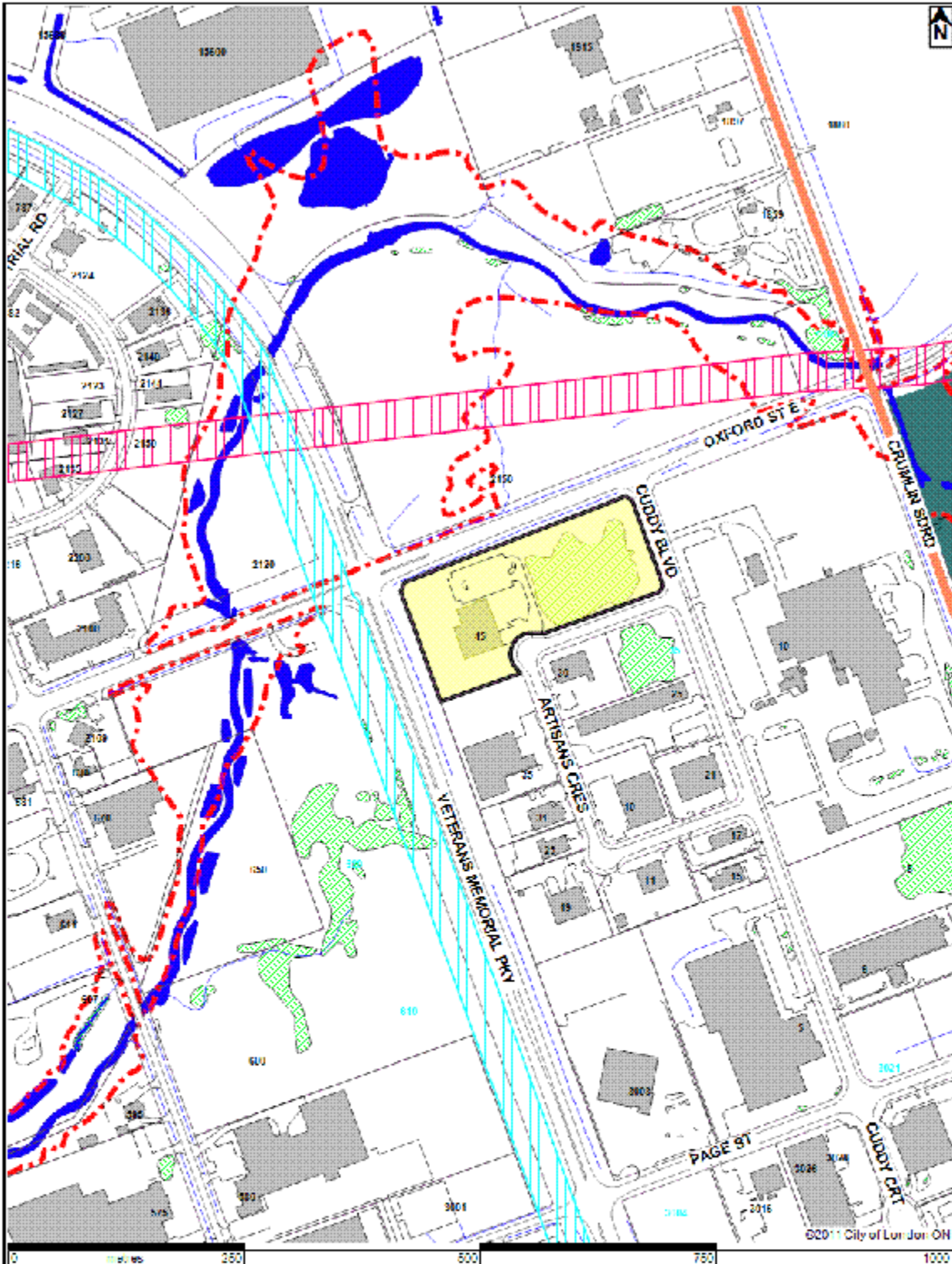
RATIONALE

1. The recommended amendment is consistent with the Provincial Policy Statement.
2. The recommended amendment is in keeping with the intent of the Official Plan as it ensures the future viability of this industrial parcel within the industrial designation, while not creating unsafe turning movements or negative impacts on City streets, pedestrian or vehicular safety, or other properties.

BACKGROUND

Date Application Accepted: October 5, 2011	Agent: Norlon Builders London Ltd. (Manish Dalal)
REQUESTED ACTION: To change to Section 4.13 5) – Access to Loading Spaces, of Zoning By-law Z.-1, to add 45 Artisans Crescent as a property which is permitted to use the road allowance to manoeuvre vehicles into loading areas on the site.	

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 45 Artisans Crescent Applicant: Norton Builders London Ltd. File Number: Z-7967 Planner: Barb Debbert Created By: Barb Debbert Date: 2011-10-13 Scale: 1:5000</p>	<p style="text-align: center;">LEGEND</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Subject Site</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Parks</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Assessment Parcels</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Buildings</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Address Numbers</td> </tr> </table>	■	Subject Site	■	Parks	■	Assessment Parcels	■	Buildings	■	Address Numbers
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■	Address Numbers										
<p>Corporation of the City of London Prepared By: Planning and Development</p>											

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<p>SITE CHARACTERISTICS:</p> <ul style="list-style-type: none"> • Current Land Use –warehouse and offices • Frontage – 186 metres (610.2 feet) • Depth - variable • Area – 3.04 ha. (7.51 acres) • Shape – irregular with frontage on bend of Crescent

<p>SURROUNDING LAND USES:</p> <ul style="list-style-type: none"> • North - Oxford Street, Open Space, vacant industrial land • South - Industrial • East - Industrial • West - Industrial
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<p>OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)</p> <ul style="list-style-type: none"> • Light Industrial
<p>EXISTING ZONING: (refer to Zoning Map)</p> <ul style="list-style-type: none"> • Light Industrial (LI3/LI4/LI5)

<p>PLANNING HISTORY</p>

On September 30, 2011, the business owners applied for site plan approval to construct additions to the existing building for office and warehouse purposes. The need for the proposed zoning by-law amendment was identified during the site plan pre-consultation and plan review stage, as the location of the loading bays required the use of Artisans Crescent as a manoeuvring area for large trucks.

A modified site plan which eliminated the loading bays and resultant turning movements on Artisans Crescent was submitted, and approved on November 3, 2011. It is expected that the development agreement will be signed and executed in the near future. It is intended that the site plan will be modified to incorporate the loading bays after the zoning by-law conformity issue has been addressed.

<p>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</p>
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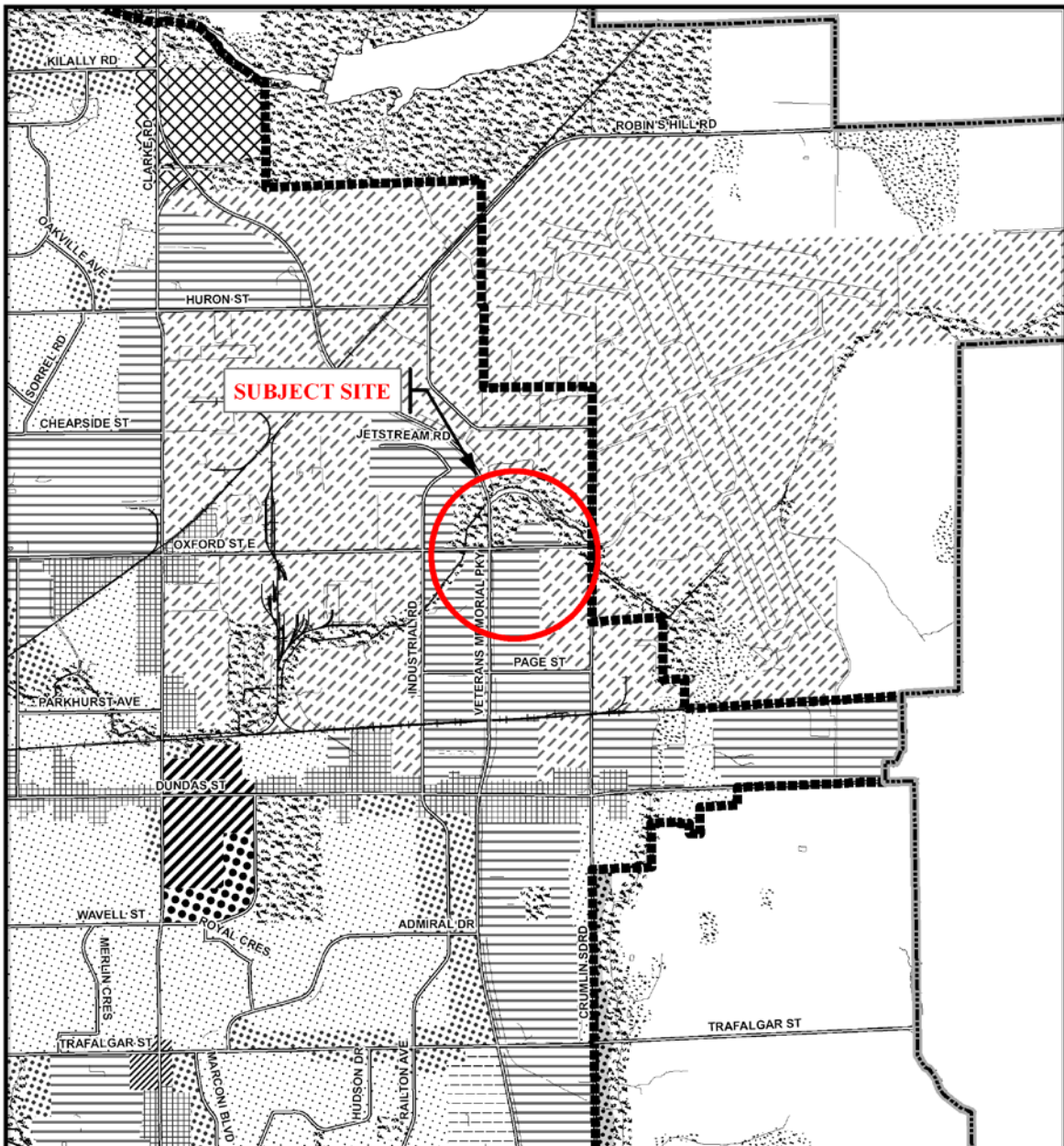
Environmental and Engineering Services
No concerns.

London Hydro
No objection.

Upper Thames River Conservation Authority
No objection.

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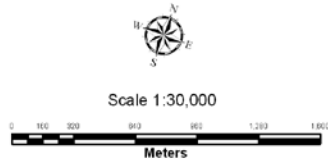


Legend

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

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services



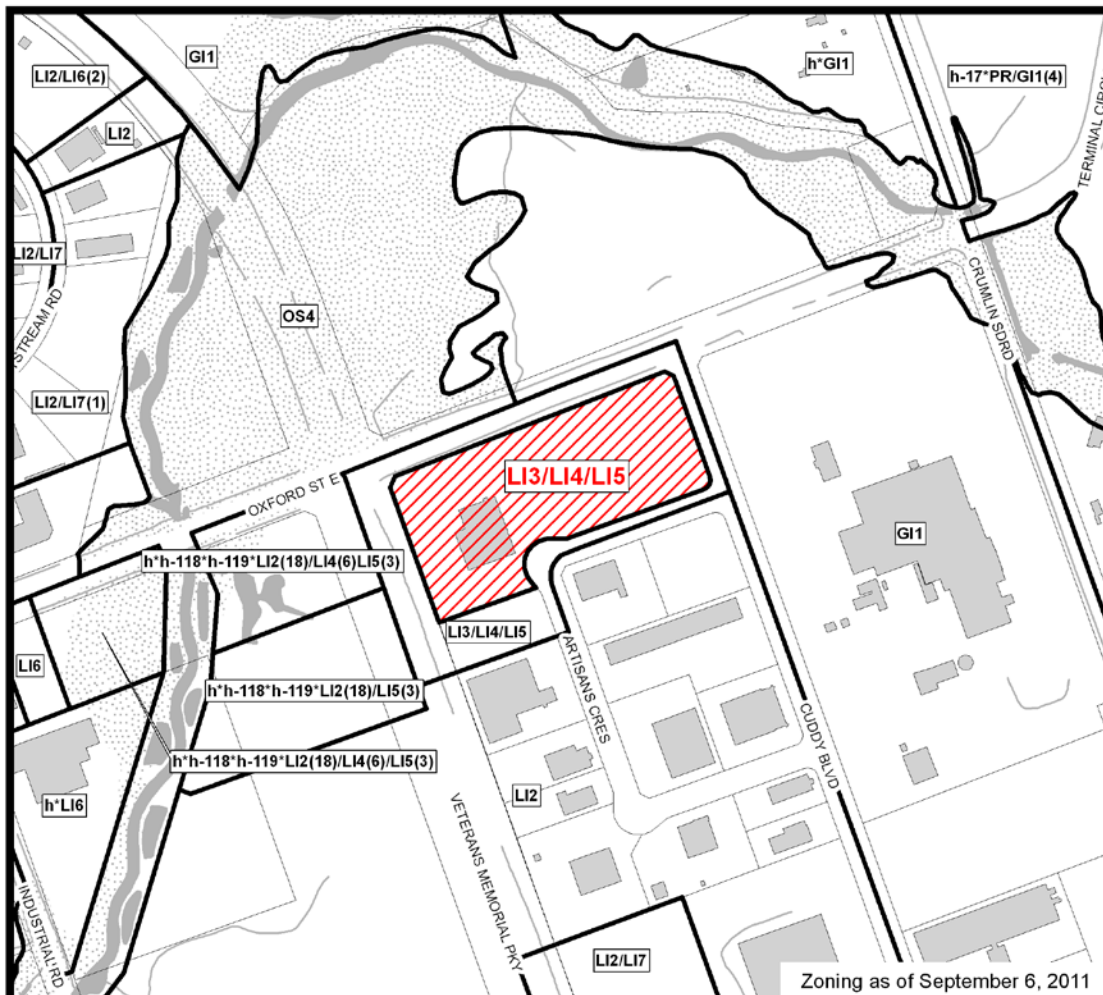
FILE NUMBER: Z-7967

PLANNER: BD

TECHNICIAN: MB

DATE: 2011/11/01

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: LI3/LI4/LI5

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 APPEALED 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-7967 BD

MAP PREPARED:
2011/11/01 MB

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

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PUBLIC LIAISON:	On October 17, 2011, Notice of Application was sent to 10 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on October 15, 2011. A "Possible Land Use Change" sign was also posted on the site.	No replies were received
Nature of Liaison:		
<p>The purpose and effect of this zoning change is to permit the road allowance of Artisans Crescent to be used for the maneuvering of vehicles into loading areas on the site.</p> <p>Possible change to Section 4.13 5) – Access to Loading Spaces, of Zoning By-law Z.-1, to ADD 45 Artisans Crescent as a property which is permitted to use the road allowance to maneuver vehicles into loading areas on 45 Artisans Crescent.</p>		
Responses: None.		

ANALYSIS

Provincial Policy Statement

Section 1.3.1 c) of the Provincial Policy Statement (PPS) requires the municipality to plan for, protect and preserve employment areas for current and future uses. The City of London, through the Official Plan, has identified 45 Artisans Crescent as Light Industrial lands. The proposal to allow maneuvering on Artisans Crescent does not have a negative impact on the other interests set out in the PPS and facilitates the expansion of an existing industrial facility.

Official Plan

The subject property is designated Light Industrial in the Official Plan. The Official Plan encourages site design that directs industrial access points away from Arterial or Primary Collector roads to minimize disruption to traffic flows. For zoning by-law amendments, the criteria for the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties.

Zoning By-law

Section 1.13 5) of By-law Z.-1 does not permit vehicles to maneuver into loading spaces using the adjacent streets. Allowing delivery vehicles to use public streets can create traffic disruptions, result in unsafe turning movements and is generally not recommended.

Justification for Site Specific Regulations

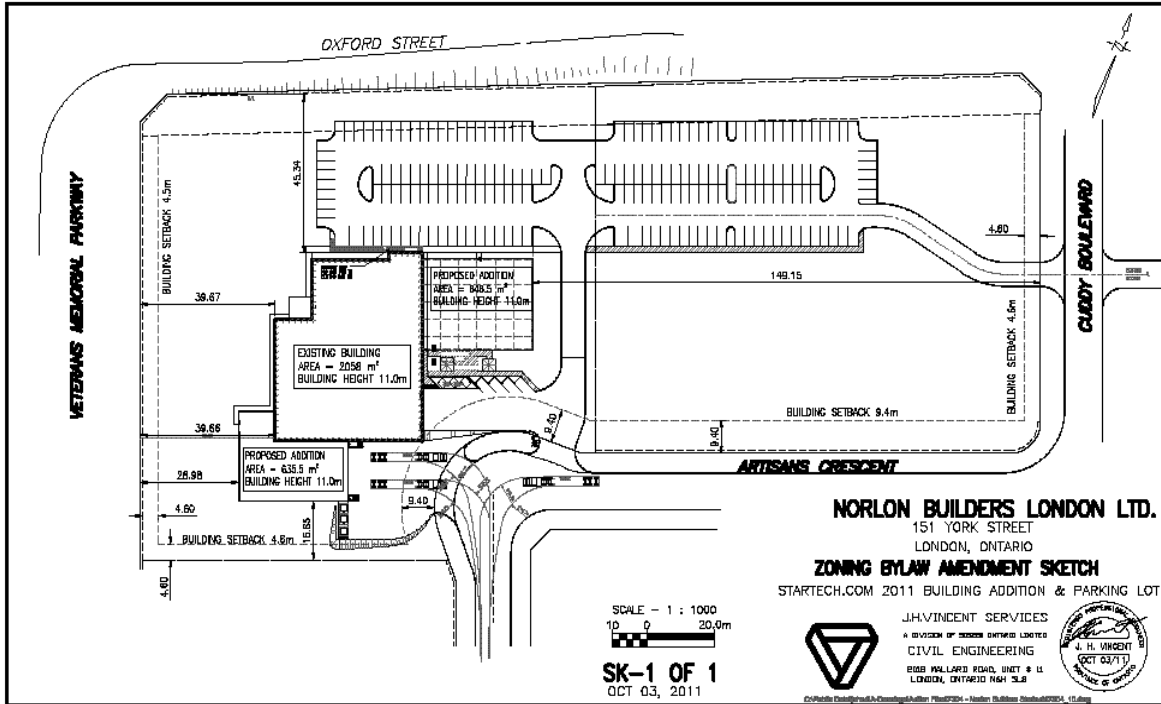
The site concept below illustrates the anticipated truck turning movements and the location of the addition to the south wall of the existing building. The location of the existing building relatively close to the road allowance causes an obstruction that requires the truck turning movements to occur within the road allowance.

The subject site is located within an industrial subdivision which has low traffic volumes characterized by destination oriented drivers who are familiar with the possibility that a vehicle will use the road to back into a loading area. The proposed on-street turning movements will occur at the point where Artisans Crescent bends and the road allowance and pavement are wider than usual, providing additional flexibility for these movements to occur. In addition, Artisans Crescent is a short street with alternative access from Cuddy Boulevard to the other industrial uses on the street. Therefore, it is unlikely that allowing truck turning movements at

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this location will result in negative impacts on City streets, pedestrian and vehicular safety or surrounding properties. The proposed site specific exemption is in keeping with the intent of the Official Plan and is recommended.



CONCLUSION

The proposed amendment to Section 4.13 5) - Access to Loading Space, of the General Provisions of By-law Z.-1 will permit the use of the adjacent street for vehicles manoeuvring into the new loading facilities at 45 Artisans Crescent. The amendment facilitates a warehouse addition to the existing industrial use and will not have a negative impact on City streets, vehicular or pedestrian safety or other properties and is, therefore, recommended for approval.

PREPARED BY:	SUBMITTED BY:
BARB DEBBERT SENIOR PLANNER COMMUNITY PLANNING AND URBAN DESIGN SECTION	JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN SECTION
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP DIRECTOR, LAND USE PLANNING AND CITY PLANNER	

November 9, 2011

BD/

Attach.

Y:\Shared\implemen\DEVELOPMENT APPS\2011 Applications 7854 to\7967Z - 45 Artisans Crescent (BD)\Z-7967 - 45 Artisans Crescent report to BNEC.docx

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**Bibliography of Information and Materials
Z-7967**

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Manish Dalal, September 9, 2011.

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.

Correspondence: (all located in City of London File No. Z-7967 unless otherwise stated)

All correspondence received in response to Notice of Application, October 18 – November 10, 2011

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2011

By-law No. Z.-1-11_____

A by-law to amend By-law No. Z.-1 regarding on-street manoeuvring related to industrial lands at 45 Artisans Crescent.

WHEREAS 1145505 Ontario Ltd. has applied to amend the Zoning by-law No. Z.-1 to permit the use of Artisans Crescent to manoeuvre vehicles at 45 Artisans Crescent, 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) Section Number 4.13 (5) of the General Provisions to By-law No. Z.-1 is amended by adding the following paragraph at the end of the section:

Vehicles may be permitted to manoeuvre into loading areas at 45 Artisans Crescent using the Artisans Crescent road allowance.

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 December 6, 2011.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - December 6, 2011
Second Reading - December 6, 2011
Third Reading - December 6, 2011