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**Z-7578**  
**Alanna Riley**

<b>TO:</b>	<b>CHAIR AND MEMBERS PLANNING &amp; ENVIRONMENT COMMITTEE</b>
<b>FROM:</b>	<b>JOHN M. FLEMING DIRECTOR, LAND USE PLANNING AND CITY PLANNER</b>
<b>SUBJECT:</b>	<b>APPLICATION BY: 625041 ONTARIO LIMITED 603, 609 and 611 OXFORD STREET WEST PUBLIC PARTICIPATION MEETING ON JULY 23, 2012</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Director, Land Use Planning and City Planner, with respect to the application of 625041 Ontario Limited relating to the property located at 603, 609 and 611 Oxford Street West, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on August 28, 2012 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** a Restricted Service Commercial (RSC4) Zone and a Residential R9 (R9-7.H38) Zone **TO** a Restricted Service Commercial/Restricted Service Commercial Special Provision (RSC2/RSC3/(RSC4( )) Zone to permit a broad range of restricted service commercial uses and to recognize an existing auto body shop use.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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None.

<b>PURPOSE AND EFFECT OF RECOMMENDED ACTION</b>
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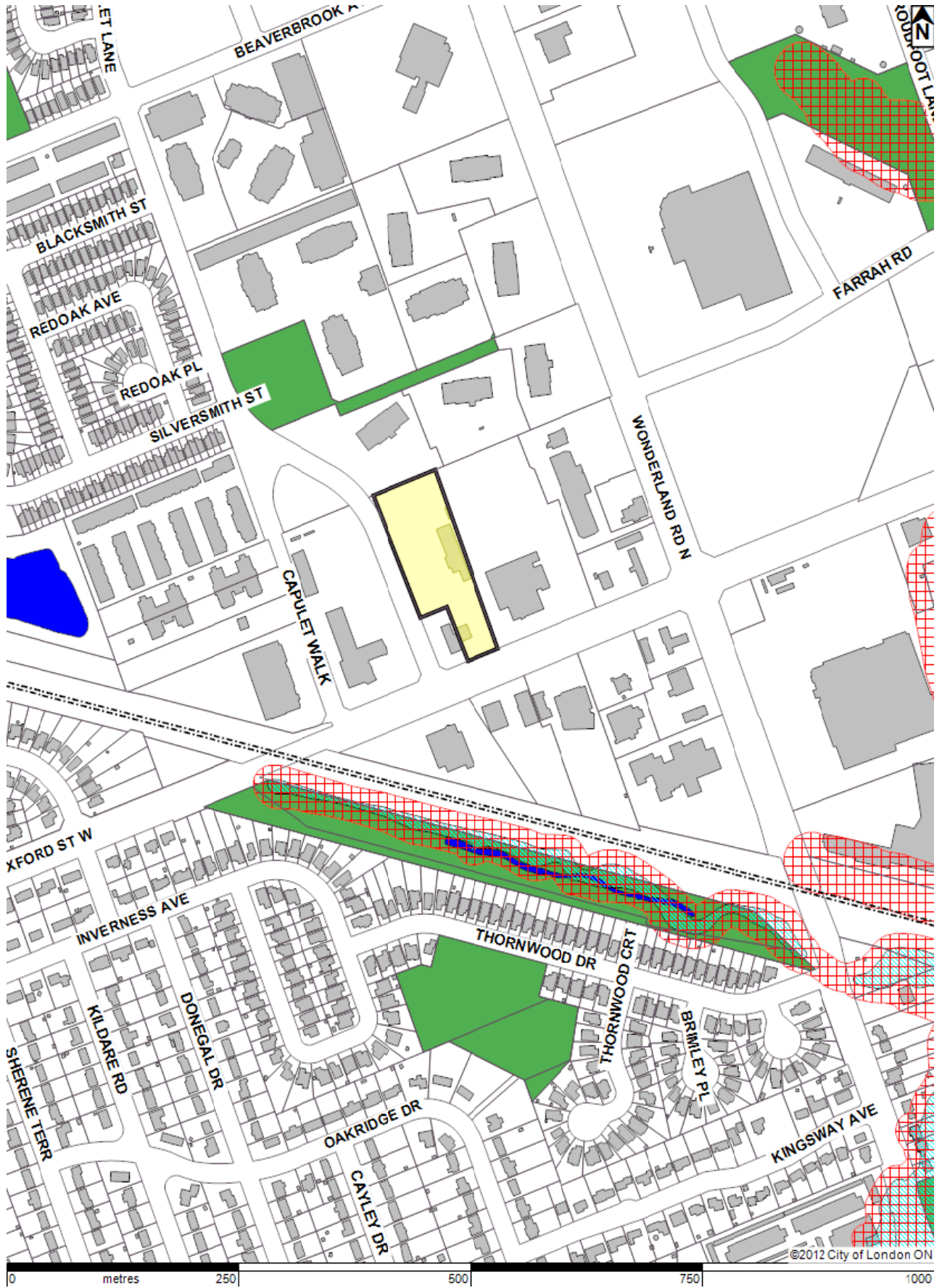
The purpose and effect of this zoning change is to correct an error on Schedule "A of Zoning By-law Z.-1 that occurred during the transfer of zoning information from the "hand" produced zoning maps to the new digital format, to recognize the existing auto body use, and to permit a broad range of restricted service uses that were permitted under the previous C.P.-952-41 Zoning By-law.

<b>RATIONALE</b>
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1. The proposed zoning by-law amendment conforms to the existing "Auto Oriented Commercial Corridor" Official Plan designation.
2. The proposed zoning by-law amendment is required to recognize a technical error and formally revert the zoning for a portion of the site to restricted service commercial zoning by correcting the technical error.
3. The proposed zoning by-law amendment will recognize the existing auto body use as permitted through the application of an appropriate zone.
4. The proposed zoning is consistent with the area and will not negatively affect existing and/or future uses in the area.
5. The interface between the subject site and the surrounding uses has evolved over many years and there have been no apparent indicators of adverse impacts on the surrounding sites.

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<b>BACKGROUND AND PLANNING HISTORY</b>
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On September 2 2008, an application was received for a Zoning By-law amendment on the subject site to Restricted Service Commercial (RSC2/RSC3/RSC4/RSC5/RSC6) to recognize the existing auto body shop in order to permit uses that had been permitted under the previous C.P.-952-41 Zoning By-law.

Through discussions with the applicant and agent during the application review process, staff requested a conceptual site plan of the property. The property owners to the east were interested taking over the existing auto body and expanding the business. At that time the applicant requested the application be put on hold until a site plan was complete.

In 2009, the Official Plan land use designation on the property was amended through the comprehensive Official Plan review (OPA 438) from Restricted Service Commercial to Auto Oriented Commercial Corridor. This had the effect of expanding the range of commercial uses on these lands. The intent of this amendment was to strengthen this commercial.

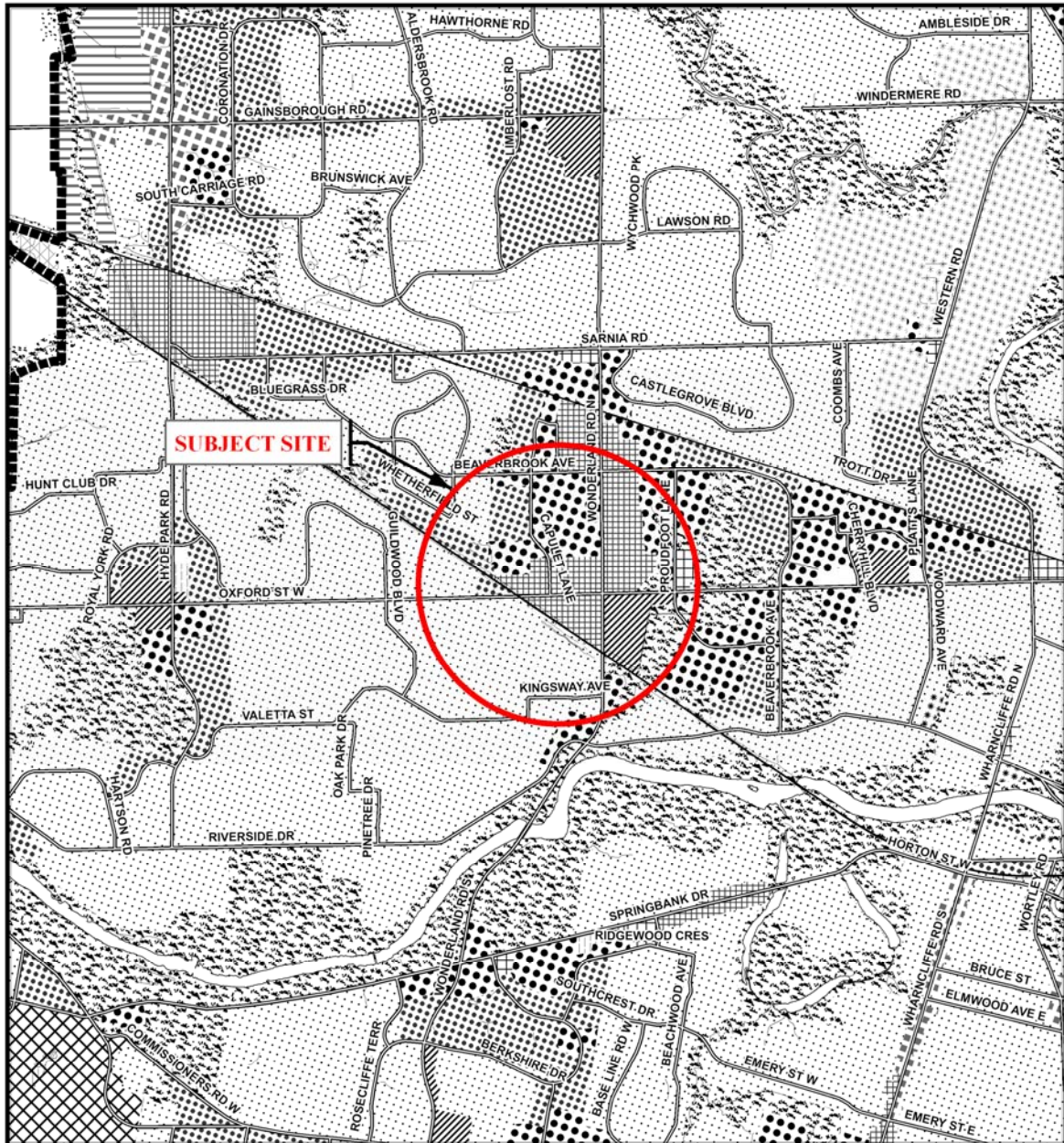
In the fall of 2011, the applicant met with staff to discuss the application. Through these discussions, the applicant indicated he wished the file to continue to be processed.

<b>Date Application Accepted:</b> September 2, 2008	<b>Agent:</b> Peter Stavrou
<b>REQUESTED ACTION:</b> Change Zoning By-law Z.-1 from a Restricted Service Commercial (RSC4) Zone to a Restricted Service Commercial (RSC2/RSC3/RSC4/RSC5/RSC6).	
<b>SITE CHARACTERISTICS:</b>	
<ul style="list-style-type: none"> <li>• <b>Current Land Use</b> – Auto Body and Ambulance Depot</li> <li>• <b>Frontage</b> – 35.1m</li> <li>• <b>Depth</b> – 198m</li> <li>• <b>Area</b> – 1.15ha</li> <li>• <b>Shape</b> - Irregular</li> </ul>	
<b>SURROUNDING LAND USES:</b>	
<ul style="list-style-type: none"> <li>• <b>North</b> - High Density Residential</li> <li>• <b>South</b> - Retail, Restaurant, Auto Sales, Auto Repair</li> <li>• <b>East</b> - Auto Sales, Auto Repair, Auto Body</li> <li>• <b>West</b> - Auto Sales, Auto Repair</li> </ul>	
<b>OFFICIAL PLAN DESIGNATION:</b> (refer to Official Plan Map)	
Auto Oriented Commercial Corridor – Auto Oriented Commercial Corridors are primarily intended for commercial uses that cater to the commercial needs of the traveling public. Types of service commercial uses that generate significant amounts of traffic and draw patrons from a wide area may also be located within these areas.	
<b>EXISTING ZONING:</b> (refer to Zoning Map)	
Restricted Service Commercial (RSC4) - This 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 building space and a location on major streets. The wide range of uses which are provided for in the Official Plan have been differentiated on the basis of function, intensity and potential impacts.	



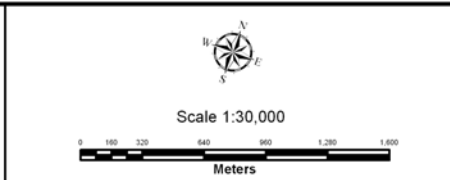
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Legend	
Downtown Area	Office Business Park
Enclosed Regional Commercial Node	General Industrial
New Format Regional Commercial Node	Light Industrial
Community Commercial Node	Regional Facility
Neighbourhood Commercial Node	Community Facility
Main Street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

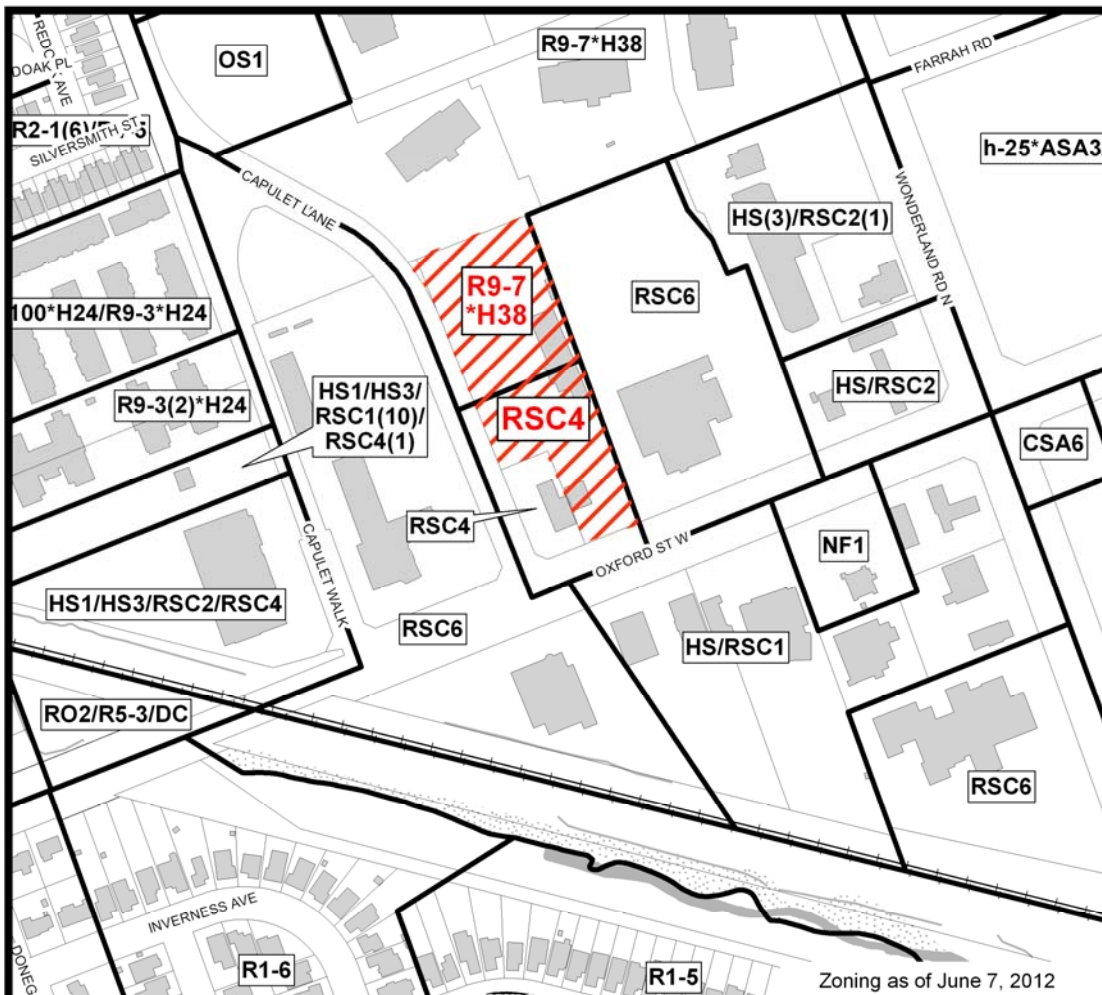
**CITY OF LONDON**  
Department of  
**Planning and Development**  
  
OFFICIAL PLAN SCHEDULE A  
- LANDUSE -  
  
PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-7578  
PLANNER: AR  
TECHNICIAN: CK  
DATE: 2012/07/11

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**COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: R9-7\*H38 & RSC4**

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE
  
- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

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

2) ANNEXED AREA APEALED AREAS

**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-7578	AR
MAP PREPARED:	
2012/07/04	CK
1:3,500	
0 15 30 60 90 120 Meters	



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<b>SIGNIFICANT DEPARTMENT/AGENCY COMMENTS</b>
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**Environmental and Engineering Services**

*Access for any additional development on these lands, other than the expansion of the existing body shop, will be from Capulet Lane. These, among other issues may be addressed in greater detail through future applications for development such as consent to sever, site plan and subdivision approvals.*

<b>PUBLIC LIAISON:</b>	On September 5, 2008, Notice of Application was sent to 71 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press.	0 replies were received
<b>Nature of Liaison:</b> Possible amendment to the Zoning By-law from a Restricted Service Commercial (RSC4) Zone to a Restricted Service Commercial (RSC2/RSC3/RSC4/RSC5/RSC6) Zone.		
<b>ANALYSIS</b>		

The subject site is located on the north side of Oxford Street West, between Capulet Walk and Wonderland Road North. Oxford Street West is an arterial road with an estimated daily traffic volume of 30,000 vehicles a day. Currently the site contains an auto body use and an ambulance depot.



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The proposal is to change the zoning from a Restricted Service Commercial (RSC4) Zone to a Restricted Service Commercial/Restricted Service Commercial Special Provision (RSC2/RSC3/(RSC4( ))Zone.

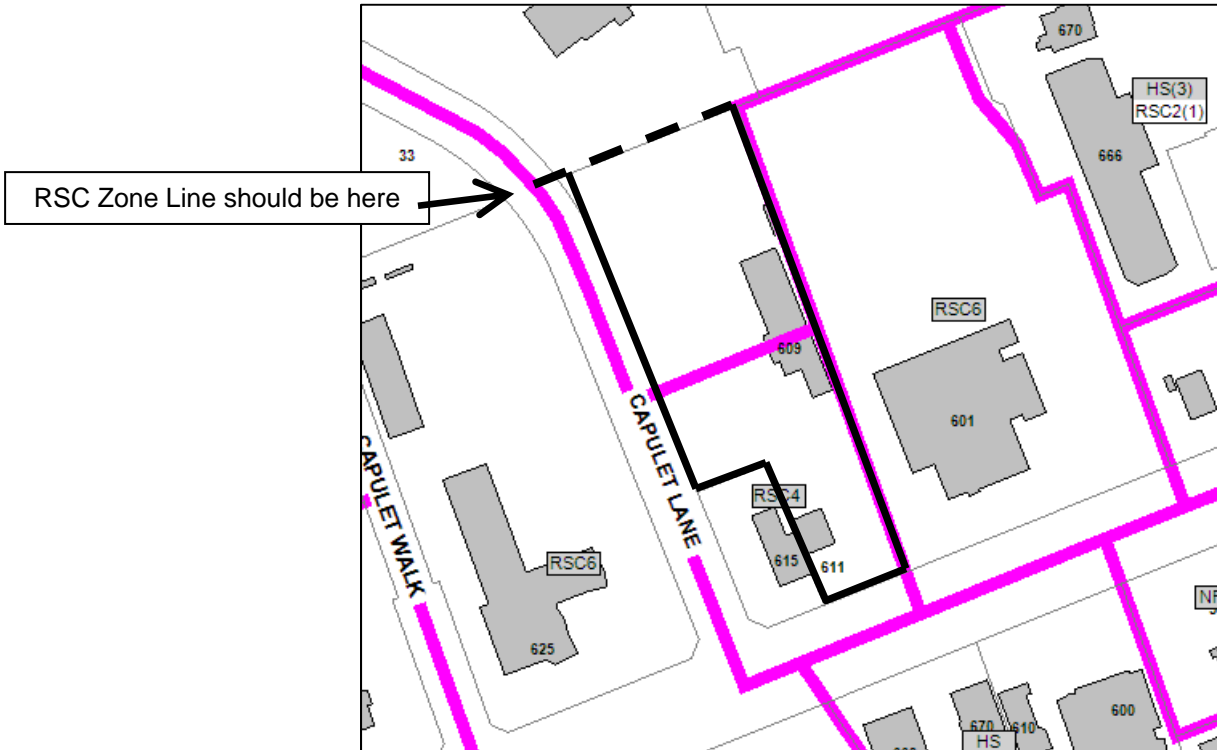
During the consolidation of the former C.P. -952-41 By-law into the City's Z.-1 Zoning By-law the previous C.P.-952-41 By-law zoned the subject lands Service Commercial (SC3-125) which permitted a broad range of service commercial uses. Since that time, staff determined that the subject lands were erroneously rezoned to a Restricted Service Commercial (RSC4) Zone which limited commercial uses on the site and did not permit the existing auto body use. The following table has been provided to compare permitted uses in the former C.P.-942-41 "SC3-125" Zone, the existing Restricted Service Commercial (RSC4) Zone, and the proposed Restricted Service Commercial/Restricted Service Commercial Special Provision (RSC2/RSC3/(RSC4( )) Zone.

COMPARISON OF PREVIOUS, EXISTING AND PROPOSED ZONES PERMITTED USES		
SC3-125 (Previous)	RSC4 (Existing)	RSC2/RSC3/RSC4( ) (Proposed)
Laboratories Service or Repair Shops Personal Service Establishments Dry Cleaning Depots Laundry Depots Restaurants Prepared Food Restaurants Private Clubs Taverns Drive-in Restaurants Take-out Restaurants Public Halls Automobile Sales or Rental Establishments Automobile Repair Garages Automobile Service Stations Car Washes Convenience Stores Taxi Establishments Offices Auto Body Shops Light Industrial Uses with Retail or Service Functions Building Supply Yards Printing Establishments Automotive Supplies	Automobile Repair Garage Automotive Uses; Restricted Bake Shops Convenience Service Establishments Convenience Stores Day Care Centres Duplicating Shops Financial Institutions Florist Shops Personal Service Establishments Restaurants Video Rental Establishments Brewing on Premises	Uses Permitted in RSC1 Bulk Beverage Stores Dry Cleaning and Laundry Liquor, Beer and Sine Stores Pharmacies Assembly Halls Clinics Commercial Recreation Emergency Care Funeral Homes Laboratories Medical/Dental Offices Private Clubs Automobile Repair Garage Automotive Uses; Restricted Bake Shops Convenience Service Establishments Convenience Stores Day Care Centres Duplicating Shops Financial Institutions Florist Shops Personal Service Establishments Restaurants Video Rental Establishments Brewing on Premises Auto Body Shops

It was also determined that an error occurred during the transfer of zoning information from "hand" produced zoning maps to the current Council approved electronic Zoning Bylaw. The changeover generally allowed for zone boundaries to be "tied" to property lines, thereby increasing clarity and reducing the inadvertent split zoning of properties. While the new maps were checked for accuracy prior to the changeover, subsequent monitoring has identified an instance that there was an inconsistency in the transfer process. An amendment is required to recognize this technical error and formally revert the zoning for a portion of the site to restricted service commercial zoning by correcting the technical error.

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**Z-7578**  
**Alanna Riley**



The proposed zoning by-law amendment will recognize the existing auto body use as permitted through the application of an appropriate zone. The interface between the subject site and the surrounding uses has evolved over many years throughout which the auto body and ambulance depot have been present, and there have been no apparent indicators of adverse impacts on the surrounding uses.

**Official Plan**

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

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

Light industrial uses which have ancillary retail, wholesale or service functions; construction and trade outlets; repair, service and rental establishments; service trades; assembly halls and private clubs or similar types of uses that require large, open or enclosed display or storage areas; and service commercial uses which may create potential nuisance impacts on adjacent land uses may be permitted at certain locations subject to Provincial regulations. Secondary uses which serve employees of adjacent employment areas including eat-in restaurants; financial institutions; personal services; convenience commercial uses; a limited amount and range of retail uses; day care centres; medical and dental offices and clinics; and offices associated with wholesale warehouse or construction and trade outlets, and similar support offices may also be permitted in appropriate locations.

The proposed amendment will recognize and reflect the uses permitted under the current designation, and to recognize this area as part of an Auto Oriented Commercial Corridor.



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<b>CONCLUSION</b>
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The recommended zoning meets the intent and requirements of the former C.P.-952-41 By-law; specifically, the uses of the zone. Many of the proposed uses are similar to the form SC3-125 Zone and the proposed zone recognizes the existing auto body use.

The proposed amendment is consistent with the Official Plan and is deemed appropriate.

<b>PREPARED BY:</b>	<b>SUBMITTED BY:</b>
<b>ALANNA RILEY, MCIP, RPP COMMUNITY PLANNING AND URBAN DESIGN SECTION</b>	<b>JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN SECTION</b>
<b>RECOMMENDED BY:</b>	
<b>JOHN M. FLEMING, MCIP, RPP DIRECTOR, LAND USE PLANNING AND CITY PLANNER</b>	

AR/ar

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**Z-7578**  
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**Appendix "A"**

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 rezone an area of land located at 603, 609 and 611 Oxford Street West.

WHEREAS 625041 Ontario Limited have applied to rezone an area of land located at 603, 609, and 611 Oxford Street West, 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:

Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to lands located at 603, 609, and 611 Oxford Street West, as shown on the attached map comprising part of Key Map No. 47, from a Restricted Service Commercial (RSC4) Zone to a Restricted Service Commercial/Restricted Service Commercial Special Provision (RSC2/RSC3/(RSC4( )) Zone.

1) Section Number 28.4 of the Restricted Service Commercial (RSC4) Zone is amended by adding the following Special Provision:

- 28.4) RSC4( ) 603, 609, and 611 Oxford Street West
  - a) Additional Permitted Use
    - i) Auto Body Shop

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 August 28, 2012.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

Agenda Item # Page #

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First Reading - August 28, 2012  
Second Reading - August 28, 2012  
Third Reading - August 28, 2012



Agenda Item # Page #

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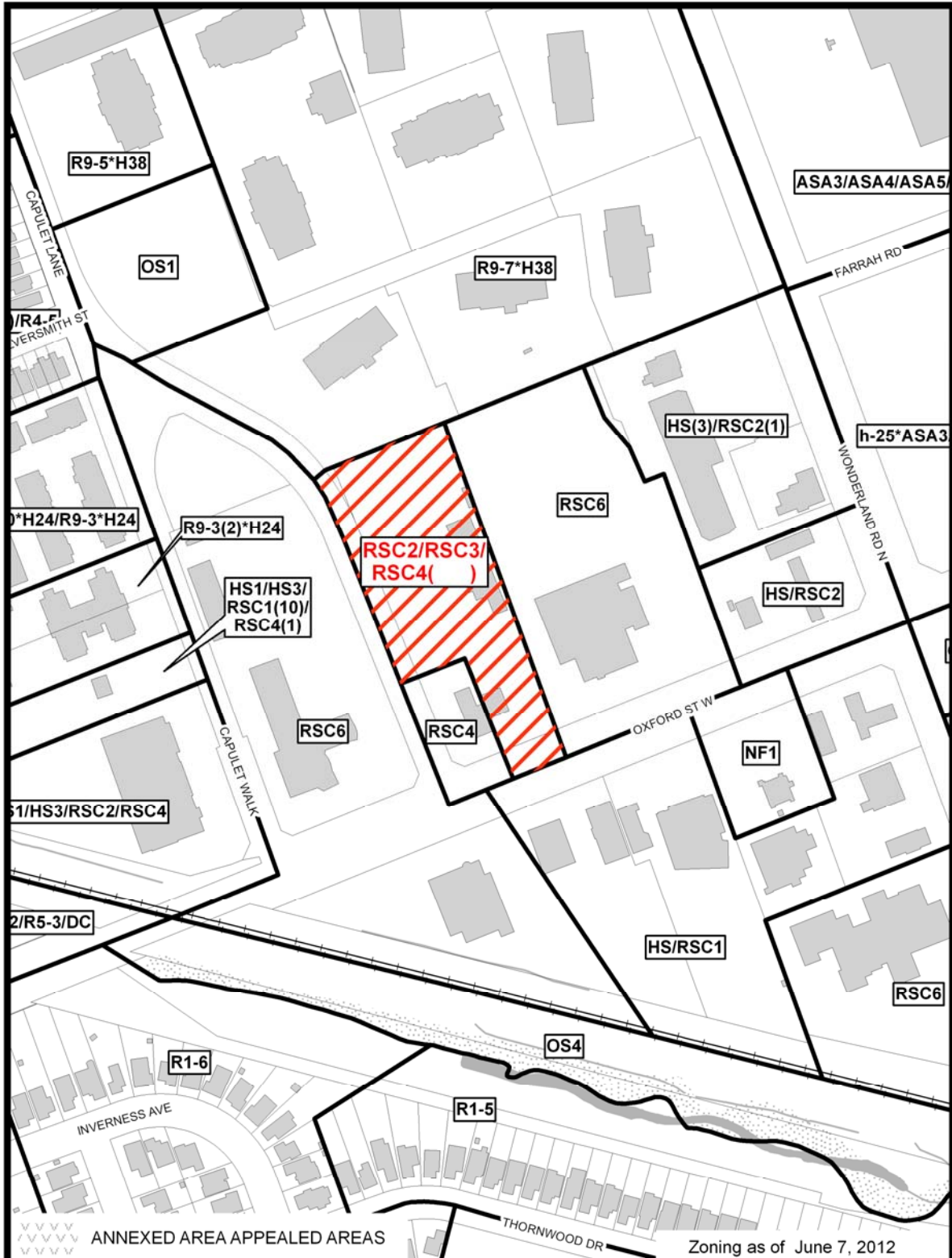
Agenda Item #

Page #

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



File Number: Z-7578  
 Planner: AR  
 Date Prepared: 2012/07/11  
 Technician: CK  
 By-Law No: Z.-1-

SUBJECT SITE



1:3,000

0 15 30 60 90 120 Meters

