

TO:	CHAIR AND MEMBERS BUILT AND NATURAL ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR OF LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: CEDAR AUTO OF LONDON LTD. 2170 WHARNCLIFFE ROAD SOUTH PUBLIC PARTICIPATION MEETING NOVEMBER 28, 2011

**RECOMMENDATION**

That, on the recommendation of the Director of Land Use Planning and City Planner, based on the application of Cedar Auto of London Ltd. relating to a portion of the subject land located at 2170 Wharncliffe Road South, the attached proposed by-law **BE INTRODUCED** at the Municipal Council meeting on December 6, 2011 to amend Zoning By-law No. Z.-1 in conformity with the Official Plan to change the zoning of the subject land **FROM** a h-17.AC2 Zone which permits a range of commercial, and residential uses **TO** a h-17•h-(\*).AC2( ) Zone to permit the additional use of automobile sales and service establishment. The h-17 holding provision requires water and sanitary services prior to development, with the exception of dry uses on approved private sanitary services. The h-(\*) holding provision requires that urban design and comprehensive traffic patterns in the area be considered during the site plan review process and a development agreement be entered into prior to development to ensure the orderly development of the site.

**PREVIOUS REPORTS PERTINENT TO THIS MATTER**

October 17, 2011 – 2170 Wharncliffe Road South

**PURPOSE AND EFFECT OF RECOMMENDED ACTION**

The requested amendment is to facilitate the development of an automobile sales and service establishment on the northeast portion of the subject property by adding that use to the existing permitted uses with an interim use of a trailer for automobile sales for no greater than 4 years.

**RATIONALE**

1. The recommended amendment to allow for automobile sales establishment is consistent with the *Provincial Policy Statement, 2005*
2. The recommended amendment is in keeping with the general intent and purpose of the Official Plan, in particular policies related to Chapter 4 – Commercial Land Use Designations.
3. The recommended amendment is in keeping with the general intent of the Zoning By-law.
4. The proposed automobile sales establishment is appropriate development and consistent with land uses in the area.

"APPENDIX A"

Bill No. (number to be inserted by Clerk's Office)  
2011

By-law No. Z.-1-\_\_\_\_\_

A by-law to amend By-law No. Z.-1 to rezone an area of land located 2170 Wharncliffe Road South.

WHEREAS Cedar Auto of London Ltd. has applied to rezone land portion of land located at 2170 Wharncliffe 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:

Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to part of the lands located at 2170 Wharncliffe Road South, as shown on the attached map comprising part of Key Map No. (168) from an Arterial Commercial holding provision (h-17 AC2) Zone to an Arterial Commercial holding provision (h-17•h-(\*)•AC2( )) Zone

- 1) Section Number 26.4c) of the Arterial Commercial (AC2) Zone Variation to By-law No. Z.-1 is amended by adding the following Special Provision:

) AC2( )

a) Additional Permitted Uses:

- i) Automobile Sales and Service Establishment, associated with a permanent structure or building.
- ii) Automobile Sales Establishment, associated with a temporary sales trailer prior to December 6, 2015.

- 2) Section Number 3.8(2) of the Holding Zone Provisions Section to By-law No. Z.-1 is amended by adding the following holding provision:

\_ ) h-\_\_ Purpose: to ensure the orderly development of the site the following items shall be addressed through site plan review and a development agreement be entered into by the owner/developer and the City of London:

- a) Urban design objectives through the submission of an urban design brief and building elevations; and
- b) Provision for joint access with the property to the east of the subject site.

This By-law shall come into force and be deemed to come into force in accordance with subsection 34(21) 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 subsection.

PASSED in Open Council on December 6, 2011.

Joe Fontana  
Mayor

Catharine Saunders  
City Clerk

First Reading - December 6, 2011  
Second Reading - December 6, 2011  
Third Reading - December 6, 2011