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**File: Z-8314**  
**Planner: L. Maitland**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: CITY OF LONDON 457 SOUTHDALE ROAD WEST PUBLIC PARTICIPATION MEETING ON MARCH 25, 2014</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of the City of London relating to the property located at 457 Southdale Road West:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 1, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Commercial Recreation (CR1) Zone which permits Commercial recreation establishments; Golf courses; Private clubs; Private outdoor recreation clubs; Private parks; Recreational buildings; Recreational golf courses; Amusement parks; Commercial outdoor recreation facilities; and Go-cart tracks, **TO** a Holding Commercial Recreation Special Provision (h-( )•CR1( )) Zone to permit a Place of Worship as an additional permitted use with an additional special provision to limit height to 18.5m.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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OZ-8219 – This policy review clarified the definition of Assembly Hall uses distinguishing them from Places of Worship thereby necessitating this concurrent application.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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The purpose and effect of this zoning by-law amendment is to permit a Place of Worship use which was previously allowed under a zoning interpretation of Assembly Hall uses, and therefore previously permitted as a Commercial Recreation Establishment use.

<b>RATIONALE</b>
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1. The Provincial Policy Statement and the Official Plan provide direction for complete communities including Places of Worship in neighbourhoods.
2. The proposed zoning by-law amendment would permit a Place of Worship use in the Commercial Recreation (CR1) zone variation.
3. This use is no longer permitted in the Commercial Recreation (CR1) zone variations as recent amendments to the Z.-1 Zoning By-law explicitly exclude Places of Worship from the Assembly Hall definition.

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**Aerial Photo Location Map**

File No.: Z-8314

LM

Date Prepared: 2014/01/13

CK

SCALE: 1:6,000



Prepared by : Graphics & Information Services, Planning Division, Corporation of the City of London  
Photography based on April 2010 flight info.

Note: Parcel linework, when shown, is not for official or legal use.

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<b>BACKGROUND</b>	
<b>Date Application Accepted:</b> January 8, 2014	<b>Agent:</b> N/A
<b>REQUESTED ACTION:</b> The addition of a special provision to permit a Place of Worship at 457 Southdale Road West.	

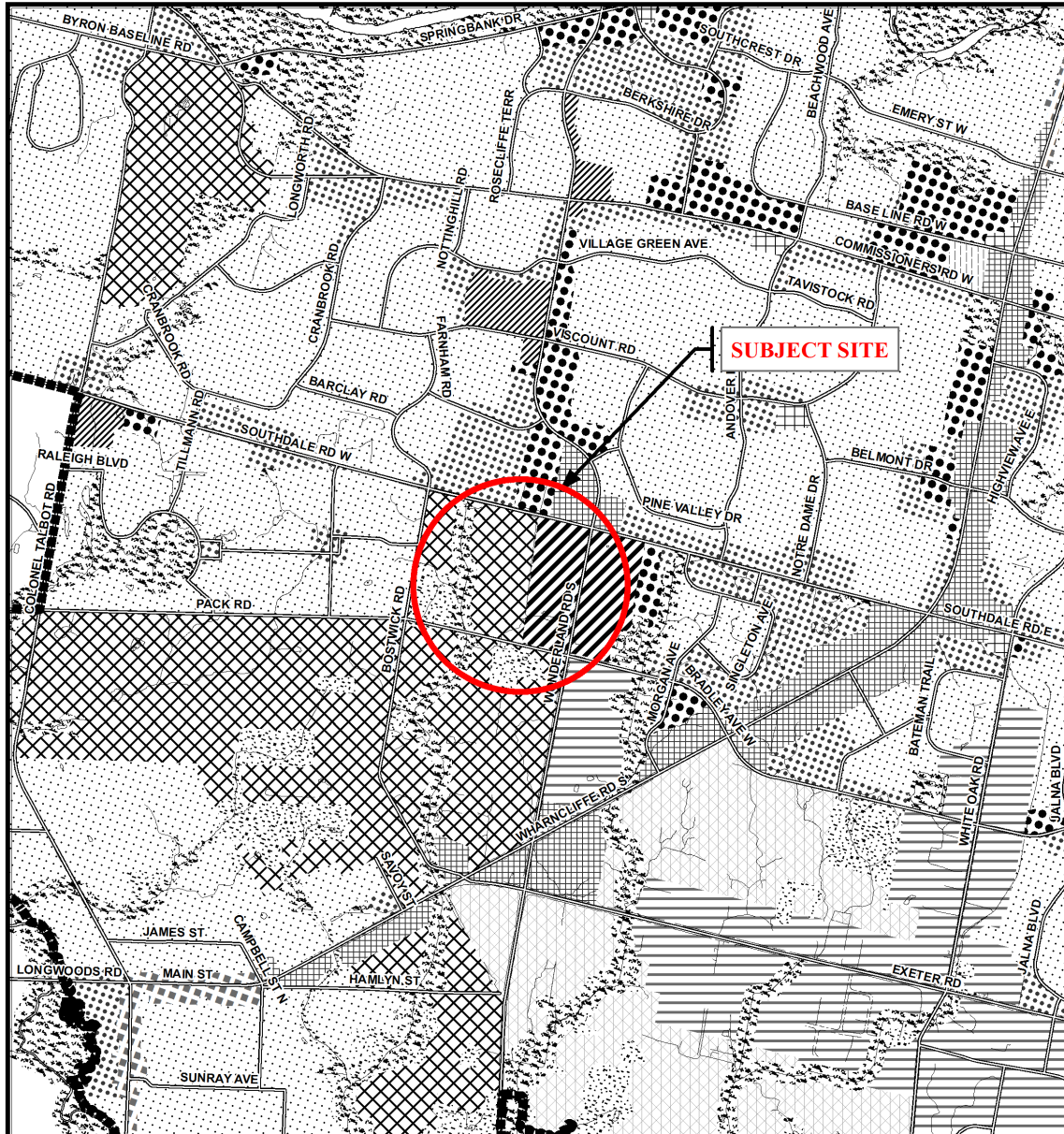
<b>SITE CHARACTERISTICS:</b>
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Vacant commercial land.</li> <li>• <b>Frontage</b> – 58.4 m (approx.)</li> <li>• <b>Depth</b> – 601.0 m (approx.)</li> <li>• <b>Area</b> – 4.54ha (approx.)</li> <li>• <b>Shape</b> – Irregular linear</li> </ul>

<b>SURROUNDING LAND USES:</b>
<ul style="list-style-type: none"> <li>• <b>North</b> - Currently an electrical transmission station (zoned R9-7 *H36)</li> <li>• <b>South</b> - Wooded (zoned ER)</li> <li>• <b>East</b> - Vacant immediately adjacent but with New Format retail nearby (zoned CR1, then ASA8)</li> <li>• <b>West</b> - Vacant (zoned UR4)</li> </ul>

<b>OFFICIAL PLAN DESIGNATION: URCG</b>
<ul style="list-style-type: none"> <li>• Because of concerns regarding premature development, Urban Reserve areas will be zoned to allow a limited range of uses based on the nature of their existing use. The "Urban Reserve - Community Growth" designation is intended to provide a general indication of the mix of urban land uses proposed for the area. "Community Growth" areas will be composed of predominantly residential uses but will include commercial, institutional, and open space uses that are supportive of the community as well as provide employment opportunities in a community setting.</li> </ul>
<b>EXISTING ZONING: CR1 (CR1/T-(63))</b>
<ul style="list-style-type: none"> <li>• The Commercial Recreation (CR) Zone provides for and regulates primarily indoor commercial recreational uses which are located outside of the floodway and flood fringe. The uses generally include permanent structures with some outdoor activity. Specific permitted uses in the CR1 zone variation include: Commercial recreation establishments; Golf courses; Private clubs; Private outdoor recreation clubs; Private parks; Recreational buildings; Recreational golf courses; Amusement parks; Commercial outdoor recreation facilities; and Go-cart tracks. The temporary use (T-(63)) was applied in November of 2010 to permit a drop off centre for Goodwill Industries for three years.</li> </ul>

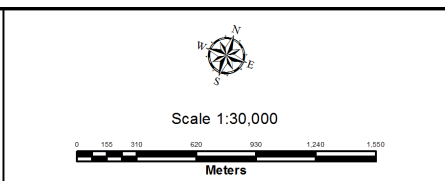
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File: Z-8314  
Planner: L. Maitland



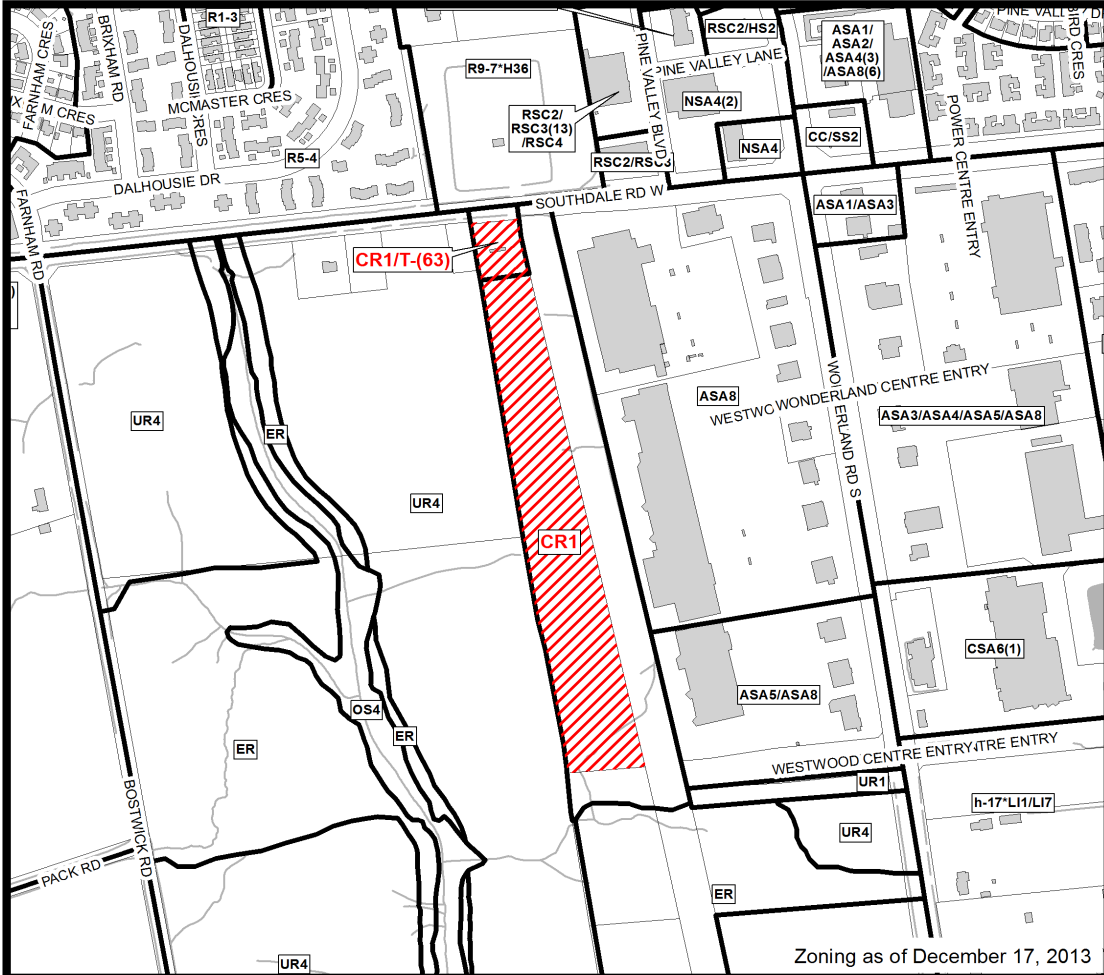
Legend			
	Downtown		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional Facility
	Neighbourhood Commercial Node		Community Facility
	Main Street Commercial Corridor		Open Space
	Auto-Oriented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

**CITY OF LONDON**  
Department of  
Planning and Development  
  
OFFICIAL PLAN SCHEDULE A  
- LANDUSE -  
  
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8314  
PLANNER: LM  
TECHNICIAN: CK  
DATE: 2014/01/13

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Zoning as of December 17, 2013



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: CR1/T-(63) & CR1**

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

**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-8314 LM

MAP PREPARED:  
2014/01/13 CK

1:7,000  
0 35 70 140 210 280  
Meters

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<b>PLANNING HISTORY</b>
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Z-7814 – (2010) Goodwill Industries applied for and received permission for a temporary use zone to use this site to receive donations from the public and to sort and process the donations on this site on a temporary basis.

OZ-8219 – (2013) A city-wide policy review was initiated resulting in a revised definition of Assembly Hall uses and Places of Worship.

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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**Urban Forestry:** Urban Forestry has no comments on the rezoning, we will make comments at the site plan stage.

**Wastewater:** There is no municipal sanitary sewer available for the subject lands. Wastewater and Drainage Engineering Division recommends a Holding Provision zoning for the site.

**London Hydro:** London Hydro has no objections to the proposed development.

**Upper Thames River Conservation Authority:** The UTRCA has no objections to this application.

**Stormwater Management:** All necessary servicing and drainage requirements/ controls, SWM, etc. will be addressed at Site Plan approval

<b>PUBLIC LIAISON:</b>	On January 30, 2014, Notice of Application was sent to 16 property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on January 30, 2014. A “Possible Land Use Change” sign was also posted on the site.	0 replies were received
<b>Nature of Liaison:</b> 457 Southdale Road West – The purpose and effect of this zoning change is to permit a Place of Worship. Possible change to Zoning By-law Z.-1 <b>FROM</b> an Commercial Recreation (CR1) <b>TO</b> a Commercial Recreation (CR1(_)) special provision Zone to permit a Place of Worship		
<b>Responses:</b> N/A		

<b>ANALYSIS</b>
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A Place of Worship use was previously permitted through an interpretation of Assembly Hall uses. Assembly Halls are permitted uses in the Commercial Recreation Establishment definition. A recent Zoning By-law Amendment (OZ-8219) distinguished between Assembly Halls and Places of Worship. This distinction would prevent a Place of Worship use on this site. The purpose and effect of this Zoning By-Law amendment is to add “Places of Worship” to the range of uses permitted on this site.

Zoning By-law Amendment OZ-8219 was prepared to provide guidance on non-industrial uses within industrial areas. One of the recommendations of this amendment was to create a new definition for “Place of Worship” and clarify the definition of Assembly Hall.

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### **Provincial Policy Statement**

The Provincial Policy Statement (2005) directs municipalities to build complete communities. In so doing, the provision of centers for cultural, religious and recreational development are to be provided as part of a range of uses which together provide for a vibrant community. This requires community uses to be built near and within residential areas. Permitting a Place of Worship use on this site will help to provide for the needs of the residential community being built in the area.

### **Official Plan**

The site is currently designated Urban Reserve Community Growth (URCG). This designation is intended to avoid premature development through limiting the uses to those uses permitted under existing zoning. The intention is to prevent development until services are provided and a secondary plan has been completed.

The site falls within the area of the South West Area Plan. The council-approved plan (although it is currently appealed to the OMB) indicates the long-term intention for the site is high density residential. The preferable long-term location for Places of Worship is within residential areas. As such locating a Place of Worship on the site is consistent with the approved land use designation on this site and would serve the neighbourhood's needs.

Although the site is designated Urban Reserve, two of the qualifications which would permit development are addressed. A council-approved secondary plan permits the proposed development. The final requirement of the Urban Reserve designation is that the existing zoning permits the use. As full servicing is not yet in place, a holding provision for servicing will be required in accordance with the input from the Wastewater and Drainage Engineering.

### **Zoning By-law**

The existing zoning for the site is Commercial Recreation (CR1). This zone permits: Commercial recreation establishments; Golf courses; Private clubs; Private outdoor recreation clubs; Private parks; Recreational buildings; Recreational golf courses; Amusement parks; Commercial outdoor recreation facilities; and Go-cart tracks. The definition for Commercial Recreation Establishment reads as follows:

*means a building, or part thereof, used for the purposes of an arena, assembly hall, billiard or pool room, bingo hall, bowling alley, dance hall, gym or fitness centre, ice or roller rink, indoor racquet courts, indoor swimming pool, or sports simulation, but not including a place of entertainment, an amusement games establishment, cinema, theatre, drive-in theatre, amusement park or any other place of entertainment or amusement otherwise defined or classified herein.*

The above definition includes Assembly Hall.

Past practice has interpreted Places of Worship to be Assembly Halls. A recent Zoning By-law amendment and Official Plan review was to clarify the difference between Places of Worship and Assembly Halls, to better direct the two separate uses to appropriate locations. On this particular site it was the City's prior intention that a Place of Worship be permitted, and these proposed amendments are to permit the Place of Worship use on these lands.

Agenda Item #      Page #

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**Planner: L. Maitland**

<b>CONCLUSION</b>
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Recent changes to the Z.-1 Zoning By-law and Official Plan distinguished between Assembly Halls and Places of Worship. The review also directed the appropriate land use designations for these uses. This site at 457 Southdale Road West was intended to be developed for a Place of Worship use, however the changes to the definitions in the Z.-1 Zoning By-law meant that the use was no longer permitted in the Commercial Recreation (CR1) zone variation on these lands.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>LEIF MAITLAND PLANNER I POLICY PLANNING AND PROGRAMS</b>	<b>GREGG BARRETT, AICP MANAGER POLICY PLANNING AND PROGRAMS</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

March 3, 2014  
LM/LM  
Appendix A: Zoning By-law Amendment  
Y:\LMaitland\Non-industrial Uses\457 Southdale W\Z 457 Southdale.docx



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**File: Z-8314**  
**Planner: L. Maitland**

**Appendix "A"**

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

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

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 457 Southdale Road West.

WHEREAS the City of London has applied to rezone an area of land located at 457 Southdale Road 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:

1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 457 Southdale Road West, as shown on the attached map comprising part of Key Map No. A111, from a Commercial Recreation (CR1) Zone to a Holding Commercial Recreation Special Provision (h-\_)•CR1(\_) Zone.

2) Section Number 3.8(2) of the Holding Provisions Section to By-law No. Z.-1 is amended by adding the following holding provision:

h-\_) Purpose: To ensure the orderly development of he lands, the 'h' shall not be deleted until a private on-site sanitary disposal system has been designed and can be implemented to the satisfaction of the Managing Director, Development and Compliance Services and Chief Building Official.

3) Section Number 38.4 of the Commercial Recreation (CR1) Zone is amended by adding the following Special Provision:

- \_) CR1(\_) 457 Southdale Road West
  - a) Additional permitted use
    - i) Places of Worship
  - b) Regulations
    - i) Places of Worship are permitted to a maximum height of 18.5m (60.7 feet).

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 April 1, 2014.

Agenda Item #      Page #

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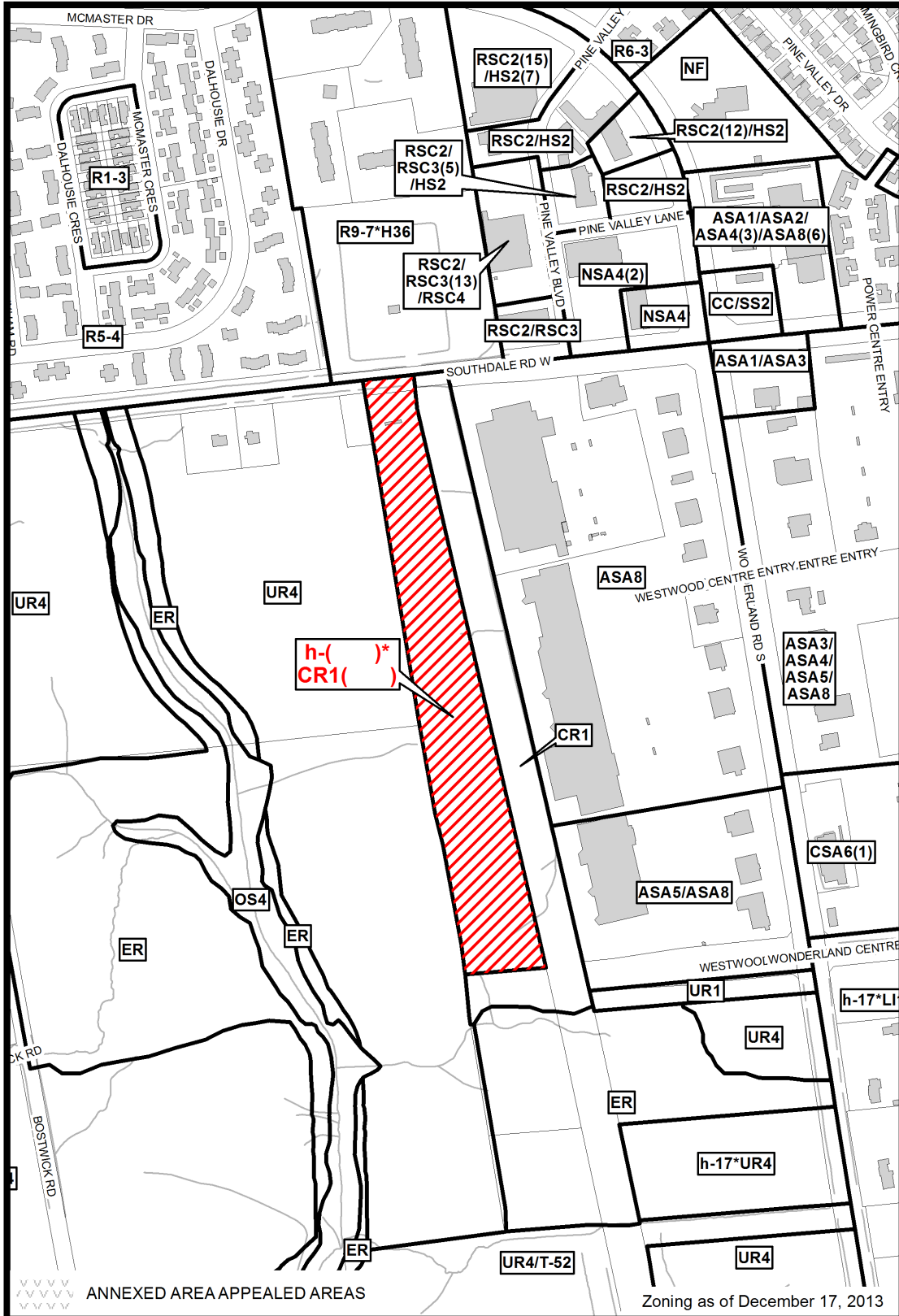
Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading - April 1, 2014  
Second Reading - April 1, 2014  
Third Reading - April 1, 2014

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



<p>File Number: Z-8314                  Planner: LM                  Date Prepared: 2014/01/13                  Technician: CK                  By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:5,500</p> <p>0 25 50 100 150 200 Meters</p>
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Geodatabase