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File: TZ-8307
Planner: B. Debbert

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: KEN VANSTEENSEL 1992 FANSHAWE PARK ROAD WEST PUBLIC PARTICIPATION MEETING ON MARCH 4, 2014

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Ken VanSteensel relating to the property located at 1992 Fanshawe Park Road West, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on March 18, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to extend the temporary use to permit a golf driving range for a further three year period.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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TZ-7635, TZ-7831 – Reports to Committee in 2007 and 2010 for extension of the temporary use by-law originally established by City of London Council in 1997.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The recommended approval of the extension of the temporary use by-law will permit the continuation of the existing golf driving range on the property for a further three year period.

RATIONALE

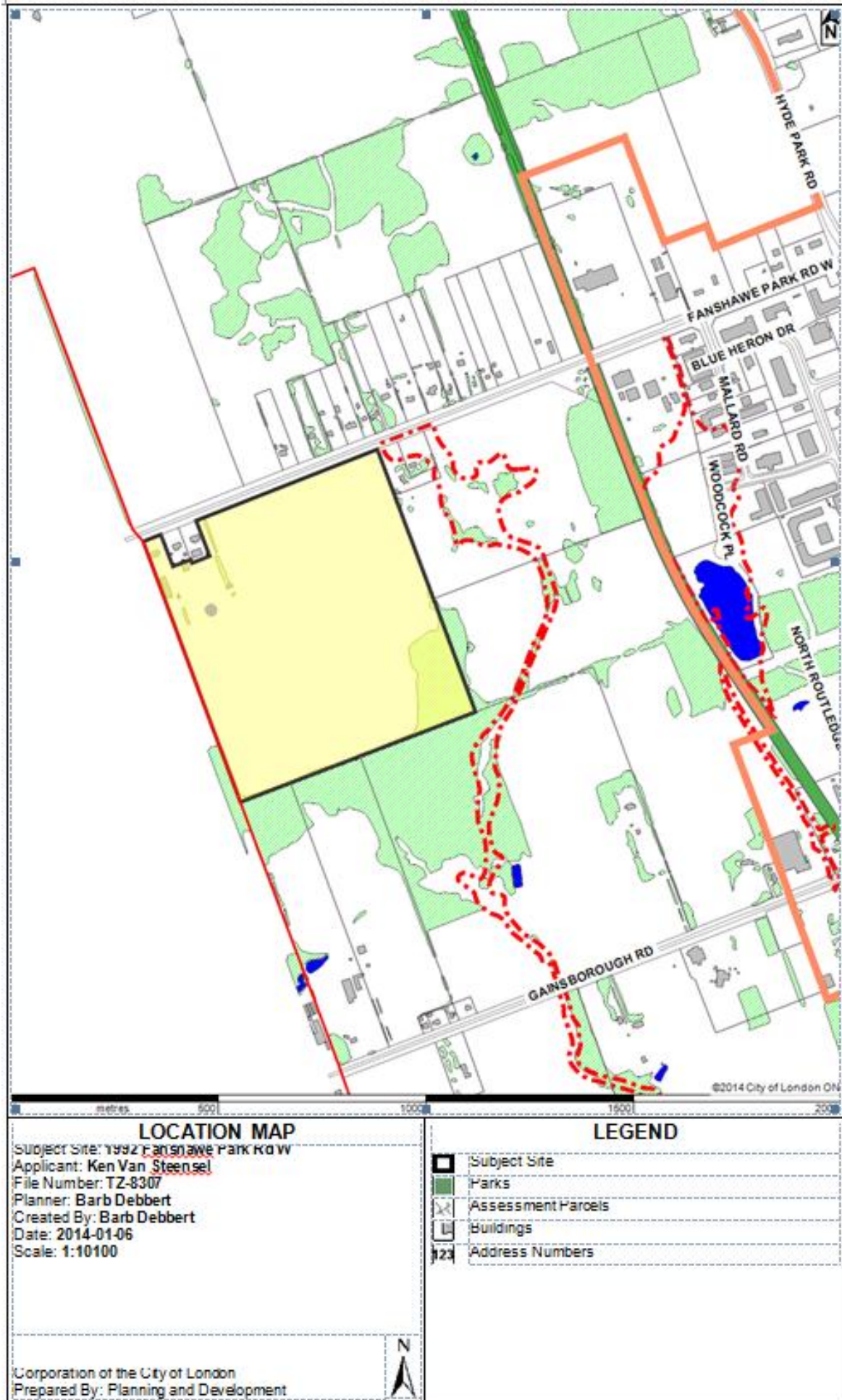
1. The recommended extension of the temporary use zoning conforms with the criteria for temporary uses in Section 19.4.5 of the Official Plan.
2. The existing golf driving range was established by a Temporary Use By-law passed by the London Township Council in the 1991.
3. The golf driving range is a seasonal use and has minimal impact on the surrounding land uses.

BACKGROUND

Date Application Accepted: December 17, 2013	Agent: Ken VanSteensel
REQUESTED ACTION: To extend the temporary zoning permitting a golf driving range, for a period of three years.	

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SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Temporary Golf Driving Range • Frontage – Approximately 183 metres (600 feet) • Depth – Approximately 427 metres (1,400 feet) • Area – Approximately 7.8 hectares (19.8 acres) • Shape - rectangular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - Agricultural and Residential • South - Agricultural • East - Agricultural and Residential • West - Agricultural and Residential

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • Agriculture
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • Agricultural (AG1/T-45) applies to the golf driving range portion of a larger agricultural parcel.

PLANNING HISTORY

On November 6, 1991, the Township of London Council approved a Zoning By-law amendment to permit a golf driving range on the subject lands for a period of three years. That temporary zoning expired in 1994 and the lands reverted back to the A1-4 zone which did not permit a golf driving range. In 1997, London City Council approved an amendment to the London Township Zoning By-law to change the zoning from an Agriculture (A1-4) Zone to an Agriculture (A1-39) zone to allow, in addition to other uses, a golf driving range as a temporary use for a period not exceeding three years. In 2000, 2003, 2006, 2009 and 2010, further extensions of the temporary use by-law were approved.

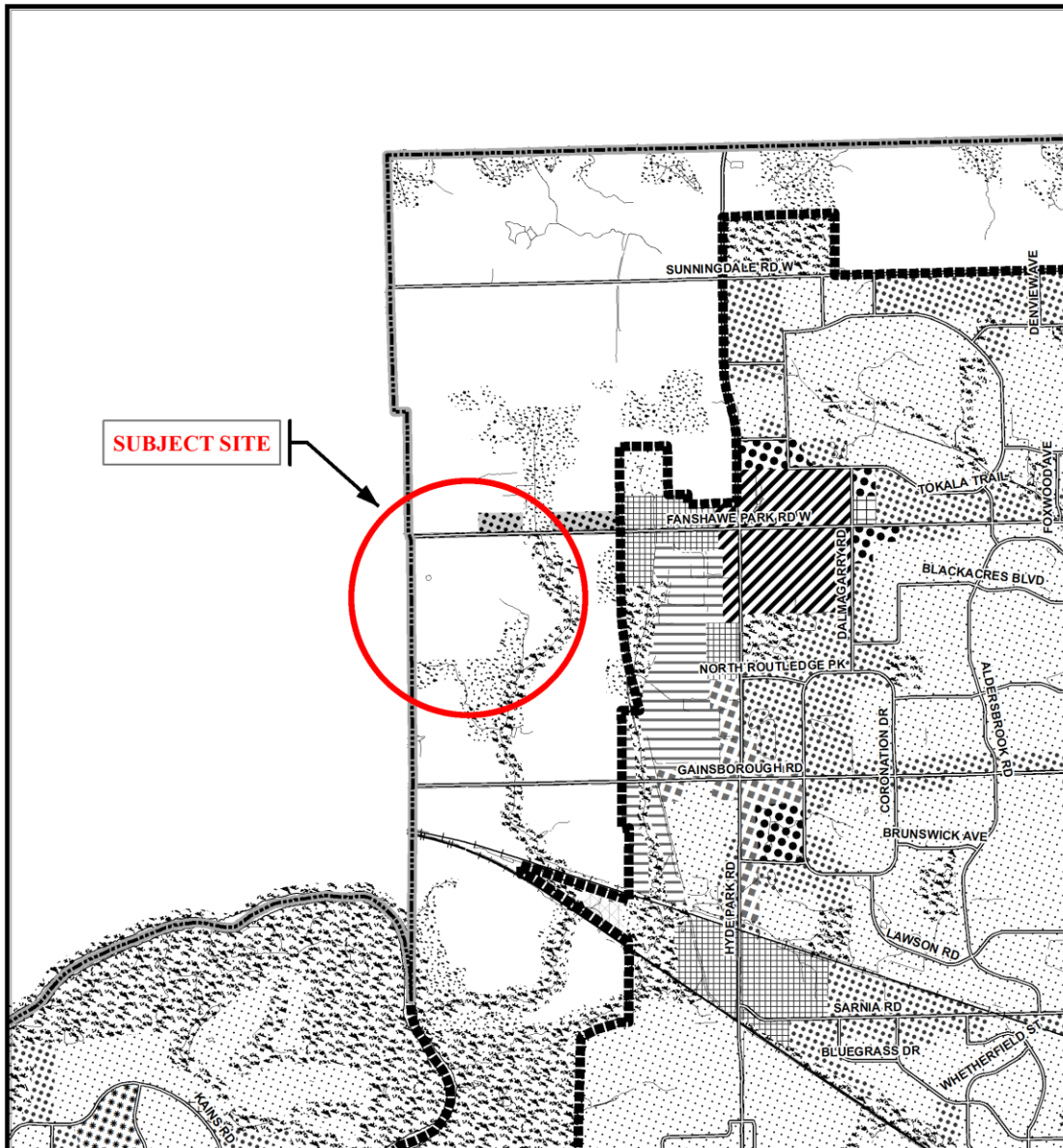
SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Upper Thames River Conservation Authority

Given that the driving range is not located within the regulated area, the UTRCA has no objections to this application or permit requirements.

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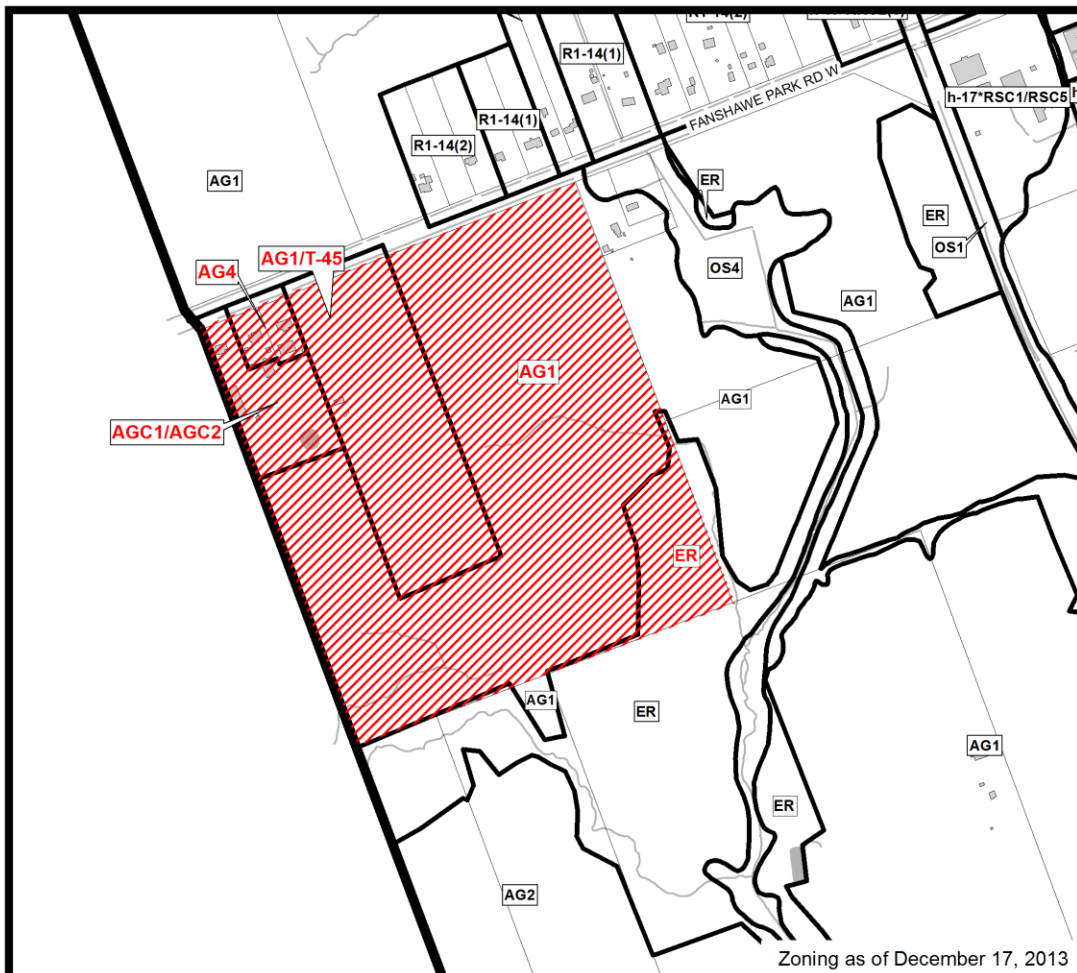


Legend	
Downtown	Office Business Park
Enclosed Regional Commercial Node	General Industrial
New Format Regional Commercial Node	Light Industrial
Community Commercial Node	Regional Facility
Neighbourhood Commercial Node	Community Facility
Main Street Commercial Corridor	Open Space
Auto-Oriented Commercial 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

<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p>PREPARED BY: Graphics and Information Services</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: TZ-8307</p> <p>PLANNER: BD</p> <p>TECHNICIAN: CK</p> <p>DATE: 2014/02/07</p>
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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: AGC1/AGC2, AG4, AG1/T-45, AG1 & ER

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**



FILE NO:
TZ-8307 BD

MAP PREPARED:
2014/02/07 CK

1:8,500
0 40 80 160 240 320
Meters

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

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PUBLIC LIAISON:	On January 8, 2014, Notice of Application was sent to 25 property owners in the surrounding area including adjacent lands in the Township of Middlesex Centre. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on January 9, 2014. A "Possible Land Use Change" sign was also posted on the site.	No replies were received
<p>Nature of Liaison: The purpose and effect of the requested Zoning By-law amendment is to continue to permit a temporary golf driving range for a further three year period. Possible change to Zoning By-law Z.-1 by extending the Temporary Holding Agricultural (T-45•AG1) Zone for an additional three year period.</p>		
<p>Responses: none</p>		

ANALYSIS

Nature of the Application

The subject property is an approximately 40 ha. (99 ac.) farm parcel of which approximately 7.8 ha. (19.8 acres) has been historically used for a golf driving range, permitted through a series of temporary use by-laws beginning in 1991. The purpose of the subject application is to extend the temporary use zone for a further period of three years, to March 18, 2017.

Provincial Policy Statement

The Provincial Policy Statement, 2005 (PPS) provides policy direction on matters of provincial interest related to land use planning and development ... The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety and the quality of the natural environment.

The subject lands are located outside the City's Urban Growth Boundary and are, therefore, not an area targeted for urban land uses exhibiting efficient development and land use patterns.

The PPS identifies the protection of prime agricultural land for long-term use for agriculture. The driving range use has been established for over twenty years and does not involve the construction of permanent buildings or infrastructure that would jeopardize the possible use of the land for agriculture in the future.

The property is affected by a riverine flood hazard, which is outside the area used for the golf driving range. Natural hazards are not a concern for the continued operation of the temporary use.

Official Plan

Section 19.4.5 of the Official Plan permits Council to pass by-laws to authorize the temporary use of land for a purpose that is otherwise prohibited by the Plan, for renewable periods not exceeding three years, provided the general intent and purpose of the Plan are maintained. Planning staff have reviewed the relevant policies and are satisfied that the further extension of temporary zoning to permit a golf driving range maintains the general intent and purpose of the Agriculture designation. Compatibility, associated temporary buildings or structures, services and utilities, traffic, access, parking, and the potential long-term use were all considered with respect to the Official Plan.

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The site is surrounded mainly by agricultural uses with some residential uses along both sides of Fanshawe Park Road West to the east and west of the subject property. The golf driving range is a seasonal outdoor use and has minimal impacts on surrounding areas. Fanshawe Park Road West is an Arterial Road which can accommodate the traffic generated by the golf driving range. This seasonal use will not affect the area for future planning and development, does not establish a permanent use on the property, and will allow for easy conversion back to agricultural use.

CONCLUSION

The existing golf driving range was established by a Temporary Use By-law passed in 1991 and subsequently extended in 1994, 1997, 2000, 2003, 2006, 2009 and 2010. The driving range is a seasonal, low impact use, which is consistent with the Provincial Policy Statement and conforms to the intent of the temporary use policies of the Official Plan.

PREPARED BY:	REVIEWED BY:
BARB DEBBERT, SENIOR PLANNER COMMUNITY PLANNING AND DESIGN	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, PLANNING REVIEW COMMUNITY PLANNING AND DESIGN
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

February 3, 2014

BD/

Attach.

Y:\Shared\implemen\DEVELOPMENT APPS\2013 Applications 8135 to\8307TZ - 1992 Fanshawe Pk Rd W (BD)\TZ-7831 - 1992 Fanshawe Park Road West report to PEC.docx

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**Bibliography of Information and Materials
TZ-8307**

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Ken VanSteensel, December 11, 2013.

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. TZ-8307 unless otherwise stated)

Dalrymple, D., London Hydro, memo to B. Debbert, January 9, 2014.

Moore, R., City of London Wastewater and Drainage Engineering, e-mail to B. Debbert, January 9, 2014.

Postma, R., City of London Urban Forestry, e-mail to B. Debbert, January 13, 2014.

Clavet, Y., City of London Stormwater Management Unit, e-mail to B. Debbert, January 24, 2014.

Creighton, C., Upper Thames River Conservation Authority, letter to B. Debbert, January 28, 2014.

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2014

By-law No. Z.-1-14_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1992 Fanshawe Park Road West.

WHEREAS Ken VanSteensel has applied to extend the Temporary Use (T-45) Zone relating to property located at 1992 Fanshawe Park Road West, 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) By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1992 Fanshawe Park Road West, to extend the temporary use to permit a golf driving range for a period not exceeding three (3) years beginning March 18, 2014.
- 2) Section Number 50.2 of By-law No. Z.-1 is amended by changing the temporary zone as follows:
 - 45) T-45

This temporary use is hereby extended until March 18, 2017.

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 18, 2014.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

Agenda Item # Page #

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First Reading - March 18, 2014
Second Reading – March 18, 2014
Third Reading - March 18, 2014