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OZ-8358
Mike Davis

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: 1849259 ONTARIO INC. 1300 FANSHAWE PARK ROAD EAST PUBLIC PARTICIPATION MEETING ON SEPTEMBER 23, 2014

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 1849259 Ontario Inc., relating to the property located at 1300 Fanshawe Park Road East:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 30, 2014 to amend the Official Plan by adding a "Special Policy" to Chapter 10 – Policies for Specific Areas – of the Official Plan to permit an Automobile Sales and Service Establishment in the Community Commercial Node designation at 1300 Fanshawe Park Road East;
- (b) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on September 30, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** a Holding Associated Shopping Area Commercial (h•ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7) Zone, **TO** a Holding Associated Shopping Area Commercial Special Provision (h•h-11•h(_)**•**ASA1/ASA2/ASA3/ASA4/ASA5(_)/ASA6/ASA7) Zone;
- (c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) Include additional articulation and/or architectural elements on the southern building façade to break up the massing of the built form along Fanshawe Park Road and provide a more human-scale interface with the public sidewalk;
 - ii) Locate the building as close to Panzer Drive as is feasibly possible to provide for a functional automobile sales and service establishment while reducing the amount of parking and/or car storage between the building and the public street.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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None.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the recommended Official Plan and Zoning By-law amendment is to add Automotive Sales and Service Establishments to the list of permitted uses on the subject site with holding provisions to ensure that site-specific urban design guidelines are implemented and appropriate access arrangements are developed on Panzer Drive.

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LOCATION MAP

Subject Site : 1300 Fanshawe Park Rd E
 Applicant: 1849259 Ontario Inc
 File Number : OZ-8358

Planner : MD
 Created By : MB
 Date : 2014/08/12
 Scale : 1:3000

Legend

Subject Site

Prepared by : Graphics & Information Services , Planning Division
 Corporation of the City of London
 File=planning/projects/p_locationmaps/MXDc



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RATIONALE

- i) The recommended amendments are consistent with the policies of the *Provincial Policy Statement, 2014*, which promote healthy, liveable and safe communities by encouraging efficient development and land use patterns and by accommodating an appropriate range and mix of land uses to meet current and projected needs of the Municipality;
- ii) The recommended amendments will allow for automotive sales in association with an automotive repair establishment. Overall, the proposed use will serve the intended function of the existing Community Commercial designation as outlined in Section 4.3.7.1 of the Official Plan while providing for additional economic opportunity in a manner which respects the intended form and character of the Community Commercial Node through conformity with site-specific urban design guidelines;
- iii) The subject site is located on the periphery of the Community Commercial Node designation at Fanshawe Park Road East and Highbury Avenue and is physically disconnected from the remainder of lands in the designation by Panzer Drive. Given this unique physical context, the site provides a unique opportunity to host an automotive sales establishment without compromising the planned function of the Community Commercial Node as a place which serves the commercial needs of surrounding neighbourhoods, and ensuring the sales and display area associated with the proposed auto sales will not compromise the ability of the node to develop in a comprehensive fashion with shared internal connections as intended by Section 4.3.7.4 of the Official Plan;
- iv) The existing Associated Shopping Area Commercial (h●ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7) zoning on the subject lands allows for a range of automotive related uses including repair establishments, gas bars and car washes. The urban design features secured through the recommended holding provision ensure a built form and site design which is more conducive to creating a pedestrian-oriented character for future residential development to the north and west in comparison to what could be secured through the normal development process given the nature of uses permitted by the as-of-right zoning on the subject lands;
- v) A holding provision has been recommended which would require the applicants to enter into a development agreement with the City to ensure that design features which contribute to creating a unique sense of place and mitigate typical visual and functional impacts associated with automotive sales establishments and large sales and display areas are incorporated into the site development.

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BACKGROUND

Date Application Accepted: May 22, 2014	Agent: Zelinka Priamo Ltd.
REQUESTED ACTION:	
<p>Amend the Official Plan to ADD a “Special Policy” to Chapter 10 – Policies for Specific Areas – of the Official Plan to permit an Automotive Sales and Service Establishment in the “Community Commercial Node” designation on the subject lands.</p> <p>Change Zoning By-law Z.-1 FROM a Holding Associated Shopping Area Commercial (h•ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7) Zone which permits Animal hospitals; Convenience service establishments; Convenience stores; Dry cleaning and laundry plants; Duplicating shops; Financial institutions; Grocery stores; Restaurants; Retail stores; Personal service establishments; Pharmacies Printing establishments; Video rental establishments; Brewing on premises establishment; Repair and rental establishments; Service and repair establishments; Studios; Supermarkets; Clinics; Day care centres; Laboratories; Medical/dental offices; Offices, professional; Offices, service; Assembly halls; Funeral homes; Private clubs; Schools; Automobile repair garages; Automotive uses, restricted; Taxi establishments; Commercial recreation establishments; Taverns; and Cinemas, TO a Holding Associated Shopping Area Commercial Special Provision (h•h(_)•ASA1/ASA2/ASA3/ASA4/ASA5(_)/ASA6/ASA7) Zone which permits the above range of permitted uses and Automobile Sales and Service Establishments.</p>	

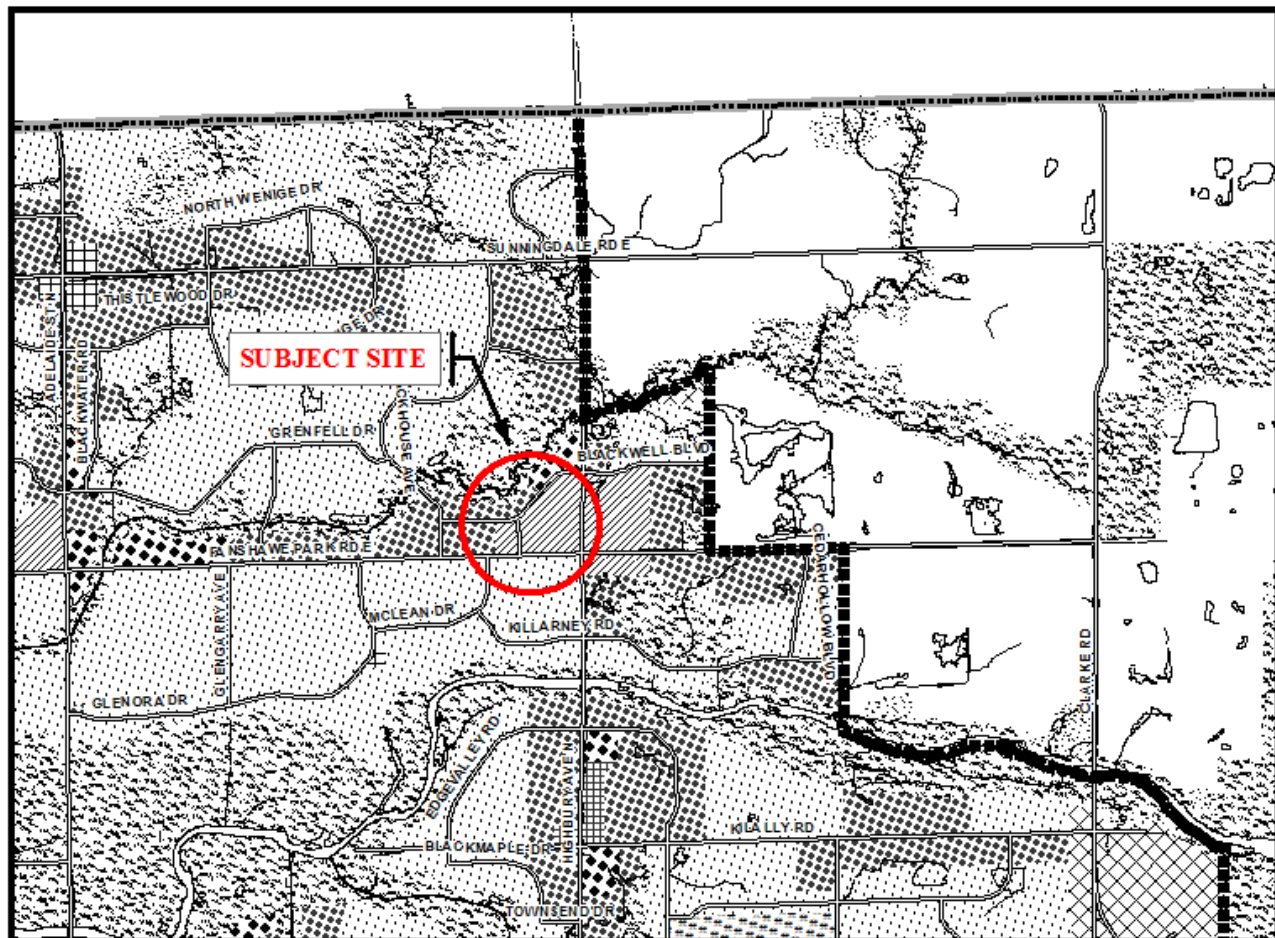
SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – Vacant • Frontage – 100 metres • Depth – 140 metres • Area – 1.42 hectares • Shape – Rectangular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - Vacant (Future Medium Density Residential) • South - Fanshawe Park Road & Residential Subdivision • East - Vacant (Future Commercial) • West - Church

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map on page 5)
<ul style="list-style-type: none"> • Community Commercial Node
EXISTING ZONING: (refer to Zoning Map on page 6)
<ul style="list-style-type: none"> • Holding Associated Shopping Area Commercial (h•ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7) Zone

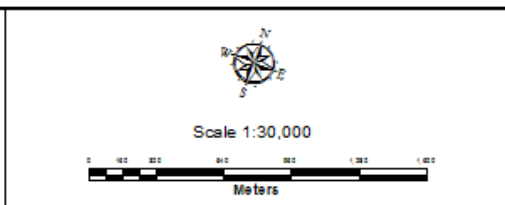
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Legend			
	Downtown		Office/Residential
	Wonderland Road Community Enterprise Corridor		Office Business Park
	Enclosed Regional Commercial Node		General Industrial
	New Format Regional Commercial Node		Light Industrial
	Community Commercial Node		Regional 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
			Urban Growth Boundary

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

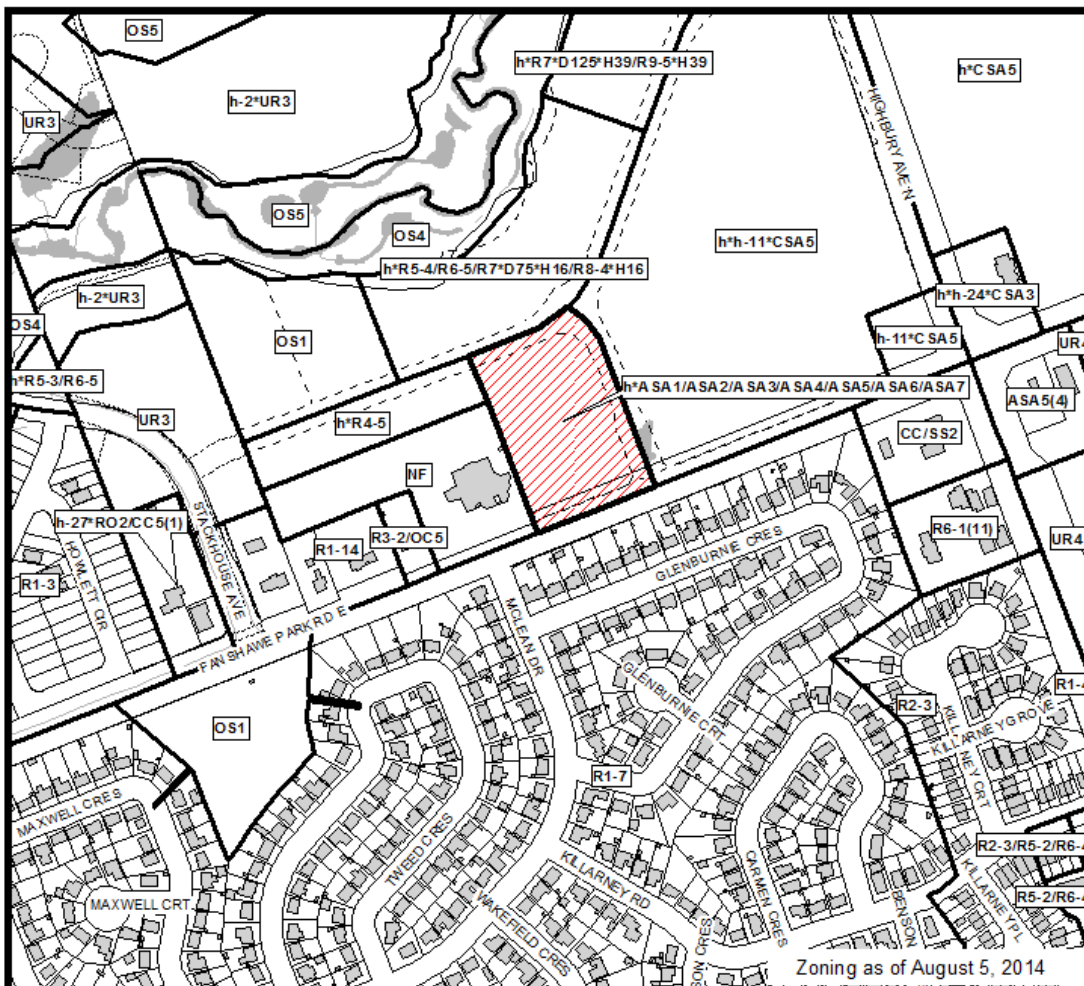


FILE NUMBER: OZ-8358
 PLANNER: MD
 TECHNICIAN: MB
 DATE: 2014/08/12

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid00\excerpts\mxd_templates\scheduleA_b&w_8x11_with_SWAP.mxd

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:
h*ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7

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

- | | |
|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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 |
|--|---|

<p>CITY OF LONDON PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES</p> <p>ZONING BY-LAW NO. Z-1</p> <p>SCHEDULE A</p> <p style="font-size: small;">THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS</p>		<p>FILE NO: OZ-8358 MD</p> <hr/> <p>MAP PREPARED: 2014/08/12 MB</p> <hr/> <p style="text-align: center;">1:5,000</p> <p style="text-align: center;">0 25 50 100 150 200 Meters</p>
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PLANNING HISTORY

The subject site forms part of a plan of subdivision (39T-04512) that originally received draft approval from the City of London in October of 2006. The draft approved plan of subdivision includes approximately 19 hectares of land northwest of the intersection of Fanshawe Park Road East and Highbury Avenue. Through the 2006 planning process, this draft plan of subdivision was rezoned to provide for 9 separate development blocks including 2 commercial blocks, 2 high density residential blocks, 2 medium density residential blocks, 1 stormwater management block, 1 park block and 1 open space block. A holding provision exists on the lands to ensure that a development agreement is executed to provide for appropriate servicing and satisfy other conditions of draft approval prior to development.

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

City of London:

Stormwater Management Unit:

No objection to the above noted rezoning application.

Urban Forestry:

Urban Forestry has no comments for this rezoning.

Wastewater and Drainage Engineering:

No Objection. An appropriate holding provision already exists on the subject lands.

Transportation Planning and Design:

Panzer Drive in Stoney Creek subdivision 39T-04512 must be constructed to provide access. Temporary access to Fanshawe will not be supported.

Urban Design Peer Review Panel:

The Panel offers the following observations and comments as part of the proposed project's official plan amendment and zoning bylaw amendment application:

- 1. Retain building south elevation to Fanshawe Park Road complete with main entrance portal as proposed in the May 2nd UD Brief;*
- 2. Extend hard surfaced plaza to Fanshawe Park Road East / Panzer Drive intersection as depicted on agent's August 20th, 2014 presentation;*
- 3. Retain south-west hard surfaced display area as proposed in the May 2nd UD Brief;*
- 4. Delete hard surfaced plaza at the south west corner of Blackwell Boulevard and Panzer drive should the City elect to implement the currently contemplated turning circle; and*
- 5. Screen the northerly edge of the parking area with landscaping in lieu of the currently proposed articulated masonry and board fence.*

London Hydro

No objection

Bell Canada

No objection

Upper Thames River Conservation Authority

No objection

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PUBLIC LIAISON:	On June 3, 2014, Notice of Application was sent to 89 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 June 5, 2014. A “Possible Land Use Change” sign was also posted on the site.	Seven (7) replies were received
<p>Nature of Liaison: The purpose and effect of the requested Official Plan and Zoning By-law amendments is to permit an automobile sales and service establishment on a portion of the subject lands along Fanshawe Park Road.</p> <p>Amend the Official Plan to ADD a “Special Policy” to Chapter 10 – Policies for Specific Areas – of the Official Plan to permit an Automotive Sales and Service Establishment in the “Community Commercial Node” designation on the subject lands.</p> <p>Change Zoning By-law Z.-1 FROM a Holding Associated Shopping Area Commercial (h•ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7) Zone which permits Animal hospitals; Convenience service establishments; Convenience stores; Dry cleaning and laundry plants; Duplicating shops; Financial institutions; Grocery stores; Restaurants; Retail stores; Personal service establishments; Pharmacies Printing establishments; Video rental establishments; Brewing on premises establishment; Repair and rental establishments; Service and repair establishments; Studios; Supermarkets; Clinics; Day care centres; Laboratories; Medical/dental offices; Offices, professional; Offices, service; Assembly halls; Funeral homes; Private clubs; Schools; Automobile repair garages; Automotive uses, restricted; Taxi establishments; Commercial recreation establishments; Taverns; and Cinemas, TO a Holding Associated Shopping Area Commercial Special Provision (h•h()•ASA1/ASA2/ASA3/ASA4/ASA5()/ASA6/ASA7) Zone which permits the above range of permitted uses and Automotive Sales and Service Establishments.</p>		
Responses:		
Support	Concern	
N/A	<ul style="list-style-type: none"> • Area is losing its residential amenity with the closure of the Northridge Library and School – this will add to negative situation. • Sets a bad precedent which opens the door for this area to become like Auto-mall along Wharnccliffe Road South. • Use will negatively affect adjacent Church. • Concerned about previous planning advice as to appropriateness of auto-mall in North London. • Automotive sales establishments should be located in an appropriately zoned auto-mall. • Concerns with noise and traffic from deliveries. • Concerns regarding large bright signage and after dusk lighting. 	

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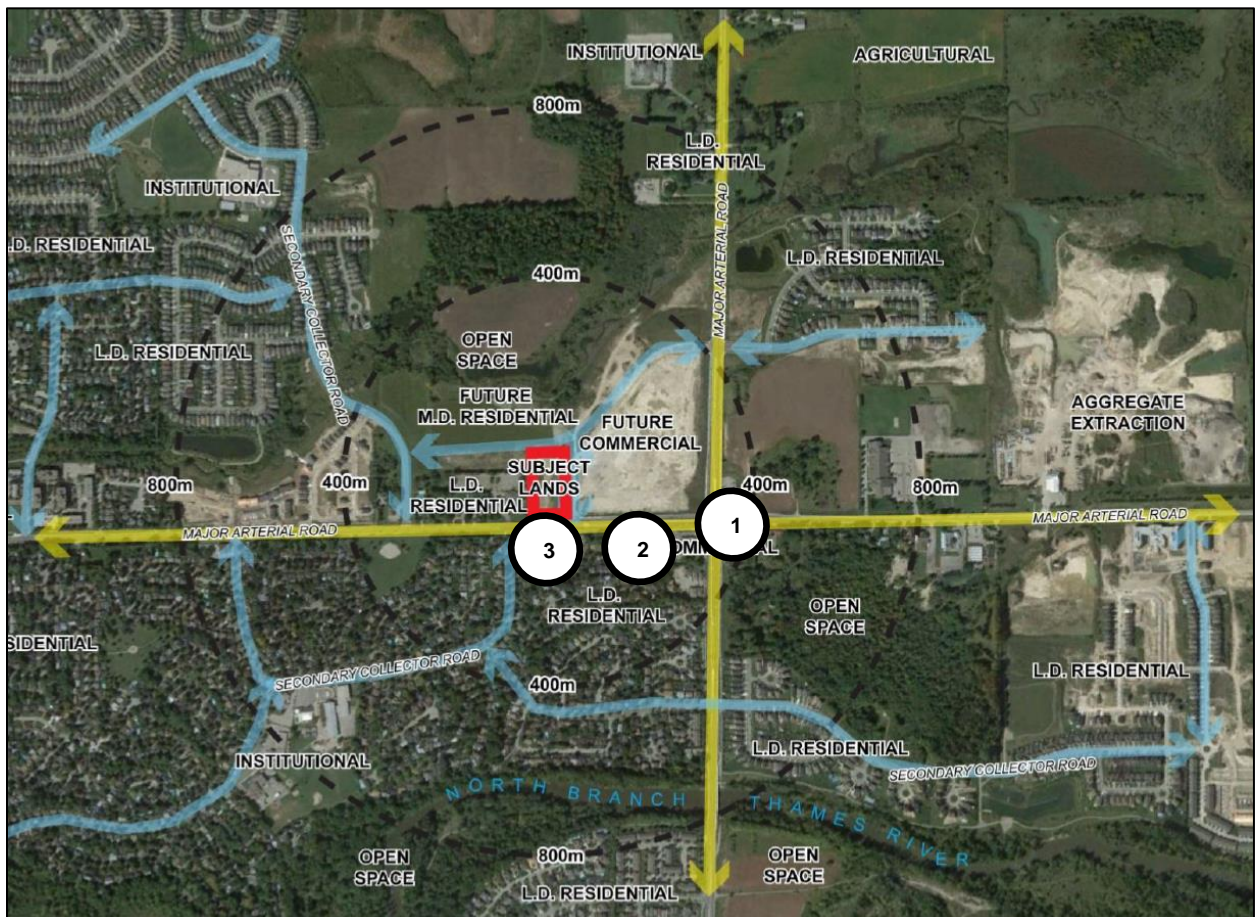
ANALYSIS

Site Description:

The subject site is located on the north side of Fanshawe Park Road East, approximately 300 metres west of the intersection of Fanshawe Park Road and Highbury Avenue and includes a portion of the property municipally known as 1300 Fanshawe Park Road East (see location map below). The site is located in the northeast quadrant of the City, in the Stoney Creek neighbourhood, at the edge of the existing built boundary of the City. In general, this portion of the City is suburban in nature with much of the lands to the north and east currently undeveloped.

The site itself is approximately 1.4 hectares in size, and includes approximately 100 metres of frontage along Fanshawe Park Road East. As noted previously, the site forms a block of a draft plan of subdivision (39T-04512) which was approved by the City in October of 2006. The undeveloped lands to the north are intended for future medium density residential development while undeveloped lands to the east are intended for community-scale commercial uses. The site is bounded by an existing church to the west and by Fanshawe Park Road to the south. A residential subdivision exists on the south side of Fanshawe Park Road, directly across from the site. The rear yards of homes in this subdivision back onto Fanshawe Park Road. These residential properties are separated from Fanshawe Park Road by a 3 metre tall noise wall.

Figure 1: Site Location (excerpt from Zelinka Priamo Ltd. Planning Report)



Note: Location of numbered icons corresponds to vantage point of street-level views below

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Street View: Looking west toward site at Fanshawe Park Road and Highbury Avenue



Street View: Looking west toward site at Fanshawe Park Road and Panzer Drive



Street View: Looking east toward intersection of Fanshawe Park Road and Highbury Ave from site



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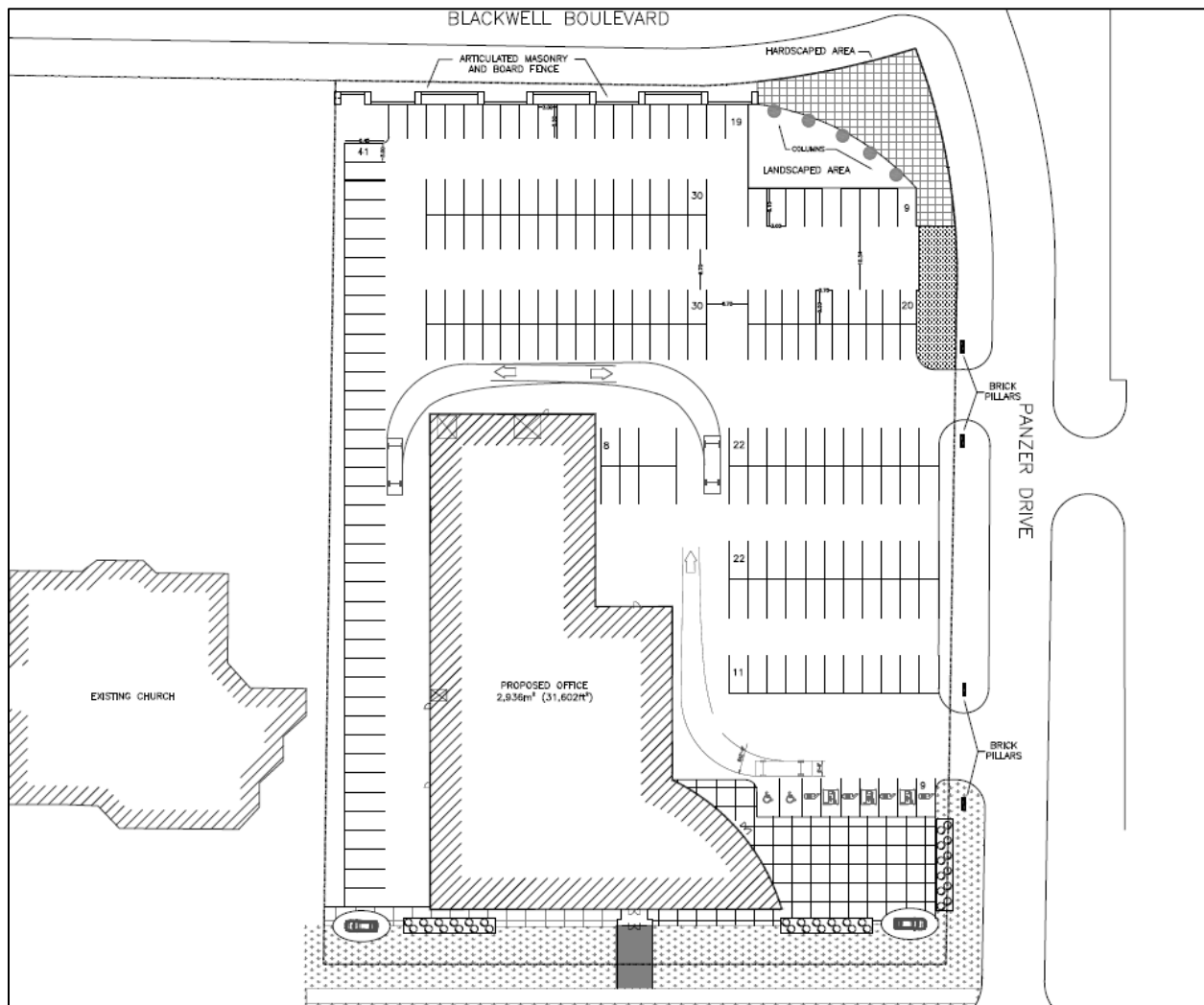
Nature of Application:

The purpose and intent of the application is to permit the establishment of an Automotive Sales and Service Establishment on the subject site. The proposed “Toyota Dealership” includes a 2,936m² building with space for sales areas, offices, and automotive service as well as outdoor space parking and display areas. The proposed development is generally reflected by the following conceptual site plan and elevation drawings (see Figures 2-4 below) which were submitted by the applicants in conjunction with the Official Plan and Zoning By-law amendment application.

In order to facilitate this request, the application proposes to amend the Official Plan by adding a “Special Policy” to Chapter 10 – Policies for Specific Areas – of the Official Plan to allow for an Automotive Sales and Service Establishment within the Community Commercial Node designation on the subject site, and to change the zoning of the subject site from a Holding Associated Shopping Area Commercial (h●ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7) Zone which permits a range of commercial uses, including automotive repair garages, in both stand-alone buildings and shopping centres with a holding provision to ensure necessary servicing is available prior to site development, to a Holding Associated Shopping Area Commercial Special Provision (h●ASA1/ASA2/ASA3/ASA4/ASA5(_)/ASA6/ASA7) Zone which permits automotive sales in addition to the range of existing permitted uses.

In addition to the foregoing, the recommended amendments include holding provisions which require that access is provided from Panzer Drive and that site-specific urban design guidelines are implemented. The site specific urban design guidelines and supplemental illustrations are attached as Schedule “1” to the amending by-law on pages 28-32 of this report.

Figure 2: Conceptual Site Plan



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Figure 3: Conceptual northwest elevation



Figure 4: Conceptual northeast elevation



Provincial Policy Statement, 2014:

The *Provincial Policy Statement, 2014 (PPS)* provides policy direction on matters of provincial interest related to land use planning and development outlined in Section 2 of the *Planning Act*. The objectives of the PPS pertain to three major policy areas including 1.0 – Building Strong and Healthy Communities, 2.0 – Wise Use and Management of Resources, and 3.0 – Protecting Public Health and Safety. Section 3 of the *Planning Act* requires that decisions of any authority affecting planning matters “shall be consistent” with the PPS. As it relates to this application, the PPS provides the following direction:

Section 1.1.1 of the PPS, 2014 provides that healthy, liveable and safe communities are sustained by: *accommodating an appropriate range and mix of residential, employment, institutional, recreation park and open space, and other uses to meet the long term needs.* The

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recommended amendments will allow for automobile sales in association with an automobile service establishment thereby increasing the mix and range of employment uses within the Community Commercial Node at Fanshawe and Highbury.

Section 1.3.1 of the PPS directs municipalities to promote economic development and competitiveness by: *b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.* The recommended amendments would provide an opportunity for an automobile sales and service establishment with unique design features that ensure that the proposed development will fit within the context of the existing and future surrounding development. By requiring unique design features which ensure the form of development is appropriate for its context, the City is providing a unique opportunity to diversify the local economic base in North London which strikes an appropriate balance with other Official Plan objectives related to land use compatibility and urban design.

Further, Section 1.7.1 of the PPS provides that long-term economic prosperity should be supported by: *encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character.* In this regard, the recommended amendments require the provision of unique urban design features and enhanced pedestrian amenities that will contribute to creating an attractive and comfortable pedestrian-oriented streetscape along Panzer Drive, Blackwell Road and Fanshawe Park Road. The unique design features will contribute to fostering a unique sense of place within the future subdivision and will ensure the creation of a pedestrian-oriented interface that will enhance the character of future development to the North.

City of London Official Plan:

The City’s Official Plan contains Council’s objectives and policies to guide the short-term and long-term physical development of the municipality. The policies promote orderly urban growth and compatibility among land uses. While objectives and policies in the Official Plan primarily relate to the physical development of the municipality, they also have regard for relevant social, economic and environmental matters.

As noted previously throughout this report, the subject site falls within the “Community Commercial Node” designation that encompasses a large portion of the lands surrounding the intersection of Fanshawe Park Road East and Highbury Avenue. The policies of the Community Commercial Node designation outline the intended function of the Community Commercial Node lands and provide direction for the types of land uses and built form which supports its intended function within the surrounding neighbourhood and the broader City of London.

Without limiting the applicability of additional policies of the Official Plan, the following sections of the Official Plan provide particularly relevant guidance with respect to Staff’s evaluation of the requested amendments:

Figure 5: Official Plan policies

Applicable Official Plan Policies	
4.	Commercial Land Use Designations
	4.3.7 Community Commercial Node
	4.3.7.1 Function
	4.3.7.2 Permitted Uses
	4.3.7.4 Form
	4.5 Planning Impact Analysis
10.	Policies for Specific Areas

The relevant policies, as generally outlined in Figure 5 above, have been applied and considered below. Staff’s evaluation of the proposal’s conformity with those policies generally

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follows each policy section.

4.3.7 Community Commercial Node

4.3.7.1 Function

Community Commercial Nodes are intended to provide for a wide range of goods and services which are needed on a regular basis. Community Commercial Nodes are smaller in size than Enclosed and New Format Regional Commercial Nodes and there is less emphasis on comparison shopping needs and more emphasis on community specialized services. A supermarket or food store should form an integral part of the node. Their trade areas are subsidiary to the trade areas of Enclosed and New Format Regional Commercial Nodes and primarily consist of the surrounding community which includes a number of neighbourhoods within convenient driving or walking distance.

4.3.7.2 Permitted Uses

*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 [emphasis added]**; service-oriented office uses such as real estate, insurance and travel agencies; community facilities, such as libraries or day care centres; professional and medical/dental offices; and commercial and private schools. Within Community Commercial Nodes, office uses and places of entertainment will be permitted in limited amounts. Zoning on individual sites or areas may be for less than the full range of permitted uses.*

The function and permitted uses policies contained in Section 4.3.7 of the City’s Official Plan, and outlined above, aim to achieve two primary objectives: a) provide for and reserve sufficient opportunities for land uses which serve a community-based commercial purpose to ensure that the surrounding residential community has close access to these key commercial services and minimize the need for automobile trips, and, b) restrict commercial land uses that, for reason of their function or form, present potential for negative impacts to the surrounding residential community and road network.

Although the auto sales component of the proposed auto sales and service establishment is not expressly permitted by the policies of the Community Commercial Node designation, overall the proposed development is consistent with the spirit and intent of the above policies as follows:

- The automobile repair establishment component of the proposed operation would serve a community based purpose and community market area and is currently permitted as-of-right as per the existing zoning;
- The automotive sales component of the proposed operation would be permitted in association with the repair establishment and would provide additional economic opportunities in a manner which respects the intended form and character of the Community Commercial Node;
- The nature of auto sales has evolved with the growing prevalence of online comparison shopping to the point where customers are not anticipated to drive to multiple locations to browse but rather visit a singular dealer with the preferred product already in mind. As such, the introduction of the auto sales establishment, which typically serves a broader market area, will not impact the local road network;
- The subject site is located on the periphery, and is physically disconnected, from the majority of the Community Commercial Node to the east by Panzer Drive. The physical disconnection will ensure that the proposed use does not impede opportunities for comprehensive development and internal connections within the Community Commercial Node as envisioned by Section 4.3.7 of the Official Plan;

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- Sufficient land remains within the core area of the Community Commercial Node designation to ensure that sufficient opportunities for community commercial uses are available within close proximity to surrounding residential communities. (i.e. this proposal will not deprive the surrounding neighbourhoods of the types of commercial amenities they expect to see develop);
- Historical audible impacts associated with auto sales dealerships including loudspeakers, and open service bays are mitigated by personal communication technology and climate controlled service bays;
- The proposed use is anticipated to produce less traffic than some currently permitted uses including: restaurants, convenience stores, retail stores, gas stations, taxi establishments, and car washes.

4.3.7.4 Form

Community Commercial Nodes can have either an enclosed shopping centre or a strip plaza focus with either a supermarket or food store as an integral part of the centre. Free-standing structures along the street frontage should be developed to improve the design of the street edge, provide access to transit stops and reduce the visual impact of large open parking lots. A well defined streetscape and landscaping features are encouraged which should be integrated into the surrounding residential community and promote safe pedestrian access from surrounding streets.

The proposed automobile sales and service establishment includes a single stand-alone building oriented toward the Fanshawe Park Road frontage. The proposed use will provide an attractive and substantive built edge along the arterial road providing interest and animation to the streetscape and serving to minimize the visual impact of parking and car storage areas from the key location in the public realm. The building will also be oriented as close to Panzer Drive (a future neighbourhood connector street) as is feasibly possible to maintain a functional automobile sales and service establishment while reducing the surface parking area located between the building and the public street and add further comfort to pedestrian realm.

The proposed sales establishment includes a smaller outdoor sales and display area than has traditionally been developed for auto sales establishments in the City of London. Further, the site-specific urban design guidelines require that the owner construct outdoor sales and display areas to appear as parking areas with landscaped islands and bump-outs in accordance with site plan standards for parking areas. The additional landscaping and reduced storage area will ensure that the form remains consistent with what is anticipated for development within the Community Commercial Node designation.

Through the site-specific urban design guidelines, additional landscaping and architectural details have been included along the northern and eastern property boundaries which will enhance the visual quality of the development from the public realm to a greater degree than what could be achieved through a range of uses permitted by the as-of-right zoning permissions on the subject lands. Overall, the proposed site plan provides a use which is less intensive and more aesthetically pleasing than a range of permitted uses within the existing zoning.

4.5 Planning Impact Analysis

The Planning Impact analysis policies outlined in Section 4.5 of the City Official Plan are to be used to evaluate applications for Official Plan and Zoning By-law amendments, to determine the appropriateness of a proposed change in land use, and to identify ways of reducing any adverse impacts on surrounding land uses. Planning Impact Analysis is intended to document and highlight the criteria reviewed by municipal staff through the application review process to assess an application for change. The relevant criteria of Section 4.5 are to be applied and considered. The following criteria were reviewed and considered through the review of the

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application for an Automobile Sales and Service Establishment at 1300 Fanshawe Park Road East:

i) The policies contained in the Section relating to the requested designation;

The subject lands are designated Community Commercial Node on Schedule 'A' – Land Use – of the City's Official Plan. The application does not request a re-designation of these lands but rather the addition of a special policy to permit an Automobile Sales and Service establishment on a site-specific basis. A detailed analysis of the proposal's conformity with the Community Commercial Node policies of Section 4.3.7 of the Official Plan has been provided above. In summary:

- The automobile service function of the proposed use is permitted within the Community Commercial Node designation and is permitted by the as-of-right zoning on the subject lands. In fact, the subject site is pre-zoned for a range of automotive related uses including automotive repair garages, gas bars and car washes.
- Given the physical separation of the subject site from the remainder of the Commercial Node to the east and the presence of sufficient land within the broader node, it is not anticipated that the addition of automobile sales on this site would compromise the planned function of the overall Community Commercial Node to provide day-to-day services to surrounding neighbourhoods or develop in a comprehensive fashion with shared internal connections between developments.
- The recommended site-specific Urban Design Guidelines will ensure that the ultimate form of development contributes to the creation of the pedestrian-oriented character where the site abuts the public realm and provides a more positive interface with the future residential area to the north than what could be secured through the normal development process, given the range of automotive-type uses already permitted by the existing zoning.
- The addition of the auto sales component is not anticipated to generate additional traffic beyond what could be realized through the range of permitted uses already allowed through existing zoning permissions. Generally, the automobile repair garage will serve a community commercial purpose consistent with the intent for permitted uses in the Community Commercial Node designation. The additional auto sales component will serve to complement the function of the broader commercial node and provide additional economic opportunity while enhancing the pedestrian oriented character of Panzer Drive and Blackwell Boulevard and not compromising the planned function of the Community Commercial Node.

ii) Compatibility of proposed uses with surrounding uses, and the likely impact of the proposed development on present and future land uses in the area;

The proposed automobile sales and service establishment building is of a low-rise built form and is oriented toward the Fanshawe Park Road frontage. The height and scale of the proposed building is compatible with the low-rise character of surrounding development and future land uses. The proposed building provides a substantive built edge along Fanshawe Park Road with a high level of architectural detail and transparent glazing that will enhance the quality of the pedestrian realm along Fanshawe Park Road. The recommended site-specific urban design guidelines require unique design treatments to screen parking and display areas from surrounding development and provide an attractive, inviting interface with the pedestrian realm and future development along Blackwell Boulevard and Panzer Drive. It is not anticipated that the proposed sales establishment would generate any additional traffic beyond what would be expected through the range of permitted uses contemplated by the existing zoning permissions. Further, the site is physically separated by Fanshawe Park Road and a noise wall from existing residential uses to the south.

iii) The size and shape of the parcel of land on which a proposal is to be located, and

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the ability of the site to accommodate the intensity of the proposed uses;

The subject site meets the lot area requirements of the ASA Zone, and is sufficient in size to accommodate the proposed building, required parking and a surplus of opportunities for landscaped open space.

- iv) *The supply of vacant land or vacant buildings in the area which is designated and/or zoned for the proposed uses;*

There are limited areas within North London designated and/or zoned for Automobile Sales and Service Establishments. Such uses are typically located within the “Auto Oriented Commercial Corridor” designation and form part of broader areas zoned for auto uses wherein similar uses are clustered to support their desire of proximity to competitors and ease with comparison shopping. The request to permit an automobile sales and service establishment on a site-specific and isolated basis, in tandem with uses that serve a community service purpose, is unique.

- v) *The potential traffic generated by the proposed change, considering the most intense land uses that could be permitted by such a change, and the likely impact of this additional traffic on City streets, pedestrian and other vehicle safety and on surrounding properties;*

The existing range of permitted uses in the as-of-right zoning provides for a wide range of retail and commercial uses offering common day-to-day goods and services which have the potential to generate significantly greater volumes of traffic than would be anticipated through an automobile sales establishment. It is anticipated that the automobile repair function of the proposed development, which in itself is currently permitted by the existing zoning, will be responsible for the majority of visits to the site.

- ix) *The exterior design in terms of bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area and its conformity with the City’s commercial urban design guidelines;*

The recommended amendments will ensure the ultimate built form is consistent with the City’s commercial urban design guidelines. Unique site design and landscaping features will provide an attractive interface with future residential uses and the pedestrian realm. The recommended amendments will provide greater assurances that the ultimate form of development is a good fit with the character of the area than could be secured through the normal development process for many of the existing permitted uses.

- xiv) *measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;*

The applicants have agreed to a number of unique design features which will effectively mitigate the visual impacts associated with the required sales and display/storage area for new automobiles. In this regard, site-specific urban design guidelines have been prepared and incorporated into the recommended amendments as a holding provision to ensure the ultimate development of the site occurs in accordance with the site-specific guidelines.

10.0 Policies for Specific Area

The purpose of Chapter 10 (Policies for Specific Area) of the Official Plan is to permit specific uses that would otherwise not be permitted by the more general land use policies of the Official Plan. The policy states that:

Notwithstanding the other land use policies contained in...this Plan, policies for Specific Areas may be applied where the application of existing policies would not accurately reflect the intent

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of Council with respect to the future use of the land. [Emphasis added]

The Policies for Specific Areas provide criteria which are to be used to evaluate the appropriateness of the request for a special policy. The adoption of Policies for Specific Areas may be considered where one or more of four specified conditions apply. As it relates to the application from 1849259 Ontario Inc., the following condition(s) applies:

- *The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.*

In this regard, the proposed change in land use is site-specific. Given the residential nature of surrounding future development, and its proximity to the intersection of Highbury Avenue and Fanshawe Park Road, it is recognized that the existing Community Commercial Node designation is appropriate to guide the future development of these lands. The policy evaluation outlined above, including Staff’s planning impact analysis, demonstrates the suitability of the site to accommodate the automobile sales and service use. In view of the foregoing, it is appropriate to permit the automobile sales and service establishment on a site-specific basis while maintaining the existing land use designation.

- *The policy is required to restrict the range of permitted uses, or to restrict the scale and density of development normally allowed in a particular designation, in order to protect other uses in an area from negative impacts associated with excessive noise, traffic, loss of privacy or servicing constraints.*

By considering the proposed use through the application of a “Special Policy”, as opposed to a re-designation, it limits the potential for additional land uses which have not been thoroughly evaluated through this application and could result in negative impacts to the surrounding future residential development or compromise the planned function of the broader Community Commercial Node.

Zoning By-law Z.-1:

The subject property is currently zoned Holding Associated Shopping Area Commercial (h●ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7) which permits a range of retail, personal service, community facility, automotive and office uses. The existing holding provision ensures that no development can occur until an agreement is entered into with the City to provide for appropriate servicing and satisfy other conditions of draft approval for the previously approved subdivision (39T-04512).

Section 24.1 of Zoning By-law No. Z.-1 – General Purpose of the ASA Zone – describes the rationale behind the ASA zone variations. This section states that the ASA Zone, “is normally intended to implement the Auto-Oriented Commercial Corridor designation in Section 4.4.2 and the New Format Regional Commercial Node designation in Section 4.3.5, the Community Commercial Node designation in Section 4.3.7 and the Neighbourhood Commercial Node designation in Section 4.3.8 of the Official Plan depending on the scale and location of the use. The ASA1 to ASA7 Zone variations are intended to implement the Auto-Oriented Commercial Corridor designation and the ASA8 Zone variation the New Format Regional Commercial Node designation. The variations generally group uses in the ASA1 (retail/convenience/personal service), ASA2 (retail/semi light industrial), ASA3 (offices), ASA4 (community facilities), ASA5 (automotive), ASA6 (large traffic generating uses), ASA7 (theaters) and ASA8 (large format retail) Zone variations. The ASA Zone provides for and regulates a wide range of retail, personal service, community facility, automotive and office uses. Uses permitted in the ASA Zone are differentiated through the use of zone variations on the basis of their function, intensity, customer draw, proximity to residential uses and potential impacts”.

The recommended Zoning By-law amendment includes the addition of a special provision to the existing ASA5 zone variation to permit an automobile sales and service establishment and the

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addition of holding provisions to ensure that appropriate access arrangements and site-specific urban design guidelines are implemented. The ASA5 Zone variations permits and regulates the establishment of automotive uses, which are similar in form and function to the proposed development. As such, the ASA5 Zone variation provides the most appropriate development regulations in order to guide the development of an Automobile Sales and Service Establishment within this Community Commercial Node.

CONCLUSION

The recommended Official Plan and Zoning By-law amendments have been supported by the foregoing planning analysis. The recommended amendments have been evaluated in the context of the applicable land use policy and are consistent with the policies of the *Provincial Policy Statement, 2014*, which promote healthy, liveable and safe communities by accommodating an appropriate range and mix of land uses within the municipality. The recommended amendments will provide for additional economic opportunity to diversify the local economic base in North London while striking an appropriate balance with other Official Plan objectives related to land use compatibility and urban design. The unique physical characteristics of the subject site will ensure that the integrity of the planned function of the Community Commercial Node designation is preserved and that it does not impact the ability of the node to develop in a comprehensive fashion with shared internal connections. The recommended site-specific urban design guidelines provide an opportunity to accommodate an automobile sales and service establishment in North London in a manner which preserves and enhances the visual quality of the public realm and minimizes potential impacts on the adjacent road network and surrounding properties. Unique design attributes will be incorporated into the proposed site plan which results in a form of development that is different from the traditional automobile dealership and consistent with a landscape one would experience within a more pedestrian oriented community commercial node. This design, as will be secured through the recommended holding provision, is an improvement upon what could be anticipated through the normal development process given the range of uses permitted through the as-of-right zoning permissions on the subject site. Given the foregoing, the recommended amendment represents sound land use planning.

PREPARED BY:	SUBMITTED BY:
MIKE DAVIS, B.U.R.PI. PLANNER II, CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

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Responses to Public Liaison Letter and Publication in “The Londoner”

**Copies of all written correspondence are available for review upon request citing file OZ-8358.*

<u>Telephone</u>	<u>Written</u>
N/A	Brian Semkowski 140 Ann Street
	Ken McMaster c/o McMaster Chevrolet 1350 Driver Lane
	Chris Leavens 2360 Automall Avenue
	Torin Chiles and Lesley Banks 107 Glenburnie Cres.
	Chris Daoust and Keri Lucier 145 Glenburnie Cres.
	Jessie Amery 87 Tweed Cres.
	Glyn Davies N/A

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Bibliography of Information and Materials
OZ-8358

Request for Approval:

City of London Official Plan and Zoning By-law Amendment Application Form, completed by Zelinka Priamo Ltd., May 2, 2014.

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*, 2014.

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

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

Zelinka Priamo Ltd. *Concept Plan*, January 2014.

Zelinka Priamo Ltd. *Planning Justification Report*, May 2, 2014.

Zelinka Priamo Ltd. *Urban Design Brief*, May 2, 2014.

Correspondence: (all located in City of London File No. OZ-8358 unless otherwise stated)

City of London -

Ries S., Urban Design Peer Review Panel. Memo to M. Davis. September 9, 2014.

Moore R., City of London Wastewater and Drainage Engineering. E-mail to M. Davis. June 13, 2014.

Couvillon A., City of London Transportation Planning and Design. E-mail to M. Davis. July 2, 2014.

Departments and Agencies -

Creighton C., UTRCA. Letter to M. Davis. June 18, 2014.

Other:

Site visit August 13, 2014 and photographs of the same date.

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Appendix "A"

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

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to 1300 Fanshawe Park Road East.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on September 30, 2014.

J. Baechler
Mayor

Catharine Saunders
City Clerk

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**OZ-8358
Mike Davis**

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy in Section 10 – Policies for Specific Areas – of the Official Plan for the City of London to permit an Automobile Sales and Service Establishment within the Community Commercial Node on the subject lands. The amendment is also intended to provide a special policy which allows the City to prepare detailed urban design guidelines to guide the future development of the site relating to this use.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1300 Fanshawe Park Road East in the City of London.

C. BASIS OF THE AMENDMENT

This amendment will provide for additional economic opportunity which takes into account the needs of business by providing a unique opportunity for an automobile sales and service establishment in North London while striking an appropriate balance with other Official Plan objectives related to land use compatibility and urban design.

D. THE AMENDMENT

Section 10 – Policies for Specific Areas – of the Official Plan for the City of London is hereby amended by adding the following:

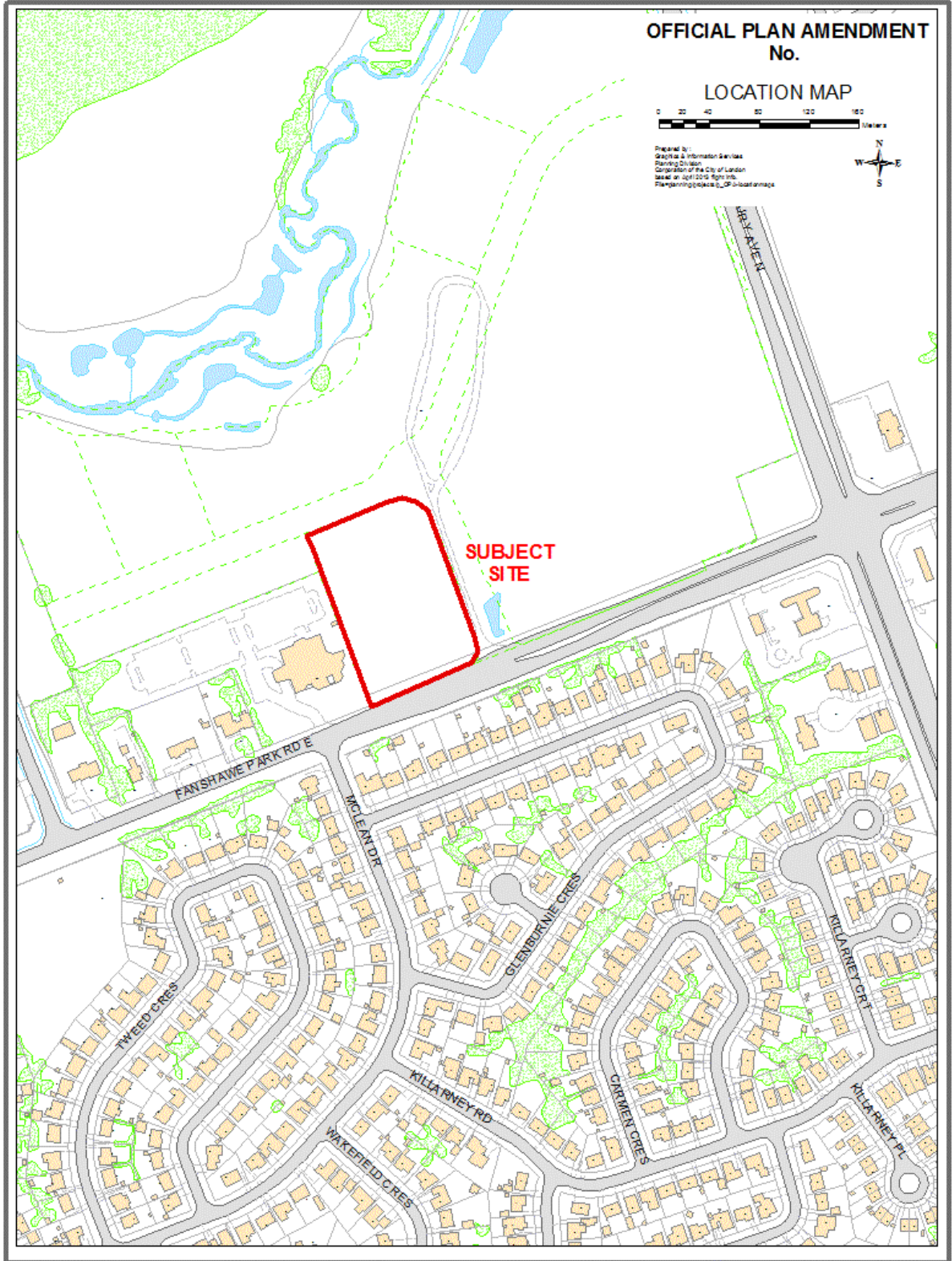
10.1.3 Specific Areas:

1300 Fanshawe Park Road East

- _) In the Community Commercial Node designation at 1300 Fanshawe Park Road East, in addition to the uses permitted in the Community Commercial Node designation, an Automobile Sales and Service Establishment may also be permitted. The development of an automobile sales and service establishment shall only occur in accordance with the site-specific urban design guidelines specified in the Zoning By-law.

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Appendix "B"

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 1300 Fanshawe Park Road East.

WHEREAS 1849259 Ontario Inc. has applied to rezone an area of land located at 1300 Fanshawe Park Road East, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform 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 1300 Fanshawe Park Road East, as shown on the attached map comprising part of Key Map No. A103, from a Holding Associated Shopping Area Commercial (h●ASA1/ASA2/ASA3/ASA4/ASA5/ASA6/ASA7) Zone to a Holding Associated Shopping Area Commercial Special Provision (h●h-11●h(●)●ASA1/ASA2/ASA3/ASA4/ASA5(●)/ASA6/ASA7) Zone.
- 2) Section Number 24.4 of the Associated Shopping Area Commercial (ASA5) Zone is amended by adding the following Special Provision:
 -) ASA5(●) 1300 Fanshawe Park Road East
 - a) Additional Permitted Use:
 - i) Automobile Sales and Service Establishment
- 3) Section Number 3.8 of the Holding "h" Zones to By-law No. Z.-1 is amended by adding the following new holding provision:
 -) h(●) Purpose: The removal of the h(●) shall not occur until such time as the as the owner has entered into a development agreement with the City of London to ensure that development of the site occurs generally in accordance with the Urban Design Guidelines and Illustrations attached as Schedule "1" to the amending by-law and to ensure the long-term maintenance of on-site architectural and landscaping features which are visible from the public realm.

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 September 30, 2014.

Agenda Item # Page #

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J. Baechler
Mayor

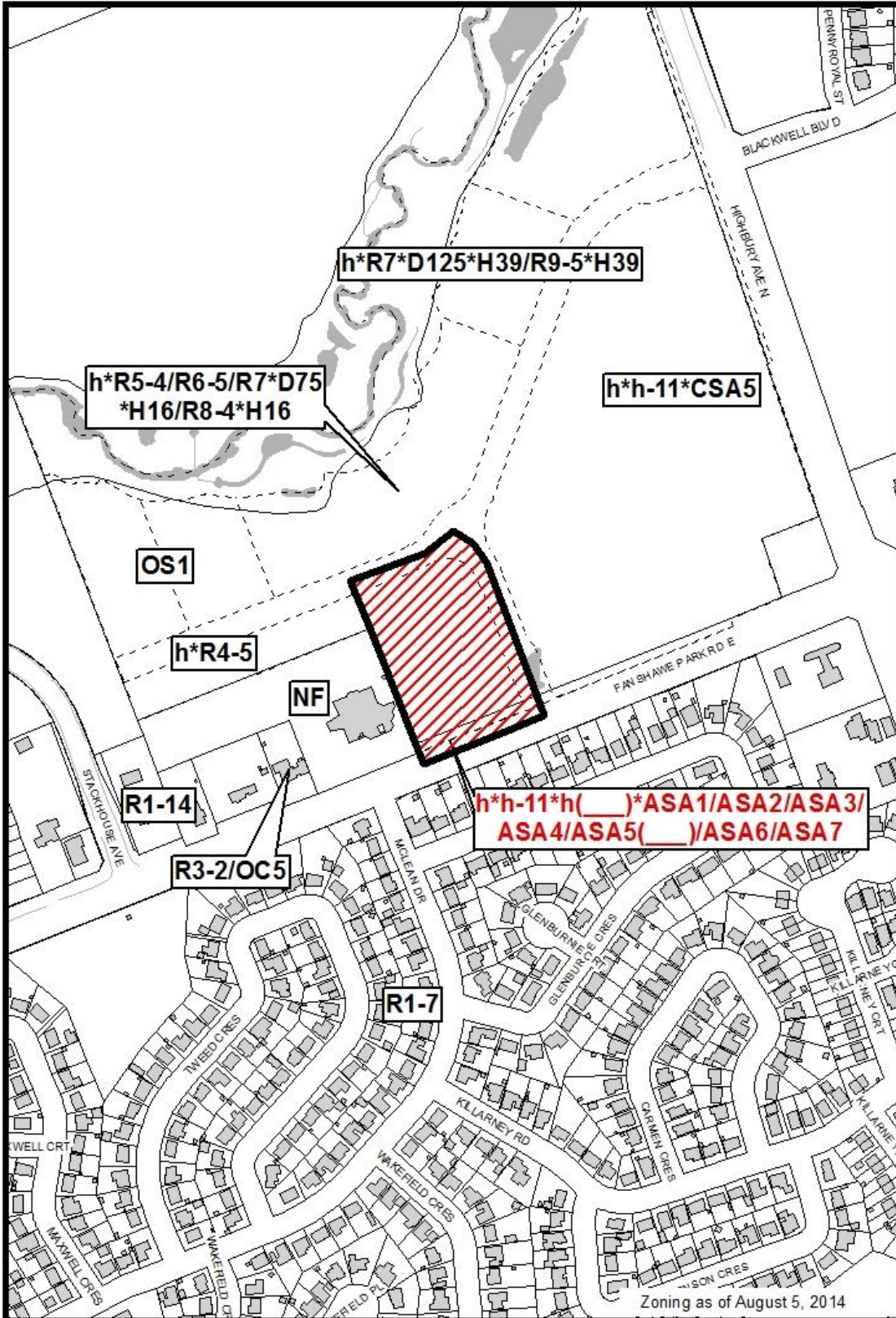
Catharine Saunders
City Clerk

First Reading – September 30, 2014
Second Reading – September 30, 2014
Third Reading – September 30, 2014

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



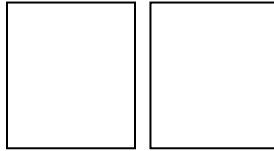
File Number: OZ-8358
 Planner: MD
 Date Prepared: 2014/08/12
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE 

1:4,000

0 20 40 80 120 160 Meters





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Schedule “1”

1300 Fanshawe Park Road - Urban Design Guidelines:

The following guidelines have been prepared in order to guide the future development of an Automobile Sales and Service Establishment on the lands located at the northwest corner of Fanshawe Park Road East and Panzer Drive. In general, the guidelines are intended to provide for a pedestrian-oriented interface with the public realm which is sensitive and complementary to future residential uses surrounding the site. The attached illustrations have been prepared in order to aid with the interpretation and implementation of the following guidelines:

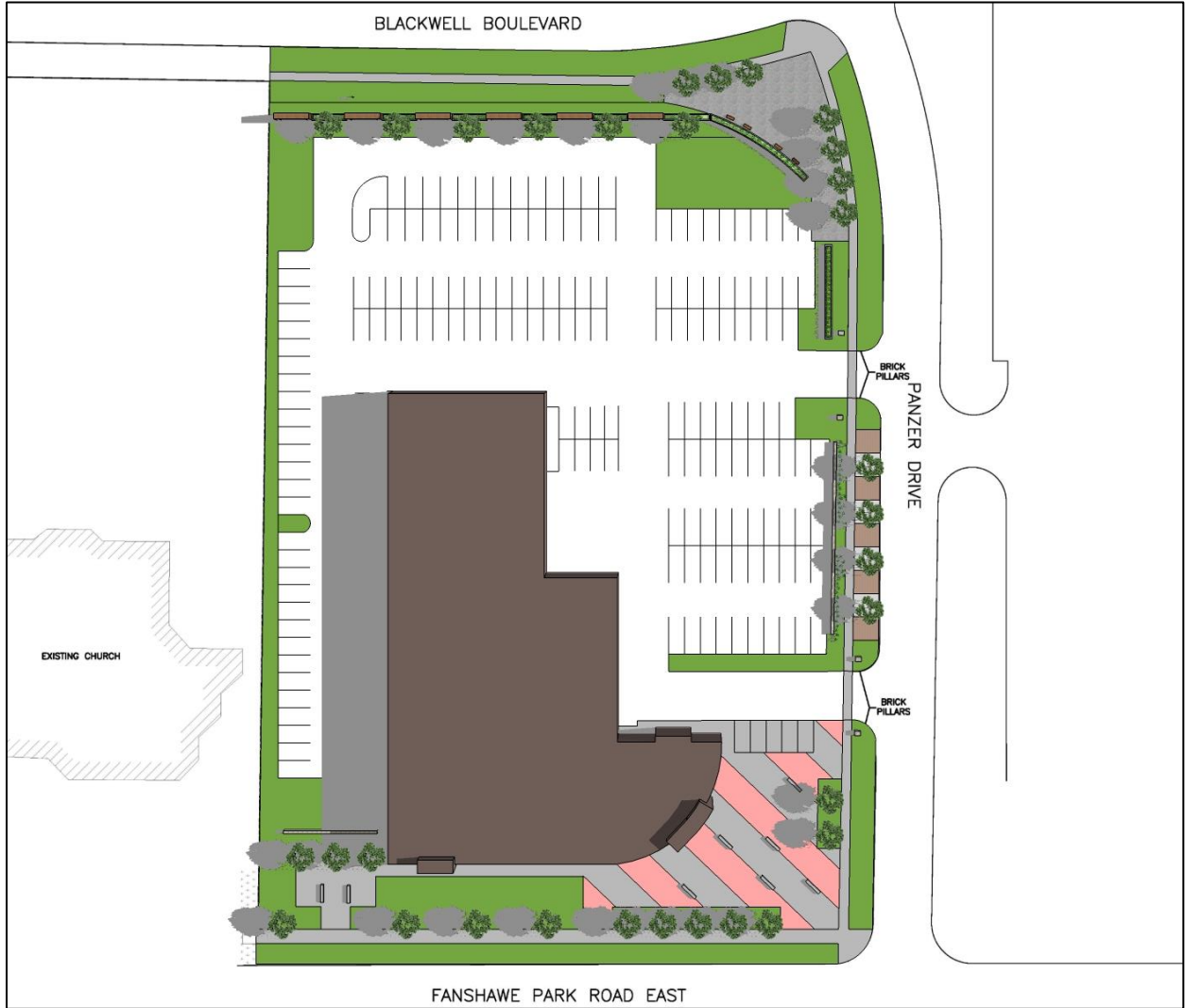
- a) The proposed outdoor display and sales area shall be designed as a parking area with planters located at the end of each aisle, and no more than 15 parking spaces permitted in a row without an interrupting minimum 3m width planting area in order to break up the visual appearance and mass of the required outdoor sales and display area.
- b) The Site Plan shall include a pedestrian cut-through/open space area at the corner of Panzer Drive and Blackwell Boulevard, with a combination of landscaped and hardscape (interlocking stone, stamped concrete, etc.) surface as generally shown on the attached illustrations.
- c) Ensure the rounded portion of the building located at the southeast corner of the building is oriented toward the intersection of Fanshawe Park Road and Panzer Drive.
- d) The northern property line shall be screened from Blackwell Boulevard with a combination of low landscaped planters, trees and architectural archways. The archways shall be designed to mimic the scale and separation of single storey residential dwellings. Such archways shall be constructed of high-quality masonry materials, with trees of a minimum 50 mm DBH located between each archway. The interior of the architectural archways shall include a contemporary screening design which incorporates a mix of high quality materials with a variation in colour to provide a modern urban street edge. The screening design within each archway shall be semi-transparent to allow for views into and out of the sales and display area and to ensure that the mass of the screening element doesn't dominate the pedestrian experience along Blackwell Boulevard.
- e) Provide a low masonry landscaped wall and landscaping generally in accordance with the attached drawings along the Panzer Drive frontage and any areas along Fanshawe Park Road East not comprised of building frontage.
- f) Include a hard surfaced plaza at the southeast corner of the site which extends from the building entrance to the intersecting public sidewalks. This plaza is intended to be used as a semi-public space designed to include street furniture with the possibility of displaying vehicles.
- g) Vehicular access to the site shall only be permitted via Panzer Drive.

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Schedule "1"

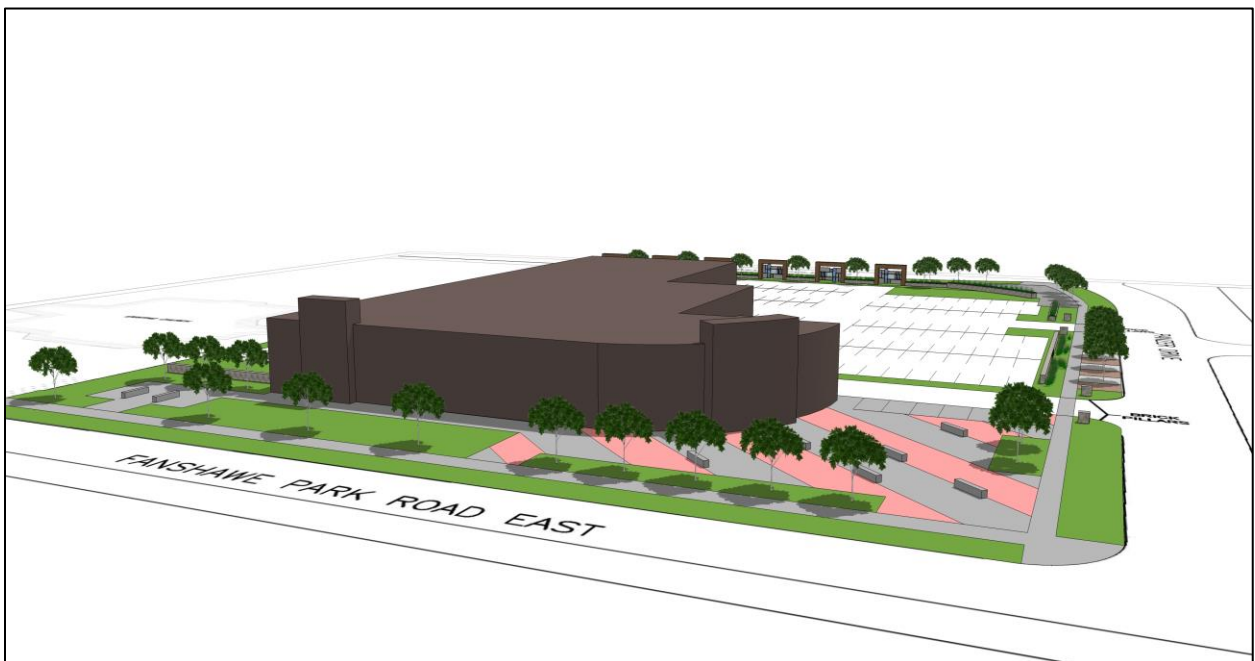
1300 Fanshawe Park Road East – Urban Design Concepts:



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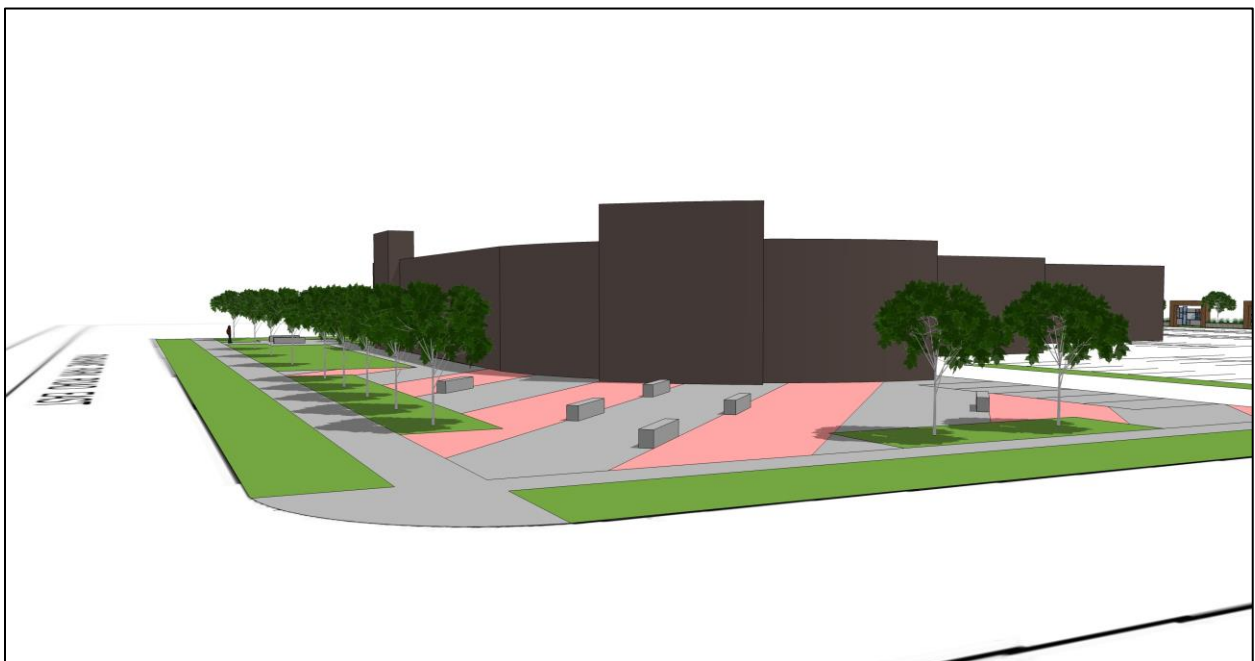
Schedule "1"



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Schedule "1"



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Schedule "1"

