

--	--

File: Z-8396
Planner: N. Musicco

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: CONNORCO INC. 1470 DUNDAS STREET PUBLIC PARTICIPATION MEETING ON NOVEMBER 4, 2014

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Connorco Inc. relating to the property located at 1470 Dundas Street the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 11, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** an Associated Shopping Area/Restricted Service Commercial (ASA5/RSC6) Zone **TO** an Associated Shopping Area/Restricted Service Commercial Special Provision (ASA1/ASA2/ASA5/RSC5()RSC6)) Zone.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the requested Zoning By-law amendment is to allow for an expanded range of commercial uses within the existing building.

RATIONALE

- The recommended amendments are consistent with the polices of the Provincial Policy Statement (2014).
- The recommended amendments are consistent with the Special Commercial policies for the Dundas Street Corridor.
- The subject lands are located along an arterial road where high traffic volumes are present and where services to the traveling public can be concentrated and supported.
- The subject lands are of a size and shape to accommodate the proposal.
- The recommended amendment allows for an expanded use of an existing building.

BACKGROUND

Date Application Accepted: July 29, 2014	Agent: Connorco Inc. (Agent: Rocky Cerminara)
-------------------------------------------------	------------------------------------------------------

--	--

REQUESTED ACTION: Possible amendment to Zoning By-law Z-1 to change the current Z.1 Zoning By-law **FROM** an Associated Shopping Area/Restricted Service Commercial (ASA5/RSC6) Zone which permits uses such as: automotive sales and services, repair garage, automotive uses restricted, restaurants and taxi establishments **TO** an Associated Shopping Area/Restricted Service Commercial Special Provision (ASA1/ASA2/ASA5/RSC5()RSC6)) Zone which would permit uses such as: Retail stores, studios, supermarkets, video rental establishments, brewing on premise, bakeries, building supply outlets, bulk sales, garden stores, service trades, support offices, printing establishments, warehouse establishments, self-storage, with a minimum landscape open space of 8%.

- SITE CHARACTERISTICS:**
- **Current Land Use** – Vacant car dealership
 - **Frontage** – 148.04 m.
 - **Area** – 8093.7 m2
 - **Shape** - Irregular

- SURROUNDING LAND USES:**
- **North** - Regional Facility Zone and CN Railway
 - **South** - Commercial and Regional Facility uses.
 - **East** - Commercial Shopping Area
 - **West** - Commercial Recreation and Regional Facility

OFFICIAL PLAN DESIGNATION

Specific Auto-Oriented Commercial Corridor policies (Dundas Street Corridor).

EXISTING ZONING

Associated Shopping Area (ASA5) / Restricted Service Commercial (RSC6)

SIGNIFICANT DEPARTMENT / AGENCY COMMENTS

PUBLIC LIAISON:	On July 30, 2014 Notice of Application was sent to 29 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 July 30, 2014. A “Possible Land Use Change” sign was also posted on the site.	1 replies was received
------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------

--	--

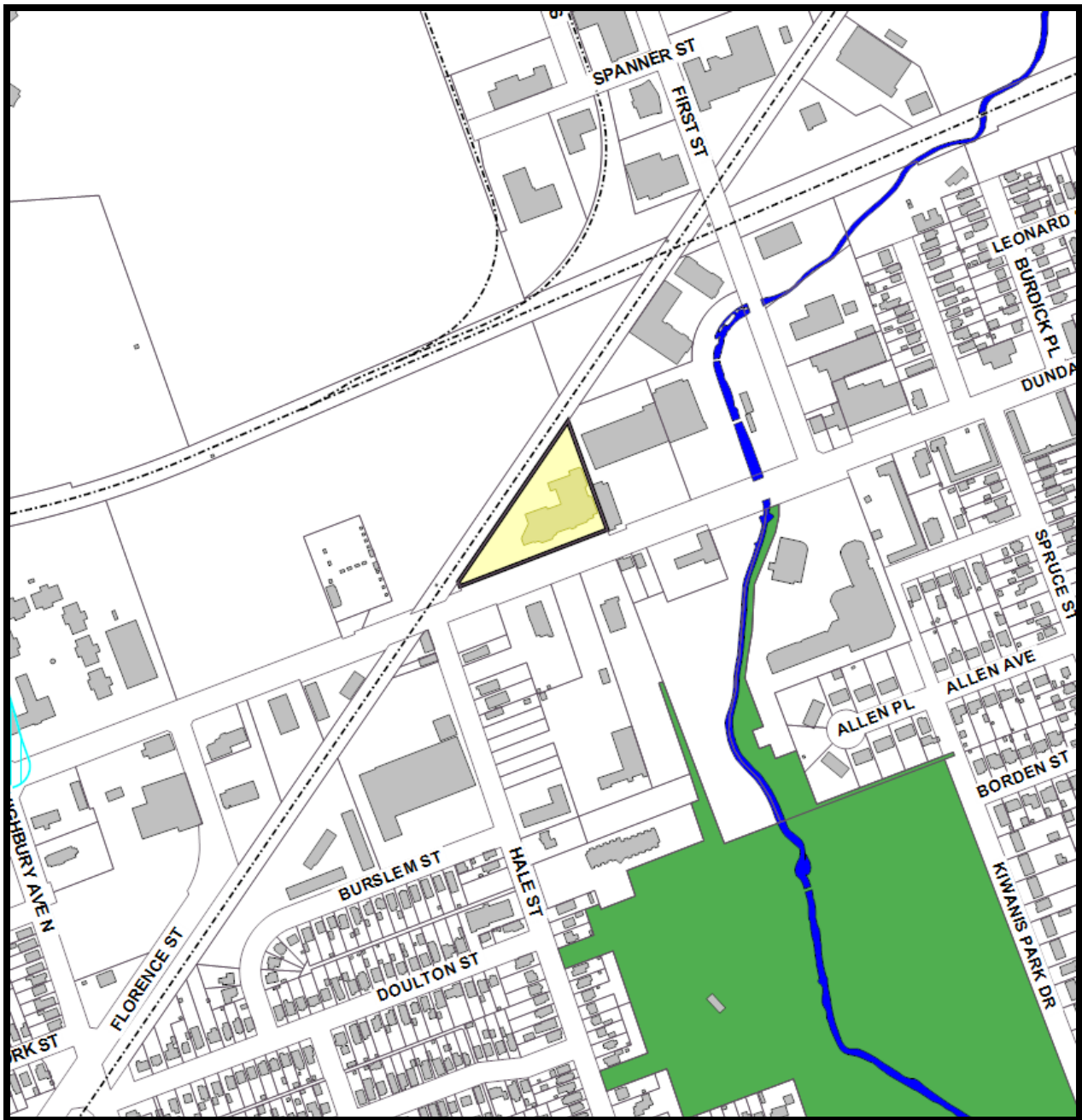
File: Z-8396
Planner: N. Musicco

Nature of Liaison: Possible amendment to Zoning By-law Z-1 to change the current Z.1 Zoning By-law **FROM** an Associated Shopping Area/Restricted Service Commercial (ASA5/RSC6) Zone which permits uses such as: automotive sales and services, repair garage, automotive uses restricted, restaurants and taxi establishments **TO** an Associated Shopping Area/Restricted Service Commercial Special Provision (ASA1/ASA2/ASA5/RSC5()RSC6)) Zone which would permit uses such as: Retail stores, studios, supermarkets, video rental establishments, brewing on premise, bakeries, building supply outlets, bulk sales, garden stores, service trades, support offices, printing establishments, warehouse establishments, self-storage, with a minimum landscape open space of 8%.

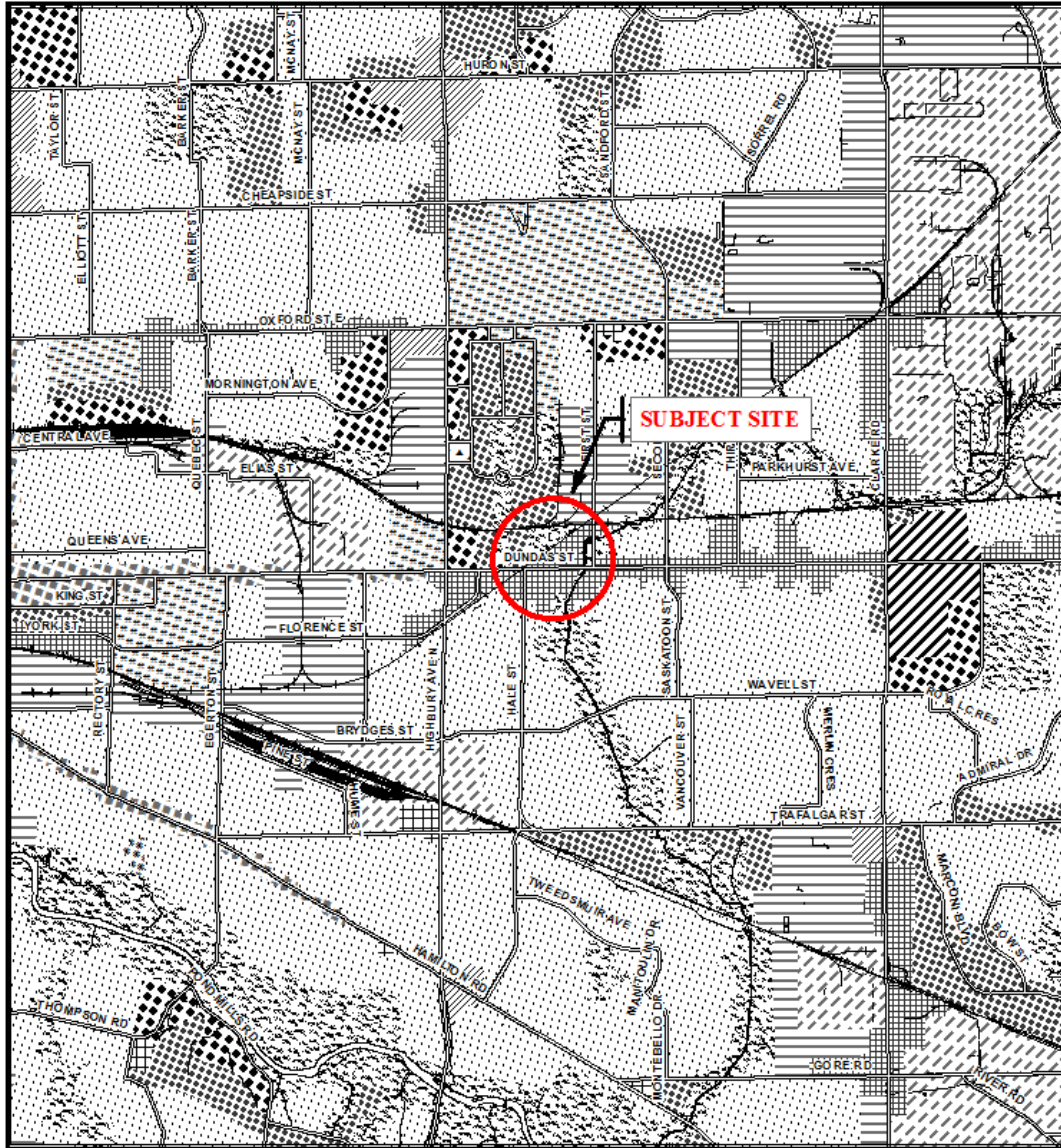
Public Response:

There was one public response, seeking further details on the application. He did not seem to have any issues with the amendment.

Location Map



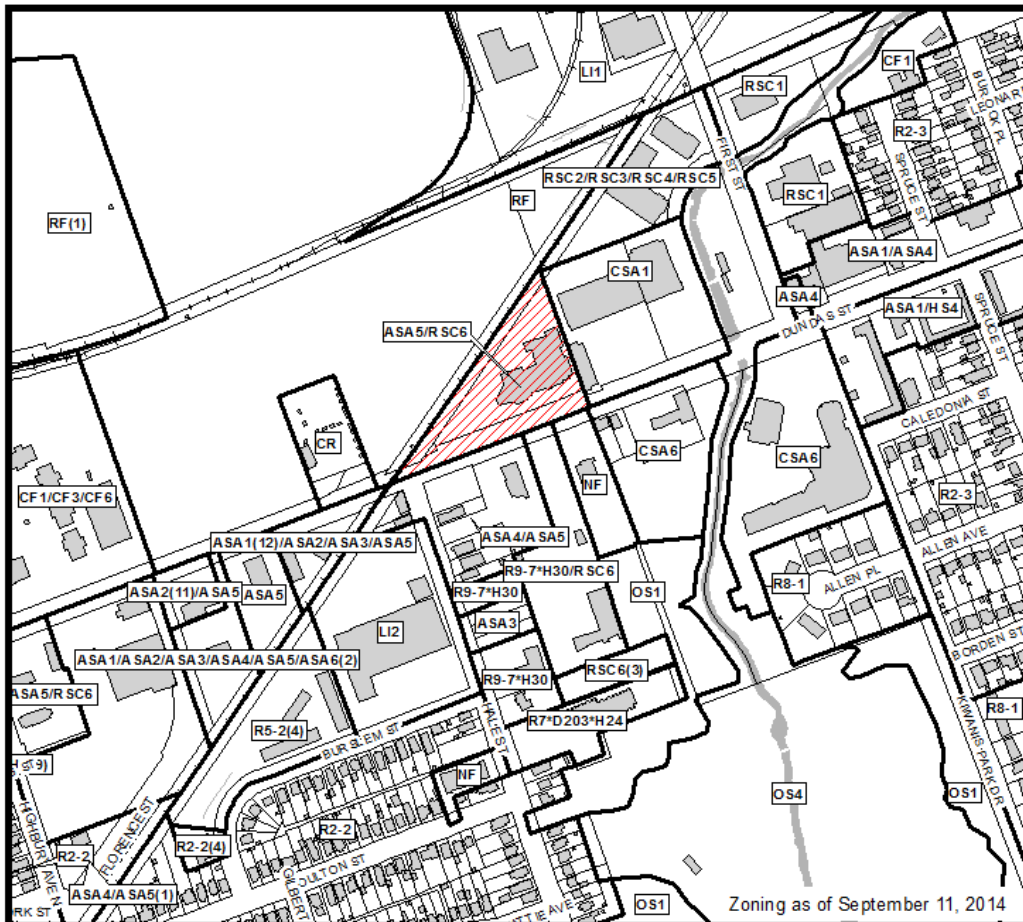
--	--



Legend		
<ul style="list-style-type: none"> Downtown Wonderland Road Community Enterprise Corridor Enclosed Regional Commercial Node New Format Regional Commercial Node Community Commercial Node Neighbourhood Commercial Node Main Street Commercial Corridor Auto-Oriented Commercial Corridor Multi-Family, High Density Residential Multi-Family, Medium Density Residential Low Density Residential Office Area 	<ul style="list-style-type: none"> Office/Residential Office Business Park General Industrial Light Industrial Regional Facility Community Facility Open Space Urban Reserve - Community Growth Urban Reserve - Industrial Growth Rural Settlement Environmental Review Agriculture Urban Growth Boundary 	
<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LAND USE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8386</p> <p>PLANNER: NM</p> <p>TECHNICIAN: MB</p> <p>DATE: 2014/09/28</p>

PROJECT LOCATION: e:\planning\projects\ip_officialplan\work\cnso\00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

--	--



Zoning as of September 11, 2014

COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: A SA5/RSC6

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: Z-8396 NM</p> <hr/> <p>MAP PREPARED: 2014/09/26 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>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

--	--

File: Z-8396
Planner: N. Musicco

Transportation:

Transportation staff have the following comments regarding the proposed zoning by-law amendment.

- *A transportation impact assessment (TIA) may be required through site plan depending upon the type and size of development.*
- *The number, location and type of access will be based on results of the TIA through site plan process.*

Sanitary – City of London

No concerns.

Urban Design – City of London

No concerns.

Upper Thames River Conservation Authority

The UTRCA has no objections to this application. Thank you for the opportunity to comment

Wastewater and Drainage Engineering – City of London

No concerns.

Development Services

If there is an increase in usability, Site Plan Approval will be required. This will be determined at the permit stage.

Canadian National Railway

- *The tendency of CN's position on industrial and commercial applications has been relaxed somewhat over the last several years or so, and while the requirements for residential continue to be stringently implemented, those for industrial and commercial uses with no sensitive use component, have been considered more as recommendations, rather than requirements, and CN generally leaves it up to the proponent and municipality to consider the potential for any impacts to the proposed use from being located near an active railway line, and whether any attenuation measures are warranted or desirable and the extent to which they are implemented.*
- *CN will not challenge the extent to which the recommendations are considered (or not) by the municipality, except for issues of fencing, drainage and access (as detailed in the attached document).*
- *CN's focus for these types of uses has increasingly been limited to the provision of 1.83 metre chain link security fencing, avoidance of adverse impacts to the existing drainage pattern on the railway right-of-way and a 30 metre setback of access points to avoid the potential for impacts to traffic safety when located near at-grade railway crossings.*

--	--

**NON-RESIDENTIAL DEVELOPMENT ADJACENT TO THE RAILWAY RIGHT-OF-WAY
(Main Lines)**

CN recommends the following protective measures for non-residential uses adjacent Main Lines (note some are requirements):

- A minimum 30 metre building setback, from the railway right-of-way, in conjunction with a 2.5 metre high earthen berm or 2.0 metres for a secondary main line, is recommended for institutional, commercial (ie. office, retail, hotel, restaurants, shopping centres, warehouse retail outlets, and other places of public assembly) and recreational facilities (i.e. parks, outdoor assembly, sports area).
- A minimum 15 metre building setback, from the railway right-of-way, is recommended for heavy industrial, warehouse, manufacturing and repair use (i.e. factories, workshops, automobile repair and service shops).
- A minimum 30 metre setback is **required** for vehicular property access points from at-grade railway crossings. If not feasible, restricted directional access designed to prevent traffic congestion from fouling the crossing may be a suitable alternative.
- A chain link fence of minimum 1.83 metre height is **required** to be installed and maintained along the mutual property line. With respect to schools and other community facilities, parks and trails, CN has experienced trespass problems with these uses located adjacent to the railway right-of-way and therefore increased safety/security measures must be considered along the mutual property line, beyond the minimum 1.83 m high chain link fence.
- Any proposed alterations to the existing drainage pattern affecting Railway property **require** prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- While CN has no noise and vibration guidelines that are applicable to non-residential uses, it is recommended the proponent assess whether railway noise and vibration could adversely impact the future use being contemplated (hotel, laboratory, precision manufacturing). It may be desirable to retain a qualified acoustic consultant to undertake an analysis of noise and vibration, and make recommendations for mitigation to reduce the potential for any adverse impact on future use of the property.
- For sensitive land uses such as schools, daycares, hotels etc, the application of CN's residential development criteria is **required**.
- There are no applicable noise, vibration and safety measures for unoccupied buildings, but chain link fencing, access and drainage requirements would still apply.

ANALYSIS

Site Description

The property is almost triangular in shape with a lot area of approximately 8369 m² and a lot frontage of 148 m along the north side of Dundas Street. To the west and north are railway tracks and to the east is Eastown Plaza. The building was purpose-built for an automotive dealership. The building is currently vacant as the previous tenant MacMaster Chevrolet moved east to the Auto Mall at Crumlin Road. The gross floor area is approximately 2956 m², containing a showroom, offices, parts area and service area as well as a small cafeteria.

There is a commercial property to the east (Eastown Plaza). The property to the west beyond the railway tracks is a one storey building used in association with lawn bowling. The properties on the south side of Dundas Street are primarily one and two storey buildings. The site is fully developed with an asphalt parking lot and landscaped areas. The site is serviced by three driveways to Dundas Street which is designated as an arterial road. The site has full municipal services.

--	--

File: Z-8396
Planner: N. Musicco

Background

The property has been on the market for approximately one year. The former tenant was MacMaster Chevrolet which has moved to 1350 Driver Lane east of the VMP. The current zoning permits 5 uses - Automobile repair garages, automotive uses, restricted, Restaurants, Taxi establishments, Automobile sales and service establishments with automobile body shop. The purpose and effect of the requested Zoning By-law amendment is to allow for an expanded range of commercial uses.

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. It is intended to be read in its entirety and the relevant policies are to be applied in each situation. As it relates to this application, the PPS provides some direction to this matter.

The policies of interest from the Provincial Policy Statement that relate the property in are; Healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs*
- g) ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs; (Section 1.1.1)*

- The proposed rezoning will allow the reuse of an existing building complete with existing infrastructure thereby making efficient use of the site. It will provide a mix of uses that will minimize vehicle trips on an arterial road. It will promote cost-effective redevelopment of a large existing building. As such the proposal is consistent with Provincial Policy Statement.

(Section 1.3.1) Planning authorities shall promote economic development and competitiveness by: a) providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;

- The proposed amendment will add additional commercial uses to this location providing a mix and range of employment uses.

(Section 1.7.1) Long-term economic prosperity should be supported by: c) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;

- The existing commercial building has been vacant for approximately one year. The proposed amendment will allow for an expanded range of uses, providing the opportunity for other commercial businesses to utilize the building and as a result contributing to the vitality of the mainstreet.

Official Plan Policies

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

- The subject site is currently designated Auto Oriented Commercial Corridor in the Official Plan. Areas designated Auto-Oriented Commercial Corridor provide locations for a broad range of commercial uses that, for the most part, are not suited to locations within Commercial Nodes or Main Street Commercial Corridors because of their building form, site area, access or exposure requirements. Generally, permitted uses

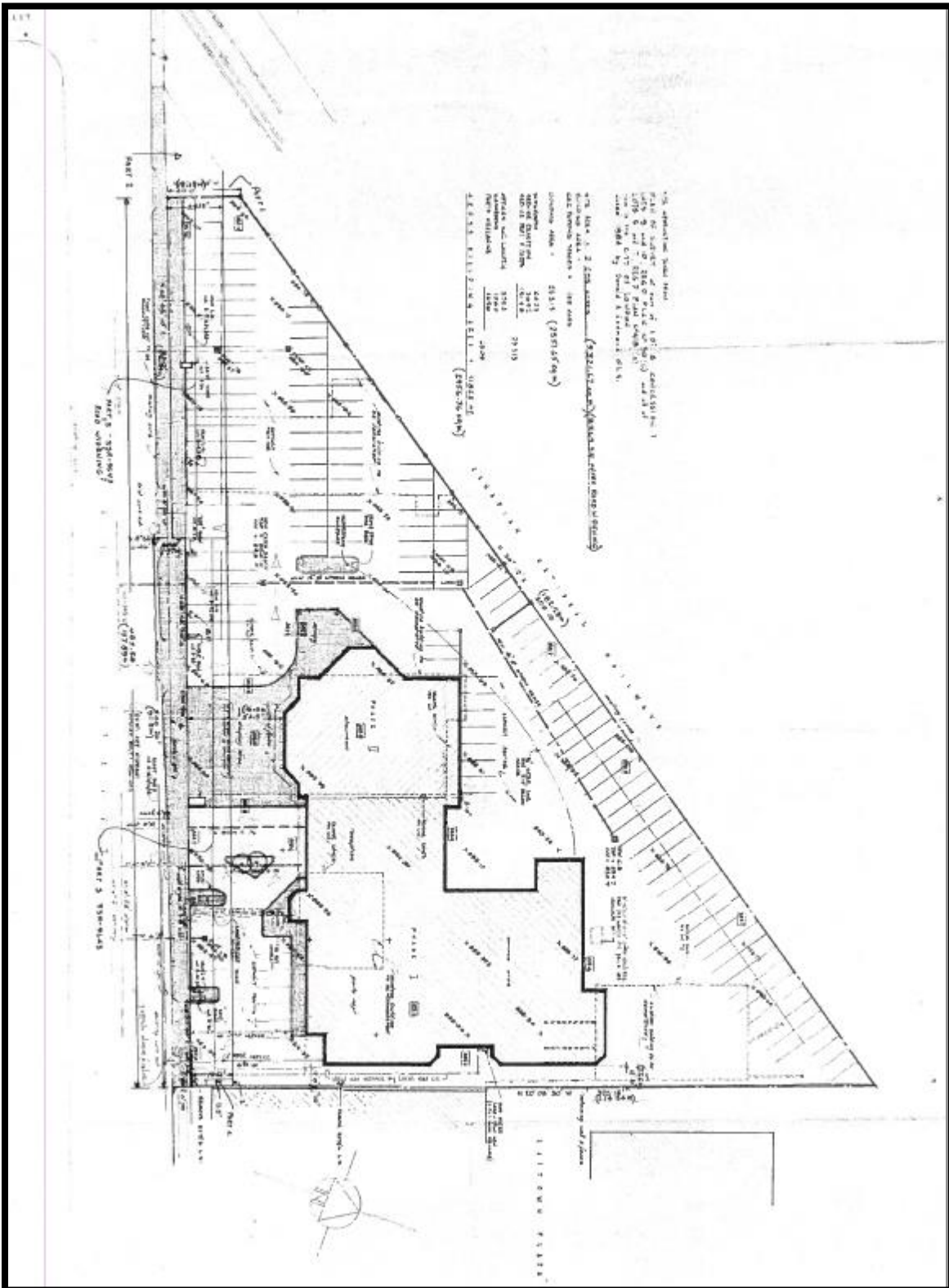
--	--

File: Z-8396
 Planner: N. Musicco

cater to vehicular traffic and single purpose shopping trips. Depending on the nature of the use, customers are drawn from passing traffic or a wide-ranging market area.

Commercial Land Use Designations

Commercial land use designations provide the primary location for retail and service commercial land uses. They provide for the orderly development and distribution of commercial uses consistent with the objectives of the Official Plan.



It is intended that the development and use of areas in Commercial designations such as Auto Oriented Commercial Corridor (Section 4.2.1) met the following objectives:

--	--

i) Promote the orderly distribution and development of commercial uses to satisfy the shopping and service needs of residents and shoppers;

ii) Minimize the impact of commercial development on adjacent land uses and on the traffic-carrying capacity of adjacent roads;

iii) Provide sufficient land at appropriate locations to meet the need for new commercial development; and,

iv) Encourage intensification and redevelopment in existing commercial areas within the built-up area of the City to meet commercial needs, to make better use of existing City infrastructure and to strengthen the vitality of these areas.

- The proposed amendment will allow for an expanded range of commercial uses that will satisfy the shopping and service needs of residents and shoppers. The lands are currently designated for commercial development and will allow for the use of the existing infrastructure.

Function (4.2.2.3)

The Auto-Oriented Commercial Corridor designation is applied to areas along arterial roads that typically consist of a mix of retail, auto and commercial uses, office and remnant residential uses. The intent of the policies is to promote the clustering of similar service commercial uses having similar functional characteristics and requirements, and to avoid the extension of strip commercial development. The form of development is oriented toward automobiles and vehicular traffic and serves both a local and broader market area.

- Dundas Street is an arterial road that contains a mix of retail, auto, commercial and office uses. The proposed uses are compatible with the neighbouring uses and will serve vehicular traffic from both a local and broader market.

Permitted Uses (4.4.2.4)

Areas designated Auto-Oriented Commercial Corridor are primarily intended for commercial uses that cater to the commercial needs of the traveling public. Types of service commercial uses that generate significant amounts of traffic and draw patrons from a wide area may also be located within these areas.

Uses considered to be appropriate include hotels; motels; automotive uses and services; commercial recreation establishments; restaurants; sale of seasonal produce; building supply outlets and hardware stores; furniture and home furnishings stores; warehouse and wholesale outlets; nursery and garden stores; animal hospitals or boarding kennels; and other types of commercial uses that offer a service to the traveling public.

Secondary uses which serve employees of adjacent employment areas including eat-in restaurants; financial institutions; personal services; convenience commercial uses; a limited amount and range of retail uses; day care centres; medical and dental offices and clinics; and offices associated with wholesale warehouse or construction and trade outlets, and similar support offices may also be permitted in appropriate locations.

- The recommended amendment to expand the range of uses on the subject site conforms to the intent of the Official Plan designation and is consistent with the listed range of primary permitted and secondary uses.

Location (4.4.2.5)

The Auto-Oriented Commercial Corridor designation will be applied to areas along arterial roads where high traffic volumes are present and where services to the traveling public can be concentrated and supported. The designation shall include lands of suitable depth, size and accessibility to accommodate the permitted uses and shall be on lands separated from existing

--	--

File: Z-8396
Planner: N. Musicco

or planned residential development or other sensitive land uses by physical barriers, intervening land uses or buffer and setback provisions that are sufficient to offset potential nuisance impacts.

- The subject site is along an arterial road and the building provides a buffer from the railway. It includes lands of suitable depth, size and accessibility to accommodate the permitted uses and is separated from existing or planned residential development or other sensitive land uses by physical barriers.

Form (4.4.2.6)

The development of new permitted uses within the designation may take the form of infilling, redevelopment or the conversion of existing structures. Auto-Oriented Commercial Corridors vary considerably in their mix of existing uses, lot sizes and scale of development.

- The proposed amendment will allow for the conversion of existing structures thereby facilitating the adaptive reuse of the building.

4.4.2.11. Specific Auto-Oriented Commercial Corridors

Dundas Street Corridor - Boundaries

For the purpose of these policies, the Dundas Street Corridor is defined as lands on Schedule "A" (Land Use), generally fronting Dundas Street between Highbury Avenue and Clarke Road. The Dundas Street Corridor is an established commercial strip which developed because Dundas Street is a major gateway to the City of London from the east. A broad range of commercial uses have been developed along this Corridor, most on shallow lots abutting residential neighbourhoods. There are some larger properties within the corridor. It is intended that the Official Plan will recognize the Dundas Corridor as a unique commercial district which will continue to accommodate this broad range of commercial uses on lot sizes which are generally smaller than normally required.

Permitted Uses

A full range of retail uses, such as, hotels, motels, personal service uses, community facilities, restaurants, automotive uses and offices will be permitted. Large-scale retail uses, such as automobile sales, home improvement establishments, building supply and hardware stores and restricted automotive services may also be permitted in appropriate locations. The Zoning By-law will consider the appropriateness of uses on specific sites or areas based on lot sizes, compatibility and traffic impacts as well as other criteria set out in Section 4.5 (Planning Impact Analysis).

- The requested expanded range of commercial uses is consistent with the Dundas Street Corridor Special Policy Area. The proposed uses will add to this unique commercial district which will continue to accommodate this broad range of commercial uses on lot sizes which are generally smaller than normally required.

4.5.2 - Planning Impact Analysis

Proposals for changes in the use of land which require the application of Planning Impact Analysis will be evaluated on the basis of criteria relevant to the proposed change. Other criteria may be considered through the Planning Impact Analysis to assist in the evaluation of the proposed change. The criteria that will be considered include:

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

- The requested commercial uses are consistent with the surrounding land uses and will not have a negative impact on present and future land uses in the area.

iii) the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed uses;

--	--

File: Z-8396
Planner: N. Musicco

- The size is of adequate shape and size to support the proposed commercial uses. The site is currently deficient in landscape open space; however there is sufficient room on the site to provide for additional landscaped open space as part of the future development proposal.

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 vehicular safety, and on surrounding properties.*

- The Transportation Division commented that: “A transportation impact assessment (TIA) may be required through site plan depending upon the type and size of development”.

vi) *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;*

- The applicant is proposing to use the existing commercial building.

vii) *the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;*

- The Transportation Division submitted the following comments regarding site access: “The number, location and type of access will be based on results of the Traffic Impact Analysis through the site plan process.”

xi) *constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration, and rail safety may limit development;*

- CN Railway provided comments as part of the Notice of Application. They have asked for 1.83 metre chain link security fencing, avoidance of adverse impacts to the existing drainage pattern on the railway right-of-way and a 30 metre setback of access points to avoid the potential for impacts to traffic safety when located near at-grade railway crossings.

xv) *impacts of the proposed change on the planned transportation system, including transit.*

- The subject site is located on a Transit Corridor where Council encourages higher intensity uses.

18.2.11. - Public Transit Policies

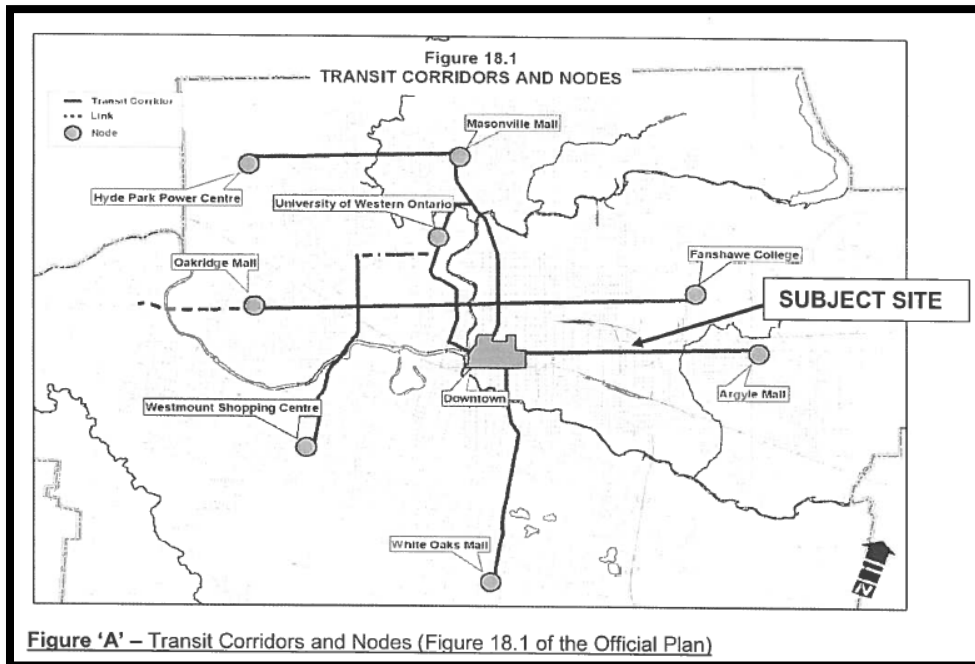
The City of London shall be served by a public transit system that provides a convenient and less costly alternative to the private automobile as a means of travel within the City and thereby relieves some of the demand for road improvements and parking facilities. The public transit system must be integrated as a key component of community design.

18.2.11.1. Transit Nodes and Corridors

Council shall support the long term development of compact, transit oriented and pedestrian friendly activity centres at identified nodes and corridors. The Downtown and the Transit Nodes and Transit Corridors as shown on Figure 18.1 are target areas for growth, redevelopment and revitalization. Policies that support growth, redevelopment and revitalization in these areas are provided below and throughout the Plan.

i) In the review and evaluation of development proposals located along identified transit nodes and corridors Council will discourage site-specific Official Plan Amendments and site-specific Zoning By-law Amendments which propose a lower intensity of use where a higher intensity of use has been planned to support compact urban form, discourage sprawl, and provide for efficient infrastructure and transportation.

--	--



The subject site is located on a Transit Corridor (Figure 'A') where Council encourages higher intensity uses. The Transit Corridor promotes the use of public transit and other alternative transportation modes in and between residential, commercial, industrial and institutional uses. This zone provides for and regulates a mix of small scale retail, office, personal service and automotive uses located along arterial roads which serve both vehicular and pedestrian traffic.

Zoning By-law

Current Zoning:

The current zoning is an Associated Shopping Area (ASA5) / Restricted Service Commercial (RSC6) Zone. The Associated Shopping Area Zone is normally intended to implement the Auto-Orientated Commercial Corridor designation in Section 4.4.2 of the Official Plan. The ASA1 to ASA7 Zone variations are intended to implement the Auto-Orientated Commercial Corridor designation. The variations generally group uses in the ASA1 (retail/convenience/personal service), ASA2 (retail/semi light industrial), ASA3 (offices), ASA4 (community facilities) and ASA5 (automotive).

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 Restricted Service Commercial Zone is also intended to implement the Auto-Oriented Commercial Corridor designation in Section 4.4.2 of the Official Plan. The Zone provides for and regulates a range of moderate intensity commercial uses, and trade service uses, which may require significant amounts of land for outdoor storage or interior building space and a location on major streets. The wide range of uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts. More intensive light industrial uses with associated retail, wholesale or service functions are permitted in the RSC5 Zone variation.

The Associated Shopping Area (ASA5) Zone permits: Automobile repair garages; Automotive uses, restricted; Restaurants and Taxi establishments. The Restricted Service Commercial (RSC6) Zone permits: Automobile sales and service establishments with automobile body shop.

--	--

File: Z-8396
Planner: N. Musicco

Requested Zones:

The requested zones include: Associated Shopping Area (ASA1/ASA2/ASA5) and some Restricted Service Commercial (RSC5()/RSC6) uses.

The following are permitted uses in the ASA1 Zone variation in the form of a shopping centre: 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.

The following are permitted uses in the ASA2 Zone variation: Repair and rental establishments; Restaurants; Retail stores; Service and repair establishments; Studios; Supermarkets; Video rental establishments; Brewing on Premises Establishment.

The Associated Shopping Area (ASA5) Zone permits: Automobile repair garages; Automotive uses, restricted; Restaurants and Taxi establishments.

The applicant in consultation with Planning Staff has applied for a Restricted Service Commercial Special Provision RSC5() Zone to allow for a limited range of RSC5 uses that will include: Retail stores, studios, supermarkets, video rental establishments, brewing on premise, bakeries, building supply outlets, bulk sales, garden stores, service trades, support offices, printing establishments warehouse establishment and self-storage.

The Restricted Service Commercial (RSC6) Zone permits: Automobile sales and service establishments with automobile body shop.

- The requested expanded range of uses is appropriate at this location. The current zoning permits Associated Shopping Area and Restricted Service Commercial uses which implement the Auto Oriented Commercial Corridor designation and Special Policy for the corridor. The amendment will add additional ASA and RSC uses to the zone. The site is currently deficient in Landscape Open Space. The applicant has indicated that there is space within the property to accommodate the required landscape open space. This will be addressed at Site Plan review as part of a future development proposal.

CONCLUSION

The subject site is located on an arterial road and is suitable in shape and size to accommodate the proposal. The recommended amendment allows for an expanded range of uses within an existing building and is compatible with the surrounding uses. The recommended amendment is consistent with the policies of the PPS and Official Plan including the Special Policy Area for the Dundas Street corridor which allows for an expanded range of commercial uses.

Agenda Item # Page #

--	--

File: Z-8396
Planner: N. Musicco

PREPARED BY:	SUBMITTED BY:
NICOLE MUSICCO – PLANNER II CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

September 25, 2014/nm
Y:\Shared\implemen\DEVELOPMENT APPS\2014 Applications 8309 to\8396Z - 1470 Dundas Street (NM)\Z-8396_PEC REPORT.docx

Agenda Item # Page #

--	--

File: Z-8396
Planner: Nicole Musicco

Bibliography of Information and Materials

Request for Approval:

City of London Zoning By-law Application Form, completed by Rocky Cerminara, July 21, 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.

Correspondence: (all located in City of London File No. Z-8396 unless otherwise stated)

City of London -

Robert Moore – Sanitary – City of London – email to N. Musicco – August 1, 2014.

Departments and Agencies -

Beshro, Raymond – Canadian National Railway – August 6, 2014.

Creighton C., UTRCA. Letter to N. Musicco - July 31, 2014.

Rocky Cerminara – various emails to N. Musicco – June 2014 – September 2014

Agenda Item # Page #

--	--

File: Z-8396
Planner: Nicole Musicco

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 1470 Dundas Street.

WHEREAS Connorco Inc. have applied to rezone an area of land located at 1470 Dundas Street, 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 1470 Dundas Street, as shown on the attached map comprising part of Key Map No. A108, from an Associated Shopping Area/Restricted Service Commercial (ASA5/RSC6) Zone to an Associated Shopping Area/Restricted Service Commercial Special Provision (ASA1/ASA2/ASA5/RSC5()RSC6)) Zone.

2) Section Number 28 of the Restricted Service Commercial RSC5 Zone is amended by adding the following Special Provisions:

28.4_ RSC5() 1470 Dundas Street

a) Permitted Uses:

- i. Bakeries;
- ii. Building supply outlets;
- iii. Bulk sales establishments;
- iv. Garden stores;
- v. Self-storage establishments;
- vi. Service trades;
- vii. Support offices;
- viii. Warehouse establishments

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 November 11, 2014

Agenda Item # Page #

--	--

File: Z-8396
Planner: Nicole Musicco

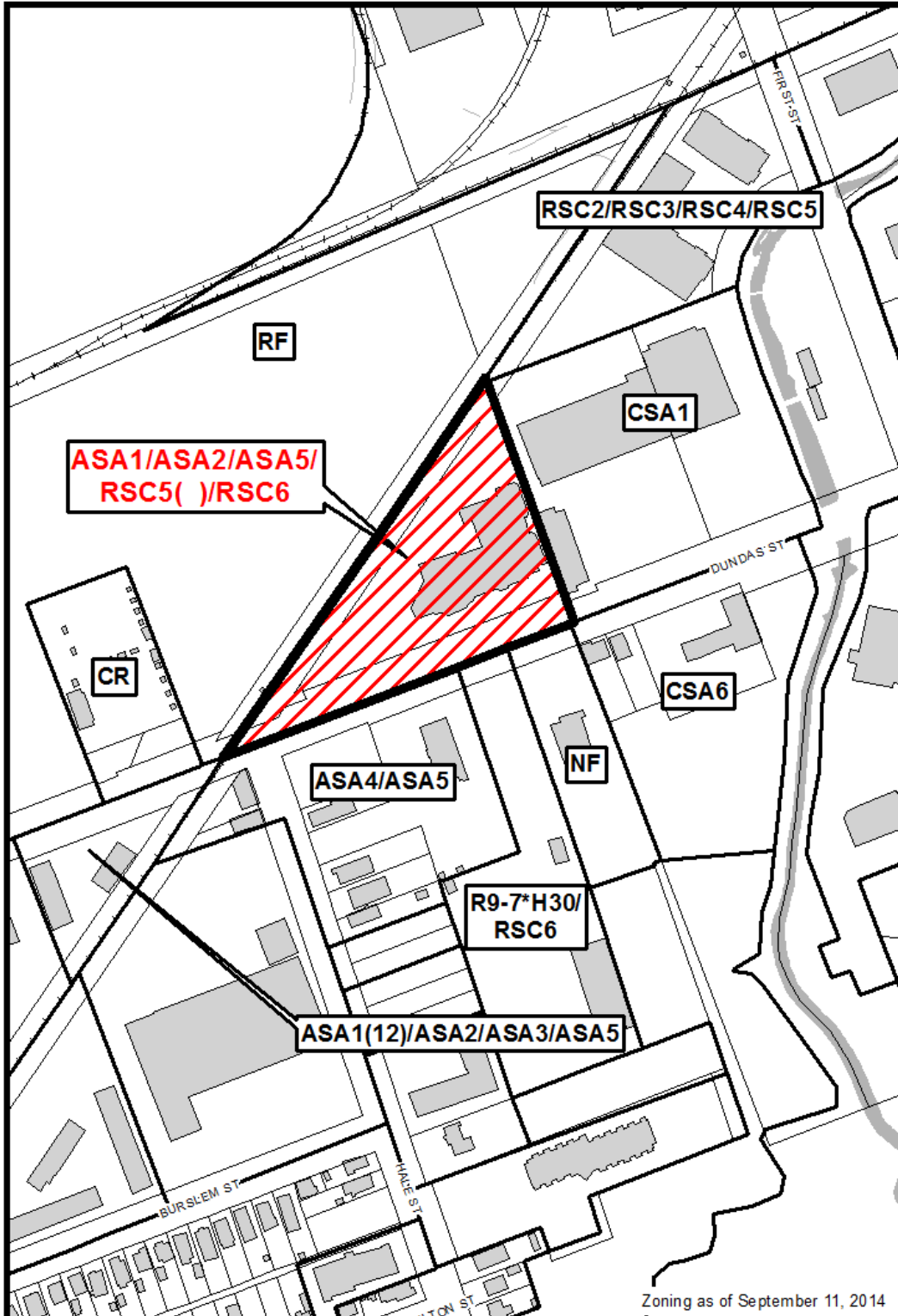
J. Baechler
Mayor

Catharine Saunders
City Clerk

First Reading - November 11, 2014
Second Reading - November 11, 2014
Third Reading - November 11, 2014


--	--

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



Zoning as of September 11, 2014

File Number: Z-8396
 Planner: NM
 Date Prepared: 2014/09/26
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

