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OZ-7319

TO:	CHAIR AND MEMBERS – PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: HOWARD DARWIN ENTERPRISES LIMITED 4551 WELLINGTON ROAD SOUTH SPECIAL MEETING ON TUESDAY OCTOBER 9, 2012

RECOMMENDATION

That, further to the direction of the Planning & Environment Committee at their meeting on September 24, 2012, with respect to the application of Howard Darwin Enterprises relating to the property located at 4551 Wellington Road South, the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 9, 2012.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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September 24, 2012	Planning Report considered by Planning and Environment Committee
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BACKGROUND

A draft Official Plan amendment and zoning by-law amendment was submitted to the Committee at the meeting on September 24, 2012. After the discussion the Committee approved the Official Plan amendment but requested modifications to the zoning by-law amendments. The primary issues from the Committee and applicant included; 1) the extent of the Dingman Stream corridor, 2) the area subject to an Environmental Impact Statement (EIS) to allow additional future development 3) the applicants desire to allow some transport truck trailer parking in the floodplain and 4) the need for a future site plan public meeting for any industrial development.

To address these issues the attached zoning by-law amendment; 1) establishes the extent of the Dingman Creek Corridor at 50 metres and zones it OS5, 2) requires a completed EIS to allow development in the southeast corner, 3) includes an OS4() Zone which allows parking in the floodplain to a specific depth through the completion of the EIS and with UTRCA approval and 4) employs a h-5 holding provision requiring a site plan public meeting. The purpose of the site plan public meeting is to consider matters such as buffering, noise, dust, odour and vibration.

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OZ-7319

CONCLUSION

A range of light industrial uses, subject to meeting the requirements of the holding provisions, are appropriate on the property.

SUBMITTED BY:
GREGG BARRETT, AICP MANAGER OF CITY PLANNING AND RESEARCH SECTION
RECOMMENDED BY:
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER

September 27, 2012
cp

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OZ-7319

Appendix "A"

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

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to 4551 Wellington Road South.

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 October 9, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – October 9, 2012
Second Reading – October 9, 2012
Third Reading – October 9, 2012

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OZ-7319

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To change the designation of certain lands described herein from Urban Reserve – Industrial Growth to Light Industrial on Schedule “A”, Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 4551 Wellington Road South in the City of London.

C. BASIS OF THE AMENDMENT

A range of light industrial uses, subject to meeting the requirements of the holding provisions, are appropriate on the property.

D. THE AMENDMENT

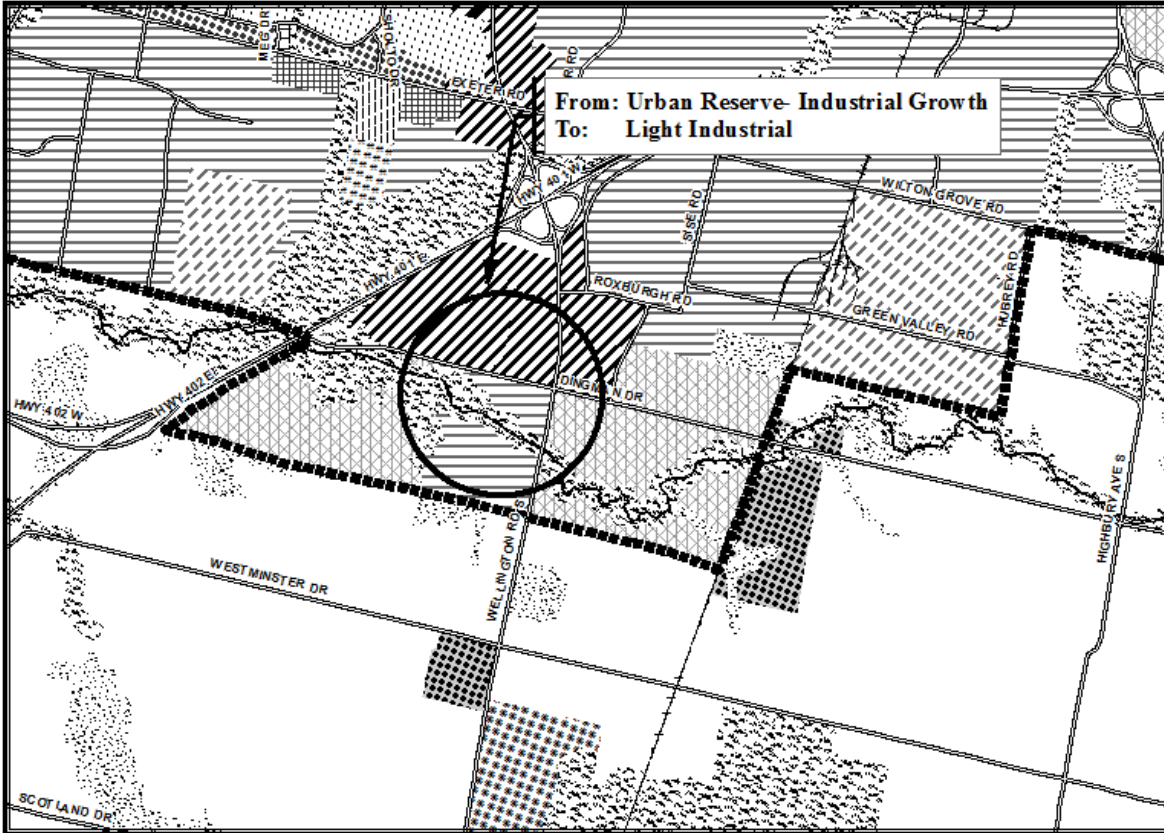
The Official Plan for the City of London is hereby amended as follows:

1. Schedule “A”, Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 4551 Wellington Road South in the City of London, as indicated on “Schedule 1” attached hereto from Urban Reserve – Industrial Growth to Light Industrial.

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File: OZ-7319
 Planner: C. PARKER

AMENDMENT NO:



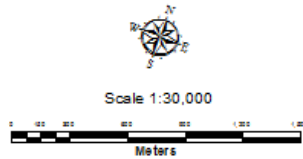
Legend

- | | |
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| <ul style="list-style-type: none"> Downtown 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 | <ul style="list-style-type: none"> 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 |
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This is an excerpt from the Planning Division's working consolidation of Schedule A to the City of London Official Plan, with added notations.

**SCHEDULE 1
 TO
 OFFICIAL PLAN**
 AMENDMENT NO. _____

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-7319
 PLANNER: CP
 TECHNICIAN: CK
 DATE: 2012/09/05

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File: OZ-7319
Planner: C. PARKER

Appendix "B"

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 4551 Wellington Road South.

WHEREAS Howard Darwin Enterprises Ltd. has applied to rezone an area of land located at 4551 Wellington Road South, 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. 2000 (Former Town of Westminster) is amended by changing the zoning applicable to lands located at 4551 Wellington Road South, as shown on the attached map comprising part of Key Map No. 12 to delete the existing Industrial Holding (M2-H) Zone and remove the site from the By-law;
- 2) Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to a portion of the lands located at 4551 Wellington Road South, as shown on the attached map comprising part of Key Map No. 170, to apply a Holding Light Industrial Special Provision (h-5.h-17.h-18.h-55.h-103.LI1()/LI6()) Zone to the northern portion of the subject property;
- 3) Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to a portion of the lands located at 4551 Wellington Road South, as shown on the attached map comprising part of Key Map No. 170, to apply a Holding Light Industrial Special Provision (h-2. h-5. h-17.h-18.h-55.h-103.LI1()/LI6()) Zone to a part of the southerly portion of the subject property which includes lands between the regulatory floodline and lands at the EIS "trigger distance", a total distance of approximately 50 metres from the stream corridor boundary;
- 4) Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to a portion of the lands located at 4551 Wellington Road South, as shown on the attached map comprising part of Key Map No. 170, to apply an Open Space (OS5) Zone to the southerly portion of the subject property which includes lands within 50m of the stream corridor;
- 5) Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to a portion of the lands located at 4551 Wellington Road South, as shown on the attached map comprising part of Key Map No. 170, to apply an Open Space Special Provision (OS4()) Zone to the central portion of the subject property which includes lands beyond 50 metres from the stream corridor and below the regulatory floodline;

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Planner: C. PARKER

6) Section 40.4 a) of the Light Industrial (LI1) Zone is amended by adding the following Special Provision:

-) LI1 ()
- a) Regulations
 - i) Outdoor Storage Location No outdoor storage is permitted in any required front yard or exterior side yard
 - ii) Screening Requirements All outside storage and loading areas shall be suitably screened and bermed, fenced, planted and/or landscaped so that the view of these areas is concealed from public roads.
 - iii) MOE D-6 Guidelines Prior to the establishment of an industrial use on the subject property, the owner shall have a qualified expert in the field of noise, dust, odour and/or vibration, where applicable, prepare a study which demonstrates the compatibility of the proposed industrial use with nearby sensitive land uses. The study shall be certified as being in accordance with the Ontario Ministry of Environment D-6 Guidelines as amended.

7) Section 40.4 f) of the Light Industrial (LI6)) Zone is amended by adding the following Special Provision:

-) LI6 ()
- a) Permitted Uses
 - i) Transport terminals;
 - ii) Building or contracting establishments;
 - iii) Storage depots.
- b) Regulations
 - i) Outdoor Storage Location No outdoor storage is permitted in any required front yard or exterior side yard
 - ii) Screening Requirements All outside storage and loading areas shall be suitably screened and bermed, fenced, planted and/or landscaped so that the view of these areas is concealed from public roads.

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Planner: C. PARKER

- iii) MOE D-6 Guidelines Prior to the establishment of an industrial use on the subject property, the owner shall have a qualified expert in the field of noise, dust, odour and/or vibration, where applicable, prepare a study which demonstrates the compatibility of the proposed industrial use with nearby sensitive land uses. The study shall be certified as being in accordance with the Ontario Ministry of Environment D-6 Guidelines as amended.

8) Section 36.4 d) of the Open Space (OS4) Zone is amended by adding the following Special Provision;

) OS4 ()

a) Additional Permitted Uses

i) Transport truck trailer parking

b) Regulations

i) The additional use may be permitted to an elevation not greater than 0.5 m below the regulatory floodline subject to completion of an Environmental Impact Statement (EIS) acceptable to the City and with the approval of the Upper Thames River Conservation Authority (UTRCA).

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 October 9, 2012.

Joe Fontana
Mayor

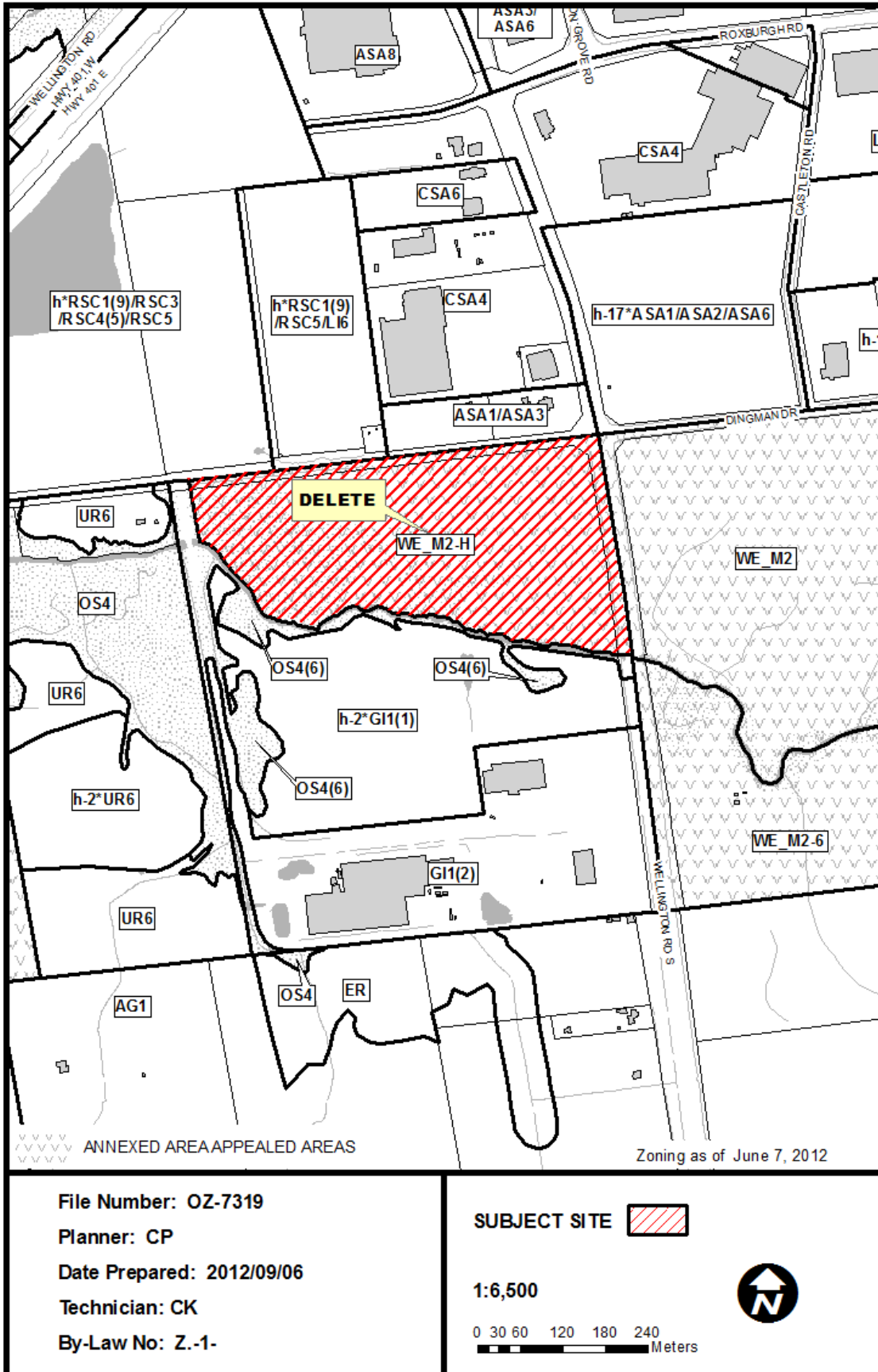
Catharine Saunders
City Clerk

First Reading - October 9, 2012
Second Reading – October 9, 2012
Third Reading - October 9, 2012

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File: OZ-7319
 Planner: C. PARKER

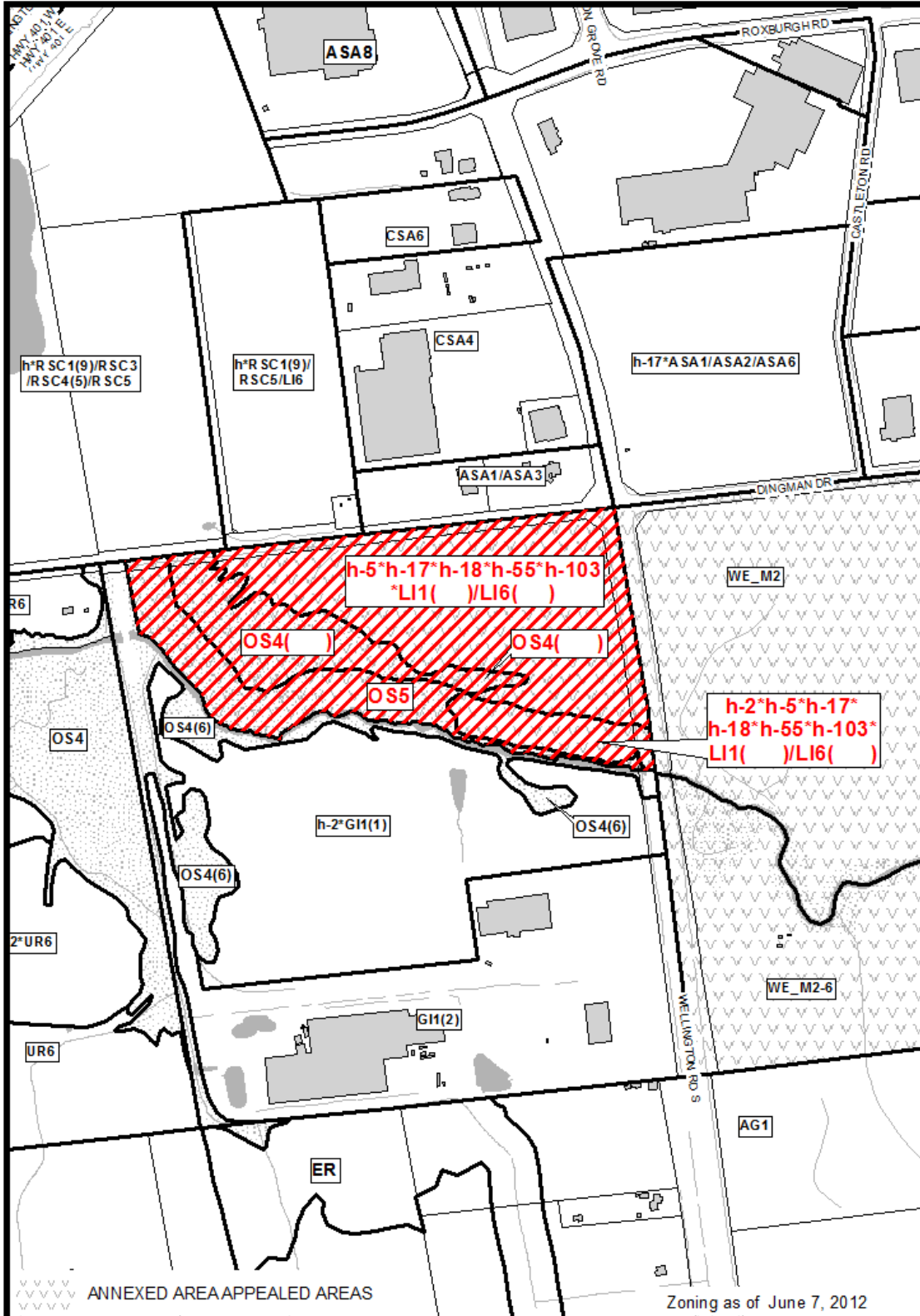
AMENDMENT TO SCHEDULE "A" (BY-LAW NO. 2000)



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File: OZ-7319
 Planner: C. PARKER

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



File Number: OZ-7319
 Planner: CP
 Date Prepared: 2012/09/27
 Technician: CK
 By-Law No: Z.-1-

SUBJECT SITE

1:5,700

0 25 50 100 150 200 Meters