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TZ-8045
J. Craig Smith

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR, LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: ANDY MARSHALL 1875 WHARNCLIFFE ROAD SOUTH PUBLIC PARTICIPATION MEETING ON JUNE 18, 2012

RECOMMENDATION

That, on the recommendation of the Director, Land Use Planning and City Planner, based on the application of Andy Marshall relating to the property located at 1875 Wharncliffe Road South, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on June 26, 2012 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to extend the Temporary (T-52) Zone to permit a golf driving range and accessory uses (including a 140 m² golf pro shop and a 93 m² golf training facility within an existing building) for a further three (3) year period.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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TZ-6585- PC, January 12, 2004
TZ-7114- PC, May 29, 2006
TZ-7658-PC, June 24, 2009

PURPOSE AND EFFECT OF RECOMMENDED ACTION

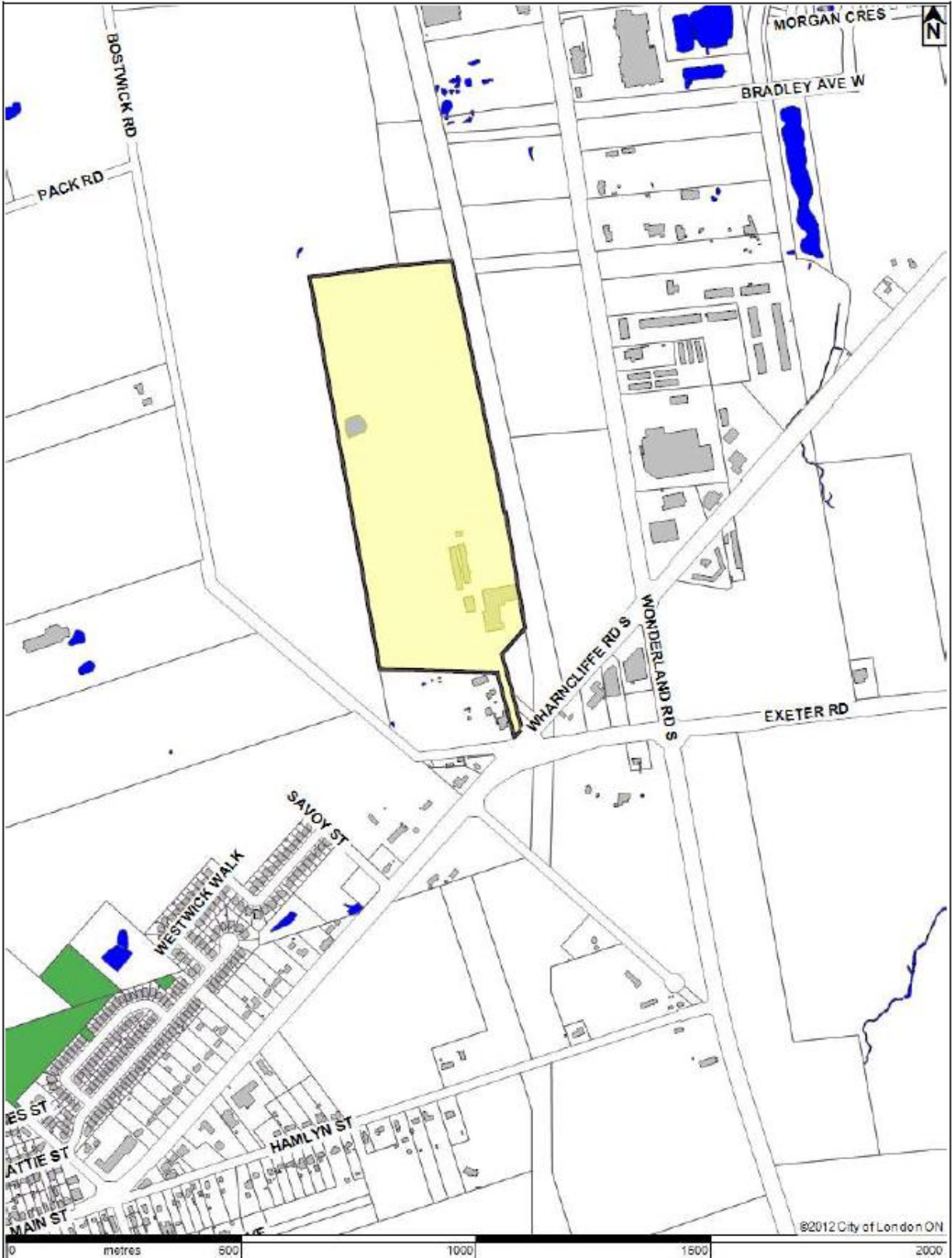
The recommended zoning will permit the existing golf driving range and accessory uses (including a 140 m² golf pro shop and a 93 m² golf training facility within an existing building) for a further three (3) year period.

RATIONALE

1. The recommended extension of temporary use zoning conforms with the criteria for temporary uses in the Official Plan (Section 19.4.5).
2. The existing golf driving range was established by a Temporary Use By-law passed in 2004.
3. The site is currently located in the Southwest Area Study area and does not impede future land use development at this time.

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LOCATION MAP

Subject Site: 1875 Wharncliffe Rd S
 Applicant: Andy Marshall
 File Number: TZ-8045
 Planner: Craig Smith
 Created By: Craig Smith
 Date: 2012-04-12
 Scale: 1:10100

LEGEND

- Subject Site
- Parks
- Assessment Parcels
- Buildings
- Address Numbers



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BACKGROUND

Date Application Accepted: April 12, 2012	Agent: N/A
REQUESTED ACTION: to extend the Temporary (T-52) Zone to permit a golf driving range and accessory uses (including a 140 m2 golf pro shop and a 93 m2 golf training facility within an existing building) for a further three (3) year period.	

SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – temporary driving range and industrial warehousing • Frontage – 30.0 metres (98.57 feet) • Depth – n/a • Area – 28.2 hectares (69.8 acres) • Shape - irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - vacant/agriculture • South - commercial • East – agriculture • West - agriculture

OFFICIAL PLAN DESIGNATION: (refer to map on page 4)
<ul style="list-style-type: none"> • Urban Reserve - Community Growth
EXISTING ZONING: (refer to map on page 5)
<ul style="list-style-type: none"> • Urban Reserve/Temporary Use (UR4/T-52)

PLANNING HISTORY

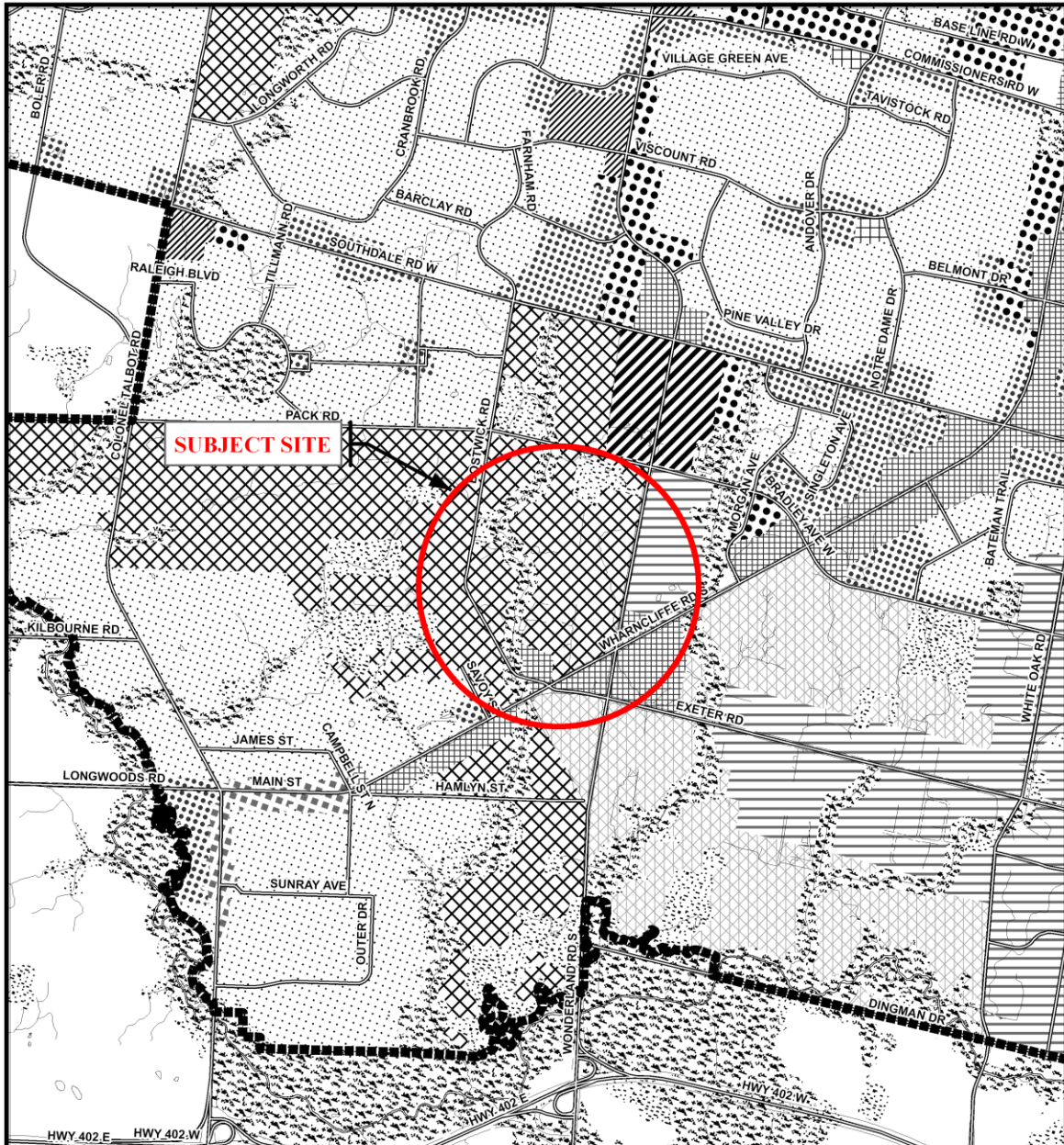
On January 19 2004, Municipal Council approved a Zoning By-law amendment (TZ-6585) that permitted a temporary golf driving range and accessory uses to the driving range. In 2004/2005 the applicant received Municipal approvals for the development and constructed the facility.

In July 2005, a complaint was filed against the property claiming that the accessory pro shop use was not in conformity with the zoning by-law. The applicant applied for an extension of the temporary use zone (TZ-7114) to include 140 m2 golf pro shop and a 93 m2 golf training facility within an existing building. Council granted the temporary zone for a period of three years, expiring June 1, 2009.

The applicant further applied for an extension of the temporary use zone (TZ-7658) in 2009. Council granted the temporary zone for a period of three years, expiring June 29, 2012.

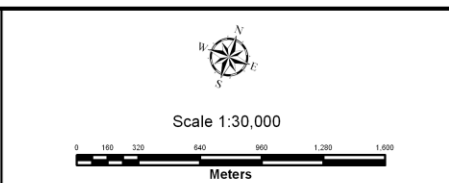
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Legend	
	Downtown Area
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	Multi-Family, Medium Density Residential
	Low Density Residential
	Office Area
	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

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



FILE NUMBER: TZ-8045
 PLANNER: CS
 TECHNICIAN: CK
 DATE: 2012/04/17

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

The City of London’s Environmental and Engineering Services Department has no objection to the aforementioned rezoning application to allow an extension to the existing temporary zone provided that adequate and functional onsite parking is provided to serve the proposed use.

This among other engineering issues will be addressed if site plan approval is required.

PUBLIC LIAISON:	On February 22, 2012, Notice of Application was sent to 69 property owners in the surrounding area. Notice of Application was also published in the “Living in the City” section of the London Free Press on February 25, 2012	0 Replies
Nature of Liaison: Amend the existing Zoning By-law Z.-1, Urban Reserve/Temporary Use (UR4/T-(52)) Zone, which permits a golf driving range and accessory uses (including a 140 m ² golf pro shop and a 93 m ² golf training facility within an existing building) by permitting the continuation of the temporary uses for an additional 3 years		
Responses: None		

ANALYSIS

Subject Site

The subject lands are located on the north side of Wharnccliffe Road South, between Wonderland Road South and Bostwick Road. The 28.2 hectare (69.8 acre) site is irregular in shape with a 30.0 metre (98.57 ft) frontage. In 2004/2005, the site was developed from agricultural fields into a golf driving range with putting, chipping and sand trap training facilities. A small trailer was enclosed, on site, with a wooden exterior to distribute balls and refreshments and function as an office for the permitted use. A large board on board fence was constructed through the parking lot completely enclosing the driving range facility.

The subject site also contains a number of warehouse buildings used for storage and small industrial businesses. In addition to these industrial uses, Bob Martin’s golf has converted a portion of a warehouse building into a small pro shop and training facility.

Nature of the Application

The application proposes to extend the time period approved by Council in 2009 for the temporary use for an additional 3 years.

Official Plan

The Official Plan policies which designate the subject lands as Urban Reserve Community Growth are applied to large tracts of land intended for development but have yet to have a land use plan applied to them. Land use plans (through Official Plan designations) are generally established through an area plan process.

To limit premature development which may undermine the development pattern for the area, the Urban Reserve designation generally limits the range of permitted uses to: existing uses, agricultural uses, park and/or recreational uses and interim uses which would not detract from the long term intent of these lands. Given the nature of the temporary proposed uses and their limited scale, the Official Plan policies would recognize the requested uses as meeting the intent of the Urban Reserve designation.

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Compatibility

The site is surrounded mainly by agriculture with some industrial uses and single family residential dwellings to the south and west. Both the golf driving range and accessory pro shop are seasonal type uses that generally have minimal impacts on surrounding areas. The driving range is accessed from Wonderland Road South and the parking area associated with the temporary uses is separated from other neighbouring uses by a large board on board fence.

The City of London has started the planning process for the Southwest Area Study which includes these lands. Through the Southwest Area Study, the long term intent of the lands will be established. The approved temporary golf driving range uses, including the pro shop and training facility within the existing building are considered interim type uses and as such will not establish a long-term land use on the property or effect the long term planning for the area. The recreational uses could be easily converted back to an agricultural use, industrial use or any other future use determined through the area study.

Is the requested Zone Appropriate

Yes. In 2006, Municipal Council approved the temporary use on the site for a golf driving range with an accessory golf pro shop and training facility. The use on the property is temporary in nature and can be easily removed in favour of long term land uses and does not presuppose any future land use that will be determined through the Southwest Area Study. The driving range is a seasonal low impact use, which conforms with the temporary use criteria of the Official Plan and has not created any adverse impacts on surrounding land uses since it was first established in 2004.

PREPARED BY:	SUBMITTED BY:
C. SMITH COMMUNITY PLANNING AND URBAN DESIGN SECTION	JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN SECTION
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP DIRECTOR, LAND USE PLANNING AND CITY PLANNER	

June 4, 2012
JCS/

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Bill No. (number to be inserted by Clerk's Office)
2012

By-law No. Z.-1-12_____

A by-law to amend By-law No. Z.-1 to extend the Temporary Use (T-52) for an area of land located at 1875 Wharncliffe Road South.

WHEREAS Andy Marshall has applied to extend the Temporary Use (T-52) relating to property located at 1875 Wharncliffe Road South, as set out below;

AND WHEREAS the Municipal Council of the Corporation of the City of London, by By-law No. Z.-1-061510 approved the Temporary Use for 1875 Wharncliffe Road South to be used for a period not exceeding three (3) years beginning June 12, 2006;

AND WHEREAS the Municipal Council of the Corporation of the City of London, by By-law No. Z.-1-091872 approved the Temporary Use for 1875 Wharncliffe Road South to be used for a period not exceeding three (3) years beginning June 29, 2009

AND WHEREAS the Municipal Council of the Corporation of the City of London, deems it advisable to extend the Temporary Use for the said property for a period not exceeding three (3) years.

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. By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1875 Wharncliffe Road South, to extend the temporary use to permit a golf driving range and accessory uses (including a 140 m2 golf pro shop and a 93 m2 golf training facility within an existing building) for a further three (3) year period.

2. Section 50.2 of By-law No. Z.-1 is amended by changing the temporary zone as follows:

45) T-52

This temporary use is hereby extended for a temporary period not exceeding three (3) years from the date of the passing of this By-Law beginning _____.

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. P.13, either upon the date of the passage of this by-law or as otherwise provided by the said section.

Agenda Item # Page #

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PASSED in Open Council on June 26, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - June 26, 2012
Second Reading - June 26, 2012
Third Reading - June 26, 2012