

Zoning By-Law Amendment

820 Cabell Street



File: Z-9196

Applicant: Bruce Sworik (1625993 Ont. Ltd.)

What is Proposed?

Zoning amendment to :

- Change the zoning from a Light Industrial (LI1) Zone to a Light Industrial Special Provision (LI2 ()) Zone to recognize the existing marijuana growing and processing facility and allow an increase in the gross floor area permitted for ancillary retail sales to increase from 100m² per use to a maximum of 400m² for the entire building.

YOU ARE INVITED!

Further to the Notice of Application you received on May 11, 2020, and a notice of public meeting you received on September 2, 2020, you are invited to a second public meeting of the Planning and Environment Committee to be held:

Meeting Date and Time: Monday, November 30, 2020, no earlier than 5:00 p.m.

Meeting Location: City Hall, 300 Dufferin Avenue, 3rd Floor

Please refer to the enclosed Public Participation Meeting Process insert.

For more information contact:

Chuck Parker, Senior Planner
cparker@london.ca
519-661-CITY (2489) ext. 4648
City Planning, City of London,
206 Dundas St., London ON N6A 1G7
File: Z-9196

london.ca/planapps

To speak to your Ward Councillor:

Ward Councillor – Michael Van Holst
mvanholst@london.ca
519-661-CITY (2489) ext. 4001

**If you are a landlord, please post a copy of this notice where your tenants can see it.
We want to make sure they have a chance to take part.**

Application Details

Requested Zoning By-law Amendment

To change the zoning from a Light Industrial (LI1) Zone to a Light Industrial Special Provision (LI2 ()) Zone to permit food, tobacco and beverage processing, excluding meat packaging, for the continued use of the cultivation and processing of cannabis and to allow an increase in the gross floor area for ancillary retail sales from a maximum of 100m² per use to a maximum of 400m² for the entire building. Changes to the currently permitted land uses and development regulations are summarized below.

The Zoning By-law is available at london.ca.

Current Zoning

Permitted Uses: a) Bakeries; b) Business service establishments; c) Laboratories; Manufacturing and assembly industries; e) Offices support; f) Paper and allied products industries excluding pulp and paper and asphalt roofing industries; g) Pharmaceutical and medical product industries; h) Printing, reproduction and data processing industries; Research and development establishments; j) Warehouse establishments; k) Wholesale establishments; l) Custom workshop; m) Brewing on premises establishments. n) Service Trade o) Existing Self-storage Establishments p) Artisan Workshop q) Craft Brewery

Height: 50 metres

Requested Zoning

Adds Dry cleaning and laundry plants; Food, tobacco and beverage processing industries excluding meat packaging; Leather and fur processing excluding tanning; Repair and rental establishments; Service and repair establishments; Service trades; and Textile processing industries to the above permitted uses.

Special Provision(s): Increase the maximum gross floor area for ancillary retail uses from a maximum limit of 100m² per use to 400m² for the entire building.

Height: 50 metres

Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. The subject lands are in the **Light Industrial Place Type** in *The London Plan*, permitting a broad range of industrial uses that are unlikely to impose significant impacts on surrounding light industrial land uses due to their emissions such as noise, odour, particulates and vibration, may be permitted. Industrial uses with large amounts of outdoor storage may not be permitted in the Light Industrial Place Type, dependent upon the character of the surrounding industrial area, specific policies at the end of this chapter, or any applicable guideline documents. Warehouses may be permitted. Small-scale service office uses may be permitted. Accessory office uses of any scale will be permitted. General offices will not be permitted. Uses that are not compatible with light industrial uses will not be permitted, to ensure that there are no encumbrances to the operation of the uses primarily intended for this place type. Service trades and contractors shops may be permitted. The Province's *D-series Guidelines* will be implemented to ensure that industrial uses and sensitive land uses are not located inappropriately close to one another.

An accessory retail use may be allowed in connection with a permitted industrial use provided the retail component is clearly ancillary to the industrial use of the property, is directly related with the products being made or assembled on site, is smaller in floor area than the industrial uses to which it is ancillary, is carried on within the main building of the industrial use, and does not generate traffic or parking that may have an adverse impact on adjacent properties.

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. The full range of uses described above will not necessarily be permitted on all sites within the Light Industrial Place.

How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the zoning of land located within 120 metres of a property you own, or your landlord has posted the public meeting notice in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. If you previously provided written or verbal comments about this application, we have considered your comments as part of our review of the application and in the preparation of the planning report and recommendation to the Planning and Environment Committee. The additional ways you can participate in the City's planning review and decision making process are summarized below.

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps
- Please note that this application is being circulated during the State of Emergency issued by the Province of Ontario. Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Attend This Public Participation Meeting

The Planning and Environment Committee will consider the requested zoning changes at this meeting, which is required by the Planning Act. You will be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](https://neighbourgood.ca) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

Please refer to the enclosed Public Participation Meeting Process insert.

What Are Your Legal Rights?

Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.

Right to Appeal to the Local Planning Appeal Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <https://olt.gov.on.ca/contact/local-planning-appeal-tribunal/>.

Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Cathy Saunders, City Clerk, 519-661-CITY(2489) ext. 4937.

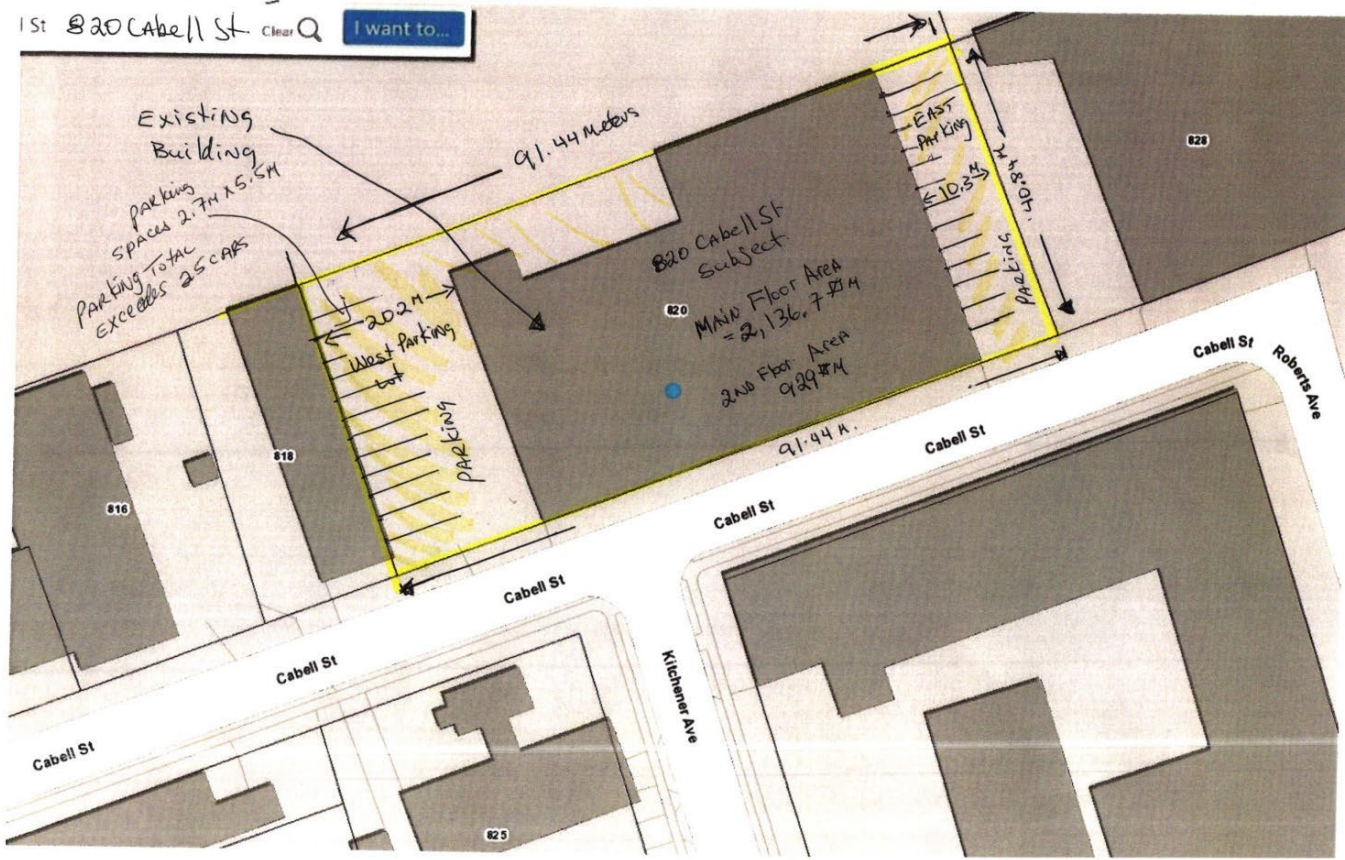
Accessibility

The City of London is committed to providing accessible programs and services for supportive and accessible meetings. We can provide you with American Sign Language (ASL) interpretation, live captioning, magnifiers and/or hearing assistive (t coil) technology. Please contact us at planning@london.ca or 519-661-4980 by November 23, 2020 to request any of these services.

Site Concept

Owners Site Sketch

Site Concept



The above image represents the applicant's proposal as submitted and may change.



Public Participation Meeting Process

As part of the City's ongoing efforts to slow the spread of COVID-19, and in keeping with the regulations and guidelines provided by the Province of Ontario, the Public Participation Meeting process has been modified. The capacity for individuals in City Hall meeting rooms and the Council Chambers Public Gallery will reflect the requirement for 2m physical distancing, with designated seating and standing areas being provided.

Please refer to the public meeting notice for all options available for you to participate in the planning process.

Public Participation Meeting (PPM) Process

- Members of the public are asked to “pre-register” to speak in person at a PPM. Speakers will be limited to five minutes of verbal presentation.
 - **Pre-register by calling 519-661-2489 ex. 7100; or by emailing PPMClerks@london.ca** Please indicate the PPM subject matter when contacting the Clerk’s Office. Registrations will be confirmed.¹
 - When pre-registering, members of the public will have a brief COVID-19 health screening and will be asked to self-screen prior to entering City Hall.
 - When pre-registering, members of the public will be advised which meeting room to attend on the second floor of City Hall.
- Presentations will be strictly verbal; any other submission of photos, slides or written information must be made outside of the PPM. These can be forwarded to the Planner associated with this application and/or to the registration email, noted above. In order to be considered, all submissions should be made prior to the Council meeting when the Planning and Environment Committee recommendation regarding the subject matter is considered.

Public Participation Meeting (PPM) Process – At the meeting

- Members of the public should self-screen before entering City Hall. You likely will be greeted by security upon entering the building.
- Members of the public should convene in the assigned seating, in the appropriate meeting room for the PPM as noted in the pre-registration.
- Each committee room will broadcast the meeting taking place in the Council Chambers.
- City Staff will be in each room to assist members of the public.
- When appropriate, individual members of the public will have an opportunity to speak to the committee, using the camera/microphone in the committee room. Floor markings will indicate where to stand.

Council Chambers

- Committee members and staff will be present in the Chambers (physically, or by remote attendance).
- There will be no public access to the Council floor.

¹ Notice of Collection of Personal Information – information is collected under the authority of the *Municipal Act, 2001*, as amended, and the *Planning Act, 1990* RSO 1990, c.P. 13, and will be used by Members of Council and City of London staff in their consideration of this matter. Please see additional information on the enclosed Public Meeting Notice pages.