

## Report to Planning and Environment Committee

**To:** Chair and Members  
Planning and Environment Committee

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

**Subject:** 1930-1940 Oxford Street East  
City File No. Z-9571 Ward 3  
Public Participation Meeting

**Date:** February 21, 2023

## Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Oxford Seven Inc. relating to the property located at 1930-1940 Oxford Street East, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting March 7, 2023 to amend Zoning By-law No. Z.-1, in conformity with The London Plan, to change the zoning of the subject property **FROM** a Restrictive Service Commercial (RSC1/RSC4/RSC5) Zone, **TO** a Restrictive Service Commercial (RSC1/RSC2/RSC3/RSC4/RSC5) Zone;

## Executive Summary

### Summary of Request

The applicant has requested to rezone the subject site from Restrictive Service Commercial (RSC1/RSC4/RSC5) Zone to a Restrictive Service Commercial (RSC1/RSC2/RSC3/RSC4/RSC5) Zone to permit an expanded range of Restricted Service Commercial uses.

### Purpose and Effect of the Recommended Action

The purpose and effect of the recommended Zoning By-law amendment is to rezone the lands to add the RSC2 and RSC3 zones to the existing Restrictive Service Commercial (RSC1/RSC4/RSC5) Zone variation to expand on the range of uses currently allowed on the subject lands.

### Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020.
2. The recommended amendment conforms to the policies of The London Plan, including but not limited to the Key Directions and Commercial Industrial Place Type.
3. The recommended amendment would facilitate the reuse of an otherwise underutilized industrial building within an existing area that already facilitates both industrial and commercial uses.
4. The proposed amendment will assist in transitioning the area south of the railway corridor to commercial/industrial-oriented uses which are appropriate for the existing mixed-use landscape.

## Analysis

### 1.0 Background Information

#### 1.1 Property Description

The subject lands are located near the northeast corner of Oxford Street East, and Clarke Road intersection, directly south of the Canadian National Railway tracks and within the Airport Planning District. The site is 1.15 hectares in size, with approximately 84.8 metres of frontage between the two lots along Oxford Street East. The existing building on 1940 Oxford Street East currently contains commercial uses, and the property located at 1930 Oxford Street East is strictly used as a parking lot.



**Figure 1: Photo of 1930-1940 Oxford Street East**

#### **1.2. Current Planning Information**

- The London Plan Place Type – Commercial Industrial
- Existing Zoning – Restricted Service Commercial (RSC1, RSC4, RSC5)
- Street Classification – Urban Thoroughfare (Oxford Street East)

#### **1.3. Site Characteristics**

- Current Land Use – Industrial mall (containing industrial and commercial uses)
- Frontage – Oxford Street East (84.8m)
- Area – 1.15 hectares
- Lot Coverage – 22.6%
- Shape – Irregular

#### **1.4. Surrounding Land Uses**

- North – CN Rail Line
- South – Industrial Mall
- East – Warehouse
- West – Industrial Building

## 1.5 Location Map



### LOCATION MAP

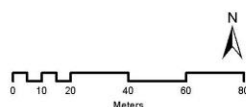
Address: 1930-1940 Oxford Street East

File Number: Z-9571

Planner: Brent House

Date: 2023/1/23

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



Scale 1:800

### Legend

- Buildings
- Assessment Parcels
- Driveways/Parking Lots
- Draft Approved Subdivisions

## **2.0 Discussion and Considerations**

### **2.1 Development Proposal**

The applicant has requested to rezone the subject lands to allow for further Restrictive Service Commercial (RSC2/RSC3) zone variations to be included on the subject lands. No exterior changes to the subject lands are proposed.

### **2.2 Requested Amendment**

The applicant has requested to rezone the lands to add additional Restrictive Service Commercial (RSC2/RSC3) zones to the current Restrictive Service Commercial (RSC1/RSC4/RSC5) zoning on site. This request will allow a broader range of uses, such as: Bulk beverage stores; Dry cleaning and laundry depots; Liquor, beer and wine stores; Pharmacies; Assembly halls; Clinics; Commercial recreation establishments; Emergency care establishments; Funeral homes; Laboratories; Medical/dental offices; Private clubs.

### **2.3 Community Engagement (see more detail in Appendix B)**

No comments were received from the public on this file.

## **3.0 Financial Impact/Considerations**

None.

## **4.0 Key Issues and Considerations**

### **4.1. Issue and Consideration #1: PPS 2020**

*Provincial Policy Statement, 2020*

The PPS promotes the integration of land use planning, growth management, transit-supportive development, intensification, and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1e)).

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).

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 diversity, 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)).

The recommended amendment is in keeping with the PPS 2020 as it will permit additional uses on site helping to broaden the range of uses in the area, meet the long-term needs of the community, and promote a more diverse economic base. The recommended amendment contributes to a land use pattern that makes efficient use of existing land and resources within a settlement area and is appropriate for the available infrastructure (avoiding the need for unjustified and uneconomical expansion).

## **4.2 Issue and Consideration #2: Key Directions**

### *The London Plan*

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 for making wise planning decisions by:

- Thinking “big picture” and long-term when making planning decisions – considering the implications of a short-term and/or site-specific planning decision within the context of this broader view. (Key Direction #8, Direction 3)
- Ensuring new development is a good fit within the context of an existing neighbourhood. (Key Direction #8, Direction 9)

The London Plan also provides direction for building a mixed-use compact city for London’s future by:

- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward. (Key Direction #5, Direction 4)

The proposed rezoning supports these Key Directions by providing additional commercial-industrial uses on the subject lands which will further support the transition of the lands from industrial to commercial uses helping to better serve the surrounding community. The proposed amendment intends to re-use the existing building and parking area to include the additional uses that would aid in supporting the other industrial parcels in the area, whilst making use of an existing built form that already utilizes existing services and facilities.

## **4.3 Issue and Consideration #3: Use**

The site is located within the Commercial Industrial Place Type of The London Plan along an Urban Thoroughfare (Oxford Street East). Permitted uses within the Commercial Industrial Place Type at this location include commercial uses that do not fit well within our commercial and mixed-use place types, due to the planning impacts that they may generate. Permitted commercial uses will have a tolerance for planning impacts created by a limited range of light industrial uses which may also be located within this place type. The Commercial Industrial Place Type will be located in automobile and truck dominated environments, away from neighbourhoods and pedestrian-oriented streetscapes (The London Plan, Policy 1112\_). The proposed range of uses to be permitted generally have a quasi-industrial character, whereby they may have components that don’t integrate well within streetscapes and neighbourhoods. The RSC2/RSC3 zone variations include such uses in the form of bulk sales establishments, dry cleaning and laundry depots, laboratories, and more that may not fit well within a traditional commercial land use context (1118\_,1119\_1). The additional uses are similar in nature to what currently exists on the subject lands, as well as the surrounding industrial context.

## **4.4 Issue and Consideration #4: Intensity**

Policy 1124\_ of The London Plan directs the intensity of Industrial uses within the City of London. Policy 1124\_1 of The London Plan states Industrial uses will be encouraged to utilize land efficiently. High building coverage ratios and high employment densities will be sought wherever possible. In this instance, the proposed application provides opportunity for further intensification of an existing commercial industrial property by attracting a wider range of commercial tenants to the lands. Policy 1124\_2 of The London Plan states that the intensity of industrial uses may be moderated by zoning

regulations, where appropriate, to limit the extent of their noise, vibration, dust and odour emissions. As the lands are currently designated Commercial Industrial in the London Plan and are zoned for similar uses being RSC1/RSC4/RSC5, the additional range of uses proposed are considered appropriate as they are generally not sensitive to noise, vibration, emissions or the visual impact of outdoor storage, and the other potential impacts that may be generated by other light industrial or commercial industrial uses.

#### **4.5 Issue and Consideration #5: Form**

The site is located on a prominent portion of Oxford Street which contains a number of large industrial manufactures including 3M Canada, General Dynamics and General Motors Diesel Division. The majority of land uses surrounding the site are generally industrial in nature or support industrial uses including an industrial plaza, warehousing, office and manufacturing to the north and east, a mix of service trades, rental establishments, warehousing, manufacturing, offices and personal service establishments to the south and the west.

The uses being sought are to be located in the existing industrial plaza with access limited to Oxford Street. The subject site is self contained and provides sufficient off-street parking and loading areas for the existing and proposed range of uses. There will be no external impacts on neighbouring properties as no new buildings are being proposed through this application.

#### **4.6 Issue and Consideration #6: Adjacency to the CN Main Railway Line**

Policy 1772 of The London Plan outlines rail and pipelines policies for properties within close proximity to an existing railway line. Specifically, the policy directs that all proposed development adjacent to railways will provide appropriate safety measures such as setbacks, berms, and security fencing, to the satisfaction of the City in consultation with the appropriate railway (The London Plan, Policy 1772\_1). As part of the circulation for this application, the proposal was circulated to the Canadian National Railway, full comments of which are provided under Appendix B of this report.

Based on comments received from the CN Railway, the following protective measures were considered to be requirements for non-residential uses adjacent to the Main Rail Lines:

- A minimum 30 metre setback is required for vehicular property access points from at-grade railway crossings. If not feasible, restricted directional access designed to prevent traffic congestion from fouling the crossing may be a suitable alternative
- A chain link fence of minimum 1.83 metre height is required to be installed and maintained along the mutual property line. With respect to schools and other community facilities, parks and trails, CN has experienced trespass problems with these uses located adjacent to the railway right-of-way and therefore increased safety/security measures must be considered along the mutual property line, beyond the minimum 1.83 m high chain link fence.
- Any proposed alterations to the existing drainage pattern affecting Railway property require prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- For sensitive land use such as schools, daycares, hotels etc, the application of CN's residential development criteria is required.

The proposed additional uses are not considered a sensitive land use and the applicants are not intending to implement any exterior alterations or additions to the existing building. As development already exists on site (with no known issues from the CN railway or abutting properties) and as the proposed additional uses are not expected to generate an increase in traffic, noise, or odour to the area than already exists, the proposal can be considered appropriate for its location and is not anticipated to

negatively impact (or be impacted by) the adjacent railway. Furthermore, as municipal services already exist on the property, the City's Engineering Department has expressed no concern nor comment in regard to drainage pattern or additional site requirements to accommodate the new uses.

#### **4.3 Issue and Consideration #4: Zoning**

The applicant has requested to rezone the lands from the existing Restrictive Service Commercial (RSC1, RSC4, RSC5) Zone to a Restrictive Service Commercial (RSC1, RSC2, RSC3, RSC4, RSC5) Zone to permit additional Restrictive Service Commercial uses on the subject lands. The Zone provides for and regulates a range of moderate intensity commercial uses, and trade service uses, which may require significant amounts of land for outdoor storage or interior building space and a location on major streets.

The subject site is located along an Urban Thoroughfare (Oxford Street East) which is considered a "major street" within The London Plan. The surrounding area consist mostly of industrial and commercial uses that cater to the surrounding community. The proposed RSC2 and RSC3 zones would permit a range of commercial and trade service uses that are suitable for the location a similar to existing permitted uses on site. The subject lands are already zoned for Restrictive Service Commercial uses, and the additional two zones will be compatible with the lands and surrounding uses. The proposed amendment does not seek any site alteration or additional special provisions as the existing site conditions can accommodate the proposed uses and will continue to conform to the current zoning regulations.

As such, staff are of the opinion that the proposed additional Restricted Service Commercial (RSC2, RSC3) Zones are appropriate for the site and would permit a range of commercial-industrial uses that are compatible with the surrounding area. The recommended amendment would also broaden the range and mix of uses, which supports and increase of industrial supply in the area. As such, the proposed use is considered appropriate and is being recommended for approval.

### **Conclusion**

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan. The recommended amendment would facilitate the reuse of the existing building with uses that are appropriate and compatible within its surrounding context.

**Prepared by:** Brent House  
Planner I

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

**Recommended by:** Heather McNeely, MCIP, RPP  
Director, Planning and Development

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

Copy: Britt O'Hagan, Manager, Community Planning, Urban Design and Heritage  
Michael Pease, Manager, Site Plans  
Ismail Abushehada, Manager, Development Engineering

## Appendix A

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

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

A by-law to amend By-law No. Z.-1 to  
rezone an area of land located at 1930  
& 1940 Oxford Street East

WHEREAS Oxford Seven Inc. has applied to rezone an area of land located at 1930 & 1940 Oxford Street East, 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 1930 & 1940 Oxford Street East, as shown on the attached map comprising part of Key Map No. A104, from a Restrictive Service Commercial (RSC1, RSC4, RSC5) Zone TO a Restricted Service Commercial (RSC1, RSC2, RSC3, RSC4, RSC5) Zone.

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 March 7, 2023

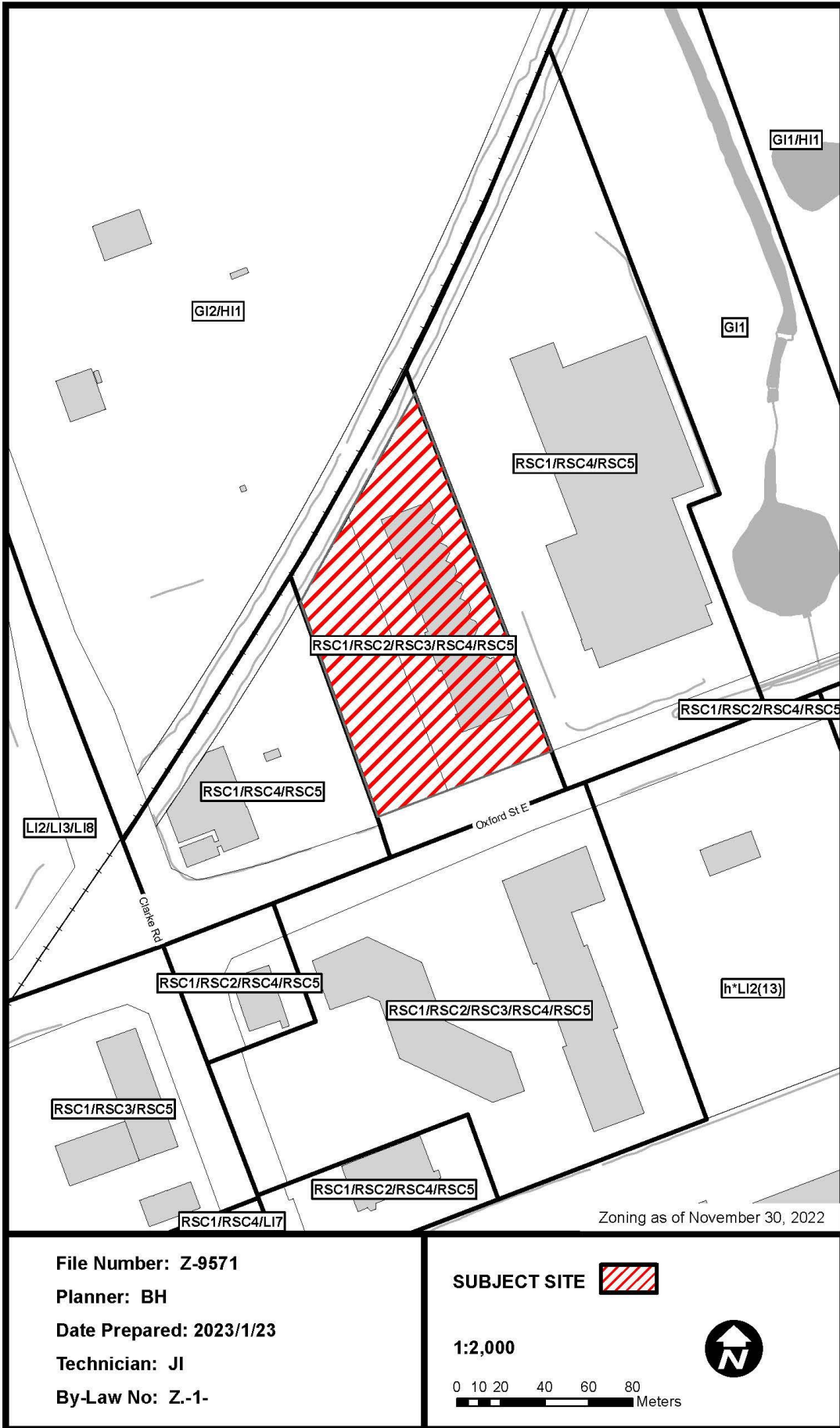
Josh Morgan  
Mayor

Michael Schulthess  
City Clerk




First Reading – March 7, 2023  
Second Reading – March 7, 2023  
Third Reading – March 7, 2023

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



File Number: Z-9571  
Planner: BH  
Date Prepared: 2023/1/23  
Technician: JI  
By-Law No: Z-1-

SUBJECT SITE   
1:2,000  
0 10 20 40 60 80  
Meters



## Appendix B – Public Engagement

### Community Engagement

**Public liaison:** On December 14, 2022, 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* on December 15, 2022. A “Planning Application” sign was also posted on the site.

No public comments were received.

**Nature of Liaison:** The purpose and effect of this zoning change is to add additional Restrictive Service Commercial uses on the subject lands. Possible change to Zoning By-law Z.-1 **FROM** a Restrictive Service Commercial (RSC1, RSC4, RSC5) Zone **TO** a Restricted Service Commercial (RSC1, RSC2, RSC3, RSC4, RSC5) Zone.

**Public Responses:** 0

### Agency/Departmental Comments

#### January 17, 2023: CN Railway

CN recommends the following protective measures for non-residential uses adjacent Main Lines (note some are requirements):

- A minimum 30 metre building setback, from the railway right-of-way, in conjunction with a 2.5 metre high earthen berm or 2.0 metres for a secondary main line, is recommended for institutional, commercial (ie. office, retail, hotel, restaurants, shopping centres, warehouse retail outlets, and other places of public assembly) and recreational facilities (i.e. parks, outdoor assembly, sports area).
- A minimum 15 metre building setback, from the railway right-of-way, is recommended for heavy industrial, warehouse, manufacturing and repair use (i.e. factories, workshops, automobile repair and service shops).
- A minimum 30 metre setback is required for vehicular property access points from at-grade railway crossings. If not feasible, restricted directional access designed to prevent traffic congestion from fouling the crossing may be a suitable alternative.
- A chain link fence of minimum 1.83 metre height is required to be installed and maintained along the mutual property line. With respect to schools and other community facilities, parks and trails, CN has experienced trespass problems with these uses located adjacent to the railway right-of-way and therefore increased safety/security measures must be considered along the mutual property line, beyond the minimum 1.83 m high chain link fence.
- Any proposed alterations to the existing drainage pattern affecting Railway property require prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- While CN has no noise and vibration guidelines that are applicable to non-residential uses, it is recommended the proponent assess whether railway noise and vibration could adversely impact the future use being contemplated (hotel, laboratory, precision manufacturing). It may be desirable to retain a qualified acoustic consultant to undertake an analysis of noise and vibration, and make recommendations for mitigation to reduce the potential for any adverse impact on future use of the property.
- For sensitive land uses such as schools, daycares, hotels etc, the application of CN’s residential development criteria is required.
- There are no applicable noise, vibration and safety measures for unoccupied buildings, but chain link fencing, access and drainage requirements would still apply.

January 5, 2023: Landscape Architecture

I have no comments on this Notice of Planning Application for Zoning By-Law Amendment

December 16, 2022: Parks Planning

The ZBA is to permit additional uses to existing building, PLTP has no comments.

January 5, 2023: Ecology

There are currently no ecological planning issues related to this property and/or associated study requirements. 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.

December 22, 2022: Urban Design

We've reviewed the application materials for Z-9571 and have no urban design comments at this time.

Further comments may be provided through the SPA process.

January 2, 2023: UTRCA

The UTRCA has no objections or requirements for this application.

December 22, 2022: Site Plan

Site Plan Approval is not required for this application as no exterior changes are occurring.

December 22, 2022: Engineering

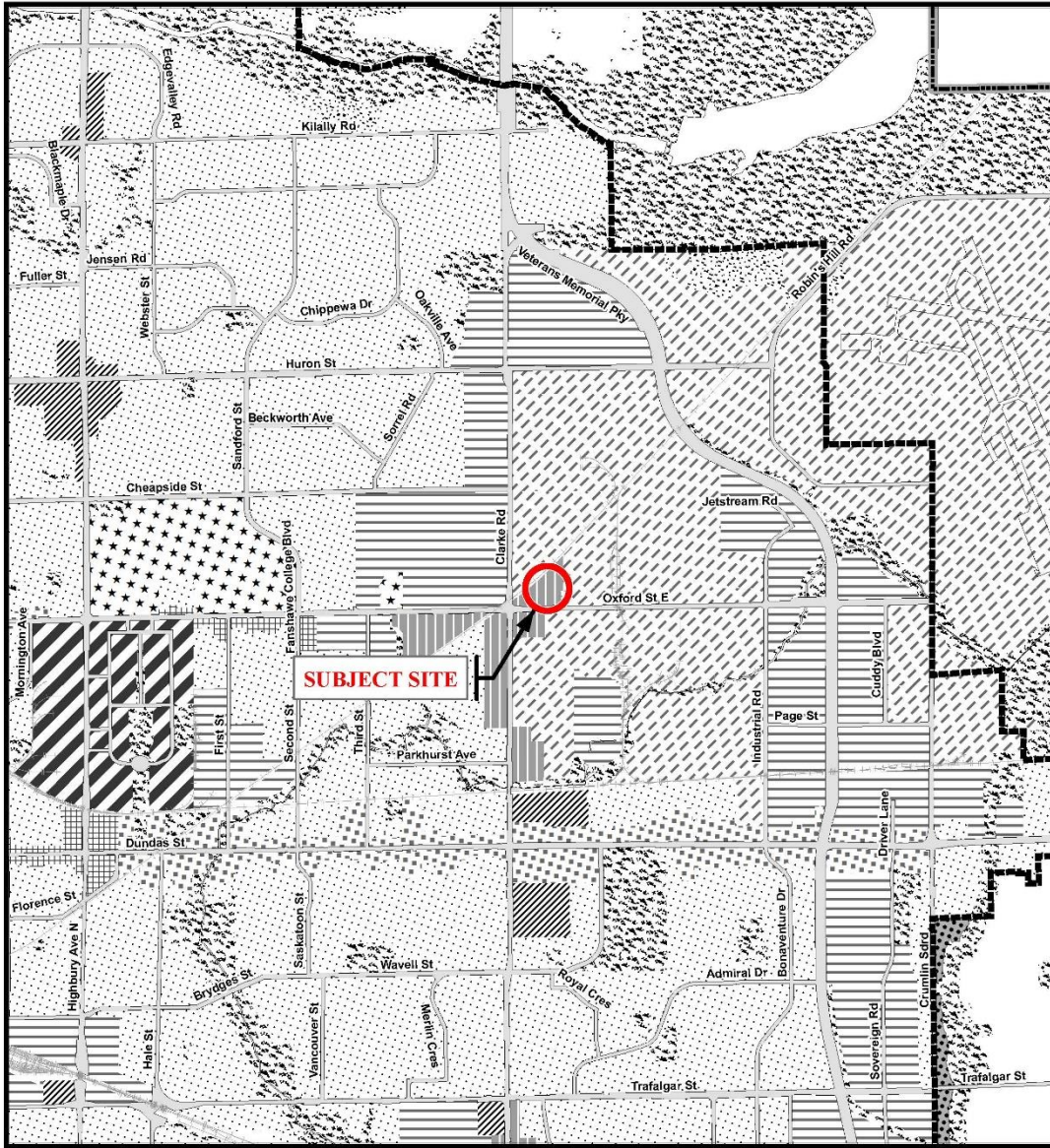
Engineering has no concerns/comments with the re-zoning since there are no exterior/interior changes proposed.

January 3, 2023: 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.

# Appendix C – Relevant Background

## The London Plan – Map 1 – Place Types



### 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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.*

**CITY OF LONDON**  
Official Plan

LONDON PLAN MAP 1  
- PLACE TYPES -

PREPARED BY: Planning & Development



Scale 1:30,000



File Number: Z-9571

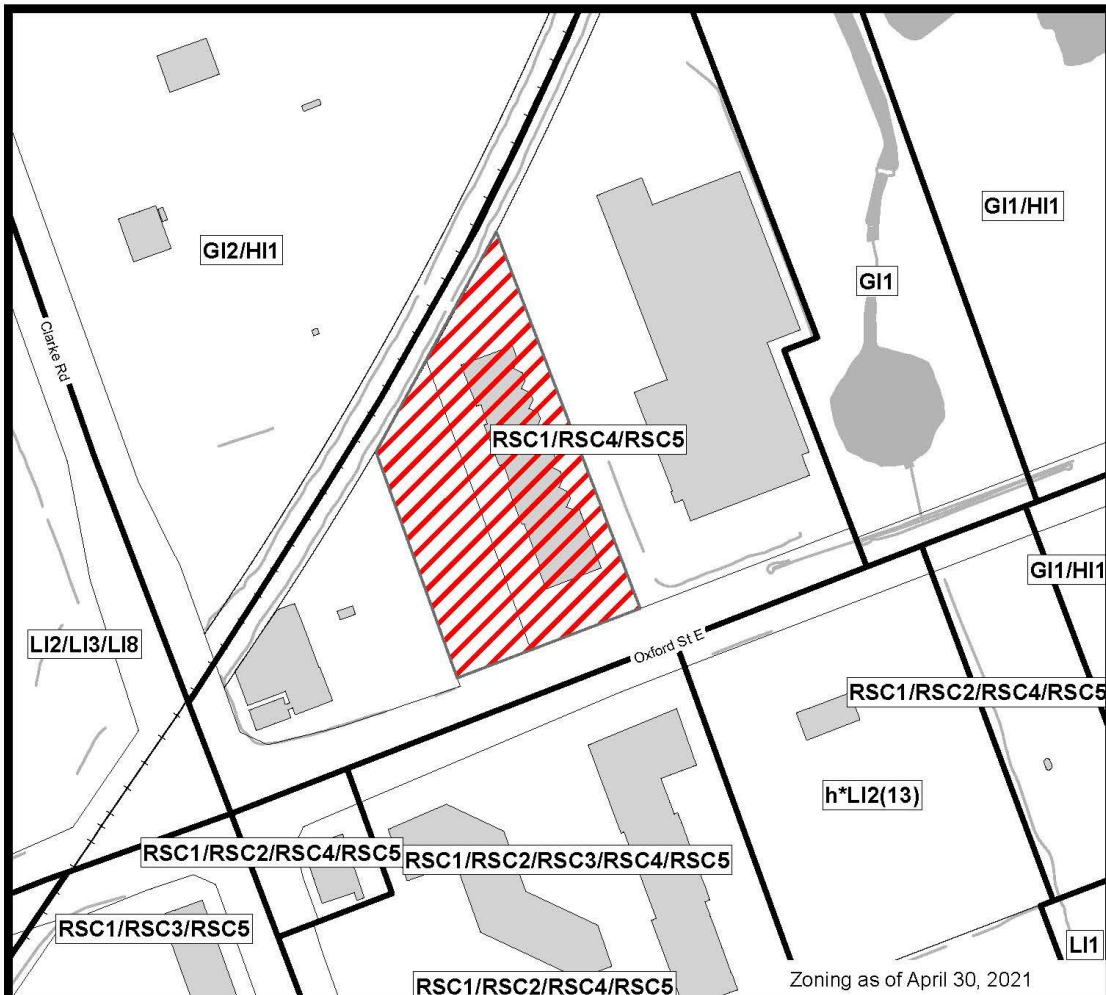
Planner: BH

Technician: JI

Date: 2023/1/23

Project Location: \\cfile1\giswork\Planning\Projects\p\_officialplan\workconsolid00\excerpts\_LondonPlan\mxd\Z-9571\_Map1\_PlaceTypes.mxd

# Zoning By-law Z-1 – Zoning Excerpt



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: RSC1/RSC4/RSC5**

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

- |   |                                   |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS            | RF - REGIONAL FACILITY            |
| R2 - SINGLE AND TWO UNIT DWELLINGS        | CF - COMMUNITY FACILITY           |
| R3 - SINGLE TO FOUR UNIT DWELLINGS        | NF - NEIGHBOURHOOD FACILITY       |
| R4 - STREET TOWNHOUSE                     | HER - HERITAGE                    |
| R5 - CLUSTER TOWNHOUSE                    | DC - DAY CARE                     |
| R6 - CLUSTER HOUSING ALL FORMS            | OS - OPEN SPACE                   |
| R7 - SENIOR'S HOUSING                     | CR - COMMERCIAL RECREATION        |
| R8 - MEDIUM DENSITY/LOW RISE APTS.        | ER - ENVIRONMENTAL REVIEW         |
| R9 - MEDIUM TO HIGH DENSITY APTS.         | OB - OFFICE BUSINESS PARK         |
| R10 - HIGH DENSITY APARTMENTS             | LI - LIGHT INDUSTRIAL             |
| R11 - LODGING HOUSE                       | GI - GENERAL INDUSTRIAL           |
| DA - DOWNTOWN AREA                        | HI - HEAVY INDUSTRIAL             |
| RSA - REGIONAL SHOPPING AREA              | EX - RESOURCE EXTRACTIVE          |
| CSA - COMMUNITY SHOPPING AREA             | UR - URBAN RESERVE                |
| NSA - NEIGHBOURHOOD SHOPPING AREA         | AG - AGRICULTURAL                 |
| BDC - BUSINESS DISTRICT COMMERCIAL        | AGC - AGRICULTURAL COMMERCIAL     |
| AC - ARTERIAL COMMERCIAL                  | RRC - RURAL SETTLEMENT COMMERCIAL |
| HS - HIGHWAY SERVICE COMMERCIAL           | TGS - TEMPORARY GARDEN SUITE      |
| RSC - RESTRICTED SERVICE COMMERCIAL       | RT - RAIL TRANSPORTATION          |
| CC - CONVENIENCE COMMERCIAL               | "h" - HOLDING SYMBOL              |
| SS - AUTOMOBILE SERVICE STATION           | "D" - DENSITY SYMBOL              |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | "H" - HEIGHT SYMBOL               |
| OR - OFFICE/RESIDENTIAL                   | "B" - BONUS SYMBOL                |
| OC - OFFICE CONVERSION                    | "T" - TEMPORARY USE SYMBOL        |
| RO - RESTRICTED OFFICE                    |                                   |
| OF - OFFICE                               |                                   |

**CITY OF LONDON**

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9571

BH

MAP PREPARED:

2023/1/23

Jl

1:2,500

0 12.525 50 75 100 Meters