

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: SOUTHSIDE GROUP 940 AND 956 WHARNCLIFFE ROAD SOUTH PUBLIC PARTICIPATION MEETING ON JANUARY 22, 2018

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Southside Group relating to the property located at 940 and 956 Wharncliffe Road South:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting January 30, 2018 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone, **TO** a Restricted Service Commercial Special Provision (RSC1/RSC2/RSC3/RSC4(_))Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider providing enhanced landscaping between the abutting residential zones and any future uses on the subject site through the site plan approval process.

EXECUTIVE SUMMARY

Summary of Request

The requested amendment is seeking to increase the range of permitted uses on the subject site while also providing for a large scale open storage facility for surrounding car dealerships. The range of permitted uses include animal clinics; automotive repair and retail uses; home improvement stores; self-storage establishments; liquor, beer and wine stores; pharmacies; commercial recreations establishments; funeral homes; medical/dental offices; convenience stores; day care centres; financial institutions; personal service establishments; restaurants among others.

The requested amendment is also seeking to permit Open Storage (restricted to vehicles only) as an additional permitted use at a maximum lot coverage of 80% and a minimum setback of 15 metres when abutting a residential zone

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to approve the request to permit a variety of commercial uses on the subject site which are similar in nature to the surrounding commercial uses and provide for an increase in open storage to allow for the storage of vehicles to support surrounding car dealerships. The requested range of uses are in keeping with the underlying Auto Oriented Commercial Corridor (AOCC) designation implementing a similar range of uses to those that exists in the abutting lands within the AOCC designation. The recommendation maintains a minimum 15 metre landscaped buffer for the open storage uses ensuring that the abutting residential lands will be appropriately buffered from future uses on the subject site.

Background

During the Planning and the Environment Committee meeting on December 4, 2017, Staff recommended approval of the requested land use change to permit a range of Restricted Service Commercial zone variations as well as several special provisions to modify three regulations. The Restricted Service Commercial zones include regulations that permit Open Storage in association with Self-Storage Establishments up to a maximum lot coverage of 60% and the recommended zoning included special provisions to increase the amount of open storage up to 80% of the lot. Additionally, the Restricted Service Commercial zones include regulations that permit open storage to comprise up to 40% of the total *Self-Storage Establishment use* and the recommended zoning amendment included a special provision to increase that amount to 100% of the use. The recommendation also required a minimum setback of 15 metres when abutting a residential zone and recognized that the subject site has no frontage onto a public road.

At the meeting of the Planning and Environment Committee, concerns were raised about the potential open storage of hazardous substances on the site. In order to resolve these concerns the item was referred back to Staff *“to identify and report back on the appropriate raw materials that can be stored on the property”*. In addition, a question arose whether the definition of *Self Storage Establishment* would effectively permit the outdoor storage of vehicles as per the intent of the application.

Analysis

Subsequent to the referral, Staff and the applicant discussed the matter and agreed that the most transparent means to address the concerns was to simplify the zoning amendment request and permit “Open Storage” as an additional permitted use (rather than association with a *Self-Storage Establishment*) and restrict it to vehicular storage only. This action would clearly permit the outdoor storage of vehicles while precluding the storage of hazardous material. A special provision is also recommended to permit a maximum lot coverage of 80% in keeping with the original recommendation. The effect of the amendment is identical to range of permitted uses and regulations applied in the initial recommendation albeit with a slightly modified by-law.

The previous report and rationale (see attached) continue to apply to this recommended action as the intent of the application has not changed from the original application and the technical change in the by-law has been publicly vetted through the appropriate Notice of Application and Public Meeting. A revised by-law is attached to this report for consideration and recommended for approval.

Public Comments

Through the revised Notice of Application which was mailed out on December 20, 2017 and published in the Londoner on December 21, 2017 one new comment was received from the public. The identified concerns are similar in nature to the previous public comments identified and addressed in Staff’s initial report. The new comments are attached as Appendix “B” of this report.

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

December 18, 2017

MC/mc

Y:\Shared\implemen\DEVELOPMENT APPS\2017 Applications 8723 to\8813Z- 940-956 Wharcliffe Road S (MC)\Report\Z-8813-AODA Revised Amendment Report - Referral Back (MT Changes).docx

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 940 and 956 Wharnccliffe Road South.

WHEREAS Southside Group has applied to rezone an area of land located at 940-956 Wharnccliffe Road South, 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 940 and 956 Wharnccliffe Road South as shown on the attached map comprising part of Key Map No. A.111, from an Urban Reserve (UR4) Zone to a Restricted Service Commercial Special Provision (RSC1/RSC2/RSC3/RSC4(_)) Zone.
- 2) Section Number 28.4 of the Restricted Service Commercial (RSC4(_)) Zone is amended by adding the following Special Provision:
 -) RSC4() 940 and 956 Wharnccliffe Road South
 - a) Additional Permitted Use[s]
 - i) Open Storage (restricted to vehicles only)
 - b) Regulation[s]
 - i) The maximum lot coverage for open storage uses shall be 80%
 - ii) The minimum setback for open storage uses in rear and interior side yards abutting a residential zone shall be 15.0m (49.2 feet).
 - iii) Lot Frontage (minimum) 0 metres (0 feet)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on January 30, 2018.

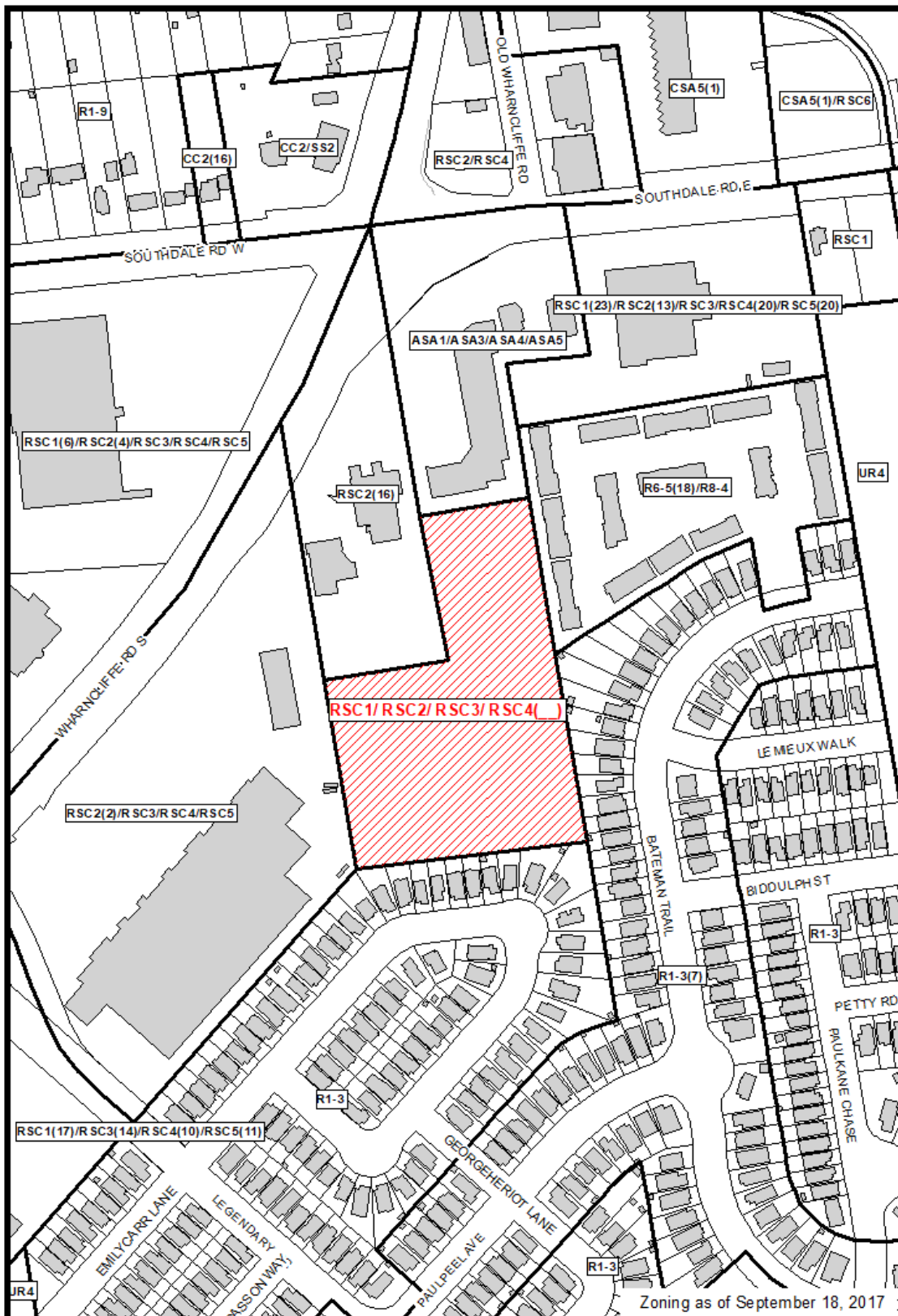
File: Z-8813
Planner: Mike Corby



Matt Brown
Mayor

Catharine Saunders
City Clerk

First Reading – January 30, 2018
Second Reading – January 30, 2018
Third Reading – January 30, 2018

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



<p>File Number: Z-8813 Planner: MC Date Prepared: 2017/10/24 Technician: MB By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:3,000</p> <p>0 15 30 60 90 120 Meters</p> 
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Geodatabase

Appendix "B"

Email: January 2, 2018

Good Day Mike

I am writing with regards to the Zoning By-Law amendment application for 940-956 Wharncliffe Road South, London.

I have been a resident on Bateman Trail for close to 5 years now. I call home, one of the houses that backs on to what we refer to the "nature bog" where developers are hoping to build or store vehicles etc.

The main draw for my purchase of this particular home was the lack of industrial anything within close proximity, the lovely vacant space behind us and the (for the most part) quiet. There is a plethora of wildlife in that vacant space and it breaks my heart to think they will all be uprooted and their homes destroyed. But this is already going on in so many new developments around this area - we are hardly a forest city anymore.

The Brick, which we see from our back porch, has tractor trailers arriving with shipments but short of the back up beepers, they are relatively quiet and we aren't exposed to exhaust fumes. I am definitely against this particular area being zoned to permit commercial uses etc. Noise, emissions, pollution - no thank you - not to mention how it will impact housing prices. I bought here because it was my hope to remain until I could no longer look after it.

For what it's worth, that's my two cents

Regards,
Jean McLeish

Appendix "C"

File: Z-8813
Planner: Mike Corby

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: SOUTHSIDE GROUP 940 AND 956 WHARNCLIFFE ROAD SOUTH PUBLIC PARTICIPATION MEETING ON DECEMBER 4, 2017

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of Southside Group relating to the property located at 940 and 956 Wharncliffe Road South:

- (a) The proposed by-law attached hereto as Appendix "A" BE INTRODUCED at the Municipal Council meeting December 12, 2017 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property FROM an Urban Reserve (UR4) Zone, TO a Restricted Service Commercial Special Provision (RSC1/RSC2/RSC3/RSC4())Zone;
- (b) The Site Plan Approval Authority BE REQUESTED to consider providing enhanced landscaping between the abutting residential zones and any future uses on the subject site through the site plan approval process.

EXECUTIVE SUMMARY

Summary of Request

The requested application is seeking to increase the range of permitted uses on the subject site while also providing for a large scale open storage facility for surrounding car dealerships or other commercial uses. The range of permitted uses include animal clinics; automotive repair and retail uses; home improvement stores; self-storage establishments; liquor, beer and wine stores; pharmacies; commercial recreations establishments; funeral homes; medical/dental offices; convenience stores; day care centres; financial institutions; personal service establishments; restaurants among others.

The requested amendment is also seeking to increase the maximum lot coverage from 60% to 80% and increase the maximum open storage for self storage establishments from 40% to 100%. The requested amendment also includes a reduction in the rear and interior side yard setbacks between open storage and a residential zone from the required 15m setback to 10m.

Summary of Recommended Action

Staff are recommending approval of the requested uses as they are in keeping with the underlying Auto Oriented Commercial Corridor (AOCC) designation implementing a similar range of uses to those that exists in the abutting lands within the AOCC designation. However, the recommendation will maintain the minimum 15 metre landscaped buffer for the open storage component of a self-storage establishment ensuring that the abutting residential lands will be appropriately buffered from future uses on the subject site.

Rationale of Recommended Action

- 1) The recommendation is consistent with Provincial Policy Statement 2014.
- 2) The recommendation is consistent with the Auto Oriented Commercial Corridor designation of the Official Plan.
- 3) The recommendation is consistent with the North Longwoods Community Plan and Southwest Area Plan
- 4) The recommendation provides for an appropriate range of permitted uses on the subject site for future development.
- 5) The required setback between the abutting residential zones ensures the existing developments will have a sufficient buffer between potential future uses and maintain their privacy.
- 6) The proposed uses are in keeping with the future Commercial Industrial place type of the London Plan.

ANALYSIS

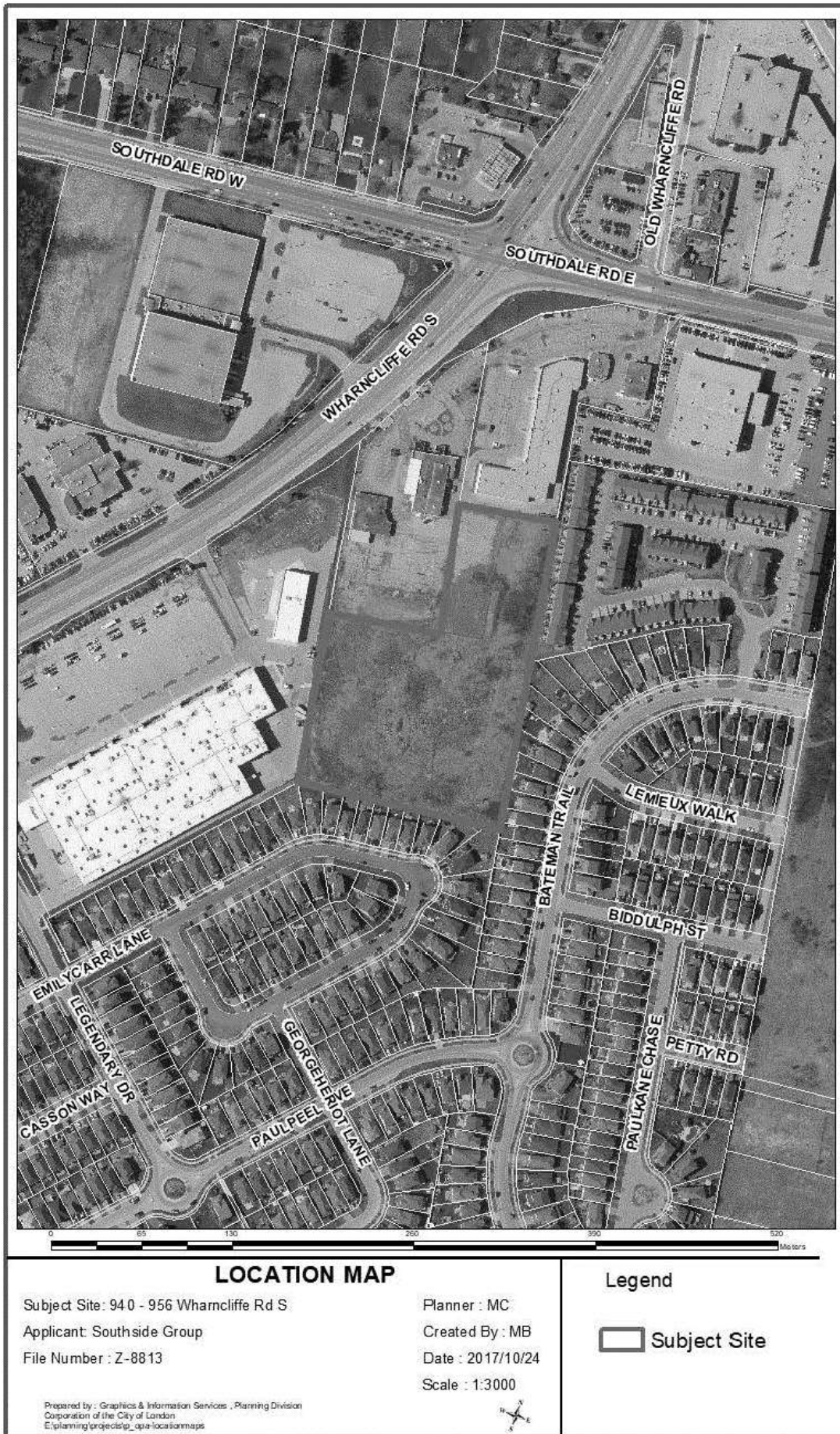
1.0 Site at a Glance

1.1 Property Description

The subject site is located at 940-956 Wharnccliffe Road South at the intersection of Southdale Road East and Wharnccliffe Road South. The subject site currently has two commercial developments on the front portion of the site that are being renovated for future uses. The portion of the site subject to the application is the vacant space located in the rear of the site. The lands are situated behind existing commercial uses that run along Wharnccliffe Road and abut residential homes on the east and south portions of the site.



1.5 Location Map



1.2 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – AOCC
- The London Plan Place Type – Commercial Industrial
- Existing Zoning – UR4 Zone

1.3 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 105 metres (344.5 feet)
- Depth – Varies
- Area – 1.17 ha (acres)
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Commercial
- East – Low Density Residential
- South – Low Density Residential
- West – Commercial

2.0 Description of Proposal

2.1 Development Proposal

The portion of the site proposed to be rezoned is currently undeveloped and located behind existing commercial developments which front Wharncliffe Road S and Southdale Road E and abutting residential developments to the east and south. No specific development proposal has been provided by the applicant however a wide range of zones which would permit multiple uses in conformity with the Official Plan has been requested to increase the usability of the site. The requested zoning is similar to the existing zoning on the north portion of the site and abutting commercial lands to the west. The applicant has identified in their application that a potential future use could be for open storage purposes to accommodate the surrounding car dealership's overflow of vehicles. Special provisions have also been applied for in order to implement an open storage use at the scale which they are seeking.

3.0 Relevant Background

3.1 Planning History

The subject site was included in two community planning processes which include the North Longwoods area plan completed in 2003 and Southwest Area Plan completed in 2014. Both area plans identified the subject site for future commercial uses.

3.2 Requested Amendment

The applicant has applied to amend the existing Urban Reserve (UR4) zoning to a Restricted Service Commercial Special Provision (RSC1/RSC2/RSC3/RSC4(_)) Zone to implement the Auto Oriented Commercial Corridor (AOCC) designation permitting a wide range of moderate intensity commercial uses, and trade service uses, which may require significant amounts of land for outdoor storage or interior building space. The application has also requested a special provision which would permit 80% lot coverage for self-storage establishments where 60% is permitted and an increase the maximum open storage for self-storage establishments from 40% to 100%. A reduced setback of 10 metres where 15.0m (49.2 feet) plus the applicable rear and interior side setback is required for open storage uses when abutting the residential zones has also been requested.

3.3 Community Engagement (see more detail in Appendix B)

Through the circulation process some community concerns were raised about the potential future of the subject site and impacts those uses could have on their properties. Potential eyesore of heavy equipment, noise and pollutants were of

concerns as well as potential incompatibilities of future uses and the potential reduction in property value.

3.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement (2014)

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 and 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 [1.3 *Employment*]. The PPS encourages municipalities to provide opportunities for economic development and community investment-readiness [1.7 *Long-Term Economic Prosperity*]

Official Plan

The subject site is located within an Auto-Oriented Commercial Corridor designation which is applied to areas along arterial roads. 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 (4.4.2.3. Function). The AOCC designation allows for service commercial uses that generate significant amounts of traffic and draw patrons from a wide area to be located within these areas (4.4.2.4. Permitted Uses).

The Official Plan identifies that appropriate buffering for rear yard setbacks, buffer strips, privacy screening and other appropriate measures to buffer new development from adjacent residential areas shall be applied through the Zoning By-law and site plan control process (4.4.2.6.4. Buffering). It also directs site plan to consider similar potential impacts of future development abutting existing or planned residential development or other sensitive land uses (4.4.2.6.8. Site Planning).

London Plan

The subject site is located in a Commercial Industrial place type. This place type accommodates commercial uses that do not fit well within the context of our commercial and mixed-use place types. The London Plan contemplates that many of the potential uses are designed with large outdoor storage areas, impound areas with high fences, heavy equipment on-site, or large warehouse components that don't integrate well within streetscapes and neighbourhoods.

Southwest Area Plan

The subject site is located within the Southwest Area Plan and is subject to the policies of the Secondary Plan. The proposed development is within the North Talbot and North Longwoods Neighbourhoods (20.5.11). The policies identify that this neighbourhood has already experienced a significant number of planning approvals and are currently under development. As a result the commercial component of this neighbourhood has no specific policies therefore the policies of the Official Plan will be implemented.

North Longwoods Area Plan (2003)

The subject site is also part of the North Longwoods Area Plan which designated a large portion of the frontage along the southeast side of Wharnccliffe Road South and a 0.42 hectare (1 acre) area of land on the south side of Southdale Road E as "Restricted Service Commercial" (RSC), and the immediate south-east corner of Southdale Road E and Wharnccliffe Road S as "Associated Shopping Area Commercial" (ASA). These designations primarily reflect existing established uses in the identified areas. The whole of the subject site was designated Restricted Service Commercial and at the time the site was used as the Hully Gully dealership, however the south portion of the subject site which is the subject this application, remained undeveloped. The Restricted Service Commercial designation no longer exists in the Official Plan and was replaced by the current Auto Oriented Commercial Corridor designation.

Zoning

The general purpose of the Restricted Service Commercial zone is to implement the Auto-Oriented Commercial Corridor designation. 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.

4.0 Key Issues

Through the circulation process no departmental concerns were expressed however members of the public raised concerns about the potential future impacts on their privacy, increases in noise and pollution and incompatibility with future uses. Members of the public also believed that since the lands are zoned UR4 that the lands would be contemplated for residential uses in the future.

- Privacy/Compatibility
- Range of Uses
- Existing UR4 zone
- Special Provisions

4.1 Issues and Considerations #1 – Privacy/Compatibility

Development of new uses within the AOCC designation are guided by several policies in order to accommodate the potential infilling, redevelopment or the conversion of existing structures within these areas (4.4.2.6.Form). As mentioned the proposed development abuts residential uses and as such privacy and potential impacts of future uses is a concern. The Official Plan identifies that appropriate buffering for rear yard setbacks, buffer strips, privacy screening and other appropriate measures to buffer new development from adjacent residential areas shall be applied through the Zoning By-law and site plan control process (4.4.2.6.4. Buffering). It also directs site plan to consider similar potential impacts of future development abutting existing or planned residential development or other sensitive land uses, restrictions on outdoor storage and garbage storage, and requirements for substantial setbacks, landscaped strips, screening, and other measures to buffer the commercial or office uses through the Zoning By-law or the site plan approval process. (4.4.2.6.8. Site Planning).

The recommended Zoning By-law amendment requires that a 15 metre setback be provided for any potential open storage component of a self-storage establishment. This distance provides a sufficient buffer between a future open storage facility and the abutting residential developments. This area can further be landscaped to provide additional privacy to homeowners and reduce any lighting or noise impacts in the rear yards. The recommendation requests that enhanced landscaping be provided between any future development and the residential uses, regardless of the future commercial use on site, through the site plan approval process.

The recommended RSC zones also considers the impacts of its permitted uses on abutting lands as it provides for a larger setback between the building and abutting residential zone as opposed to non-residential zones. A minimum 6 metre setback is required for rear and interior side yards plus an additional 1.5 metres for each 4.0 metres (13.1 feet) of building height or fraction thereof above the first 4.0 metres. Since the maximum building height in the recommended zone is 12 metres the minimum setback required could reach 9 metres.

4.2 Issues and Considerations # 2 – Range of Permitted Uses

Range of Permitted Uses

The subject site is located within an established Auto-Oriented Commercial Corridor designation which is applied to areas along arterial roads. 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 (4.4.2.3. Function). The AOCC designation allows for service commercial uses that generate significant amounts of traffic and draw patrons from a wide area. These uses have limited opportunity to locate within Commercial Nodes or Main Street Commercial Corridors by reason of their building form, site area, location, access or exposure requirements; or have associated nuisance impacts that lessen their suitability for a location near residential 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; self-storage outlets; nursery and garden stores; animal hospitals or boarding kennels; and other types of commercial uses that offer a service to the traveling public (4.4.2.4. Permitted Uses).

The requested amendment to apply a Restricted Service Commercial Special Provision Zone ((RSC1/ RSC2/ RSC3/ RSC4/()) is appropriate as the general purpose of the zone is to implement the Auto-Oriented Commercial Corridor designation. 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. Generally the uses with associated nuisance impacts are located in the RSC5 zone variation which implements more intensive light industrial uses. The RSC5 zone has not be requested through this application in order to limit potential impacts. The proposed zoning is similar to abutting commercial lands within the AOCC designation and will help facilitate the use of a site that has been underutilized for commercial uses.

Within the London Plan the subject site is located in a Commercial Industrial Place Type. This place type accommodates commercial uses that do not fit well within the context of our commercial and mixed-use place types. The London Plan contemplates that many of the potential uses are designed with large outdoor storage areas, impound areas with high fences, heavy equipment on-site, or large warehouse components that don't integrate well within streetscapes and neighbourhoods. They may also generate noise, vibration, emissions and other planning impacts beyond those that would be expected within a commercial or mixed-use context. The requested RSC zone variations implement uses similar to those contemplated by in the London Plan and the proposed special provision to increase the lot coverage for self-storage establishments and the open storage component are in keeping with the vision of the London Plan which anticipates large outdoor storage areas within the commercial industrial place type

4.3 Issues and Considerations #3 – Existing UR4 Zone

The subject site is currently zoned Urban Reserve (UR4) zone. The UR4 zone is generally applied to areas which have not completed a Community Plan process and are intended for residential development over the long term. The subject site was part of the

North Longwoods Area Plan and Southwest Area Plan both which designated the subject site for commercial uses and subsequent Zoning By-law amendments to implement the designation were not requested. The area surrounding the subject site fronting Wharncliffe Road South has been developed for commercial purposes or through plans for subdivision for residential uses in keeping with both area plans. The subject site and surrounding residential area would have had an existing UR4 zone on the property prior to these area plans being established. Since the subject site was deemed commercial through the Official Plan and Area Plans it was not included as part of the residential developments and the UR4 zone remained on the property and was never rezoned for its intended commercial uses.

The zone notes that it is applied to lands that have not undergone an area plan. In the case of the subject site two area plans have been adopted and the existing Official Plan designation reflects the area plans' intent to provide the ability to implement commercial uses through a zoning amendment.

4.4 Issue and Consideration #4 – Requested Special Provisions

The requested amendment has also proposed a special provision to increase the amount of lot coverage for Self-Storage Establishments and the amount of open storage permitted for the self-storage establishment use. The recommended special provision proposes a lot coverage of 80% for self-storage establishments where 60% is permitted and an increase in the maximum open storage for self-storage establishments from 40% to 100%. The amendment will essentially permit an Open Storage use on the site with a lot coverage of 80%. A special provision for a reduced interior and rear yard setbacks when abutting residential zones has also been requested.

The special provision to permit a large open storage use on the site is appropriate as the site itself is tucked in behind several commercial developments and rear yards of residential uses. The site lends itself to self-storage or open storage type uses as they are not appropriate occupying large portions of street frontage in a commercial corridor. The special provision is also appropriate as these types of large open storage uses are contemplated in the future London Plan. The current Zoning By-law does not have a zone that specifically implements open storage as a stand-alone use and as such the unique provision is required to implement the use through the permitted Self-Storage establishment.

The applicant was also seeking a minimum setback of 10 metres for the open storage component of the self-storage establishment when abutting a residential zone where 15.0m (49.2 feet) plus the applicable rear and interior side yard depth is required. After considering the concerns of the community about privacy and potential impacts of open storage uses it is recommended that the existing 15.0m setback within the Zoning By-law be maintained. However, the regulation requiring a minimum 6 metre setback for rear and interior side yards plus an additional 1.5 metres for each 4.0 metres (13.1 feet) of building height above the first 4.0 metres in addition to the 15m setback is not required. This would result in a minimum setback of 21 metres which is excessive given the requirement for enhanced landscaping which will help reduce any noise, sound and light pollution on the abutting rear yards.

More information and detail is available in Appendix B and C of this report.

5.0 Conclusion

The recommended amendment to add the RSC zone variations and increase in permitted open storage on the subject site is considered appropriate as it is consistent with the PPS 2014, the City of London Official Plan policies and the North Longwoods Community Plan and Southwest Area Plan. The recommendation provides for an appropriate range of permitted uses on the subject site for future development while requiring appropriate setbacks between the abutting residential zones to ensure the

existing developments will have a sufficient buffer between potential future uses and maintain their privacy. The proposed uses are also in keeping with the future Commercial Industrial Place Type of the London Plan.

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

November 1, 2017

MC/mc

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2018

By-law No. Z.-1-18_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 940 and 956 Wharnccliffe Road South.

WHEREAS Southside Group has applied to rezone an area of land located at 940-956 Wharnccliffe Road South, 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 940 and 956 Wharnccliffe Road South as shown on the attached map comprising part of Key Map No. A.111, from an Urban Reserve (UR4) Zone to a Restricted Service Commercial Special Provision (RSC1/RSC2/RSC3/RSC4(_)) Zone.
- 2) Section Number 28.4 of the Restricted Service Commercial (RSC4(_)) Zone is amended by adding the following Special Provision:
 -) RSC4() 940 and 956 Wharnccliffe Road South
 - a) Regulation[s]
 - i) The maximum lot coverage for specific individual uses shall be as follows:
 - a. Self-storage Establishments 80%
 - ii) The maximum open storage for specific individual uses shall be as follows:
 - a. Self-storage Establishments 100%
 - iii) The minimum setback for open storage for self-storage establishments in rear and interior side yards abutting a residential zone shall be 15.0m (49.2 feet).
 - iv) Lot Frontage (minimum) 0 metres (0 feet)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

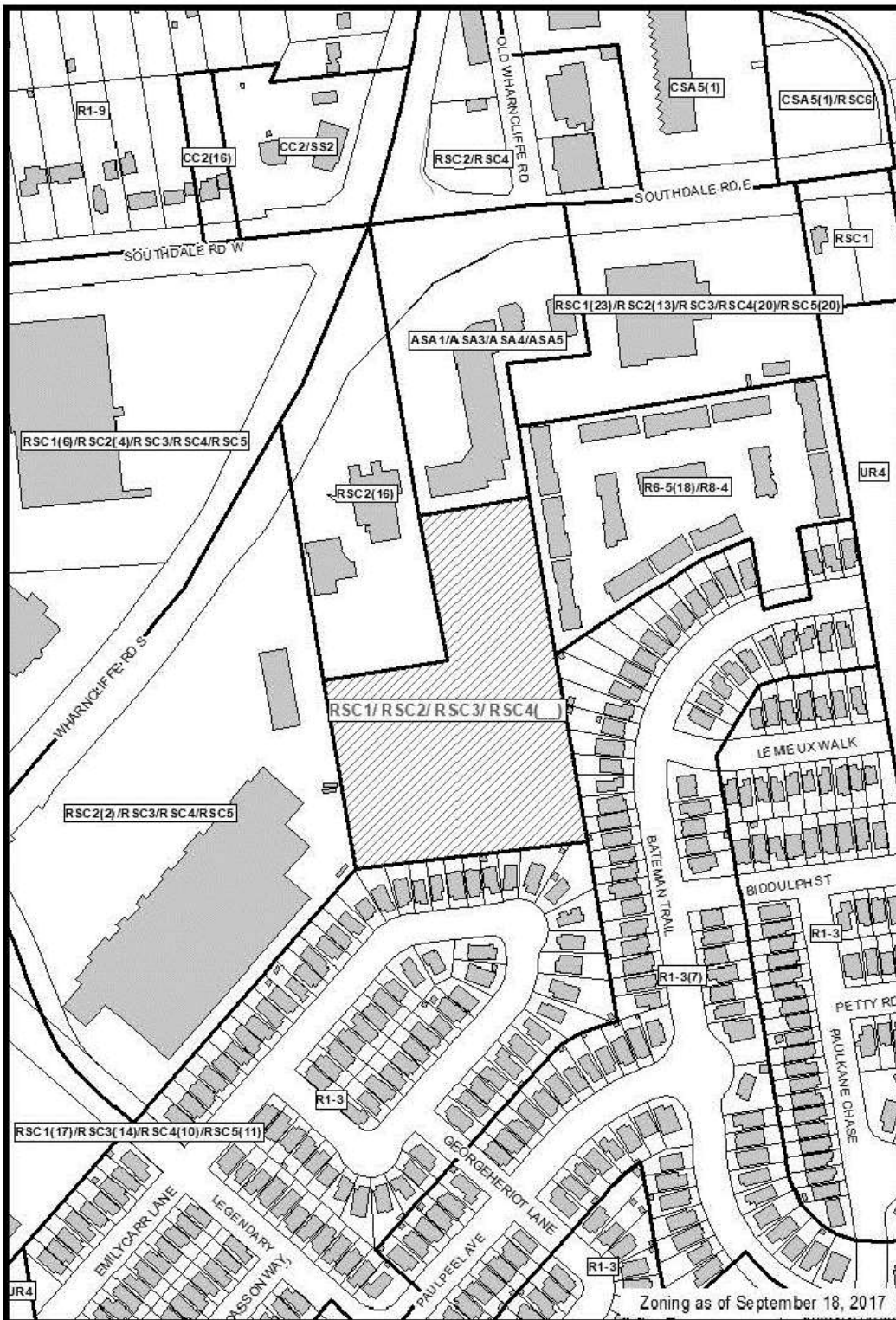
PASSED in Open Council on December 12, 2017.

Matt Brown
Mayor

Catharine Saunders
City Clerk


First Reading – December 12, 2017
Second Reading – December 12, 2017
Third Reading – December 12, 2017

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

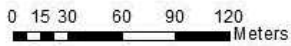


Zoning as of September 18, 2017

File Number: Z-8813
 Planner: MC
 Date Prepared: 2017/10/24
 Technician: MB
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000



Geomatics

Appendix B – Public Engagement

Community Engagement

<p>Public liaison: On September 6, 2017, Notice of Application was sent to 207 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 September 7, 2017. A "Planning Application" sign was also posted on the site.</p> <p>14 replies were received</p>
<p>Nature of Liaison: The purpose and effect of this zoning change is to permit a variety of uses on the subject site and provide for an increase in open storage to support surrounding car dealerships or other commercial uses.</p> <p>Change Zoning By-law Z.-1 from an Urban Reserve (UR4) to a Restricted Service Commercial Special Provision (RSC1/ RSC2/ RSC3/ RSC4/()) Zone to permit 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 special provision will permit a lot coverage of 85% for self-storage establishments where 60% is required and an increase the maximum open storage for self-storage establishments from 40% to 100%. Provisions for setbacks may also be considered through this process.</p>
<p>Responses: A summary of the various comments received include the following:</p> <p>Concern for:</p> <ul style="list-style-type: none"> - Potential eyesore of heavy equipment, - Increase in noise and pollutants - Incompatible uses - Potential reduction in property value. - Existing UR4 zone indicates future residential uses.

Responses to Public Liaison Letter and Publication in "The Londoner"

Telephone	Written
	Abdelhadi Abouzeenni and Rania Salem 3239 EMILYCARR LANE LONDON ON N6L 0B2
	John Harrison 2635 Bateman Trail Unit 107
	Ron Sparrow 3177 EMILYCARR LANE LONDON ON N6L 0B2

Agency/Departmental Comments

Conseil Scolaire Viamonde – September 12, 2017

The Conseil Scolaire Viamonde has no comments.

Upper Thames River Conservation Authority - October 4, 2017

The UTRCA has no objections to this application.

Development Services - October 6th, 2017

Transportation

No comments for the re-zoning application.

The following items are to be considered during the development application approval stage:

- A road widening dedication of 24.0m from centre line is required along Wharncliffe Road South.

Stormwater Engineering Division

No comments for the re-zoning application.

The following items are to be considered during the development application approval stage:

- The site is included in two (2) different catchment areas. The north portion of the land (940 Wharncliffe Rd S.) is tributary to the storm sewer between Ex.8x90 and Ex.8x94 (see attached as-con 21003), A=1.49ha, C=0.7. The south portion of the land (956 Wharncliffe Rd S) is tributary to the existing 675mm storm sewer between Municipals 3255 and 3249, A=2.5ha, C=0.8 (see the attached as-design sheet T02502-22). Changes to the approved design on 21003 and T02502-22 will trigger the need to prepare a Storm/Drainage Servicing Report and update/revised existing as constructed information The SWM report is to be in accordance the City of London and MOECC standards and guidelines, all to the satisfaction of the City Engineer. The report shall take into account any drawings (e.g. 21003 and T02502-22), reports, and previously prepared development agreements
- The subject lands are located in the Dingman Creek Subwatershed. The Owner shall be required to comply with the SWM criteria and environmental targets identified in the Dingman Creek Subwatershed Study that may include but not be limited to, quantity/quality control, erosion, stream morphology, etc.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review. Major OLF routes shall not be directed toward the back of any houses abutting the south P/L of the site.
- Due to the amount of paved surface area (more than 100 parking spaces in concept site plan 1) the owner shall be required to have a consulting Professional Engineer address water quality to the standards of the Ministry of the Environment and to the satisfaction of the City Engineer.

- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MOECC standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.
- Additional comments may be provided upon future review of the site

Water

No comments for the re-zoning application.

The following items are to be considered during the development application approval stage:

- Water servicing is available to the subject lands from the 400mm diameter watermain along Wharncliffe Road South. This is a low-level system watermain.
- Water servicing to the development would need to be configured such as to avoid the creation of a Regulated Drinking Water System.
- Detailed site servicing comments would be provided at the time of any future site plan consultation\application submission.

WADE have yet to comment on the re-zoning application. Based on our cursory review and their commentary at the pre-application stage, no concerns were raised.

Wastewater and Drainage Division - October 12, 2017

The proposed development of the subject lands is to be serviced by the existing services along Wharncliffe Road South for sanitary, and the adjacent residential subdivision for storm.

WADE has no objection to the possible amendment as proposed by this application.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of the requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement 2014

1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns

- 1.1.1 a),b),c),e),f)

1.1.3 Settlement Areas

- 1.1.3.1, 1.1.3.2, 1.1.3.3, 1.1.3.4, 1.1.3.6

1.3 Employment

- 1.3.1 a),b)

1.7 Long-Term Economic Prosperity

- 1.7.1 a)

Official Plan

Chapter 4 - Commercial Land Use Designations

4.4.2. AUTO-ORIENTED COMMERCIAL CORRIDOR

4.4.2.1. Planning Objectives

4.4.2.3. Function

4.4.2.4. Permitted Uses

4.4.2.6. Form

4.4.2.6.2. Combined Access

4.4.2.6.4. Buffering

4.4.2.6.8. Site Planning

Zoning By-law No. Z-1

Section 28 - Restricted Service Commercial (RSC) Zone

South West Area Plan

20.5.11 North Talbot and North Longwoods Neighbourhoods

- i) Function and Purpose

North Longwoods Area Plan

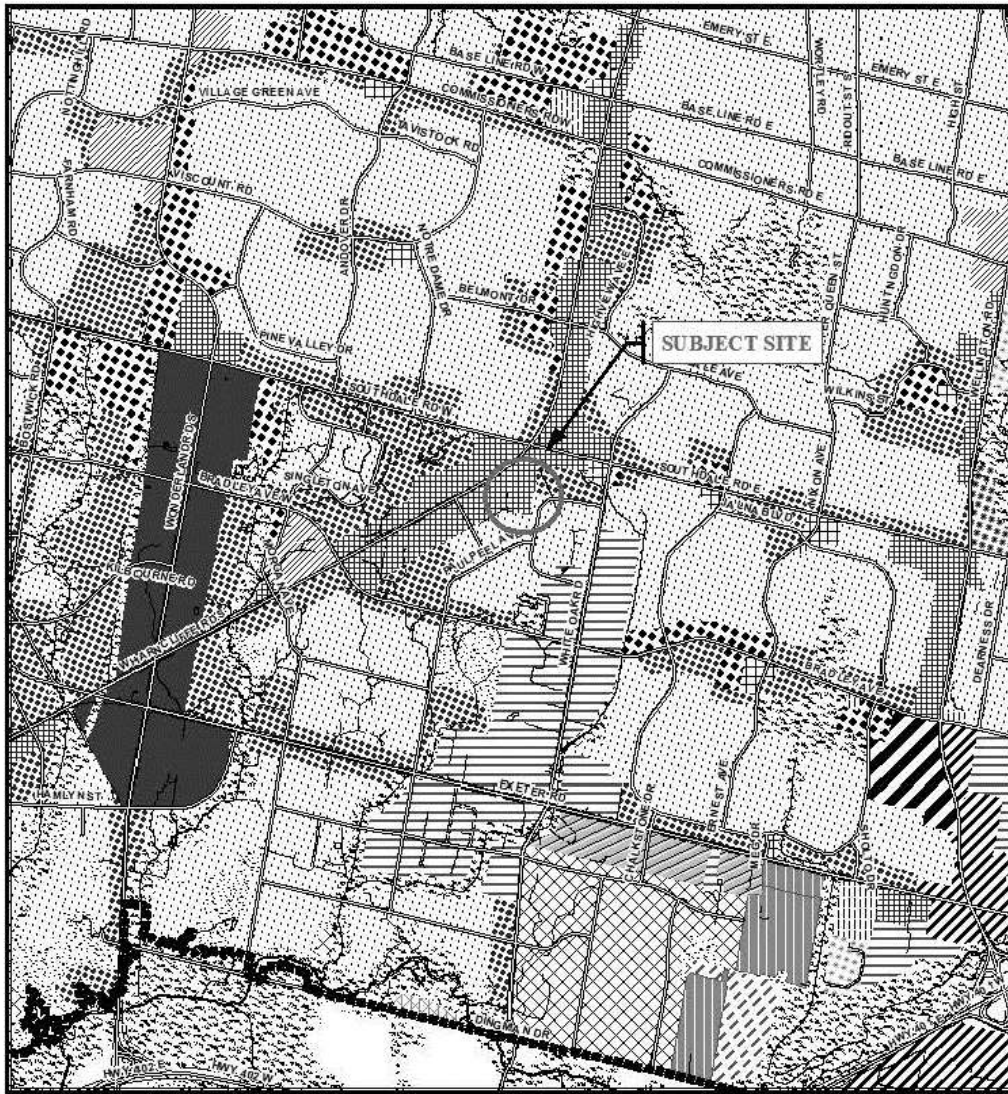
4.0 Recommended Land Use Plan

Recommended Land Use Concept (Map)

4.3 Restricted Service Commercial

APPENDIX D – RELEVANT BACKGROUND

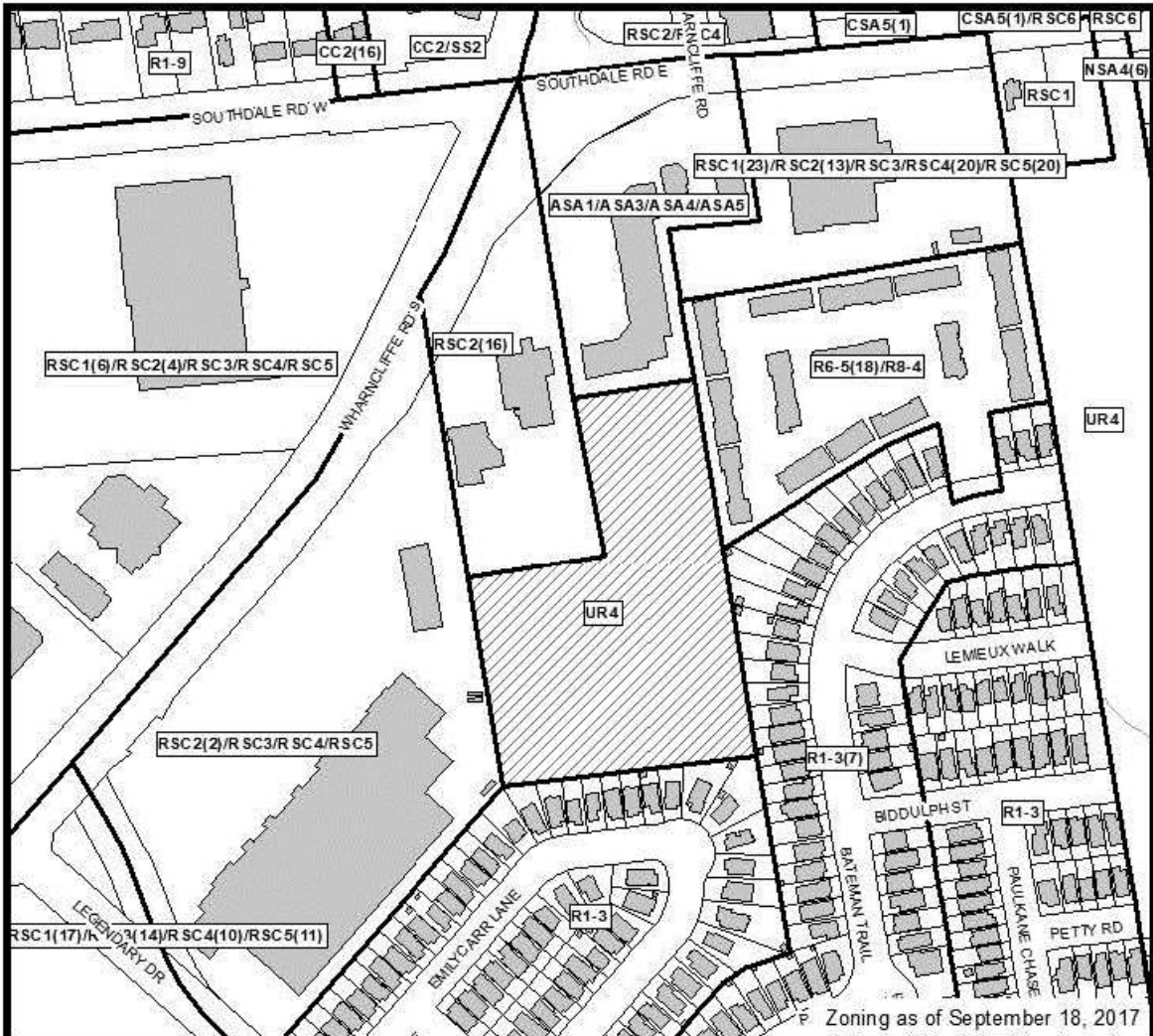
Additional Maps



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

<p>CITY OF LONDON Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8813</p> <p>PLANNER: MC</p> <p>TECHNICIAN: MB</p> <p>DATE: 2017/10/24</p>
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PROJECT LOCATION: e:\planning\projects\ip_officialplan\work\cns00\excorp\to\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: UR4

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

- | | |
|---|--|
| <p>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</p> <p>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</p> <p>OR - OFFICE/RESIDENTIAL
 OC - OFFICE CONVERSION
 RO - RESTRICTED OFFICE
 OF - OFFICE</p> | <p>RF - REGIONAL FACILITY
 CF - COMMUNITY FACILITY
 NF - NEIGHBOURHOOD FACILITY
 HER - HERITAGE
 DC - DAY CARE</p> <p>OS - OPEN SPACE
 CR - COMMERCIAL RECREATION
 ER - ENVIRONMENTAL REVIEW</p> <p>OB - OFFICE BUSINESS PARK
 LI - LIGHT INDUSTRIAL
 GI - GENERAL INDUSTRIAL
 HI - HEAVY INDUSTRIAL
 EX - RESOURCE EXTRACTIVE
 UR - URBAN RESERVE</p> <p>AG - AGRICULTURAL
 AGC - AGRICULTURAL COMMERCIAL
 RRC - RURAL SETTLEMENT COMMERCIAL
 TGS - TEMPORARY GARDEN SUITE
 RT - RAIL TRANSPORTATION</p> <p>"h" - HOLDING SYMBOL
 "D" - DENSITY SYMBOL
 "H" - HEIGHT SYMBOL
 "B" - BONUS SYMBOL
 "T" - TEMPORARY USE SYMBOL</p> |
|---|--|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT 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-8813

MC

MAP PREPARED:

2017/10/24

MB

1:3,500

0 15 30 60 90 120

Meters