

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: The Corporation of the City of London
2016 Huron Street,
City File: Z-9575, Ward 5
Public Participation Meeting

Date: March 27, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the application of The Corporation of the City of London relating to the property located at 2016 Huron Street, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting April 25, 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 Light Industrial (LI1) Zone, a Light Industrial (LI2) Zone, a General Industrial (G1) Zone, and a Holding General Industrial (h*GI1) Zone, **TO** a Light Industrial (LI2) Zone, and Open Space (OS4 and OS5) Zones.

Executive Summary

Summary of Request

The applicant has requested to rezone the subject site in order to consolidate the existing Light Industrial (LI1) Zone, Light Industrial (LI2) Zone, General Industrial (G1) Zone, and Holding General Industrial (h*GI1) Zone to a single Light Industrial (LI2) Zone.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to consolidate the zoning of the subject lands in order to help facilitate the future sale and development of the subject site in a more efficient manner under a single zone. Two portions of the subject lands, one containing an unevaluated wetland and one containing a drain recognized as a water feature, are also recommended to be rezoned to an Open Space (OS5) Zone and an Open Space (OS4) Zone, respectively.

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 Light Industrial Place Type;
3. The recommended amendment would consolidate the zoning, simplifying the future development of the site.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Property Description

The subject lands consist of two lots located on the north side of Huron Street, east of Clarke Road and west of Veterans Memorial Parkway, in the Airport Planning District. The lots include 2016 Huron Street and the adjacent parcel to the east (roll number 030330007120000). The site is currently vacant with an area of approximately 14.28 hectares and a frontage of approximately 200 metres along Huron Street.

The surrounding area consists of a mix of industrial uses, low-density residential uses, as well as institutional uses (place of worship). The lands are also adjacent to a gas utility property (1940 Huron Street), which also has frontage on Huron Street.



Figure 1: Photo of Subject Site and current uses

1.3 Current Planning Information

- The London Plan Place Type – Light Industrial Place Type
- Existing Zoning – Light Industrial (LI1) Zone, Light Industrial (LI2) Zone, General Industrial (GI1) Zone, and Holding General Industrial (h*GI1) Zone

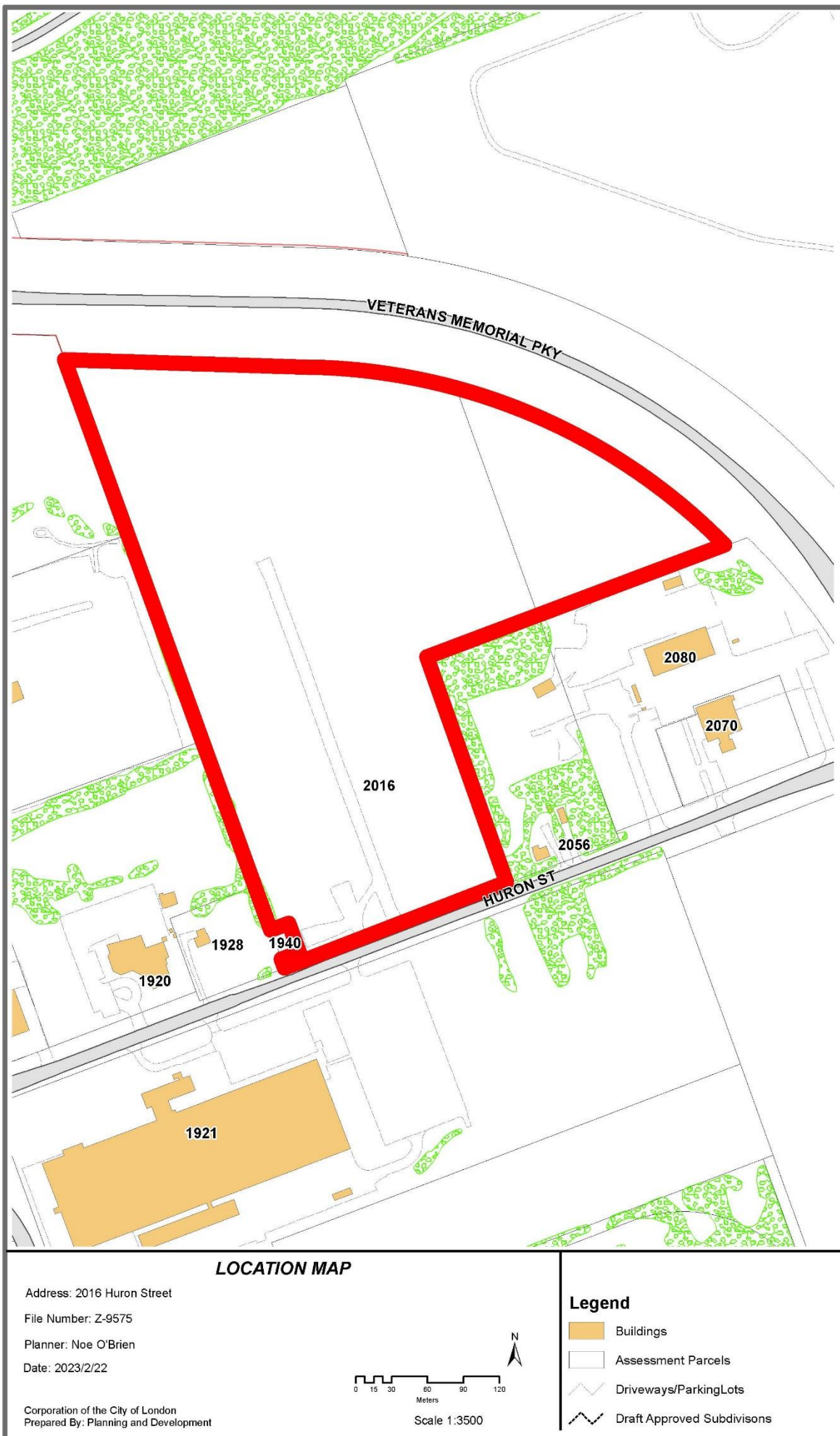
1.4 Site Characteristics

- Current Land Use – Vacant industrial land
- Frontage – 200 metres (approximately)
- Area – 14.28 hectares
- Shape – Irregular

1.5 Surrounding Land Uses

- North – Veterans Memorial Parkway/vacant land
- East – Veterans Memorial Parkway/vacant land
- South – Industrial use
- West – Industrial use/Place of worship/vacant land

1.6 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The applicant has requested to rezone the subject lands to consolidate the existing zones into a single Light Industrial (LI2 Zone), whereas the lands are currently split zoned with a Light Industrial (LI1) Zone, Light Industrial (LI2) Zone, a General Industrial (GI1) Zone, and a Holding General Industrial (h*GI1) Zone.

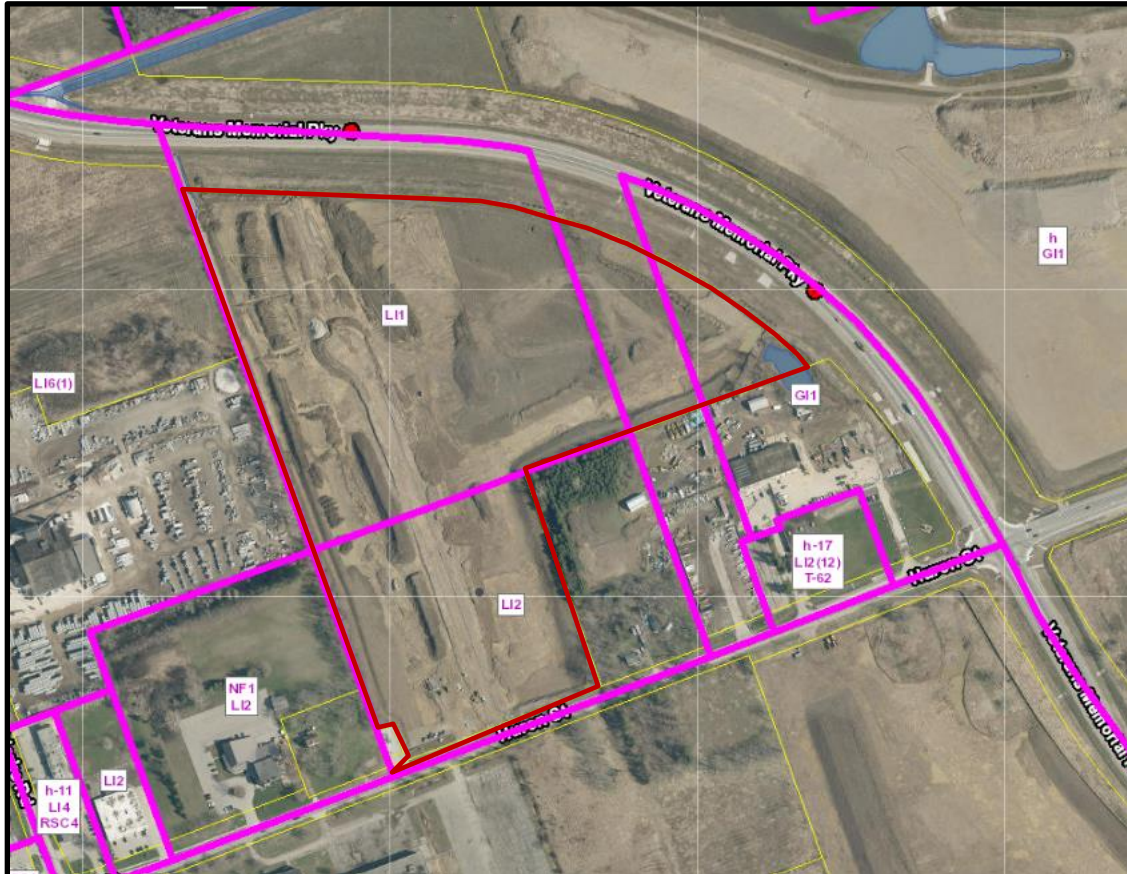


Figure 2: Aerial imagery showing existing zoning of subject lands

The consolidation of the zones would simplify the future development review processes, as development would only be required to comply to the proposed LI2 Zone, as opposed to dealing with multiple zone lines which act as lot lines when reviewing development against Zoning By-law regulations for compliance. This application does not include any further proposed development or site alterations.

2.2 Requested Amendment

The applicant has requested to rezone the subject site to consolidate the existing Light Industrial (LI1) Zone, Light Industrial (LI2) Zone, General Industrial (GI1) Zone, and Holding General Industrial (h*GI1) Zone to a singular Light Industrial (LI2) Zone.

2.3 Community Engagement (see more detail in Appendix B)

Through the community engagement process, no phone calls or emails were received.

3.0 Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. Refer to Appendix C for further details on the characteristics of the proposed application related to the City's climate action objectives.

4.0 Financial Impact/Considerations

There are no direct municipal financial expenditures associated with this application.

5.0 Key Issues and Considerations

5.1 Key Issue and Consideration #1: Change of Zone

The proposed Zoning By-law Amendment would change the existing LI1, LI2, GI1 and h*GI1 Zones into a single LI2 Zone.

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. Section 1.1 of the PPS encourages healthy, livable, and safe communities which are sustained by promoting efficient development and land use patterns. The PPS directs municipalities to make sufficient land available to accommodate a mix of land uses to meet projected needs for up to a 25-year time horizon and does not limit planning for infrastructure to accommodate employment areas beyond the 25-year time horizon (PPS, Policy 1.1.2).

Section 1.3.1. of the PPS directs planning authorities to provide for a range of employment uses, to provide opportunities for a diversified economic base, and for planning authorities to identify and facilitate investment in such lands. 1.3.1 c) specifically directs municipalities to facilitate investment by tracking market-ready sites.

Section 1.3.2. of the PPS also directs planning authorities to protect and preserve employment areas for current and future uses and ensure the necessary infrastructure is provided to support current and future needs. Policy aims to protect employment areas in proximity to major goods movement facilities and corridors for employment uses that require those locations.

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 include: Direction #1: Plan strategically for a prosperous city (promoting growth for varied businesses and economic opportunities), and Direction #8: Make wise planning decisions (requiring planning decisions to regard long-term goals for the city).

The subject lands are in the Light Industrial Place Type, as identified on Map 1 – Place Types. The Light Industrial Place Type permits industrial uses unlikely to have significant impacts on surrounding uses (through, noise, odour, vibrations, etc.).

The conversion from LI1 to LI2 would add certain permitted uses, including food, tobacco and beverage processing industries, leather and fur processing (excluding tanning), repair and rental establishments, service and repair establishments, service trades, and textile processing industries in addition to the currently permitted uses in the LI1 zone. While the permitted uses are expanded, they would still be within the scope of uses contemplated in the Light Industrial Place Type.

The change from GI1 and h*GI1 to a LI2 Zone would also remove certain permitted uses: auction establishments, automobile body shops, automobile repaired garages, building or contracting establishments, processed goods industries, storage depots, terminal centres, transport terminals, truck sales and service establishments, and impounding yards. While these uses are currently permitted on a small portion of the site, removing the zone would remove the more intense range of industrial uses mentioned above to bring the permitted uses on the whole lot more in line with the contemplated uses of the Light Industrial Place Type in The London Plan.

The proposed change supports these Key Directions by assisting in facilitating growth in industrial land and planning at a long-term scale and is in keeping with the permitted uses of the Light Industrial Place Type.

5.2 Key Issue and Consideration #2: Removal of Holding Provision

A portion of the subject lands (shown on Figure 3 below) zoned GI1 also include an “h” holding provision.

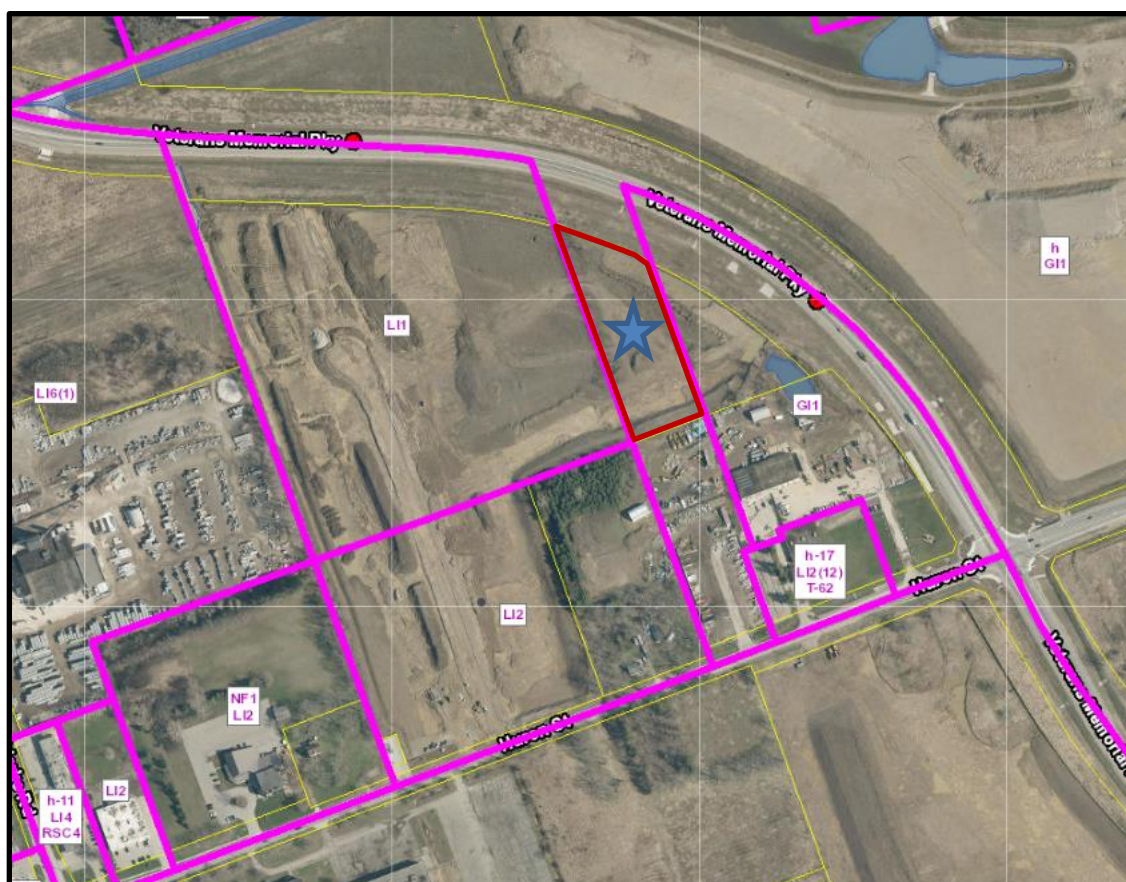


Figure 3: Portion of the subject lands zoned an h*GI1 Zone

The purpose of the “h” holding provision, as per section 3.8 2) of the Zoning By-law is:

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.

The subject lands are currently fully serviced; therefore, the holding provision applied to this small portion of the site is no longer required to ensure orderly development of the lands. Additionally, the majority of the subject lands are not subject to the holding provision making the holding provision on this small portion of the site redundant.

As the lands are currently owned by the City of London, entering into a development or subdivision agreement with the City is not possible at this time. Future development or

subdivision agreements for future private landowners would be required through the standard site plan or subdivision review process.

Removal of the holding provision on a portion of the subject lands would not have any impact on the planned development, as the requirements of the holding provision would be satisfied through the standard planning and engineering review, required for a future site plan or subdivision application.

5.3 Key Issue and Consideration #3: Natural Heritage

A portion of the subject lands are currently designated as an Unevaluated Wetland on Map 5 of The London Plan.



Figure 4: Southeast corner of the subject lands designated as Unevaluated Wetlands as per Map 5 of the London Plan

Policy 1335_ of The London Plan states that development shall not be permitted within or adjacent to unevaluated wetlands. Ecological setback policies are also outlined in Policies 1412_ to 1416_ of The London Plan, assisting in determining setbacks from the feature appropriate and safe for development. Policy 1415_ 3. outlines that geotechnical setbacks may be used to buffer lands from the boundary of the natural heritage area.

In the case of the unevaluated wetland feature on the subject lands, a berm has been established adjacent to the feature through site grading undertaken by the City. The berm's distance from the feature varies, and its closest point to the feature is approximately 12 metres.

Staff recommends that the feature, as well as the space between the feature and the berm on the eastern corner of the site be zoned an Open Space (OS5) Zone to appropriately buffer the feature from future development. This will result in a buffer of 15 metres from the feature.

5.4 Key Issue and Consideration #4: Upper Thames River Conservation Authority regulation area

During the review of the application, the Upper Thames River Conservation Authority determined from its mapping that a section on the west of the lot designed as a drain is considered as a watercourse feature, which is regulated by the UTRCA.



Figure 5: Approximate location of the drain on site regulated by the UTRCA.

Through discussions with the applicant and the UTRCA, the resolution to properly address required setback from the watercourse has been determined to be to add an OS4 Zone along the feature. UTRCA staff have recommended a 6 metre buffer from the top of bank point, and the zone line has been designed to follow this buffer.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement 2020, and conforms to the policies of The London Plan, including but not limited to the Key Directions and the Light Industrial Place Type. The recommended amendment will facilitate future development on the subject lands in future applications. The added Open Space (OS4 and OS5) Zones and setbacks from the UTRCA-regulated feature and the Unevaluated wetland will allow the development to conform to The London Plan's environmental policy.

Prepared by: Noe O'Brien
Planner I, Planning Implementation

Submitted 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, RPP
Manager, Current Development

Appendix A

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

By-law No. C.P.-XXXX-____

A by-law to amend By-law No. Z.-1 to rezone an area of land consisting of 2016 Huron Street and the adjacent lot to the east (roll number 030330007120000).

WHEREAS The Corporation of the City of London has applied to rezone an area of land consisting of 2016 Huron Street and the adjacent lot to the east (roll number 030330007120000), 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 2016 Huron Street and the adjacent lot to the east (roll number 030330007120000), as shown on the attached map, from a Light Industrial (LI1) Zone, a Light Industrial (LI2) Zone, a General Industrial (GI1) Zone, and a Holding General Industrial (h*GI1) Zone to a Light Industrial (LI2) Zone and Open Space (OS4 and OS5) Zones.

The inclusion in this By-law of imperial measure along with metric measure us 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.

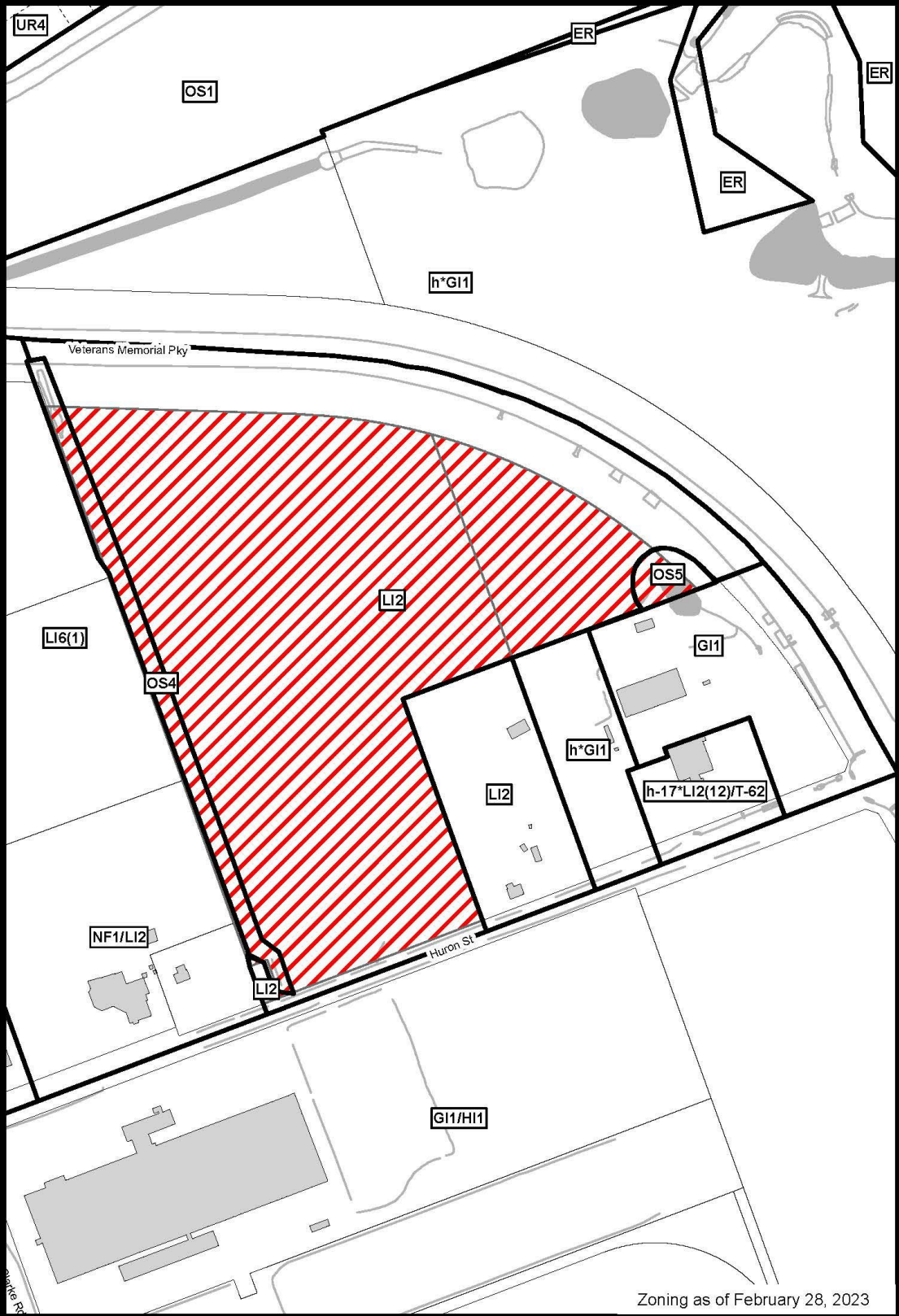
PASSED in Open Council on April 25, 2023.

Josh Morgan
Mayor


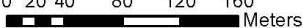

Michael Schulthess
City Clerk

First Reading – April 25, 2023
Second Reading – April 25, 2023
Third Reading – April 25, 2023

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



Zoning as of February 28, 2023

<p>File Number: Z-9575 Planner: NO Date Prepared: 2023/3/17 Technician: JI By-Law No: Z-1-</p>	<p>SUBJECT SITE </p> <p>1:4,000</p> <p>0 20 40 80 120 160 Meters </p> <p></p>
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Appendix B – Public Engagement

Community Engagement

Notice of Application:

On January 4, 2023, Notice of Application was sent to prescribed agencies and City departments.

Public liaison: On January 4, 2023, Notice of Application was sent to 9 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday January 5, 2023. A “Planning Application” sign was also posted on the site.

No replies were received.

Nature of Liaison: The purpose and effect of this zoning change is to consolidate the zones on the subject lands. Possible change to Zoning By-law Z.-1 FROM Light Industrial and General Industrial Zone (LI1, LI2, GI1 and h*GI1) which permits a range of light and medium intensity industrial uses, TO a Light Industrial (LI2) Zone to consolidate the existing Zones on the subject lands.

Agency/Departmental Comments

Landscape Architecture (January 4, 2023)

No comments.

Urban Design (January 10, 2023)

No comments.

Site Plan (January 12, 2023)

No comments.

London Hydro (January 18, 2023)

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.

Parks Planning and Design (January 20, 2023)

No comments.

Engineering (January 25, 2023)

The following items are to be considered during a future development application stage:

Water:

- Water is available to service the subject site from the municipal 600 mm diameter concrete low level watermain on Huron Street. Detailed servicing comments will be provided at the site plan or draft plan stage.

Wastewater:

- The municipal sanitary sewer available to service the subject site is a 375 mm diameter sanitary sewer on Huron Street.

- City Plan No. T20-05-NC03A (as-builts pending) shows information pertaining to the municipal sanitary sewer.

Stormwater:

Specific comments for this site:

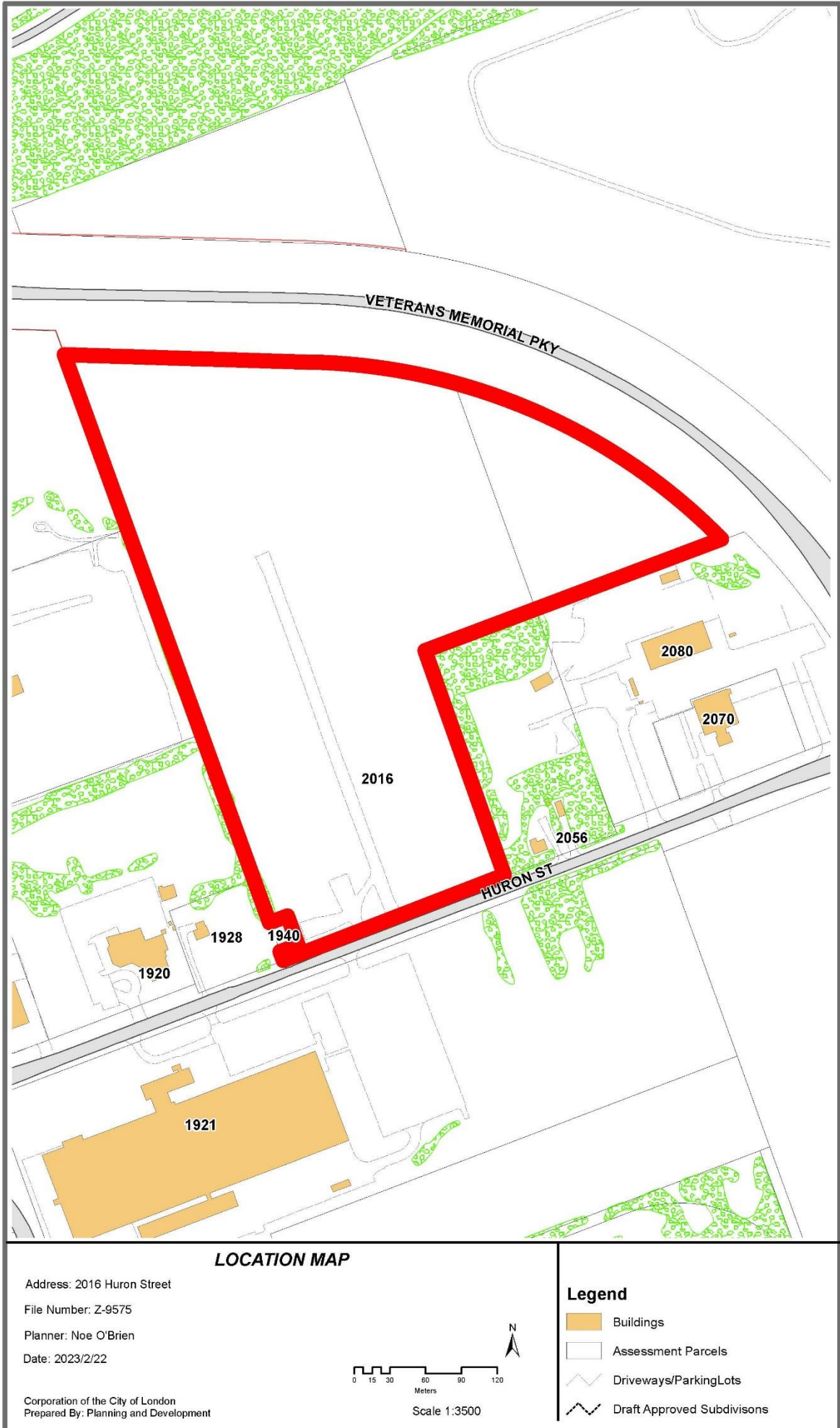
1. As per future Huron Industrial Land site C 1 Subdivision, the entire lands would be serviced by a drainage ditch located on the west side of the site. All the details and stormwater management strategy for quantity, quality and erosion & sediment control would be as per Huron Industrial Land C1 stormwater management report submitted on June 18, 2021, prepared by Stantec, and accepted by City staff. Any deviation from the approved SWM strategy required to accommodate the proposed site plan will trigger the need to revise/update the future industrial subdivision design and Functional SWM report.
2. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100-year event and safely conveys up to the 250-year storm event, all to be designed by a Professional Engineer for review.
3. Additional SWM related comments will be provided upon future review of this site.

General comments for sites within Pottersburg Creek and Crumlin Drain Subwatershed:

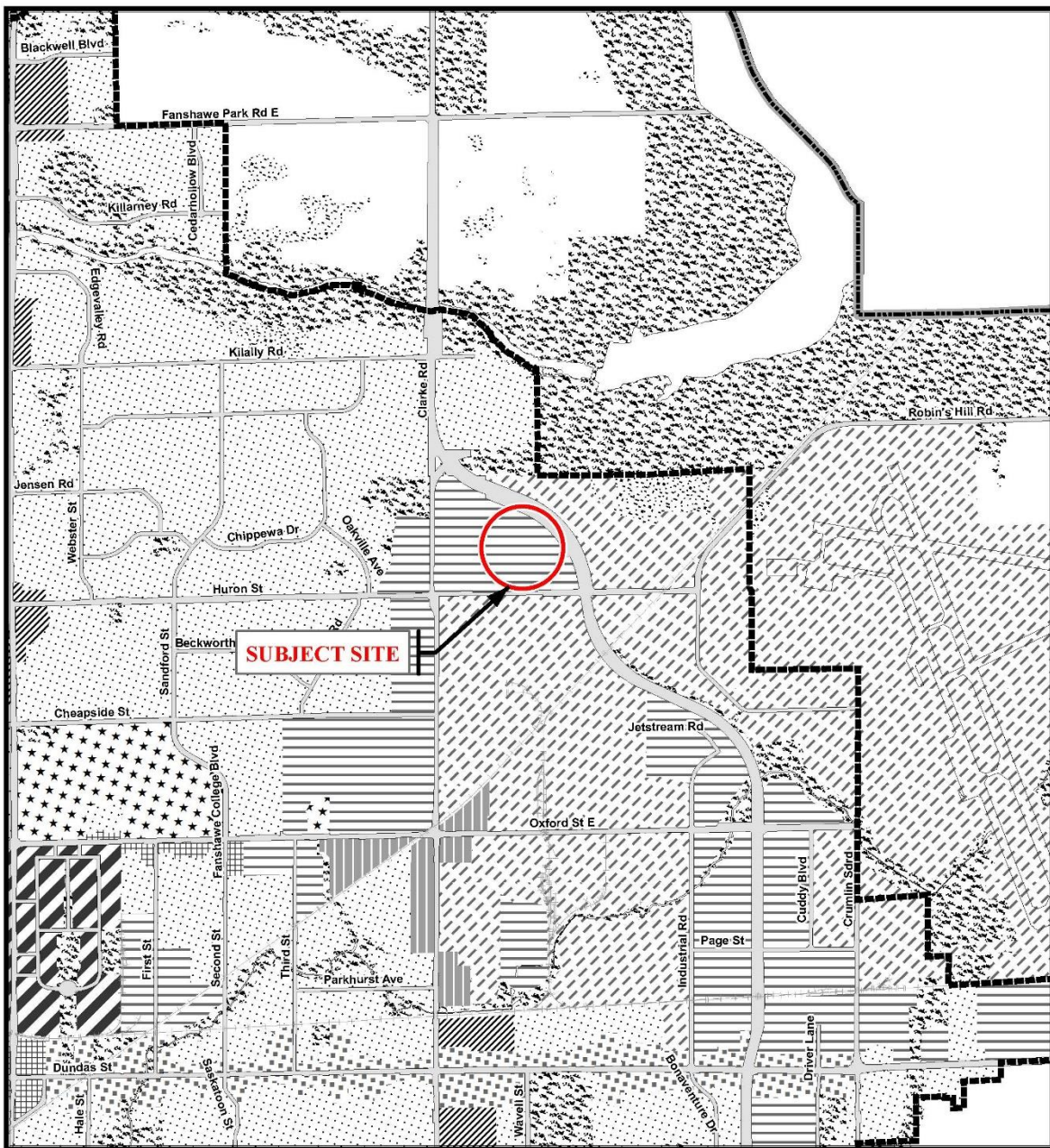
4. The subject lands are located in the Pottersburg Creek and Crumlin Drain Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Pottersburg Creek and Crumlin Drain Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
5. The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
6. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
7. The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
8. Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
9. An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

Appendix C – Relevant Background

Location Map



The London Plan



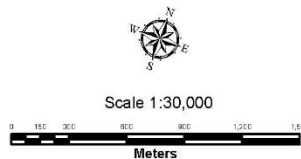
Legend

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.

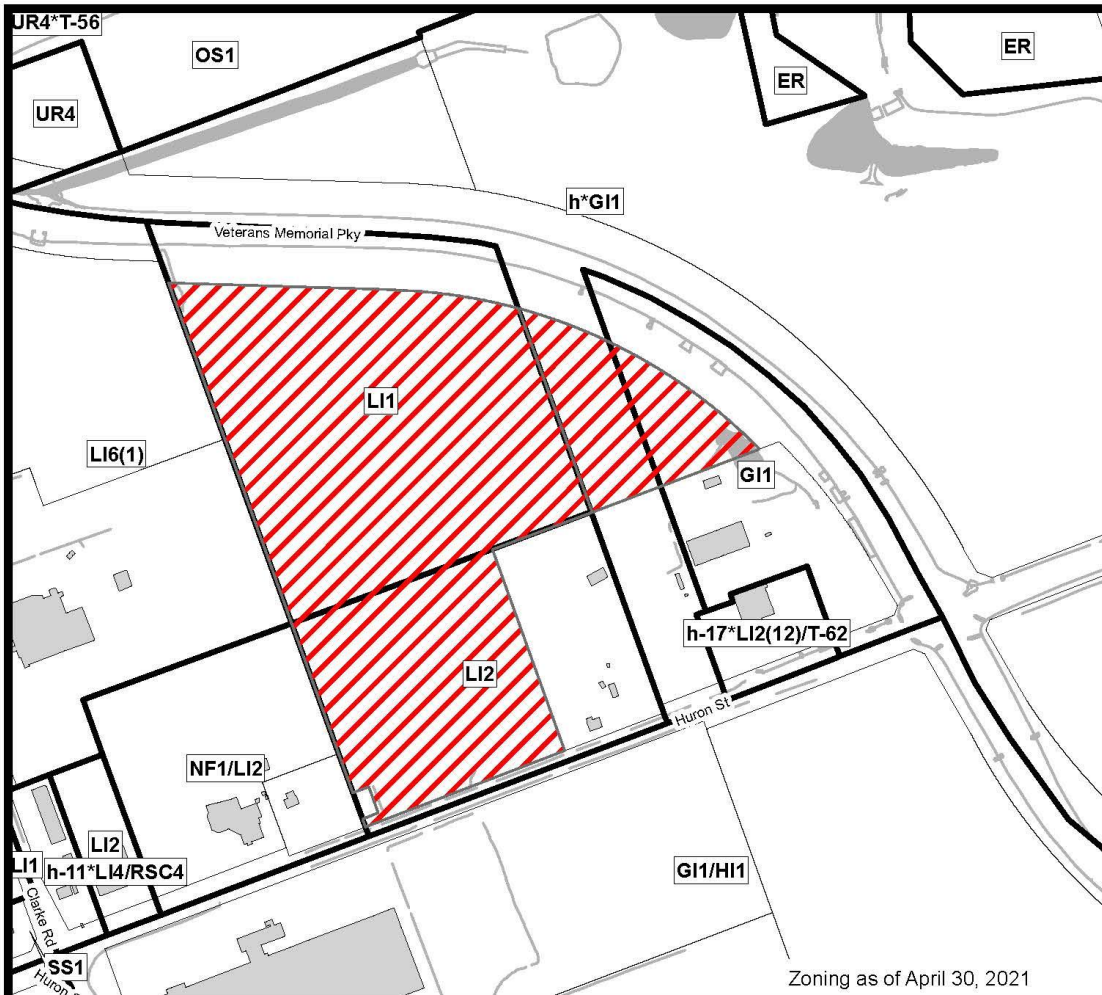
CITY OF LONDON
Official Plan
LONDON PLAN MAP 1
- PLACE TYPES -

PREPARED BY: Planning & Development



File Number: Z-9575
Planner: NO
Technician JI
Date: 2023/2/22

Zoning By-Law No. Z-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: L1, L2, G1, h*G1

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

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-9575 NO

MAP PREPARED:
2023/2/22 JI

1:5,400
0 25 50 100 150 200
Meters

Appendix D – Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. The following are characteristics of the proposed application related to the City's climate action objectives:

Infill and Intensification

Located within the Built Area Boundary: Yes
Located within the Primary Transit Area: No
Net density change: N/A
Net change in affordable housing units: N/A

Complete Communities

New use added to the local community: No
Proximity to the nearest public open space: ~1.1km, Ted Early Sports Complex
Proximity to the nearest commercial area/use: ~600m
Proximity to the nearest food store: ~600m
Proximity to nearest primary school: Chipewa Public School, ~1.5km
Proximity to nearest community/recreation amenity: ~1.1km, Ted Early Sports Complex
Net change in functional on-site outdoor amenity areas: N/A

Reduce Auto-dependence

Proximity to the nearest London Transit stop: 1.1km
Completes gaps in the public sidewalk network: N/A
Connection from the site to a public sidewalk: N/A
Connection from the site to a multi-use pathway: N/A
Site layout contributes to a walkable environment: N/A (to be addressed in future applications).
Proximity to nearest dedicated cycling infrastructure: ~1.9km (Sandford Street)
Secured bike parking spaces: N/A
Secured bike parking ratio: N/A
New electric vehicles charging stations: N/A
Vehicle parking ratio: N/A

Environmental Impacts

Net change in permeable surfaces: N/A
Net change in the number of trees: N/A
Tree Protection Area: No
Landscape Plan considers and includes native and pollinator species: N/A
Loss of natural heritage features: No
Species at Risk Habitat loss: No
Minimum Environmental Management Guideline buffer met (Table 5-2 EMG, 2021): No, unevaluated wetlands (with berm buffer, as per Ecology staff)

Construction

Existing structures on site: No
Existing structures repurposed/adaptively reused: N/A
Green building features: N/A
District energy system connection: N/A