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**File: Z-7969**  
**Planner: B. Debbert**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING DIRECTOR, LAND USE PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: FINCH CHEVROLET CADILLAC BUICK LTD. 530 OXFORD STREET WEST PUBLIC PARTICIPATION MEETING ON DECEMBER 12, 2011 @ 4:20 P.M.</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Director, Land Use Planning and City Planner, with respect to the application of Finch Chevrolet Cadillac Buick GMC Ltd. relating to the property located at 530 Oxford Street West, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 10, 2012 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Community Shopping Area (CSA4) Zone which permits a range of community scale, commercial retail and service uses and some office uses, **TO** a Community Shopping Area/Temporary Use (CSA4/T-\_\_) Zone to permit the same range of uses, and an automobile sales and service establishment related to the permanent automobile sales and service establishment located at 640 Wonderland Road North, on a temporary basis for a period of 18 months.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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None.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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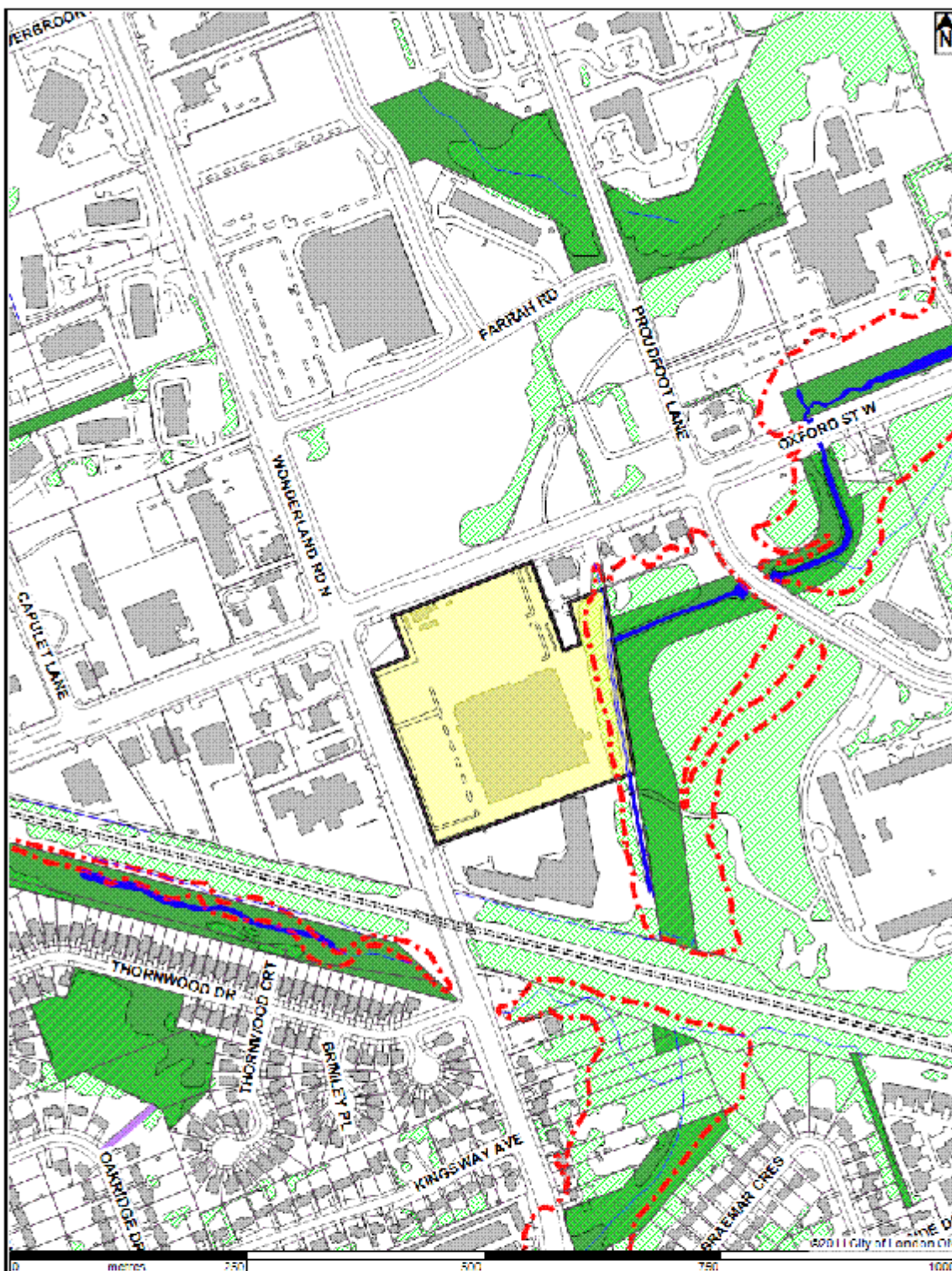
The purpose and effect of the recommended Zoning By-law amendment is to allow the automobile sales office and sales activities related to the existing Finch Chevrolet Cadillac Buick GMC dealership located at 640 Wonderland Road North, to occur at 530 Wonderland Road North to facilitate the logistics for the renovation/reconstruction currently underway at the dealership's permanent location.

<b>RATIONALE</b>
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1. The recommended temporary use zone is consistent with the Provincial Policy Statement.
2. The recommended temporary use zone meets the intent and criteria of the Official Plan related to the establishment of temporary use zones.

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<p style="text-align: center;"><b>LOCATION MAP</b></p> <p>Subject Site: 530 Oxford St W          Applicant: Finch Chevrolet Cadillac Buick GMC Ltd          File Number: TZ-7969          Planner: Barb Debbert          Created By: Barb Debbert          Date: 2011-10-19          Scale: 1:5000</p>	<p style="text-align: center;"><b>LEGEND</b></p> <table border="0"> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Subject Site</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Parks</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Assessment Parcels</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Buildings</td> </tr> <tr> <td style="width: 20px; text-align: center;">■</td> <td>Address Numbers</td> </tr> </table>	■	Subject Site	■	Parks	■	Assessment Parcels	■	Buildings	■	Address Numbers
■	Subject Site										
■	Parks										
■	Assessment Parcels										
■	Buildings										
■	Address Numbers										
<p>Corporation of the City of London          Prepared By: Planning and Development</p>											

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**BACKGROUND**

<b>Date Application Accepted:</b> October 17, 2011	<b>Agent:</b> Danna Dejong – Renewal Manager Finch Auto Group
<b>REQUESTED ACTION:</b> To add a temporary zone to the existing Community Shopping Area (CSA4) Zone to permit an automobile sales and service establishment related to the current establishment located at 640 Wonderland Road North.	

<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Commercial Plaza</li> <li>• <b>Frontage</b> – approx. 156 metres (511.8 feet)</li> <li>• <b>Depth</b> – approx. 243 metres (1781.5 square feet)</li> <li>• <b>Shape</b> – irregular</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> - vacant future commercial land</li> <li>• <b>South</b> - commercial plaza, Canadian Pacific Railway</li> <li>• <b>East</b> - Mud Creek, open space, take-out restaurant</li> <li>• <b>West</b> - gas bar, variety store, commercial uses, auto dealership (Finch)</li> </ul>

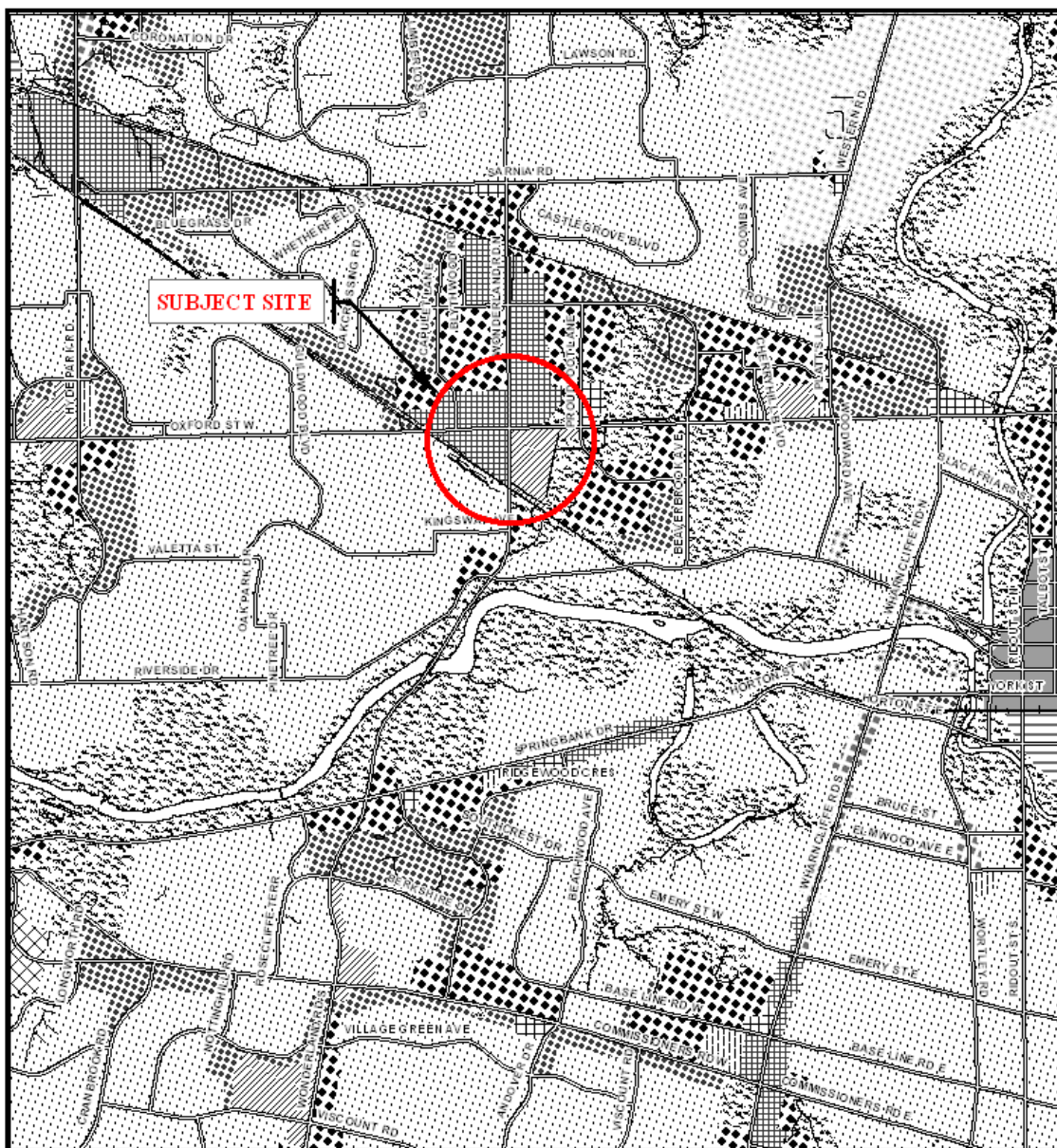
<b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map)
<ul style="list-style-type: none"> <li>• Community Commercial Node</li> </ul>
<b>EXISTING ZONING:</b> (refer to Zoning Map)
<ul style="list-style-type: none"> <li>• Community Shopping Area (CSA4)</li> </ul>

**PLANNING HISTORY**

The commercial/retail plaza was constructed in the late 1960's and has undergone a series of commercial, retail and service land use changes since its construction.

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**Legend**

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

**CITY OF LONDON**  
Department of  
**Planning and Development**  
**OFFICIAL PLAN SCHEDULE A**  
**- LAND USE -**

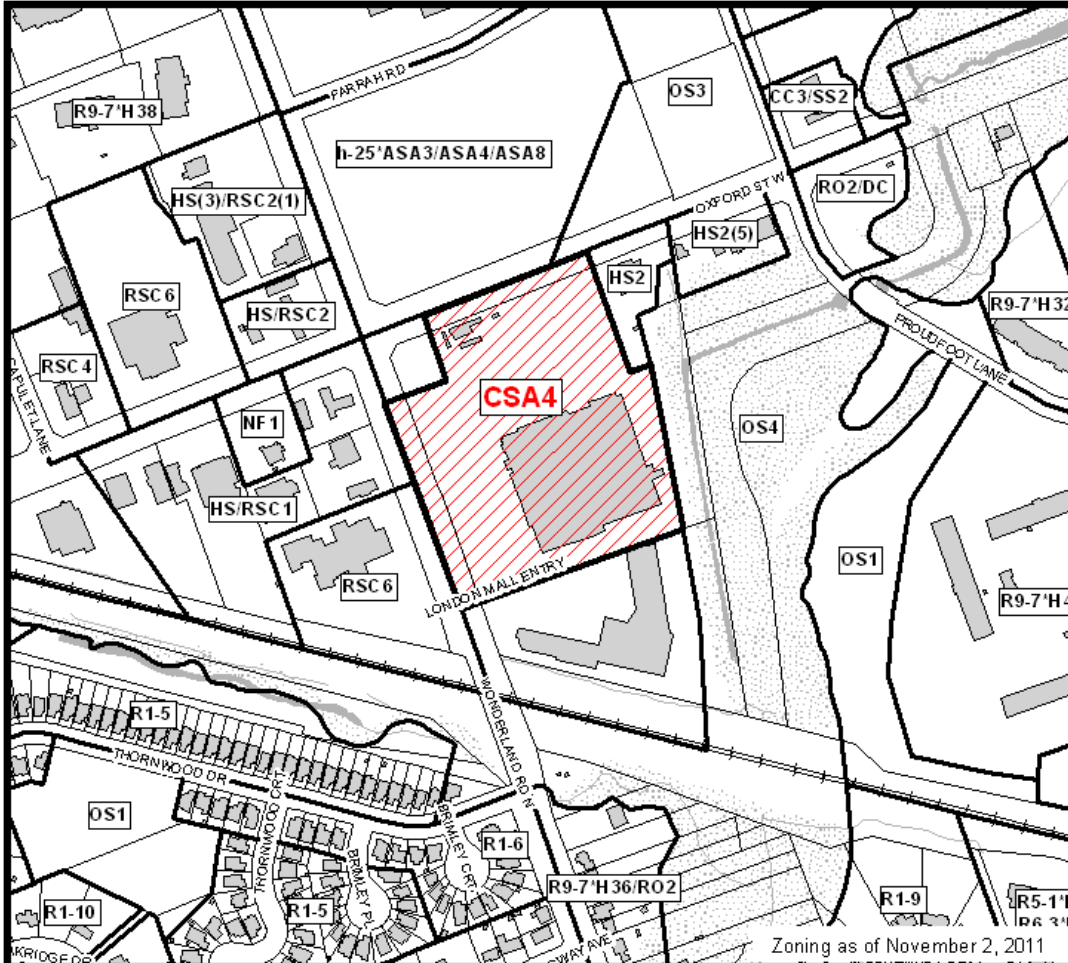
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-7954  
PLANNER: BD  
TECHNICIAN: SM  
DATE: 2011/11/16

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**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:**

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
  
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE
  
- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE
  
- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW
  
- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE
  
- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION
  
- "H" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

2) ANNEXED AREA APPEALED AREAS

**CITY OF LONDON**  
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



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

FILE NO:  
Z-7966 BD

MAP PREPARED:  
2011/11/16 SM

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

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<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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**Environmental and Engineering Services**

No objection.

**London Hydro**

No objection.

**Upper Thames River Conservation Authority**

It is the UTRCA's understanding that the proposed use is temporary, to accommodate renovations at a dealership at 640 Wonderland Road North and we therefore have no objections to the application. If however any works are required within the regulated area, we recommend that the applicant contact the Land Use Regulations Officer regarding the Authority's Section 28 permit requirements.

<b>PUBLIC LIAISON:</b>	On October 21, 2011, Notice of Application was sent to 17 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on October 22, 2011. A "Possible Land Use Change" sign was also posted on the site.	One reply was received.
<p><b>Nature of Liaison:</b> The purpose and effect of this zoning change is to permit automotive sales on a temporary basis until planned renovations at the Finch Chevrolet Cadillac Buick GMC auto dealership, located at 640 Wonderland Road North, are completed.</p> <p>Possible change to Zoning By-law Z.-1 <b>FROM</b> a Community Shopping Area (CSA4) Zone <b>TO</b> a Community Shopping Area/Temporary Use (CSA4/T- ) Zone to permit an automobile sales and service establishment on a temporary basis.</p>		
<p><b>Responses:</b></p> <p>The Esam Group responded that it has no objection to the proposed zoning by-law amendment.</p>		

<b>ANALYSIS</b>
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**Subject Lands**

The subject property is located at the south-east intersection of Oxford Street West and Wonderland Road North, which are both classified as Arterial roads. The property has a long-standing history as a commercial/retail plaza (London Mall), a significant portion of which is occupied by the Sears Warehouse. The existing building on the site is serviced by a paved parking lot with signalized vehicular access to and from Wonderland Road North and unsignalized vehicular access to Oxford Street West. The parking areas adjacent to Wonderland Road North where vehicle storage associated with the proposed temporary use is proposed, are at a slightly lower elevation than the road allowance and are separated from road traffic by grassed boulevards and landscape strips.

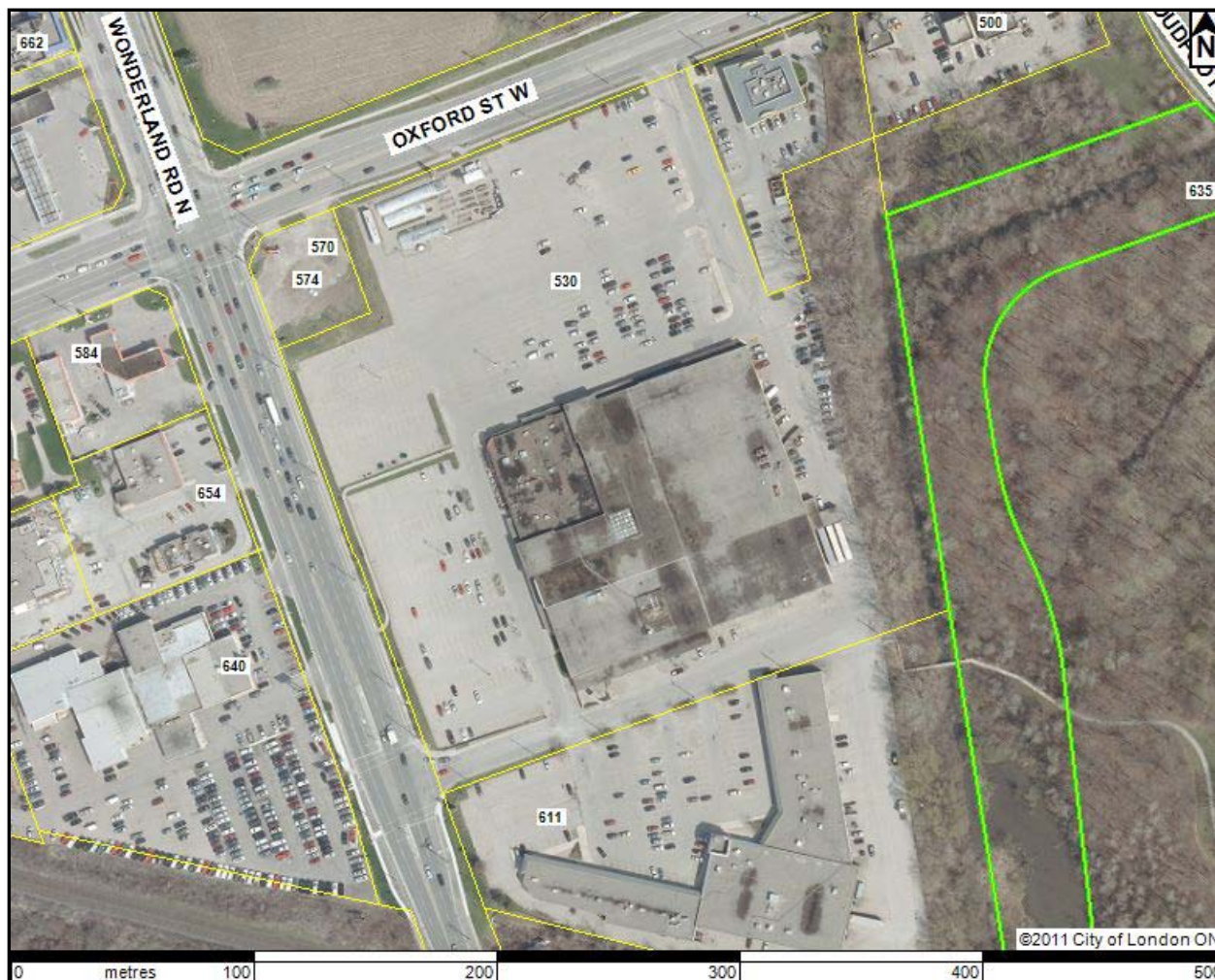
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Nature of the Request

The proponents are currently undertaking renovations to the existing Finch auto dealership located at 640 Wonderland Road North. As construction trailers are making use of the display and parking areas at that location, Finch wish to temporarily relocate the vehicle display and storage areas, office administrative and sales functions to 530 Oxford Street East. The intent is to vacate the temporary location once the renovations are complete at the permanent location.

**2011 Aerial Photograph**



Provincial Policy Statement

There are no issues of Provincial concern.

Applicable Policies of the Official Plan

The Community Commercial Node designation that applies to the land is intended to provide for a wide range of goods and services which are needed on a regular basis. There is less emphasis on comparison shopping needs and more emphasis on community specialized services than in Enclosed and New Format Regional Commercial Nodes. The trade areas primarily consist of the surrounding community which includes a number of neighbourhoods within convenient driving or walking distance. Permitted uses include all types of retail outlets including department stores, home improvement and furnishings stores, supermarkets, food stores and pharmacies; convenience commercial uses; personal services; restaurants; commercial recreation establishments; financial institutions and services; a limited range of automotive services; service oriented uses such as real estate, insurance and travel agencies;

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community facilities, such as libraries or day care centres; professional and medical/dental offices; and commercial and private schools as the main permitted uses.

Section 19.4.5 of the Official Plan – Temporary Use By-laws, allows Council to pass by-laws to authorize the temporary use of land, buildings or structures for a purpose that is otherwise prohibited by the Official Plan, for renewable periods not exceeding three years, in accordance with the provisions of the *Planning Act*, provided the general intent and purpose of the Official Plan is maintained. The Plan requires Council to have regard for the following matters in enacting a Temporary Use By-law:

- (a) Compatibility of the proposed use with surrounding land uses;
- (b) Any requirement for temporary buildings or structures in association with the proposed use;
- (c) Any requirement for temporary connection to municipal services and utilities;
- (d) The potential impact of the proposed use on transportation facilities and traffic in the immediate area;
- (e) Access requirements for the proposed use;
- (f) Parking required for the proposed use, and the ability to provide adequate parking on-site; and,
- (g) The potential long-term use of the temporary use.

#### Applicable regulations of the Zoning By-law

The subject property is Zoned Community Shopping Area (CSA4), which permits a wide range of community scale, commercial retail and service uses, as well as some office uses, which serve the needs of the community and surrounding neighbourhoods located within convenient driving distance. Examples of specific uses permitted within this zone include retail stores and restaurants, restricted automotive uses, commercial parking structures and/or lots, home and auto supply stores, offices, and service and repair establishments. The specifically defined use of an automobile sales and service establishment is not permitted and therefore a zoning by-law amendment is required to allow the use for a temporary period.

#### Use

The proposed temporary use of a portion of the existing structure and parking lot is not a permitted use within the Community Commercial Node designation, because it has a more regional focus and does not provide a good or service that is needed on a regular basis. However, as a temporary use to facilitate improvements to the existing, appropriately zoned dealership at 640 Wonderland Road North, it is an appropriate use of the land and maintains the general intent and purpose of the Official Plan.

The Official Plan criteria to evaluate the appropriateness of a temporary use relate to compatibility, new building requirements, servicing, transportation and traffic impacts and access requirements, parking, and the potential for the long term use of the temporary use. These can be addressed as follows:

- The subject land is currently used for a variety of commercial purposes and is surrounded on three sides by a range of retail, commercial and service uses, and open space. Lands to the north are vacant and designated for future commercial development. The proposed temporary automobile sales and service establishment is not expected to have a negative impact on the surrounding land uses;
- No new temporary buildings are proposed. Some renovations are required to the existing interior space, potentially making the space more attractive for uses permitted by the zoning in the future;
- The site is fully serviced with municipal services and no temporary service connections are required;
- The temporary automobile sales and service establishment is directly adjacent to two arterial roads that sustain large volumes of traffic and have been designed with turn lanes and traffic islands to control traffic movements. The proposed temporary use is



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being relocated from a site which also has direct to Wonderland Road North and which will generate less customer related traffic during the construction period. It is expected that the proposed temporary use will not cause negative transportation or traffic impacts. Furthermore, ingress and egress to the property are provided via a fully signalized intersection at Wonderland Road North and the shared driveway between the subject site and the commercial plaza to the south. Full turning movements are also permitted at the intersection of Oxford Street West and the private drive for the subject property. Access to and from the site for the proposed temporary use is sufficient;

- There is adequate on-site parking to accommodate staff and customer parking and automobile display area;
- The use is clearly temporary in nature as the applicant has confirmed that the duration of use is tied to the completion of the renovation/reconstruction project at the permanent auto dealership location. The recommended Temporary Use (T) zone limits the use of the subject property to activities related to the permanent location at 640 Wonderland Road North, and restricts the time period to 18 months rather than the usual three years.

Intensity

The temporary use is of an appropriate intensity for the site. No new buildings or structures are proposed, and use will be made of existing underutilized commercial space. The area of the parking lot to be used for customer and staff parking and display space, immediately adjacent to the building area occupied for office use, is not in demand by other users of the commercial mall.

Form

The form for the proposed temporary use is appropriate. All office operations are to occur within the available commercial space inside the existing building. The parking lot is already hard surfaced and equipped with lighting. The drop in elevation from Wonderland Road North and grassed strip provide some visual relief from the expanse of parking area. No urban design recommendations are made because the use is for a short period of time, expected to be significantly less than the 18 months recommended for the duration of the Temporary Use (T) Zone.

Duration of Temporary Use By-law

Staff are recommending a duration for the Temporary Use (T) By-law of 18 months instead of the usual 3 years. This time period will accommodate the anticipated renovation/reconstruction period of 6 months, and discourage pressure from other auto dealers to lease this space for a permanent automobile sales and service establishment.

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<b>CONCLUSION</b>
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The recommended Temporary Use (T) Zone to permit an automobile sales and service establishment at 530 Oxford Street West during the renovation/reconstruction of the permanent Finch dealership at 640 Wonderland Road North, is consistent with the Provincial Policy Statement and in keeping with the general intent and purpose of the Official Plan.

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

November 24, 2011

BD/

Attach.

Y:\Shared\implemen\DEVELOPMENT APPS\2011 Applications 7854 to\7969TZ - 530 Oxford Street West (BD)\TZ-7969 report to planning and environment committee.docx

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**File: Z-7969**  
**Planner: B. Debbert**

**Responses to Public Liaison Letter and Publication in “Living in the City”**

<b><u>Telephone</u></b>	<b><u>Written</u></b>
	Harvey Katz on behalf of Esam Group 301 Oxford Street West London ON N6H 1S6

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**File: Z-7969**  
**Planner: B. Debbert**

**Bibliography of Information and Materials**  
**Z-7969**

**Request for Approval:**

City of London Zoning By-law Amendment Application Form, completed by Danna Dejong, October 17, 2011

**Reference Documents:**

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z.-1*, May 21, 1991, as amended.

**Correspondence: (all located in City of London File No. Z-7969 unless otherwise stated)**

All e-mails and letters contained in the file dated between October 17, 2011 and November 24, 2011.

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**File: Z-7969  
Planner: B. Debbert**

**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
2012

By-law No. Z.-1-12\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 530 Oxford Street West.

WHEREAS Finch Chevrolet Cadillac Buick GMC Ltd. has applied to rezone an area of land located at 530 Oxford Street West, 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:

Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to lands located at 530 Oxford Street West, as shown on the attached map comprising part of Key Map No. 65, from a Community Shopping Area (CSA4) Zone to a Community Shopping Area/Temporary Use (CSA4/T-\_\_) Zone.

1) Section Number 50.2 of the Temporary Use (T) Zone is amended by adding the following:

) T-\_\_

Lands located at 530 Oxford Street West, as shown on Key Map No. 65, may be used for an Automobile Sales and Service Establishment related to the permanent automobile sales and service establishment located at 640 Wonderland Road North, for a period not exceeding 18 months from the date of the passing of this by-law beginning January 10, 2012.

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 10, 2012.

Joe Fontana  
Mayor

Catharine Saunders

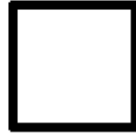
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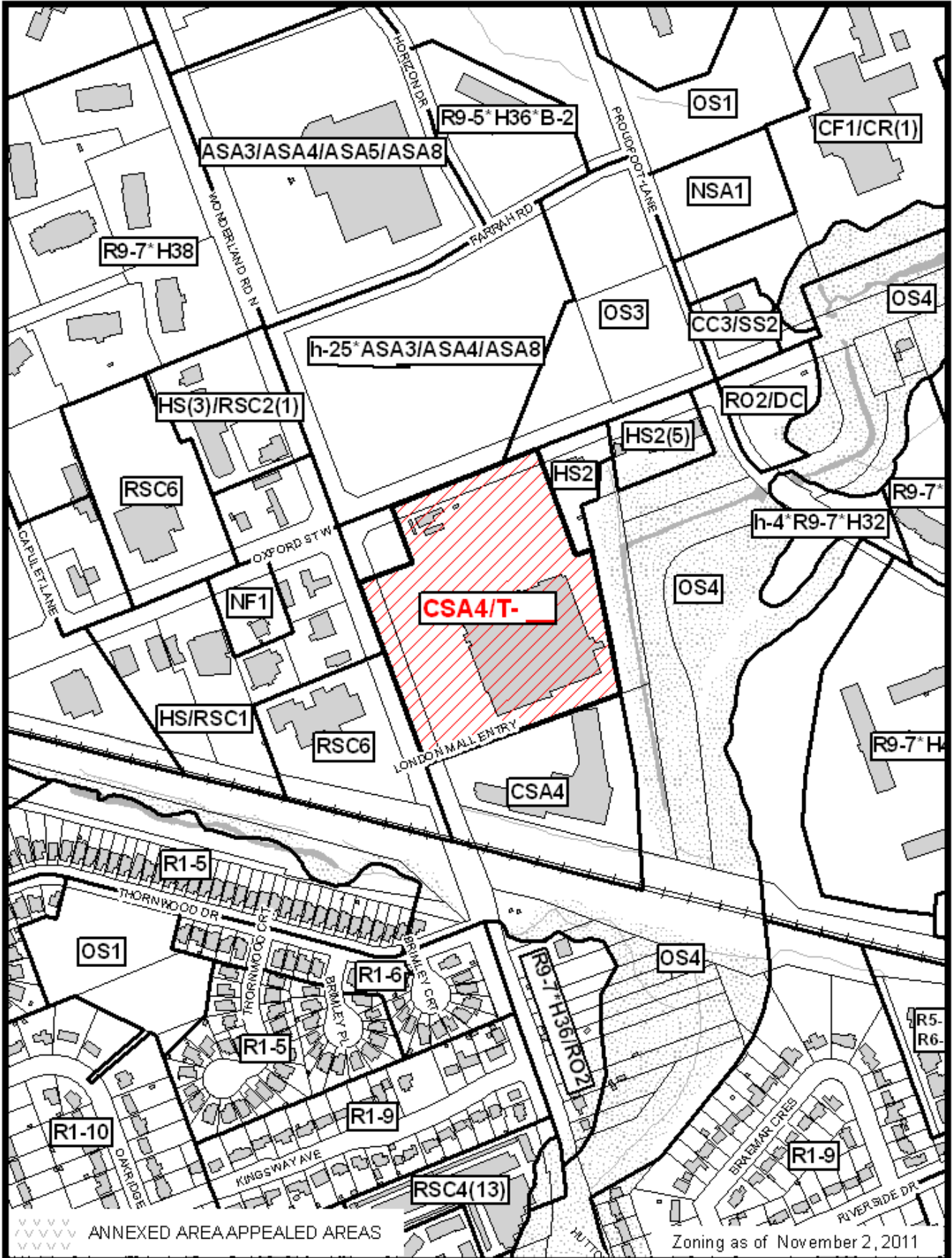
**File: Z-7969**  
**Planner: B. Debbert**

City Clerk


First Reading - January 10, 2012  
Second Reading – January 10, 2012  
Third Reading - January 10, 2012



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



File Number: Z-7969  
 Planner: BD  
 Date Prepared: 2011/11/17  
 Technician: SM  
 By-Law No: Z.-1-

SUBJECT SITE 

1:5,000

0 25 50 100 150 200 Meters

