

--	--

File: Z-8776/O-8792  
Planner: Mike Corby

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: 2415121 ONTARIO LTD 1175, 1185, 1195, 1205, 1215 FANSHAWE PARK ROAD WEST AND 2151 DALMAGARRY ROAD PUBLIC PARTICIPATION MEETING ON SEPTEMBER 11, 2017</b>

<b>RECOMMENDATION</b>
-----------------------

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 2415121 Ontario Ltd relating to the properties located at 1175, 1185, 1195, 1205, 1215 Fanshawe Park Road West and 2151 Dalmagarry Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on September 19, 2017 to amend the Official Plan by **ADDING** a policy to section 10.1.3 – Policies for Specific Areas – that would permit a Restricted Automotive Use without a car wash;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on September 19, 2017 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 Neighbourhood Shopping Area Special Provision (NSA5(8)) Zone, **TO** a Neighbourhood Shopping Area Special Provision (NSA5(\_)) Zone;

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
--

**OZ-8115 – Report to Planning Committee – February 26, 2013** – Requested Official Plan and Zoning By-law amendment to permit neighbourhood commercial uses

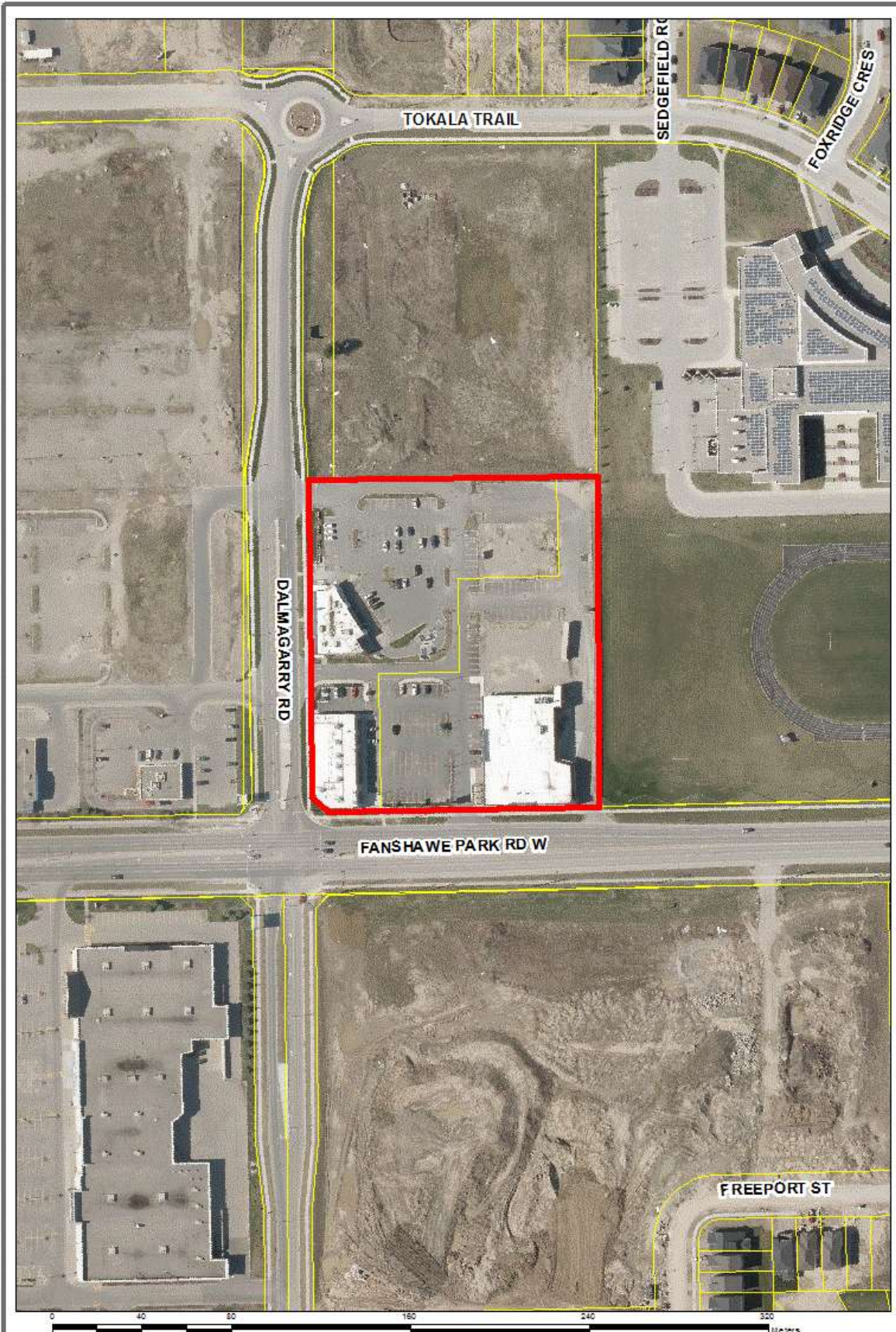
**Z-8387 – Report to Planning Committee – September 9, 2014** – Requested Zoning By-law amendment to facilitate an increase in the maximum gross floor area for various commercial uses on the subject lands

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
---

The purpose and effect of the requested Zoning By-law amendment is to permit an automobile service station as well as a fitness centre.

--	--

File: Z-8776/O-8792  
Planner: Mike Corby



### LOCATION MAP

Subject Site: 1175, 1185, 1195, 1205,  
and 1215 Fanshawe Park Rd W  
Applicant: 2415121 Ontario Ltd.  
File Number : Z-8776

Planner : MC  
Created By : MB  
Date : 2017/08/16  
Scale : 1:2000

Prepared by : Graphics & Information Services , Planning Division  
Corporation of the City of London  
File=planning\projects\p\_location\maps\MXD



### Legend

Subject Site

--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**

<b>RATIONALE</b>
------------------

1. The recommended Official Plan and Zoning By-law amendment is consistent with the Provincial Policy Statement 2014.
2. The recommended Official Plan amendment to add a restricted automotive use (without a carwash) to the list of uses permitted on the subject is consistent with the policies of Chapter 10 (Policies for Specific Areas) of the City of London Official Plan, as amended.
3. The recommended zone facilitates increased usability of the subject site by accommodating uses that are similar to, and compatible with, the existing uses in the surrounding area.
4. The proposed building and on-site parking is capable of supporting the requested service station without resulting in any negative impacts to abutting uses.
5. The recommended Official Plan and Zoning By-law amendment to expand the list of permitted uses is consistent with, and serves to implement, the use, intensity and form policies of the Shopping Area Place Type of the London Plan.

<b>BACKGROUND</b>
-------------------

<b>Date Application Accepted:</b> May 3, 2017	<b>Agent:</b> Maneesh Ponder
<p><b>REQUESTED ACTION:</b> Change Official Plan to add a Specific Area Policy to Chapter 10 to permit the proposed Restricted Automotive Use but exclude car washes as a permitted use.</p> <p>Change Zoning By-law Z.-1 from a Neighbourhood Shopping Area Special Provision (NSA5(8)) Zone which provides for and regulates a range of neighbourhood-scale retail, personal service and office uses to a Neighbourhood Shopping Area Special Provision (NSA5(_)) Zone to permit restricted automotive (without a car wash) and commercial recreation uses as additional permitted uses.</p>	

<p><b>SITE CHARACTERISTICS:</b></p> <ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Commercial Uses</li> <li>• <b>Frontage</b> – 127.2 metres (417 feet)</li> <li>• <b>Depth</b> – 147.4 metres (486.6 feet)</li> <li>• <b>Area</b> – 1.89 ha (4.67ac)</li> <li>• <b>Shape</b> – Rectangular</li> </ul>
--

<p><b>SURROUNDING LAND USES:</b></p> <ul style="list-style-type: none"> <li>• <b>North</b> – Vacant (Future Continuum of Care facility)</li> <li>• <b>South</b> – Low Density Residential</li> <li>• <b>East</b> – Catholic Secondary School</li> <li>• <b>West</b> – Commercial Node</li> </ul>
--

--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**

<b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map on Page 5)	
<ul style="list-style-type: none"> <li>• Neighbourhood Commercial Node</li> </ul>	
<b>THE LONDON PLAN PLACE TYPE:</b> (refer to The London Plan Map)	
<ul style="list-style-type: none"> <li>• Shopping Area</li> </ul>	
<b>INTENSIFICATION: (identify proposed number of units)</b>	
<ul style="list-style-type: none"> <li>• N/A</li> </ul>	<ul style="list-style-type: none"> <li>• N/A</li> </ul>
<b>EXISTING ZONING:</b> (refer to Zoning Map on Page 6)	
<ul style="list-style-type: none"> <li>• Neighbourhood Shopping Area Special Provision (NSA5(8))</li> </ul>	

<b>PLANNING HISTORY</b>
-------------------------

In February of 2013 a recommended amendment was presented at a public meeting of the Planning and Environment Committee in response to an Official Plan and Zoning By-law amendment application which encompassed a larger land area including the lands to the north of the subject site. The amendment facilitated the development of the southern portion of the land (“the subject site”) for neighbourhood commercial uses, and the northern portion of the land for mid- to high-rise development with a small amount of convenience commercial uses.

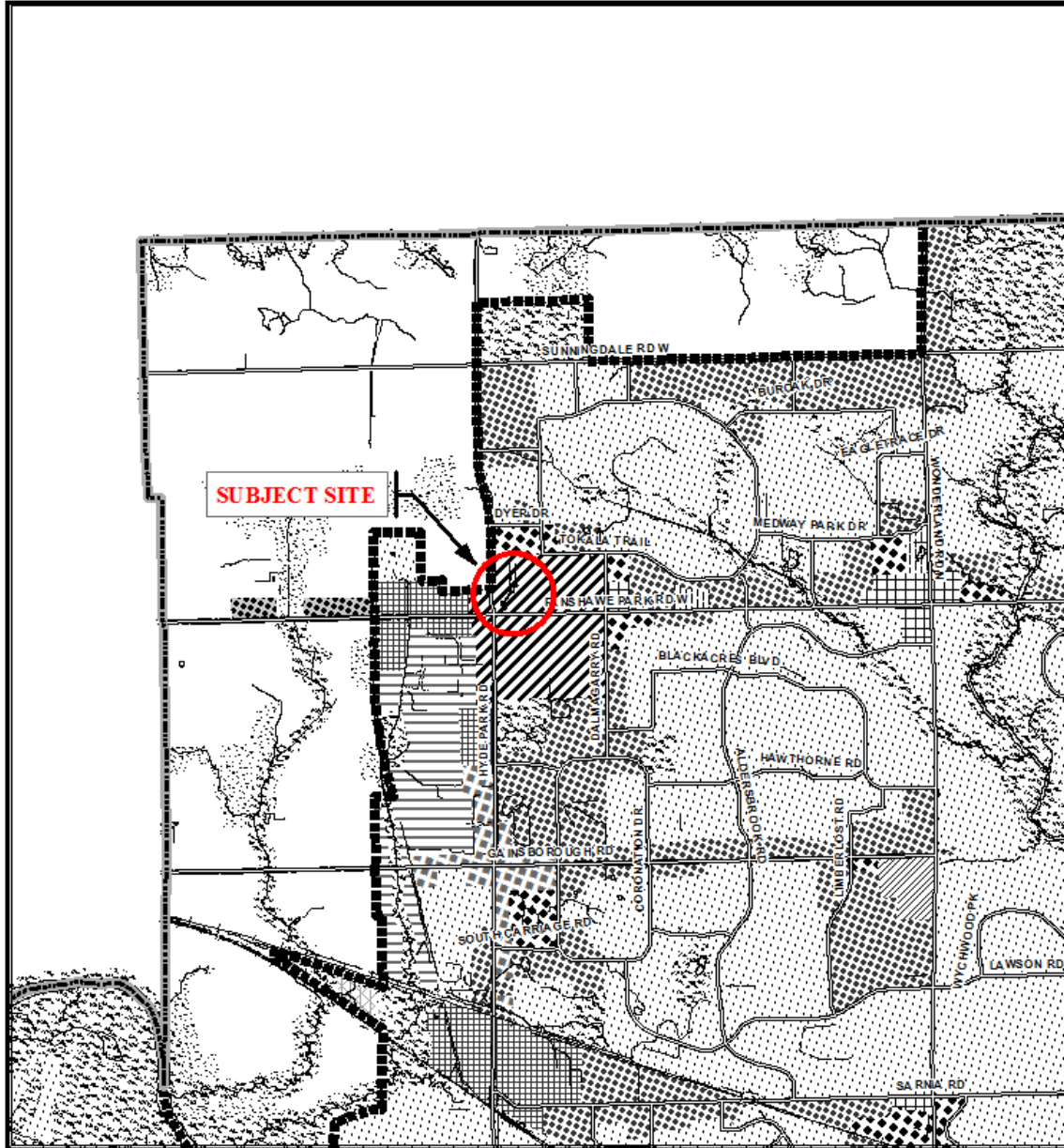
Planning Staff recommended approval of the requested Official Plan and Zoning By-law amendments, with minor refinements to ensure that specific urban design features of the proposed development were maintained through the development approval process. The recommended amendment was adopted by Council and later appealed to the OMB. The appeal was subsequently withdrawn and the Council-approved zoning came into force and effect.

Ownership of the southern portion (“the subject site”) was subsequently changed. The new property owner intended to develop the subject site under two separate ownerships thereby requiring an application for consent to sever the subject site into two separate parcels so they can be owned independently. The creation of two parcels that would share parking, access and services under separate ownership creates the potential for future conflicts in relation to how the parcels will function with each other. Therefore the property owner came forward with a rezoning application in March, 2014 for a holding provision which ensures that the two future parcels develop in conjunction with each other to address and avoid these issues. Council approved the holding provision in April, 2014.

On September 9, 2014 a report was presented to PEC that recommended an increase in the maximum gross floor area for various commercial uses on the subject lands and a small reduction in the minimum landscaped open space requirement from 15% to 13% for 1195 Fanshawe Park Road West. This amendment facilitated the development present on the site today.

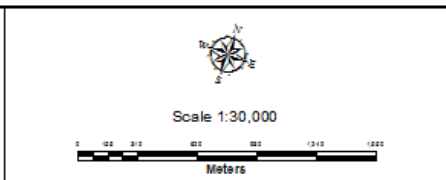
--	--

File: Z-8776/O-8792  
 Planner: Mike Corby



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

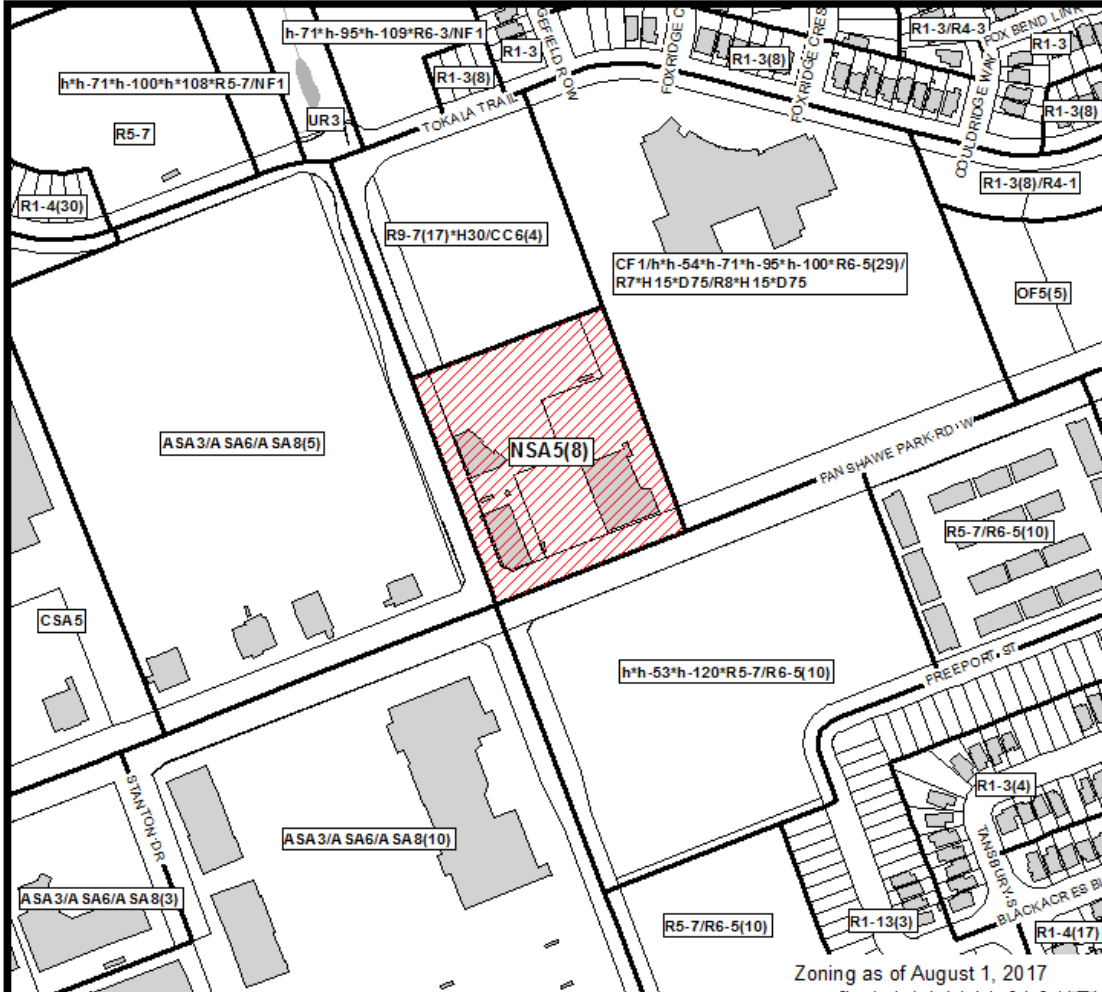
**CITY OF LONDON**  
 Department of  
 Planning and Development  
**OFFICIAL PLAN SCHEDULE A**  
 - LAND USE -  
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-8776  
 PLANNER: MC  
 TECHNICIAN: MB  
 DATE: 2017/08/16

--	--

File: Z-8776/O-8792  
Planner: Mike Corby



**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: NSA5(8)**

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

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>R1 - SINGLE DETACHED DWELLINGS</li> <li>R2 - SINGLE AND TWO UNIT DWELLINGS</li> <li>R3 - SINGLE TO FOUR UNIT DWELLINGS</li> <li>R4 - STREET TOWNHOUSE</li> <li>R5 - CLUSTER TOWNHOUSE</li> <li>R6 - CLUSTER HOUSING ALL FORMS</li> <li>R7 - SENIOR'S HOUSING</li> <li>R8 - MEDIUM DENSITY/LOW RISE APTS.</li> <li>R9 - MEDIUM TO HIGH DENSITY APTS.</li> <li>R10 - HIGH DENSITY APARTMENTS</li> <li>R11 - LODGING HOUSE</li> <br/> <li>DA - DOWNTOWN AREA</li> <li>RSA - REGIONAL SHOPPING AREA</li> <li>CSA - COMMUNITY SHOPPING AREA</li> <li>NSA - NEIGHBOURHOOD SHOPPING AREA</li> <li>BDC - BUSINESS DISTRICT COMMERCIAL</li> <li>AC - ARTERIAL COMMERCIAL</li> <li>HS - HIGHWAY SERVICE COMMERCIAL</li> <li>RSC - RESTRICTED SERVICE COMMERCIAL</li> <li>CC - CONVENIENCE COMMERCIAL</li> <li>SS - AUTOMOBILE SERVICE STATION</li> <li>ASA - ASSOCIATED SHOPPING AREA COMMERCIAL</li> <br/> <li>OR - OFFICE/RESIDENTIAL</li> <li>OC - OFFICE CONVERSION</li> <li>RO - RESTRICTED OFFICE</li> <li>OF - OFFICE</li> </ul> | <ul style="list-style-type: none"> <li>RF - REGIONAL FACILITY</li> <li>CF - COMMUNITY FACILITY</li> <li>NF - NEIGHBOURHOOD FACILITY</li> <li>HER - HERITAGE</li> <li>DC - DAY CARE</li> <br/> <li>OS - OPEN SPACE</li> <li>CR - COMMERCIAL RECREATION</li> <li>ER - ENVIRONMENTAL REVIEW</li> <br/> <li>OB - OFFICE BUSINESS PARK</li> <li>LI - LIGHT INDUSTRIAL</li> <li>GI - GENERAL INDUSTRIAL</li> <li>HI - HEAVY INDUSTRIAL</li> <li>EX - RESOURCE EXTRACTIVE</li> <li>UR - URBAN RESERVE</li> <br/> <li>AG - AGRICULTURAL</li> <li>AGC - AGRICULTURAL COMMERCIAL</li> <li>RRC - RURAL SETTLEMENT COMMERCIAL</li> <li>TGS - TEMPORARY GARDEN SUITE</li> <li>RT - RAIL TRANSPORTATION</li> <br/> <li>"h" - HOLDING SYMBOL</li> <li>"D" - DENSITY SYMBOL</li> <li>"H" - HEIGHT SYMBOL</li> <li>"B" - BONUS SYMBOL</li> <li>"T" - TEMPORARY USE SYMBOL</li> </ul> |
|--|---|

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

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



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

FILE NO:  
Z-8776 MC

MAP PREPARED:  
2017/08/16 MB

1:4,000  
0 20 40 80 120 160 Meters

--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**

<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
---

**Development Services**

*The Stormwater Engineering staff have no objection to the above-noted application to amend the zoning By-law. Please note the following:*

*The development of this site received approval in 2014 through the SPA14-019671 (and spa14-019626). Our expectation is that the approved site plan will be amended to accommodate the proposed automobile service station (or car wash) as well as the fitness centre is needed, all in accordance with the SWM criteria and targets for the Medway Creek Subwatershed, Claybar Subdivision Phase 1, Plan 33M-623 as accepted January 5, 2012, the Fox Hollow Development Area Municipal Class EA Schedule C for storm drainage and stormwater management servicing works and the Fox Hollow stormwater management system functional design report.*

*Please note that this response has been made without input from the Water Engineering Division.*

*The above comments, among other engineering and transportation issues, will be addressed in greater detail when/if these lands come in for site plan approval.*

**Canada Post**

*Canada Post has no comments for the attached application*

**The Conseil scolaire Viamonde**

*The Conseil scolaire Viamonde (French public school board) has no comments.*

**UTRCA**

*The UTRCA has no objections to this application.*

**Transportation Planning & Design**

*Transportation has reviewed the zoning application for 1175-1215 Fanshawe Park Road West Z-8776, and have no comments to offer.*

<b>PUBLIC LIAISON:</b>	<p>On May 17, 2017, Notice of Application was sent to 7 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 May 18, 2017. A "Possible Land Use Change" sign was also posted on the site.</p> <p>On June 28, 2017, Revised Notice of Application was sent to 7 property owners in the surrounding area. Revised Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on June 29, 2017. A "Possible Land Use Change" sign was also posted on the site.</p>	1 reply was received
------------------------	---	----------------------

--	--

**File: Z-8776/O-8792**  
**Planner: Mike Corby**

**Nature of Liaison:** The purpose and effect of the requested Zoning By-law amendment is to permit an automobile service station as well as a fitness centre.

Change Zoning By-law Z.-1 from a Neighbourhood Shopping Area Special Provision (NSA5(8) Zone which provides for and regulates a range of neighbourhood-scale retail, personal service and office uses to a Neighbourhood Shopping Area Special Provision (NSA5(\_)) Zone to permit restricted automotive (without a car wash) and commercial recreation uses as additional permitted uses.

The purpose and effect of the requested Official Plan amendment is to permit an automobile service station.

Change Official Plan to add a Specific Area Policy to Chapter 10 to permit the proposed Restricted Automotive use but exclude car washes as a permitted use. A Notice of Application for a concurrent Zoning By-law amendment to permit commercial recreation establishments and restricted automotive uses for this site was previously mailed on May 17, 2017.

**Responses:** Respondent indicated support for the completion of the commercial project proposed and have no issue with the majority of the uses outlined in the requested uses with the exception of the proposed car wash use.

## ANALYSIS

### **Subject Site:**

The subject site is located on the northeast corner of Fanshawe Park Road West and Dalmagarry Road. The site is currently used for a variety of commercial/retail uses which includes fast-food, and a small grocery store. The commercial plaza is relatively new, receiving site plan approval in 2014.





--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**



**Nature of Application:**

The applicant is proposing to construct a purpose-built service station use in the northeast corner of the site. This will help develop the remaining portions of the site that is currently undeveloped. The uses will add additional parking to service proposed building and will be accessed through the existing parking area on the site.

To facilitate the proposed development, an amendment has been requested to change the Zoning By-law from a Neighbourhood Shopping Area Special Provision (NSA5(8)) Zone, which provides for and regulates a range of neighbourhood-scale retail, personal service and office uses, to a Neighbourhood Shopping Area Special Provision (NSA5(\_)) Zone to permit restricted automotive uses (without a car wash) and commercial recreation establishment uses as additional permitted uses.

The requested Official Plan amendment would add a Specific Area Policy to Chapter 10 which would permit the proposed Restricted Automotive Use, but exclude car washes as a permitted use.

**PPS:**

The Provincial Policy Statement (PPS) 2014, provides policy direction on matters of provincial interest related to land use planning and development. Section 1.1 *Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns* of the PPS encourages healthy, livable and safe communities which are sustained by accommodating an appropriate range and mix of residential, employment and institutional uses to meet long-term needs. It also promotes cost-effective development patterns and standards to minimize land consumption and servicing costs.

The PPS also encourages settlement areas [1.1.3 Settlement Areas] to be the main focus of growth and development. The requested amendment ensures that additional growth is accommodated within a settlement area and continues the long term viability of the site and by contributing to the mix of uses permitted. The proposed commercial recreation establishment and restricted automotive use will efficiently complement the existing forms and intensity of development on the subject site and is considered compatible with surrounding land uses, requiring no additional land consumption or servicing costs.

Section 1.3 *Employment* of the PPS requires planning authorities to promote economic development and competitiveness by providing for an appropriate mix and range of employment uses, and providing opportunities for a diversified economic base. The recommended zoning

--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**

amendment will facilitate the subject site’s ability to provide an appropriate mix and range of employment uses by providing the opportunity to diversify its potential uses. The amendment also achieves the goal of Section 1.7 *Long-Term Economic Prosperity* in the PPS which supports opportunities for economic development and community investment-readiness. The amendment increases the ability of the subject site to attract businesses if future development, expansion or vacancy occur, thereby supporting the long term prosperity of the site.

**Official Plan:**

**Use**

4.3.8.1. Function

Neighbourhood Commercial Nodes are intended to provide for the daily or weekly convenience shopping and service needs of nearby residents and, to a lesser extent, passing motorists. They should contain uses that are convenience-oriented and unlikely to draw customers from beyond the local area.

4.3.8.3. Permitted Uses

The proposed commercial recreation establishment use is considered a permitted use (4.3.8.3. Permitted Uses) within this designation. Given the existing built forms on the site and future development potential this proposed use would be compatible with the other permitted uses and, as such, it is recommended that the requested use be approved.

The requested Restricted Automotive use is not a permitted use within the existing Neighbourhood Commercial Node designation. Although the use is not explicitly permitted in the current Official Plan, service station, gas bar and car wash uses are permitted within the future London Plan place type (‘Shopping Area’) recommended for the subject site. These uses make up the definition of the “Restricted Automotive Use”. In order to implement the requested use prior to the in-force-and-effect of The London Plan, an amendment to Chapter 10 (Policies for Specific Areas) been requested. This is appropriate as the Policies for Specific Areas may be applied where the application of existing policies would not accurately reflect the intent of Council with respect to the future use of the land. As mentioned Council has already identified through The London Plan that Restricted Automotive uses are appropriate on the subject site and the amendment would be site specific and located in an area where Council wishes to maintain existing land use designation at this time. The requested Official Plan amendment would provide for an additional use that accurately reflects, and would serve to implement, the intent of Council with respect to the future use of the land. As such, it would be appropriate to consider the application of a Site Specific policy to provide for the requested Zoning By-law amendment.

**Intensity**

4.3.8.5. Commercial development within a Neighbourhood Commercial Node shall Scale normally range in size from 1,000 square metres to 13,000 square metres gross floor area

The existing zoning permits a maximum total gross floor area (“GFA”) of 6,000m<sup>2</sup> (64,585.6 sq.ft). The requested additional uses are intended to be accommodated within the existing permitted GFA since no amendment was requested to increase the existing regulations. The requested amendment is consistent with the “Intensity” provisions of the Official Plan.

**Form**

4.3.8.4. Form

Neighbourhood Commercial Nodes generally have a strip plaza focus with a combination of

--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**

small free-standing uses or small uses in a plaza format but can be applied to a collection of small stores intended to serve the surrounding neighbourhood. 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. The design, appearance and scale shall be in harmony with the surrounding residential area with adequate screening and buffering between uses. Parking areas should be carefully designed and shared parking areas should be accommodated where possible.

The proposed service station use is in keeping with the “Form” policies (4.3.8.4. Form) of the Neighbourhood Commercial Node given that the proposed size and scale are in keeping and compatible with the surrounding land uses with parking being shared with the surrounding commercial uses. The recommended commercial recreation establishment use will be accommodated within the existing buildings on the site which recently went through site plan approval which was subject to review by Urban Design Staff where it received support from a site layout and design perspective.

### **Zoning**

#### **GENERAL PURPOSE OF THE NSA ZONE**

The NSA zone provides for and regulates a range of neighbourhood-scale retail, personal service and office uses which are primarily intended to provide for the convenience shopping and service needs of nearby residents. Zone variations of the zone are differentiated based on uses and maximum permitted gross leasable floor area for certain defined uses. Shopping centres are the permitted form of development; however, stand-alone buildings may also be permitted at appropriate locations normally near the perimeter of the property to satisfy urban design goals to create a street edge and screen parking lots. The NSA5 Zone variation is used for this purpose.

The requested zoning amendment would permit the additional uses of commercial recreation establishments and restricted automotive uses on the subject site (excluding car washes) through a special provision. No additional special provisions or changes are proposed to the existing zone and all the existing special provisions are recommended to carry forward. The zoning on the site is recommended to change from a Neighbourhood Shopping Area Special Provision NSA5(8) to a revised Neighbourhood Shopping Area Special Provision NSA5(\_). Through the original application the applicant requested either a service station or car wash use to be permitted on the site. Through discussions with Staff and concerns raised by the abutting land owner the applicant removed the car wash from the requested uses. The exclusion of the car wash is identified in the recommended special provision and will address the concerns raised by the abutting land owner.

### **London Plan Analysis**

The London Plan was approved by Council on June 23, 2016 and will provide the future framework for planning and development in the City of London upon approval by the Province of Ontario.

The London Plan place type for the subject site is ‘Shopping Area’ which brings this small node into the same place type as the larger commercial node to the west. This place type is intended to provide a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses. The recommended service station (restricted automotive use) would be permitted within the Shopping Area and its proposed location does not detract from the pedestrian environment of the street and pedestrian connections from the street to building entrances making the amendment appropriate and in keeping with the policies of the London Plan.

--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**

<b>CONCLUSION</b>
-------------------

The requested amendment would permit Commercial Recreation Establishments and Restricted Automotive uses as additional permitted uses on the subject site. This would facilitate the development of a new service station on the subject site and a commercial recreation establishment to locate within an existing building. The recommendation is consistent with the policies of the Provincial Policy Statement (2014) and the existing Neighbourhood Commercial Node of the Official Plan and future policies of The London Plan. The recommended zone facilitates increased usability of the subject site by accommodating uses that are similar to, and compatible with, the existing uses in the surrounding area. The proposed built form and on-site parking is capable of supporting the requested uses without resulting in any negative impacts on to abutting uses.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>MIKE CORBY, MCIP, RPP CURRENT PLANNING</b>	<b>MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER</b>	

30 August 2017  
MC/mc

Y:\Shared\implemen\DEVELOPMENT APPS\2017 Applications 8723 to\8776Z - 1175-1215 Fanshawe Pk Rd W (MC)\Report\Z-8776&O-8792 – Report to PEC

Agenda Item #    Page #

--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**

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

<u>Telephone</u>	<u>Written</u>
All Seniors Care – 2825 Tokala Trail	

--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**

**Bibliography of Information and Materials  
Z-8776/O-8792**

**Request for Approval:**

City of London Zoning By-law and Official Plan Amendment Application Form, completed by 2415121 Ontario Ltd., April 13, 2017

**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.

York Developments. *Planning Justification Report*, April 2017.

**Correspondence: (all located in City of London File No. Z-8776/O-8792 unless otherwise stated)**

**City of London -**

Giesen A., City of London Transportation Planning & Design E-mail to M. Corby. May 30, 2017.

Roobroeck R., City of London Development Services. Memo to M. Corby. June 16, 2017.

**Departments and Agencies -**

Creighton C., UTRCA. Letter to M. Corby. June 15, 2017.

Lacoursiere V., Conseil Scolair Viamonde. Email to M. Corby May 26, 2017.

Vergeer K, Canada Post Corporation. Email M. Corby. June 29, 2017.

--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**

**Appendix "A"**

Bill No. (number to be inserted by Clerk's Office)  
(2017)

By-law No. C.P.-1284-\_\_\_\_\_

A by-law to amend the Official Plan for the City of London, 1989 relating to 1175, 1185, 1195, 1205, 1215 Fanshawe Park Road West and 2151 Dalmagarry Road.

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 19, 2017.

Matt Brown  
Mayor

Catharine Saunders  
City Clerk

First Reading – September 19, 2017  
Second Reading – September 19, 2017  
Third Reading – September 19, 2017

--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**

**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 10.1.3 of the Official Plan for the City of London to allow a Restricted Automotive use excluding car washes.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1175, 1185, 1195, 1205, 1215 Fanshawe Park Road West and 2151 Dalmagarry Road in the City of London.

C. BASIS OF THE AMENDMENT

The recommended amendment is consistent with the *Provincial Policy Statement, 2014*, and the Neighbourhood Commercial Node and Policies for Specific Areas of the Official Plan. It is also in keeping with the policies of the London Plan and will increase the usability of the subject without resulting in any negative impacts to abutting uses.

D. THE AMENDMENT

The Official Plan for the City of London is hereby amended as follows:

1. Section 10.1.3 – Policies for Specific Areas of the Official Plan for the City of London is amended by adding the following:

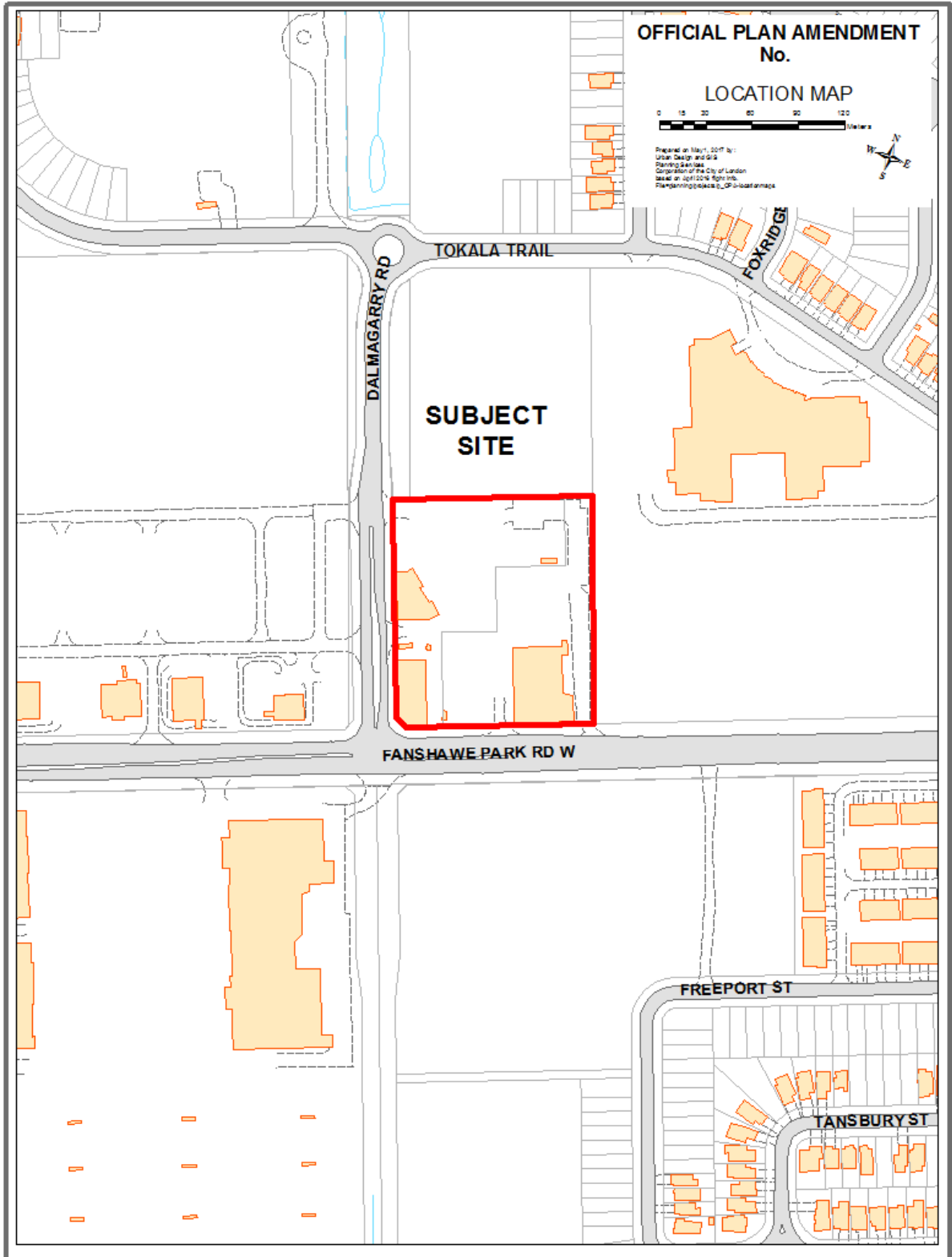
1175, 1185, 1195, 1205, 1215 Fanshawe Park Road West and 2151 Dalmagarry Road

In the Neighbourhood Commercial Node designation at 1175, 1185, 1195, 1205, 1215 Fanshawe Park Road West and 2151 Dalmagarry Road, Restricted Automotive Uses excluding car washes may be permitted.



--	--

File: Z-8776/O-8792  
Planner: Mike Corby



Two empty rectangular boxes for agenda item and page numbers.

File: Z-8776/O-8792  
Planner: Mike Corby

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)  
(2017)

By-law No. Z.-1-17 \_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1175, 1185, 1195, 1205, 1215 Fanshawe Park Road West and 2151 Dalmagarry Road.

WHEREAS 2415121 Ontario Ltd has applied to rezone an area of land located at 1175, 1185, 1195, 1205, 1215 Fanshawe Park Road West and 2151 Dalmagarry Road, 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 1175, 1185, 1195, 1205, 1215 Fanshawe Park Road West and 2151 Dalmagarry Road, as shown on the attached map comprising part of Key Map No. A.101, from a Neighbourhood Shopping Area Special Provision (NSA5(8)) Zone to a Neighbourhood Shopping Area Special Provision (NSA5(\_)) Zone.
- 2) Section Number 23.4 of the Neighbourhood Shopping Area (NSA5) Zone is amended by adding the following Special Provision:

) NSA5( )

a) Additional Permitted Use[s]

- i) Restricted Automotive Use (car washes are not permitted)
- ii) Commercial Recreation Establishment

b) Regulation[s]

- i) The following regulations apply for all lands zoned NSA5(\_)
- ii) Yard Depth Abutting the Residential Zone 7.0m (22.97 feet)
- iii) Total Gross Floor Area (maximum) 6,000 m2 (64,585.58 sq.ft.)
- iv) Parking shall not be permitted between any building or structure and any road allowance.

c) Regulation[s] 2151 Dalmagarry Road & 1185, 1205, 1215 Fanshawe Park Road West

- i) Maximum Gross Floor Area of 1,000m2 for one individual use (10,763.9sq.ft) other than food stores or restaurants.
- ii) Maximum Gross Floor Area of 635m2 for one individual use (6,835.1sq.ft) other than food stores or restaurants.

--	--

**File: Z-8776/O-8792  
Planner: Mike Corby**

- iii) Gross Floor Area for one individual "Restaurant" (maximum) 530m2 (5,704.85 sq.ft.)
- d) Regulation[s] 1175 & 1195 Fanshawe Park Road West
  - i) Maximum Gross Floor Area of 790m2 for one individual use (8,503.5sq.ft) other than food stores or restaurants.
  - ii) East Yard Depth (minimum) 5.0m (16.4 feet)
  - iii) Landscaped Open Space (minimum) 13%
  - iv) Lot Coverage (maximum) 31%

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 19, 2017.

Matt Brown  
Mayor

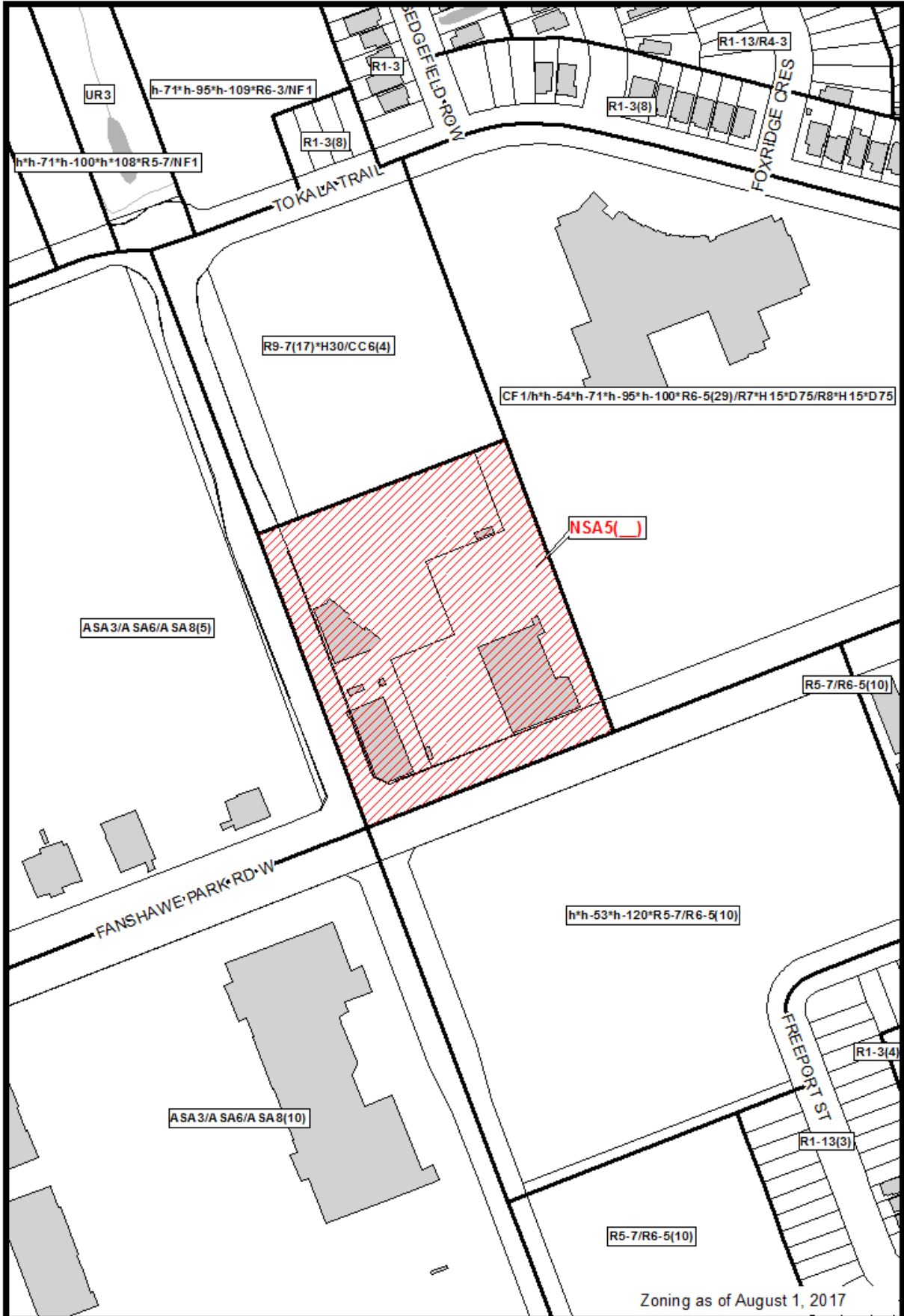
Catharine Saunders  
City Clerk

First Reading – September 19, 2017  
Second Reading – September 19, 2017  
Third Reading – September 19, 2017


--	--

File: Z-8776/O-8792  
Planner: Mike Corby

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



File Number: Z-8776  
 Planner: MC  
 Date Prepared: 2017/08/16  
 Technician: MB  
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

