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: 600 Third Street

Public Participation Meeting

Date: January 9, 2023

Recommendation

That, on the recommendation of the Acting Director, Planning and Development, the following actions be taken with respect to the application of MHBC Planning on behalf of City Centre Storage relating to the property located at 600 Third Street:

- (a) the proposed by-law <u>attached</u> hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 24, 2023 to amend The London Plan to change the designation of the subject lands **FROM** a Light Industrial Place Type **TO** a Commercial Industrial Place Type on Map 1 Place Types;
- (b) the proposed by-law <u>attached</u> hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting January 24, 2023, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (The London Plan, 2016 as amended above) to change the zoning of the subject property **FROM** a Light Industrial (LI1/LI7) Zone **TO** a Restricted Service Commercial Special Provision (RSC2/RSC4/RSC5(_)) Zone.

Executive Summary

Summary of Request

The applicant has requested to redesignate the subject site from a Light Industrial Place Type to a Commercial Industrial Place Type and rezone the subject site from Light Industrial (LI1/LI7) Zone to a Restricted Service Commercial Special Provision (RSC2/RSC4/RSC5(_)) Zone to permit a self-storage establishment as a permitted use within the existing buildings.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended London Plan amendment to redesignate the lands to a Commercial Industrial Place Type and rezone the lands to a Restricted Service Commercial Special Provision (RSC2/RSC4/RSC5(_)) Zone to permit a self-storage establishment within the existing buildings.

Rationale of Recommended Action

- 1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which promotes economic development and competitiveness by providing for an appropriate mix and range of employment uses.
- The recommended amendments conform to the policies of The London Plan, including but not limited to the Key Directions and Commercial Industrial Place Type.
- The recommended amendments are appropriate for the site and facilitate the reuse of the existing buildings with a use that is compatible within the surrounding context.

Analysis

1.0 Background Information

1.1 Property Description

The subject lands are located on the east side of the Third Street, south of Oxford Street and are currently within the Argyle Planning District. The site is 2.0 hectares in size with a lot frontage of 175m along Third Street and currently contains a 2-storey office building with warehouses on both sides.

Figure 1: Photo of 600 Third Street (2021)



Figure 2: Aerial View (2017)



Current Planning Information

- The London Plan Place Type Light Industrial
- Existing Zoning Light Industrial (LI1/LI7)
 Street Frontage Classification- Neighbourhood Connector (Third Street)

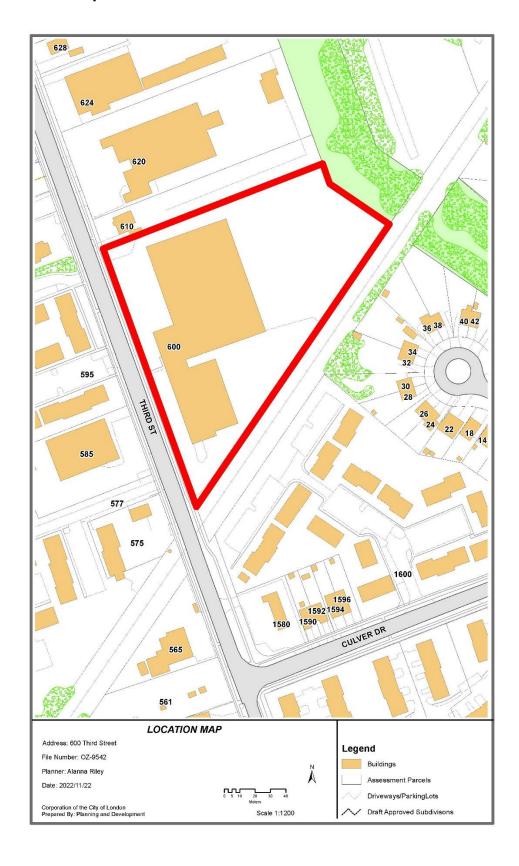
1.2 Site Characteristics

- Current Land Use Office/Warehouses
- Frontage 175 metres
- Area 2 hectares
- Shape Irregular

1.3 Surrounding Land Uses

- North Auto-oriented service commercial/Oxford Street
- East Open Space/Low Density Residential
- South Railway Corridor/Low Density Residential/Light Industrial
- West Third Street/Low Density Residential/Light Industrial

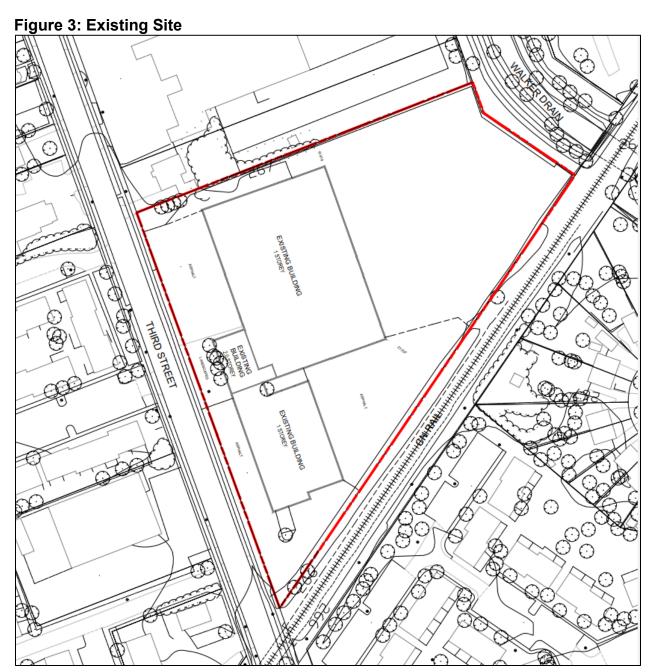
1.4 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The applicant has requested to rezone the subject lands to allow the property to be used as a self-storage facility within the existing buildings. The applicant has indicated that no exterior changes to the orientation, materials, or overall appearance of the buildings will occur and no modifications to the existing parking or access are required.



2.2 Requested Amendment

The applicant has requested to redesignate the lands from a Light Industrial Place Type to a Commercial Industrial Place Type and rezone the lands to a (RSC2/RSC4/RSC5(_)) Zone to permit a self-storage establishment as a permitted use within the existing buildings. No additional special provisions are requested or proposed to accommodate the new use and no buildings or structures are proposed as part of this application.

2.3 Community Engagement (see more detail in Appendix B)

Staff received one (1) comment during the public consultation period. The comment supported the requested amendments.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: 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.

The Provincial Policy Statement 2020 provides policy direction on matters of provincial interest related to land use and development. Section 1.1 "Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns" of the PPS encourages healthy, livable, and safe communities over the long-term. These communities must be sustained through a number of measures, including: accommodating an appropriate range and mix of affordable and market-based types of residential land uses, as well as employment, institutional, recreation and open space land uses (s. 1.1.1.b); promoting 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 (s. 1.1.1.e).

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, and are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available (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).

Employment Areas are intended to be planned for, protected, and preserved for current and future uses. These areas shall ensure that the necessary infrastructure is provided to support current and projected needs. Specifically, planning authorities shall protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations (1.3.2.6).

Planning authorities shall also 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). Lastly, the PPS encourages long-term economic prosperity to be supported by promoting opportunities for economic development and community investment-readiness (1.7.1 a)).

Analysis:

The recommended amendments are in keeping with the PPS 2020 as they facilitate the introduction of a use that will contribute and enhance the employment opportunities on this site and is suitable within the existing site context, and within the proposed Commercial Industrial Place Type.

The proposed use will continue to facilitate an efficient, cost-effective development pattern within an established settlement area and is compatible with the mix of light industrial, service commercial and residential uses proximate to the site and is not considered sensitive within the designated employment area.

The recommended amendments contribute to the optimization of the existing buildings and utilization of an existing site within an established industrial area while contributing to the supply of employment lands within the city.

4.2 Issue and Consideration #2: The London Plan – Key Directions

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 build a mixed-use compact city by:

 Plan to achieve a compact, contiguous pattern of growth – looking "inward and upward" (Key Direction 5.2).

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

- Identify and strategically support existing and emerging industrial sectors. (Key Direction #1, Direction 9)
- Ensuring an adequate supply of employment lands (Key Direction #1, Direction 10)

The London Plan also provides direction to making wise planning decisions in existing built areas by:

 Ensuring new development is a good fit within the context of an existing neighbourhood (Key Direction #8, Direction 9)

The proposed amendments support the Key Directions listed above by allowing a Commercial Industrial use within an area of the city that currently consists of industrial buildings and services along with some commercial and residential land uses.

Additionally, the proposed amendments intend to continue supporting the growing and emerging commercial industrial sector within the existing neighbourhood and will contribute to the supply of employment lands within the city.

4.3 Issue and Consideration #3: Use

The London Plan

Policies 1104_ and 1106_ of The London Plan map a vision for Industrial Place Types to plan for a prosperous City by supporting the growth of the industrial sector to create long-term jobs and positive economic spin-offs. Policy 1104 also identifies these place types as employment areas.

The subject site is within the Light Industrial Place Type of The London Plan and is located with frontage onto a Neighbourhood Connector (Third Street). Additionally, Policy 1113_ of the London Plan identifies the City's vision for Industrial Place Types and mentions that commercial uses that do not fit well within our commercial and mixed-use place types to be directed to commercial industrial areas.

As part of this application the site is proposed to be amended to a Commercial Industrial Place Type to permit a self storage establishment. A self-storage establishment is a permitted use with the Commercial Industrial Place Type (Policy 1119_) which is unlikely to impose significant impacts on surrounding industrial land uses as the self-storage will be within the existing buildings.

Analysis:

Consistent with The London Plan, the recommended amendments will continue to contribute to the supply of existing industrial uses within the area. Furthermore, the proposed use directly contributes to the city's supply of employment lands while utilizing the existing building stock (currently vacant) and providing similar and compatible land uses to the surrounding neighbourhood.

At this location, a self-storage establishment is unlikely to impose significant impacts on surrounding properties. Given the site contains existing warehouses and an office, staff do not see any issues facilitating the change to permit a self-storage establishment withing the existing buildings.

The Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (Policy 1578_). This has been provided in Appendix 'D' to address impacts of the proposed use on surrounding lands.

4.4 Issue and Consideration #4: Intensity

The London Plan

For all Industrial Place Types, The London Plan encourages industrial uses to utilize land efficiently (Policy 1124 1)

Also, Policy 1124_2 states that applications will be evaluated to ensure that the intensity of industrial uses may be moderated by zoning where appropriate to limit the extent of their impacts. Furthermore, buildings within the Commercial Industrial Place Type will not exceed 2-storeys.

Analysis:

The proposed intensity is considered appropriate at the proposed location given the existing site context. Given that no new buildings or structures are proposed, the proposed self-storage establishment within the existing buildings is anticipated to have minimal impact on surrounding properties.

The existing buildings and site layout are sensitive to their surroundings, provide sufficient separations and buffers to the surrounding industrial, commercial and residential uses, and provide a transition of intensity from other uses. The site is appropriately sized to accommodate the proposed use with no additional special provisions required. It should be noted that the Upper Thames Conservation Authority has indicated they are aware that unauthorized grading works have occurred on the site without a Conservation Authorities Section 28 permit. A permit is requirement for the completed works, or alternatively pull back the existing development and re-vegetate the area within 15m from the top-of-bank of the adjacent watercourse. This has been noted in the recommendation of this report.

Overall, the potential increase in intensity on the subject lands is considered minimal as the uses are restricted to the existing built form and site conditions. This additional use will bring additional viability to the existing site contributing to the efficient use of public infrastructure, services, and facilities and provides a cost-effective development solution.

As such, staff is satisfied the proposed intensity is in conformity with The London Plan.

4.5 Issue and Consideration #5: Form

The London Plan

The London Plan encourages compact forms of development as a means of planning and managing for growth (Policy 7_, Policy 66_), and encourages growing "inward and upward" to achieve compact forms of development (Policy 59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms that take advantage of existing services and facilities (Policy 59_ 4.).

The subject site is proposed to be redesignated to the Commercial Industrial Place Type. In the London Plan the form policies state City Council may prepare urban design guidelines to establish design goals and direction for new industrial development. The policies further address large open storage areas, landscaping, corridors, loading facilities, and site and building layout (Policy 1125_).

In addition to these policies above, as mentioned, the Our Tools section of The London Plan contains various considerations for the evaluation of all planning and development applications (Policy 1578_). This is in Appendix 'D' of this report.

Analysis:

As discussed above, the proposal is for a self-storage establishment within the existing buildings with no changes to the orientation, materials, or overall appearance of the buildings and no modifications to the existing parking or access are required.

The existing built form is generally in keeping with these design considerations and the buildings have proven over time to be compatible and a good fit within the area. The site layout in combination with the location and massing of the buildings is consistent with urban design goals at the time of development. The proposed new use will result in minor modifications (signage and paint) to the exterior of the buildings while the existing site conditions will be maintained ensuring the continuation of a compatible form of development which has proven to be a good fit within the surrounding context.

Furthermore, the existing buildings were positioned and oriented on the subject lands to minimize the impact on surrounding land uses through a previous site plan approval. The proposed self-storage establishment will not present any significant land use conflicts with the surrounding area.

4.6 Issue and Consideration #6: The London Plan Amendment

To ensure the proposal complies with The London Plan the applicant has requested an amendment from the Light Industrial Place Type to the Commercial Industrial Place Type.

The subject property is currently designated Light Industrial, which states that permitted land uses in this place type include a broad range of industrial uses that are unlikely to impose significant impacts on surrounding light industrial land uses due to their emissions. This Policy also identifies warehouses, small-scale service offices, accessory uses, and service trades and contractor shops as permitted uses (Policy 1115_). A self-storage establishment is not a permitted use within this place type however, is permitted in the Commercial Industrial Place Type.

Lands designated Commercial Industrial form part of the City's industrial sector, which also includes the Light Industrial and Heavy Industrial place types. However, the Commercial Industrial Place Type is specifically intended to accommodate commercial uses that do not fit well within commercial and mixed-use place types of the Plan, and that permitted commercial uses are to have a tolerance for planning impacts created by the limited light industrial uses that are also permitted in the place type (Policy 1112_).

In Staff's opinion the proposed Official Plan amendment is appropriate and aligns with the objectives and permissions in the Commercial Industrial Place Type. The change in designation will provide the site the ability to accommodate a range of land uses which more appropriately reflect the intended use of the site and provide for a better fit within the existing buildings and the context of the area. Along with this, applying this place type will continue to support the Industrial nature of the area while allowing a range of uses that create fewer impacts and are considered more compatible with the mix of existing uses in the area. Additionally, the amendment maintains the employment land status of the subject site. The designation also provides the site the ability to redevelopment in the future with uses, intensity and forms which would remain compatible with the surrounding context. Furthermore, the proposed redesignation has been evaluated, in the context of the Evaluation Criteria for Development application policies of the Our Tools Section of the London Plan.

It is staff's opinion that redesignating the site to a Commercial Industrial Use to support the use of a self-storage establishment within the existing buildings is appropriate for the subject site.

4.7 Issue and Consideration #7: Zoning

The proposed self-storage establishment within the existing buildings require special provisions to recognize the existing built form and site conditions, including landscaping, side yards and coverage. These special provisions include:

- A minimum interior side yard of 6.6 m whereas 7.5 m is required adjacent to a residential zone:
- A minimum landscaped open space of 5.5% whereas a minimum of 15% is required where a mix of industrial/commercial uses are proposed; and
- A maximum lot coverage of 32% whereas a maximum of 30% is permitted

In the Restricted Service Commercial Zone, minimum yard depths are established relative to building height resulting in larger setbacks for taller buildings. However, when the buildings were constructed on site a smaller south interior side yard setback was to accommodate access and parking. That being said, staff have no concerns with the existing building setbacks.

The existing south interior side yard depth is able to provide adequate separation between the proposed development and adjacent buildings, while also providing access to the rear yard. This interior side yard abuts a railway line with a substantial setback to the residential to the south. Further, the buildings have proven over time to be compatible and a good fit within the area. Notwithstanding this, at such time the site redevelops, building location, setbacks, landscaping and coverage will be evaluated to incorporate current site design standards.

Staff is satisfied that the special provisions recognize existing conditions and is a good adaptive use of the site until a comprehensive redevelopment of the property is contemplated.

Conclusion

The recommended amendments are consistent with the Provincial Policy Statement, 2020 and conform to the policies of The London Plan. The recommended amendments would facilitate the continuation of industrial type uses within an established industrial area, would contribute to the long-term employment and economic vibrancy for the City, and are not anticipated to cause any significant impacts on surrounding properties. As such, the proposed use is considered appropriate and is being recommended for approval.

Prepared by: Alanna Riley, MCIP, RPP Senior Planner, Planning &

Development

Reviewed by: Mike Corby, MCIP, RPP

Manager, Planning Implementation

Recommended by: Britt O'Hagan, MCIP, RPP

Acting Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng

Deputy City Manager, Planning and Economic

Development

Appendix A – London Plan Amendment

Bill No.(number to be inserted by Clerk's Office) 2023

By-law No. C.P.-1284-A by-law to amend The London Plan relating to 600 Third Street.

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

- 1. Amendment No. (to be inserted by Clerk's Office) to The London Plan, as contained in the text attached hereto and forming part of this by-law, is adopted.
- 2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O.* 1990, c.P.13.

PASSED in Open Council on January 24, 2023.

Josh Morgan Mayor

Michael Schulthess City Clerk

First Reading – January 24, 2023 Second Reading – January 24, 2023 Third Reading – January 24, 2023

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of the subject lands from a Light Industrial Place Type to a Commercial Industrial Place Type on Map 1 – Place Types.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 600 Third Street in the City of London.

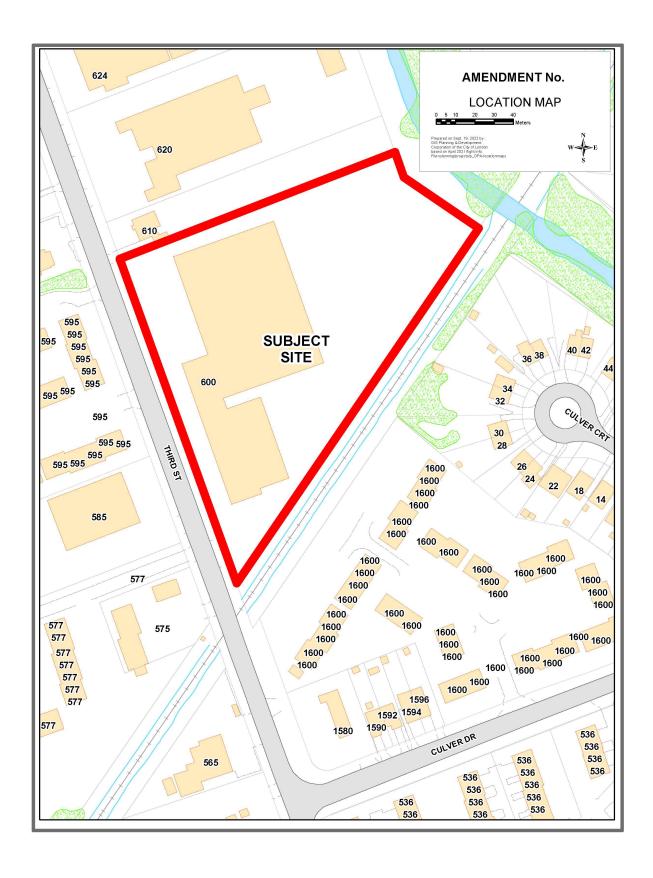
C. <u>BASIS OF THE AMENDMENT</u>

The recommended amendment is consistent with the PPS and the in-force policies of The London Plan. The recommended amendment facilitates the continued use of a site within an existing industrial area. The recommended use will contribute to the supply of employment lands and industrial uses within the area.

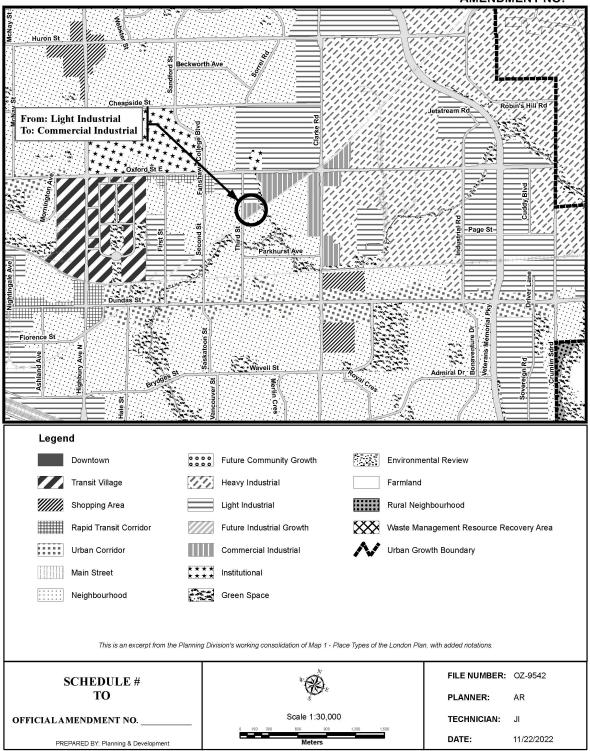
D. <u>THE AMENDMENT</u>

The London Plan is hereby amended as follows:

 Map 1 – Place Types, of The London Plan is amended by redesignating the subject lands, as indicated on "Schedule 1" attached hereto from a Light Industrial Place Type to a Commercial Industrial Place Type.



AMENDMENT NO:



Appendix B – Zoning By-law Amendment

Bill No.(number to be inserted by Clerk's Office) 2023

By-law No. Z.-1-23_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 600 Third Street

WHEREAS MHBC Planning on behalf of City Centre Storage have applied to rezone an area of land located at 600 Third Street, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of London Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to The London 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 600 Third Street, as shown on the attached map comprising part of Key Map No. A108, from a Light Industrial (LI1/LI7) Zone to a Restricted Service Commercial Special Provision (RSC2/RSC4/RSC5()) Zone.
- 2. Section Number 28.4 of the Restricted Service Commercial is amended by adding the following Special Provision:
-) RSC5() 600 Third Street
 - a) Regulations

,	Existing South Interior Side Yard Setback (Minimum)	6.6 metres
	(·············)	

ii) Existing Landscaped Open Space 5.5% (Minimum)

iii) Existing Lot Coverage 32% (Maximum)

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.

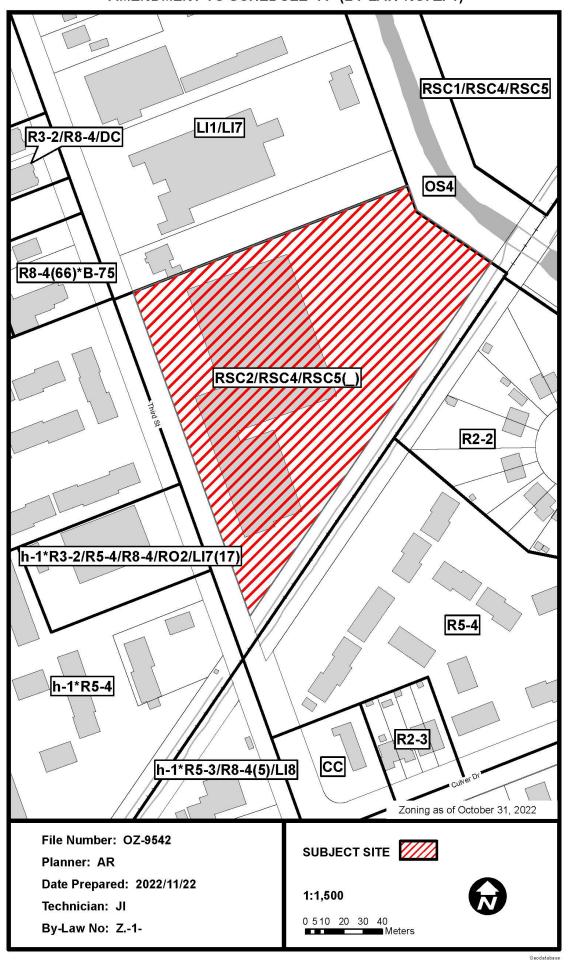
PASSED in Open Council on January 24, 2023.

Josh Morgan Mayor

Michael Schulthess City Clerk

First Reading – January 24, 2023 Second Reading – January 24, 2023 Third Reading – January 24, 2023

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



Appendix C – Public Engagement

Community Engagement

Public liaison: A Notice of Application was sent to property owners and tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner*. A "Planning Application" sign was also posted on the site.

One public comment was received in support of the application.

Nature of Liaison: The purpose and effect of this zoning change is to permit a self-storage establishment within the existing buildings. Possible change to Zoning By-law Z.-1 **FROM** a Light Industrial (LI1/LI7) Zone **TO** Restricted Service Commercial Special Provision (RSC2/RSC4/RSC5()) Zone.

Public Responses: 1

Support

Agency/Departmental Comments

Ecology

No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation. There are currently no ecological planning issues related to this property and/or associated study requirements.

Engineering

Engineering has no additional comments related to the re-zoning. All comments have been provided for a future Site Plan Approval Process

<u>Heritage</u>

There are no heritage or ARCH issues related to this ZBA

Parks Planning

No comment, Parkland Dedication is waived for industrial uses, pursuant to By-law CP-9.

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.

Site Plan

No comments

Urban Design

No comments

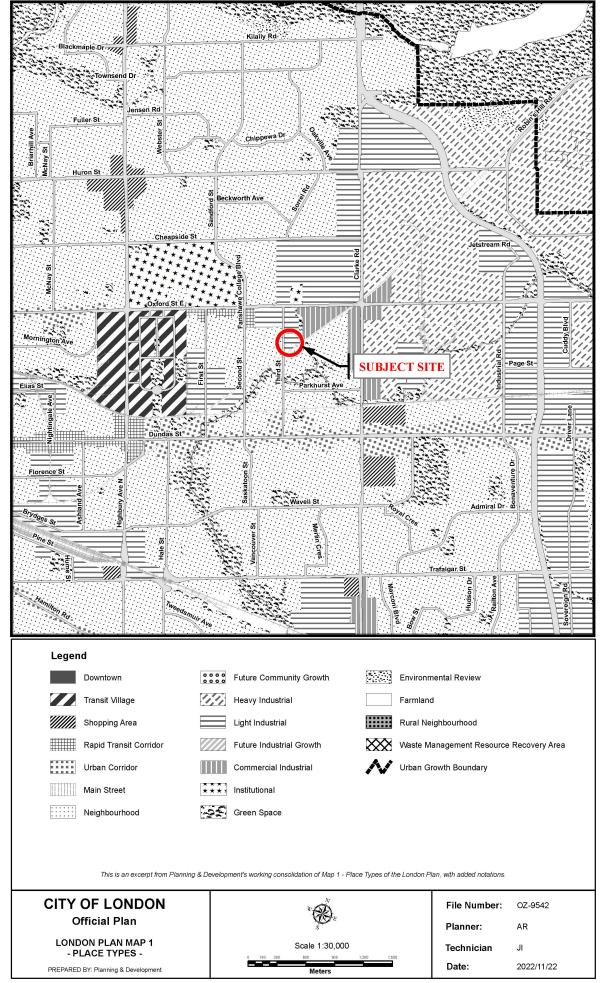
Appendix D – Evaluation Criteria

1577_ Evaluation Criteria for Planning and Development Applications	
Criteria – General Policy Conformity	Response
Consistency with the Provincial Policy Statement and in accordance with all applicable legislation.	The proposal is consistent with the Provincial Policy Statement as it promotes economic development and competitiveness by providing for an appropriate mix and range of employment uses;
Conformity with the Our City, Our Strategy, City Building, and Environmental Policies of this Plan.	The proposal supports Key Directions related to the creation of a compact City and strong, healthy and attractive neighbourhoods.
Conformity with the policies of the place type in which they are located.	The proposal provides for the use, intensity and form of development that is appropriate until such time as redevelopment occurs.
Consideration of applicable guideline documents that apply to the subject lands.	No additional guideline documents apply to the subject lands.
The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.	The site is serviced by municipal services.
Criteria – Impacts on Adjacent Lands	
Traffic and access management	Transportation Division has no concerns.
Noise	The proposed additional use is not expected to generate any unacceptable noise impacts on surrounding properties.
Parking on streets or adjacent properties.	The existing parking provided is considered appropriate for the site.
Emissions generated by the use such as odour, dust or other airborne emissions.	The proposed additional use will not generate noxious emissions.
Lighting	Lighting details will remain the same which were approved under the previous site plan approval.
Garbage generated by the use.	Garbage facilities will remain the same which were approved under the previous site plan approval.

Privacy	Existing adequate separations were provided between the existing buildings and surrounding properties.
Trees and canopy cover.	Through the previous site plan stage, consideration was given to the removal of some or all of the existing trees in favour of the provision of fencing in combination with new enhanced landscaping

Appendix E – Relevant Background

The London Plan - Map 1 - Place Types



Zoning By-law Z.-1 – Zoning Excerpt

