

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Managing Director, Development & Compliance Services and
Chief Building Official

Subject: Dalmar Motors Volkswagen
1297 Wharnccliffe Road South

Public Participation Meeting on: January 6, 2020

Recommendation

That, on the recommendation of the Director, Development Services, with respect to the application of Dalmar Motors Volkswagen relating to the property located at 1297 Wharnccliffe Road South, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on January 14, 2020 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** Holding Office (h*h-11*h-63*h-95*h-100*h-104*h-138*OF7) Zone **TO** Restricted Service Commercial Special Provision (RSC1(__)/RSC2/RSC3/RSC4/RSC5) Zone;

IT BEING NOTED THAT Site Plan matters identified during the public process include: use of decorative pavers for new vehicle display areas abutting the street; landscape buffers between parking areas and abutting residential development; noise; site access; lighting; and stormwater servicing.

Executive Summary

Summary of Request

The requested amendment will change the nature of the intended land use from office to restricted service commercial and will permit the proposed automobile sales and service establishment use. The Restricted Service Commercial zones regulate a range of moderate intensity commercial uses which require significant amounts of land for outdoor storage or interior building space.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended amendment is to permit an automobile sales and service establishment. Special provisions would permit reduced front and exterior side yard depths of 5.5 metres and 2 metres, respectively, and a 1.2 metre setback from the daylight triangle. Additional special provisions would prohibit parking between the building façade and the street and require parking to be located a minimum of 6 metres from Bradley Avenue West. The recommended amendment will also remove existing holding provisions.

Rationale of Recommended Action

1. The recommended amendment is consistent with the policies of the Provincial Policy Statement, 2014;
2. The recommended amendment is in conformity with the in-force and effect policies of The London Plan, including but not limited to the Commercial Industrial Place Type;
3. The recommended amendment is in conformity with the in-force and effect policies of the 1989 Official Plan, including but not limited to the Auto-oriented Commercial Corridor designation;
4. The recommended amendment in conformity with the in-force and effect policies of the Southwest Area Secondary Plan.

Analysis

1.0 Site at a Glance

1.1 Property Description

The subject lands are located in the Bostwick Planning District on the west side of Wharncliffe Road South. Surrounding land uses include low rise residential to the west, an automobile sales and service establishment (under construction) north, undeveloped land to the south, and undeveloped land to the south. The subject lands are irregularly shaped and currently undeveloped.



Figure 1: Subject Site (view from Bradley Avenue West)

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

- Southwest Area Secondary Plan – Commercial
- Official Plan Designation – Auto-Oriented Commercial Corridor
- The London Plan Place Type – Commercial Industrial Place Type
- Existing Zoning – Holding Office (h*^h-11*^h-63*^h-95*^h-100*^h-104*^h-138*OF7) Zone

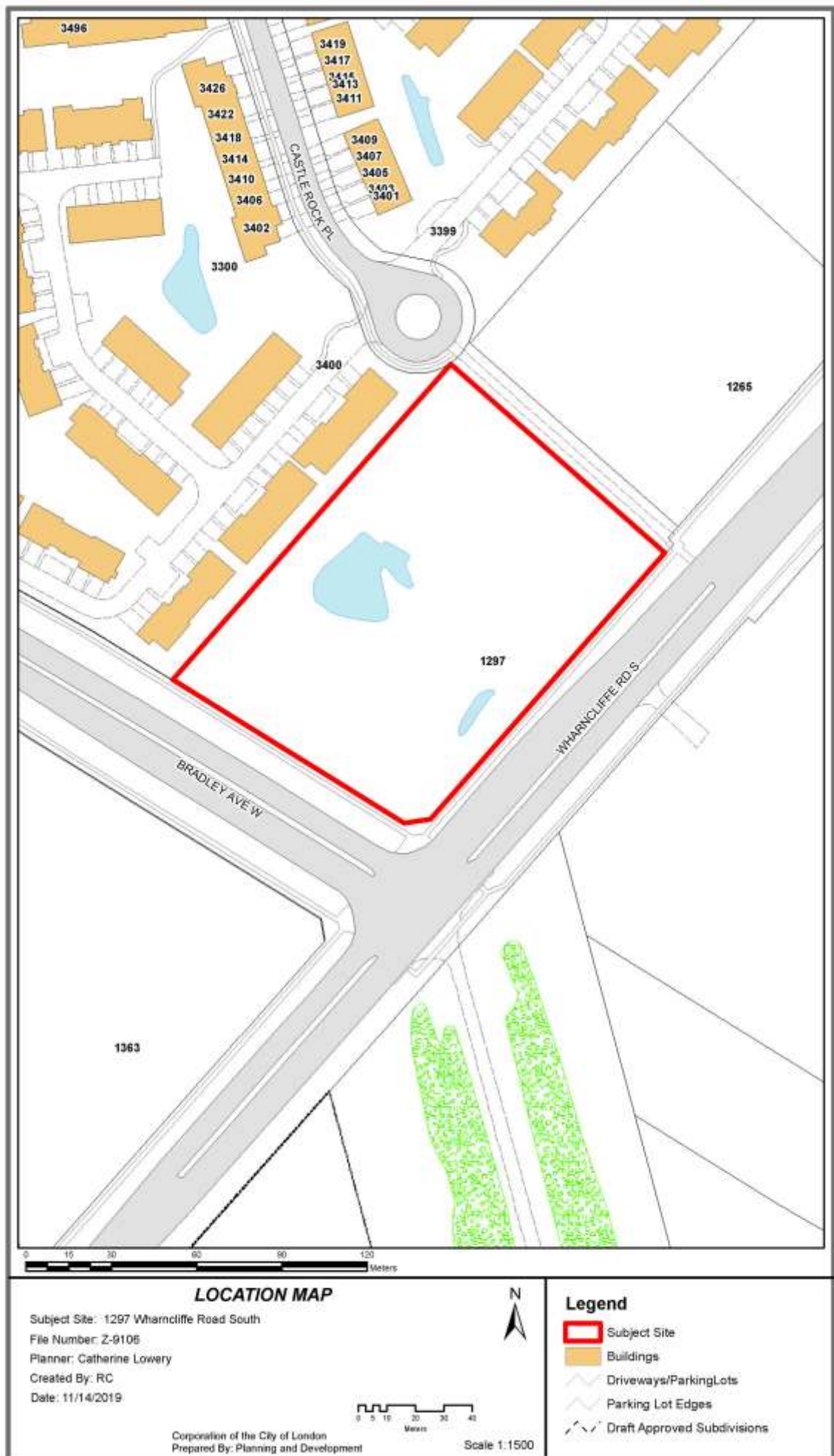
1.3 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 95 metres (312 feet)
- Depth – 125 metres (410 feet)
- Area – 13,890 square metres (149,166 square feet))
- Shape – Irregular

1.4 Surrounding Land Uses

- North – Automobile Sales and Service Establishments (Under Construction)
- East – Undeveloped
- South – Undeveloped
- West – Low Rise Residential

1.5 Location Map



2.0 Description of Proposal

2.1 Development Proposal

The applicant has requested to rezone the subject lands to permit a proposed automobile sales and service establishment, as depicted on the site concept plan and conceptual rendering in Figures 2 and 3.

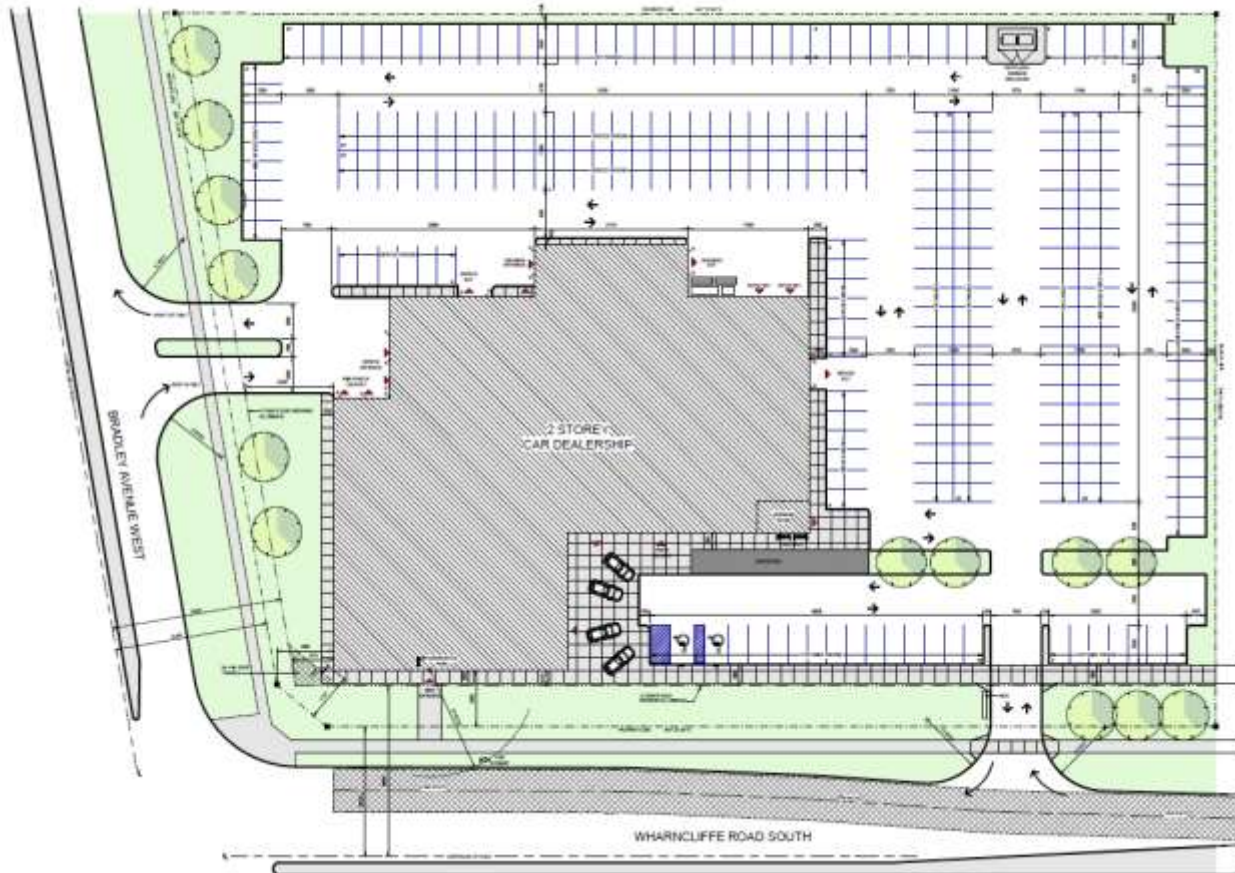


Figure 2: Site Concept Plan



Figure 3: Conceptual Rendering (view from corner of Wharnclyffe Road South and Bradley Avenue West)

3.0 Relevant Background

3.1 Planning History

The Bostwick East Area Plan was initiated by the City of London and Sifton Properties Ltd. in 2003 as a developer-led community plan for the easterly portion of the Bostwick area bounded by Southdale Road West, Wharnclyffe Road South and Wonderland Road South. The Bostwick East Area Plan resulted in City Council adopting Official Plan

Amendment (OPA) No. 358 in June 2005 for a portion of the area. Remaining lands in the Area Plan area, including the subject lands, were deferred by Council pending resolution of a number of issues including collector road connections, woodlot designations, and park and school locations. An amendment to the Official Plan (OPA No. 380) for the balance of the lands was passed by City Council on February 27, 2006, and approved with modifications by the Ontario Municipal Board on December 11, 2007. This amendment had the effect of re-designating the subject lands to Office Area.

The subject lands were later subject to a Plan of Subdivision and Zoning By-law Amendment (39T-05509/Z-6915) and were rezoned to the current Holding Office (h*h-11*h-63*h-95*h-100*h-104*h-138*OF7) Zone. At that time, the City had recently undertaken the 5-year Official Plan review, of which the commercial land use designations were a major focus and resulted in a new hierarchy of commercial designations. Through this review, the subject lands were re-designated to the current Auto-Oriented Commercial Corridor designation, however as the new policies and designations were not in full force and effect, the Office Area designation was relied on for the review of the Plan of Subdivision and Zoning By-law Amendment applications. It should also be noted that since that time, the Southwest Area Secondary Plan was initiated and is now in-force and effect which designated the lands Commercial, consistent with the designation applied through the 5-year Official Plan review.

3.2 Requested Amendment

The applicant is requesting to rezone the subject lands to a Restricted Service Commercial Special Provision (RSC1(__)/RSC2/RSC3/RSC4/RSC5) Zone to permit the proposed automobile sales and service establishment. Special provisions would permit reduced front yard depth of 5.5 metres, whereas 8 metres is required, a reduced exterior side yard depth of 2 metres, whereas 8 metres is required, and a 1.2 metre setback from the daylight triangle. The requested amendment would also remove existing holding provisions.

3.3 Community Engagement (see more detail in Appendix B)

Staff received one (1) written response from a neighbouring property owner, which will be addressed later in this report. The primary concerns were related to lighting, noise, installation of traffic lights at the intersection of Wharncliffe Road South and Bradley Avenue West, and traffic speeds along Wharncliffe Road South.

3.4 Policy Context (see more detail in Appendix C)

The 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. All decisions affecting land use planning matters shall be “consistent with” the policies of the PPS. Section 1.1 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.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The subject site is in the Commercial Industrial Place Type of The London Plan at the intersection of a Civic Boulevard and an Urban Thoroughfare, in accordance with *Map 1 and *Map 3. The Commercial Industrial Place Type is where commercial uses will be directed that do not fit well within commercial and mixed-use place types due to the planning impacts they may generate (1112_).

1989 Official Plan

The subject site is designated Auto-Oriented Commercial Corridor in the 1989 Official Plan in accordance with Schedule 'A'. Areas designated Auto-Oriented Commercial Corridor provide locations for a broad range of commercial uses that, for the most part, are not suited to locations within Commercial Nodes or Main Street Commercial Corridors because of their building form, site area, access or exposure requirements. Generally, permitted uses cater to vehicular traffic and single purpose shopping trips. Depending on the nature of the use, customers are drawn from passing traffic or a wide-ranging market area (4.4.2). The site is also subject to Policy 10.1.3cxix), which establishes specific policies for lands included in the Bostwick East Area Plan area.

The Southwest Area Secondary Plan

Both The London Plan and the 1989 Official Plan recognize the need and role of a Secondary Plan to provide more detailed policy guidance for a specific area that goes beyond the general policies. The Southwest Area Secondary Plan (SWAP) forms part of The London Plan and the 1989 Official Plan, and its policies prevail over the more general Official Plan policies if there is a conflict (1556_ and *1558_). The Secondary Plan serves as a basis for the review of planning applications, which will be used in conjunction with the other policies of the Official Plan.

The subject site is designated Commercial in the North Longwoods Neighbourhood of SWAP. Some areas of SWAP are subject to existing Area Plans, including the Bostwick East Area Plan. If a conflict arises between the SWAP policies and existing Area Plan policies, the Area Plan policies of the Official Plan shall prevail (20.5.1.5). This policy applies specifically to Section 10.1.3 cxix) of the 1989 Official Plan.

4.0 Key Issues and Considerations

4.1 Issue and Consideration # 1: Use

Provincial Policy Statement, 2014 (PPS)

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 (including commercial), and institutional uses to meet long-term needs. It promotes cost-effective development patterns and standards to minimize land consumption and servicing costs. The PPS encourages settlement areas to be the main focus of growth and their vitality and regeneration shall be promoted (1.1.3). Appropriate land use patterns within settlement areas are established by providing appropriate densities and mix of land uses that efficiently use land and resources, are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion (1.1.3.2).

The proposed automobile sales and service establishment contributes to a mix of land uses and facilitates development of a vacant, underutilized site within a settlement area. No new infrastructure or public service facilities are required to support the redevelopment. As such, the recommended amendment is consistent with the Provincial Policy Statement, 2014.

The London Plan

The subject lands are within the Commercial Industrial Place Type of The London Plan. The Commercial Industrial Place Type is located in automobile and truck dominated environments, away from neighbourhoods and pedestrian-oriented streetscapes (1112_). Commercial uses that do not fit well within the commercial and mixed-use place types, due to the planning impacts that they may generate, are directed to the Commercial Industrial Place Type. Permitted commercial uses will have a tolerance for planning impacts created by a limited range of light industrial uses which may also be

located within this place type. These commercial uses tend to have a quasi-industrial character, whereby they may be 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 (1118_).

An automobile sales and service establishment is considered a commercial use that generally does not fit well within the commercial or mixed-use place types. These establishments typically require large amounts of parking to display new and used vehicles, as well as parking for customers and vehicles being serviced on site. Automobile sales and service establishments typically experience regular truck traffic through the delivery of vehicles and may also generate other impacts such as noise. As such, staff is satisfied the proposed use is in conformity with The London Plan.

1989 Official Plan

The subject lands are designated Auto-Oriented Commercial Corridor in the 1989 Official Plan and are subject to Chapter 10 Specific Policy 10cxix). Areas designated Auto-Oriented Commercial Corridor are primarily intended for commercial uses that cater to the commercial needs of the traveling public. Uses considered to be appropriate include automotive uses and services, therefore the proposed use is in conformity with the 1989 Official Plan (4.4.2.4).

Policy 10.1.3cxix), establishes specific policies for lands included in the Bostwick East Area Plan area. These policies relate largely to the technical review of site access for properties fronting on Wharncliffe Road South, servicing, and traffic capacity/management on Southdale Road West. It should be noted that since this policy was adopted, Southdale Road West has been widened to provide additional capacity.

Southwest Area Secondary Plan

The subject lands are designated Commercial in the North Longwoods Neighbourhood of SWAP. No Neighbourhood-specific policies apply to the Commercial designations within this Neighbourhood (20.5.11.i)), therefore the permitted uses of The London Plan and the 1989 Official Plan is relied on to determine the range of permitted uses. As such, the proposed use is in conformity with SWAP.

4.2 Issue and Consideration # 2: Intensity & Form

The London Plan

The intensity policies for all industrial place types apply a maximum permitted height of two storeys in the Commercial Industrial Place Type (1124_3). Form policies require sites to be large enough to accommodate on-site truck movements for loading, unless it is deemed appropriate to utilize streets where there are no viable alternatives (1125_7). The requested amendment will facilitate the development of a two-storey building, which is in conformity with the maximum intensity permitted by The London Plan. Further, the subject site is large enough to accommodate on-site loading and truck movements, and the detailed design would be formalized at the Site Plan Approval stage.

1989 Official Plan

Several form policies exist to guide new development in the Auto-Oriented Commercial Corridor designation. Minimum lot frontage, depth, and area requirements ensure sites are of a suitable size to accommodate appropriate setbacks, parking, and landscaping (4.4.2.6.1). Development shall have a low-rise form and appropriate rear yard setbacks, buffer strips, privacy screening, and other measures to buffer new development from adjacent residential areas are to be applied through the Zoning By-law and site plan control process (4.4.2.6.4 and 4.4.2.6.5). Further, access points to arterial roads are to be limited to the minimum number required for the commercial use to function and common parking areas and driveways are encouraged. In areas with a large amount of

vacant commercial land, consideration may also be given to the creation of a service road to provide access for future development (4.4.2.6.2). Urban design policies also exist in the Auto-Oriented Commercial Corridor designation which encourage a high standard of building design, including massing, siting, and exterior access (4.4.2.8).

The proposed two-storey building takes on a low-rise form and is sited close to the intersection of two arterial roads, located as far as possible from the low rise residential development to the rear. The site is large enough to support appropriate setbacks, parking, fencing, and landscaping, all of which will be formalized at the Site Plan Approval stage. A City-owned pedestrian walkway exists to the northeast to connect Wharncliffe Road South and Castle Rock Place, separating the subject site from the adjacent commercial properties currently under construction. As such, a shared access or service road is not feasible without bisecting this walkway.

Southwest Area Secondary Plan

In the North Longwoods Neighbourhood, it is expected that redevelopment and new development will reflect the existing character of the neighbourhood, provide a walkable environment with a pedestrian scale, and the built form will be primarily street-oriented on all public rights-of-way (20.5.11.ii)). Buildings on corner lots at the intersections of arterial and collector roads shall be sited and massed toward the intersection (20.5.3.9.iii)c)). Rear and side building elevations of all buildings on corner lots shall be designed to take advantage of their extra visibility (20.5.3.9.iii)d)). Urban design policies in SWAP direct off-street parking to be designed to reduce the visual impact to the adjoining streetscape and users of the site. This goal is to be achieved by locating parking to the side or rear of the building and by permitting little to no parking in front of the building (20.5.3.9iii)g)).

The proposed building height is generally consistent with existing building heights along Wharncliffe Road South, as well as the approved automobile sales and service establishments currently under construction. The building has been positioned and massed towards the corner of Bradley Avenue West and Wharncliffe Road South with the principle entrance on Wharncliffe Road South. Staff recommends additional special provisions to prohibit parking between the building façade and the street and to ensure that no part of any parking area is located closer than 6 metres from Bradley Street West. These regulations will prevent parking to be located in front of the building along both street frontages, as well as beyond the main building façade along Bradley Avenue West. The intent of these regulations is not to prohibit a new vehicle display between the building and Wharncliffe Road South, but rather to prevent a large asphalted parking area. However, staff encourage the use of decorative pavers within this area should it be used for the display of new vehicles.

4.3 Issue and Consideration # 3: Zoning

4.3.1 Removal of Holding Provisions

The site is currently subject to the following holding provisions which the applicant has requested be removed:

h: To ensure the orderly development of lands and the adequate provision of municipal services, the "h" symbol shall not be deleted until the required security has been provided for the development agreement or subdivision agreement, and Council is satisfied that the conditions of the approval of the plans and drawings for a site plan, or the conditions of the approval of a draft plan of subdivision, will ensure a development agreement or subdivision agreement is executed by the applicant and the City prior to development. Permitted Interim Uses: Model homes are permitted in accordance with Section 4.5(2) of the Bylaw; (Z.-1-122078) (Z.-1-142245)

h-11: To ensure the orderly development of lands and the adequate provision of municipal services, the "h-11" symbol shall not be deleted until a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council is entered into with the City of London.

Permitted Interim Uses: Existing uses. (O.M.B. File #R 910387 - Appeal #3004 May 19, 1994)(Z.-1-92066)

h-63: To ensure there are no land use conflicts between the commercial and residential land uses, the "h- 63" symbol shall not be deleted until the owner agrees to implement all noise attenuation and design mitigating measures as recommended in noise assessment reports, acceptable to the City of London. (Z.-1-061467)

Both the h and h-11 holding provisions relate to the execution of a development agreement, which would occur through a future Site Plan application, at which time access location and design would also be reviewed and formalized. It should be noted that there is an existing reserve along the Bradley Avenue West which must be removed through the Site Plan process to enable access on this frontage, if appropriate. A noise assessment report to satisfy the requirements of the h-63 holding provision would also be required at Site Plan. Any recommendations for noise attenuation and mitigation measures would be required to be implemented on site and captured in the development agreement, if necessary.

h-95: To ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates these concepts and addresses identified Urban design issues. Permitted Interim Uses: Existing Uses (Z.-1-081711)

The urban design concepts established through the amendment process are consistent with policy and positively received by staff and the Urban Design Peer Review Panel. Refinement of the building design, including approval of elevation drawings, would occur at a future Site Plan stage. Execution of the development agreement to implement these urban design concepts, as had been intended by the h-95 holding provision, would also occur at that time. As well, additional special provisions to regulate the location of off-street parking will ensure the urban design concepts established through the Zoning amendment process are implemented at Site Plan.

h-100: To ensure there is adequate water service and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer, prior to the removal of the h-100 symbol. Permitted Interim Uses: A maximum of 80 residential units (Z.-1-081786) (Z.-1-122078)

h-104: To ensure that a comprehensive storm drainage and stormwater management report prepared by a consulting engineer is completed to address the stormwater management strategy for all lands within the subject plan and external lands where a private permanent on-site storm drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility. The "h-104" symbol shall not be deleted until the report has been accepted to the satisfaction of the General Manager of Planning and Development and City Engineer. (Z.-1-091860)

The matters outlined in the h-100 and h-104 holding provisions will be addressed at a future Site Plan stage as part of standard practice and review.

h-138: To ensure that commercial development in draft plan 39T05509 does not exceed a maximum interim floor area threshold of 12,868 m², the h-138 symbol shall not be deleted until a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecast traffic volumes. Permitted Interim Uses: Permitted uses up to a maximum total floor area of 12,868 m² on the commercial & office lands in draft plan 39T05509. (Z.-1-112024)

Two other commercial blocks exist within 39T-05509 and are municipally addressed as 1229 and 1265 Wharnccliffe Road South. Both blocks are to be developed with automobile sales and service establishments with gross floor areas of 1,615 square metres and 2,483.64 square metres, respectively, in accordance with the approved Site Plans. The proposed building on the subject site has a gross floor area of approximately

4,005 square metres. This would result in a total gross floor area for all three sites of approximately 8,103.64 square metres, which is within the maximum interim floor area of 12,868 square metres currently permitted by the h-138 holding provision. As the development of this site will result in full build-out of the commercial lands in 39T-05509, staff has no concerns with the removal of this holding provision.

4.3.2 Special Provisions

Through the circulation of this application, Transportation staff commented that road widening dedications along Wharncliffe Road South and Bradley Avenue West would be required at Site Plan to an ultimate road allowance of 24 metres from centreline. Dedication of a 6x6 metre daylight triangle taken from the new property lines post-dedication, would also be required. While the dedications are conveyed at Site Plan, regard must be given at the rezoning stage to ensure the proposed development will comply with minimum setback requirements post-dedication. Accordingly, a front yard depth of 5.5 metres along Bradley Avenue West, an exterior side yard depth of 2 metres from Wharncliffe Road South, and a 1.2 metre setback to the daylight triangle have been requested.

As the proposed setbacks facilitate a street-oriented design at the corner of Bradley Avenue West and Wharncliffe Road South, staff has no concerns with the requested reductions. Further, the reduced setbacks would result in the building being positioned further away from the low rise residential development to the rear and alternatively, closer the intersection of two arterial roads. As the 6x6 metre daylight triangle will ensure visibility is maintained at the intersection, staff has no concerns with the requested 1.2 metre setback.

To ensure parking is not located in front of the building, special provisions are recommended to prohibit parking between the building façade and the street and to ensure no part of any parking area, excluding a driveway access, is located closer than 6 metres from Bradley Street West. The intent of these special provisions is not to prohibit the use of these areas as new car display, but rather to prevent large amounts of off-street parking from dominating the streetscape. It should be noted that these additional special provisions will also ensure the urban design concepts established through the Zoning By-law Amendment process are implemented at Site Plan, as required by the h-95 holding provision.

More information and detail is available in the appendices of this report.

5.0 Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2014, and is in conformity with the in-force and effect policies of The London Plan, including but not limited to the Commercial Industrial Place Type, the 1989 Official Plan, and the Southwest Area Secondary Plan. The recommended amendment will facilitate the development of an underutilized parcel of land with a use and built-form that is consistent with that of neighbouring properties.

Prepared by:	Catherine Lowery, MCIP, RPP Planner II, Development Services
Recommended by:	Paul Yeoman, RPP, PLE Director, Development Services
Submitted by:	George Kotsifas, P.ENG Managing Director, Development and Compliance Services and Chief building Official
Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.	

cc: Michael Tomazincic, MCIP, RPP, Manager, Current Planning

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Appendix A

Bill No. (number to be inserted by Clerk's Office)
(2020)

By-law No. Z.-1-20_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1297
Wharnccliffe Road South.

WHEREAS Dalmar Motors Volkswagen has applied to rezone an area of land located at 1297 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 1297 Wharnccliffe Road South, as shown on the attached map comprising part of Key Map No. A111, from a Holding Office (h*h-11*h-63*h-95*h-100*h-104*h-138*OF7) Zone to a Restricted Service Commercial Special Provision (RSC1(__)/RSC2/RSC3/RSC4/RSC5) Zone.
- 2) Section Number 28.4a) of the Restricted Service Commercial (RSC1) Zone is amended by adding the following Special Provision:
 -) RSC1() 1297 Wharnccliffe Road South
 - a) Regulations
 - i) Front Yard Depth 5.5 metres (18 feet)
(Minimum)
 - ii) Exterior Side Yard 2 metres (6.5 feet)
Depth
(Minimum)
 - iii) Setback from 1.2 metres (3.9 feet)
Daylight Triangle
(Minimum)
 - iv) No parking spaces, excluding a maximum of two (2)
accessible parking spaces, shall be permitted
between the building façade and the street
 - v) No part of any parking area, other than a driveway,
shall be located closer than 6 metres from Bradley
Avenue West

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.

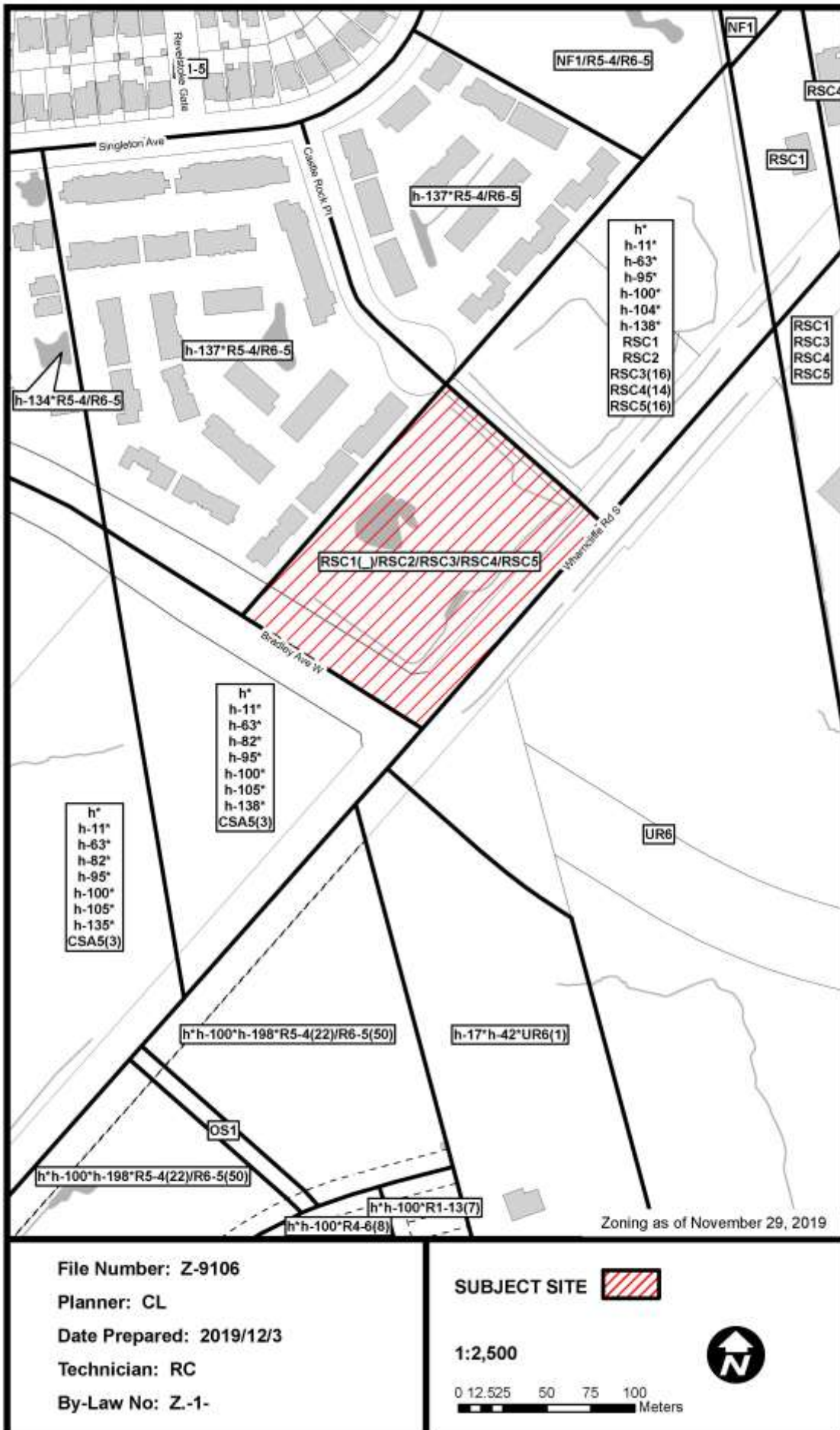
PASSED in Open Council on January 14, 2020.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – January 14, 2020
Second Reading – January 14, 2020
Third Reading – January 14, 2020

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



Appendix B – Public Engagement

Community Engagement

Public liaison: On September 4, 2019, a Notice of Application was sent to 178 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 5, 2019.

On November 20, 2019, a Revised Notice of Application was sent to 178 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 21, 2019.

On December 12, 2019, a Revised Notice of Planning Application and Notice of Public Meeting was sent to 178 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 11, 2019.

One (1) reply was received

Nature of Liaison: The purpose and effect of this zoning change is to permit an automobile sales and service establishment. Possible change to Zoning By-law Z.-1 **FROM** a Holding Office (h*h-11*h-63*h-95*h-100*h-104*h-138*OF7) Zone **TO** a Restricted Service Commercial Special Provision (RSC1(_)/RSC2/RSC3/RSC4/RSC5) Zone to permit a range of commercial uses, including the proposed automobile sales and service establishment. Special provisions would permit a reduced front yard depth of 5.5 metres, whereas 8 metres is required; a reduced exterior side yard depth of 2 metres, whereas 8 metres is required; and a 1.2 metre setback from the daylight triangle.

Responses: A summary of the various comments received include the following:

Concern for:

Parking Adjacent to Residential:

Concern that lighting from the rear parking lot will spill onto adjacent residential properties.

Noise:

Concern regarding noise from the service bays and car wash.

Traffic:

Concerns regarding timing of traffic light installation and the number of near collisions at this intersection. Also concerns regarding traffic speeds along Wharncliffe Road South.

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

Telephone	Written
	Rob Hamilton 3400 Castle Rock Place Suite 24 London, ON N6L 0E4

From:

Sent: Saturday, September 7, 2019 7:46 PM

To: Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Lowery, Catherine <clowery@london.ca>

Subject: [EXTERNAL] File#Z-9106/1297 Wharncliffe Road South /

Dear Ms Lowery and Mr Paul Van Meerbergen, I'm writing both of you in reference to an application for a zoning by laws amendment made by Dalmar Motors Volkswagen. I'm a board member of the Rembrandt townhouses phase 2/3 and have some concerns to be answered regarding the above said application.

1. Back parking lot located adjacent to the border fencing
 - concern about the lighting and how it will affect our back facing building and decks.
 - Will there be provisions made so that the positioning of these lights DO NOT beam down on our property?
2. Noise
 - Not to have excessive noise from the service bays and car wash facilities.
3. Traffic Lights
 - when will these be installed?
 - we have witnessed many near collisions at this intersection of Wharnclyff and Bradley.
 - also traffic along Wharnclyff has attracted many drivers who think that it the autobahn with speeds on excessive of 90-100 km per hour.

I will be adding the above application request on our next board meeting agenda for further feedback and will forward these to both of your attention.

Best regards

Rob Hamilton
Director- MSCC #896

Agency/Departmental Comments

September 17, 2019: London Hydro

Servicing the above proposal should present no foreseeable problems. Above-grade transformation is required.

Note: Transformation lead times are minimum 16 weeks.

Contact Engineering Dept. to confirm requirements & availability.

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

October 4, 2019: Transportation

- Road widening dedication of 24.0m from centre line required on Wharnclyffe Road South
- Road widening dedication of 24.0m from centre line required on Bradley Avenue
- The applicant will need to lift the 1 ft reserve along Bradley Avenue to allow for a restricted right in/ right out access
- The applicant is required to extend the existing median on Wharnclyffe Road South approximately 25.0m northerly in accordance with the City's Access Management Guidelines to restrict the access to right in right out
- Detailed comments regarding external works, and access location and design will be made through the site plan process.

October 4, 2019: Sewers Engineering

- The sanitary sewer available for the subject lands (Commercial Block 85 in Westbury Subdivision 33M-641) is the 200mm sanitary sewer in Block 89 that goes westerly through the bulb of Castle Rock Place, and to Singleton Avenue.
- A sanitary inspection maintenance hole will be required and is to be located wholly on private lands and as close to the said outlet as possible, all to City Standards and to the satisfaction of the City Engineer.

October 4, 2019: Stormwater Engineering

1. The subject lands are located in the Dingman Creek Subwatershed subject to the ongoing Dingman Creek EA. The City is currently finalizing phases 3 and 4 of the Dingman Creek Municipal Class Environmental Assessment (EA) by Aquafor Beech (City's Dingman Creek EA Consultant) that may include but not be limited to, quantity/quality control, erosion, water balance, stream morphology, etc. and therefore, to be able to advance this development the Owner shall be required to provide a comprehensive Water Balance analysis which shall include water balance recommendation to be implemented (e.g. LID solutions, etc.).
2. As per attached as-constructed 25131, the site at Q=67.0l/s is tributary to the 675mm storm sewer crossing the existing municipal easement via the existing MH R11.
3. Considering the number of surface level parking spaces indicated in the application, the owner shall be required to have a consulting Professional Engineer addressing water quality to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 70% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators, LID filtration or infiltration solutions, etc.
4. To manage stormwater runoff quantity and quality, the applicant's consulting engineer may also consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design. This would include directing a portion of stormwater runoff to landscaped areas before catchbasins.
5. Any proposed LID solution should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation.
6. 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. It may include water balance.
7. 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, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
8. The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
9. Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
10. Additional SWM related comments will be provided upon future review of this site.

October 23, 2019: Urban Design Peer Review Panel Memo – Applicant's Response

Comment:
The Panelists support the revised layout of the site to provide the building massing near the intersection with parking to the rear and side of the building.
Applicant Response:
Noted
Comment:
The Panelists support the high proportion of glazing near the intersection and the provision of main entrances to the building facing the street.
Applicant Response:
Noted
Comment:
The Panelists encourage the applicant to consider refinement of the blank wall elevation facing Wharncliffe Road, either through the introduction of increased openings along this façade, greater façade articulation, an art feature and/or the incorporation of landscaping near the base of the building to soften the blank wall.

Applicant Response:
Agree, and will look to get some fenestration, more articulation of building envelope materials, low landscaping and/or wall graphic inserted to this location of the building.
Comment:
The Panelists support the provision of bicycle parking and encourages the applicant to consider relocating the bike parking nearer to the front of the building and main building entrance.
Applicant Response:
Owner not convinced that this improves their operations or be a practical location for bicycles but will pilot a bicycle rack at this location to see if it gets any use.
Comment:
The Panelists encouraged the applicant to provide tree plantings along the perimeter of the parking area (including along the interior lot lines) to buffer from adjacent properties.
Applicant Response:
Will consider.

December 3, 2019: Urban Design Comments

Urban design staff have been working closely with the applicant through the rezoning process to address many of the design concerns that have been raised by the Urban Design Peer Review Panel (UDPRP), and City staff.

The applicant is commended for incorporating the following into the design; Providing a building with a 2-storey volume located close to the intersection of Bradley Avenue and Wharncliffe Road S.; Providing for an active street edge at the intersection by orienting the building to the adjacent streets with the primary entrance facing Wharncliffe Road S and large amounts of clear glazing along both street frontages ; providing for a display forecourt between the building and the street; and, Incorporating all parking in the rear and side yards, behind the street facing façades of the building; All of which is in keeping with the vision of the current Official Plan, The London Plan, and the Southwest Area Secondary Plan.

Appendix C – Policy Context

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

Provincial Policy Statement, 2014

1.1.1, 1.1.3.1, 1.1.3.2

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

112_, 1118_, 1119_, 1124_

The 1989 Official Plan

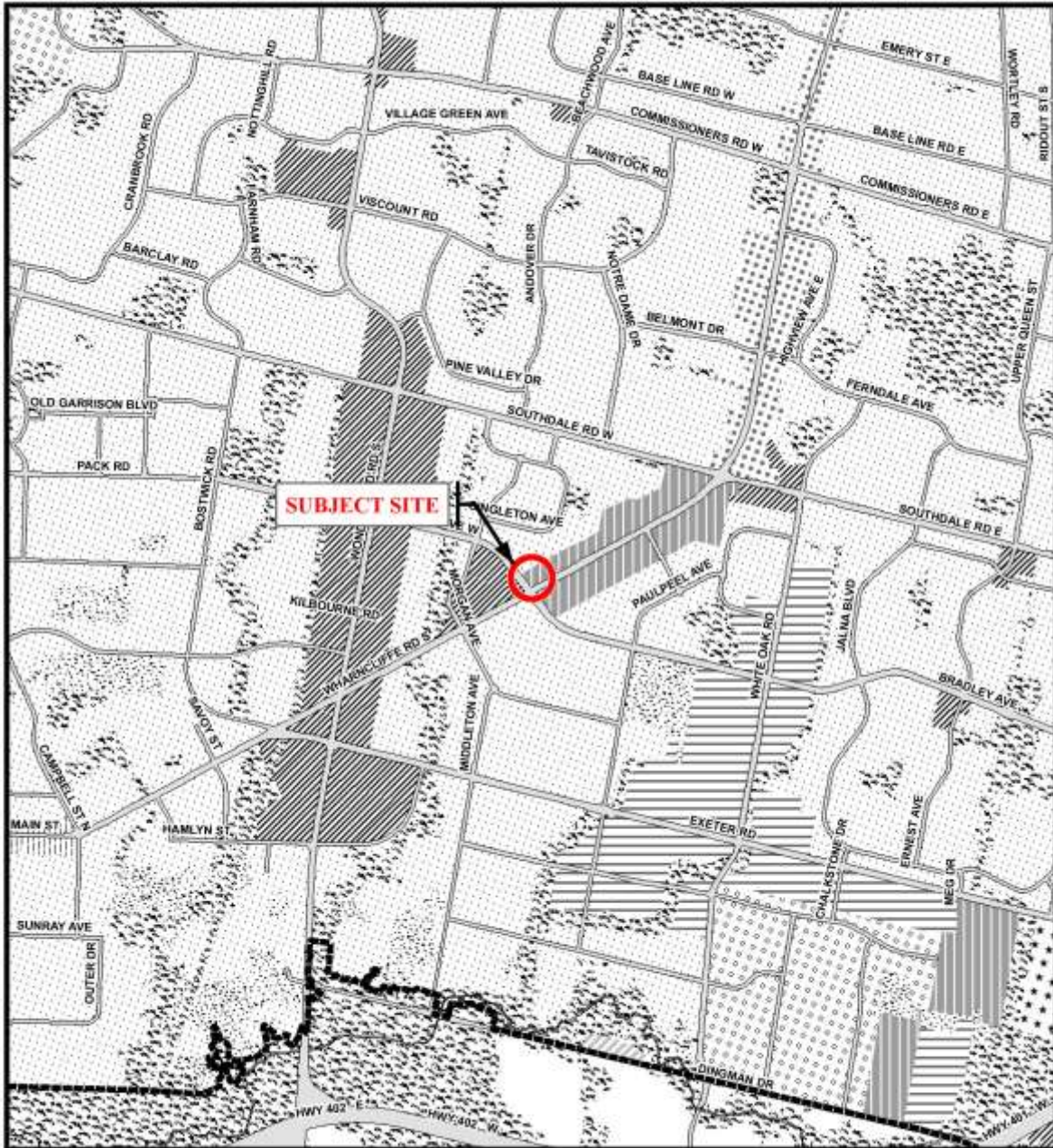
4.4.2, 4.4.2.4, 4.4.2.6, 4.4.2.6.1, 4.4.2.6.2, 4.4.2.6.3, 4.4.2.6.4, 4.4.2.6.5, 4.4.2.6.8, 4.4.2.8, 10.1.3cxix)

The Southwest Area Secondary Plan

20.5.1.5, 20.5.11.i), 20.5.11.ii), 20.5.3.9

Appendix D – Relevant Background

Additional Maps



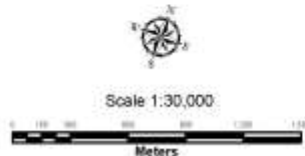
Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

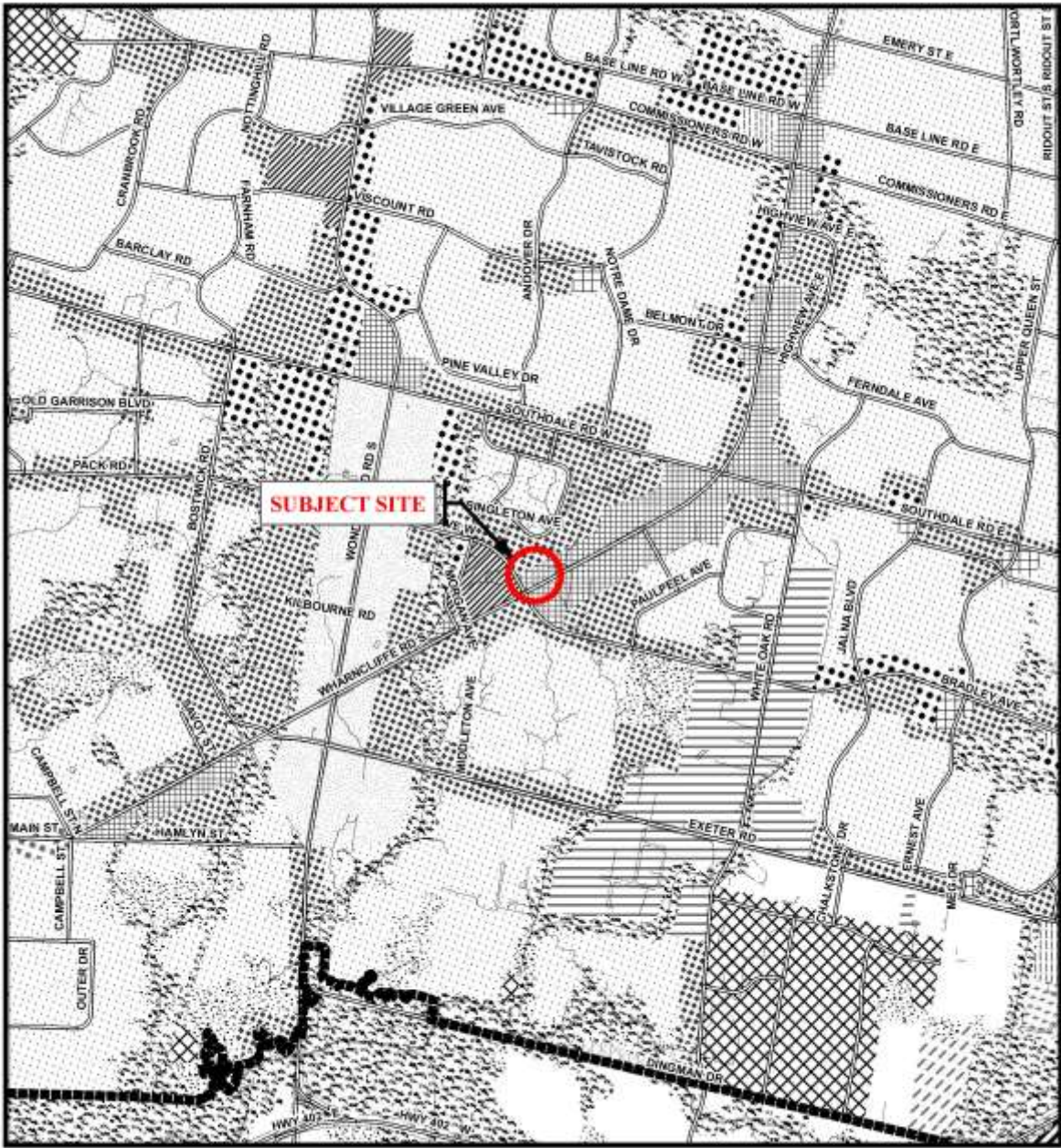
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services

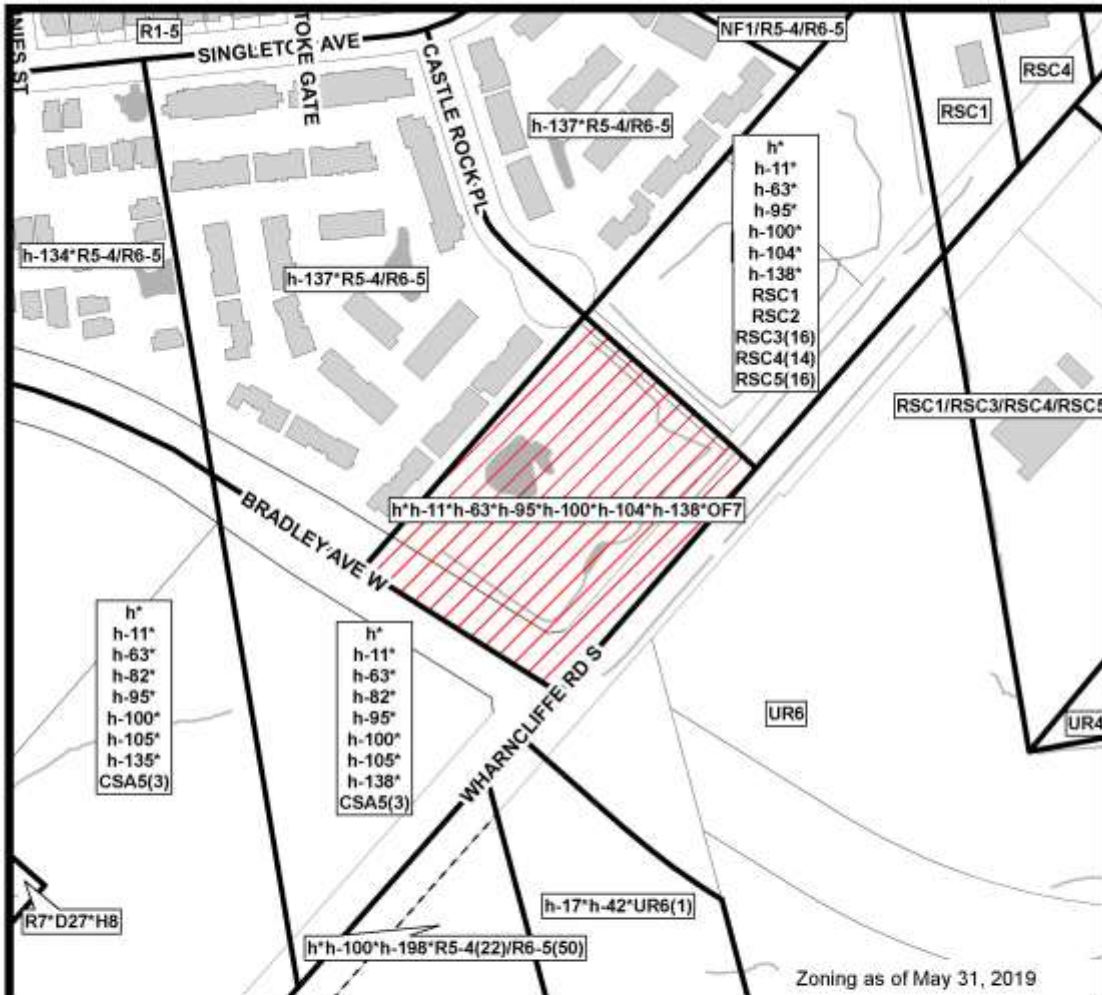


File Number: Z-9106
Planner: CL
Technician: RC
Date: December 3, 2019



Legend	
	Downtown
	Enterprise
	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

<p>CITY OF LONDON Department of Planning and Development</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-9106</p> <p>PLANNER: CL</p> <p>TECHNICIAN: RC</p> <p>DATE: 2019/12/3</p>
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Zoning as of May 31, 2019



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R8 - 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 | <ul style="list-style-type: none"> 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 |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



FILE NO:
Z-9106 RC

MAP PREPARED:
2019/12/3 RC

1:3,000

0 15 30 60 90 120
Meters

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

Additional Reports

39T-05509/Z-6915: May 6, 2009 – Report to Planning Committee: request for a Plan of Subdivision and Zoning By-law Amendment for 1311 Wharnccliffe Road South