

January 22, 2024

# Planning Justification Report

**Proposed Zoning By-law Amendment -  
Request for Additional Commercial and Office Uses**  
1398 Wellington Road, London ON

Prepared For:

**1398 Wellington NDB Limited**  
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Prepared By:

**MONTEITH  
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## Table of Contents

Table of Figures.....	2
1.0 Introduction.....	3
1.1 Purpose.....	3
1.2 Site Description.....	3
1.3 Land Use Context.....	5
1.4 Pre-Application Consultation .....	7
2.0 Development Proposal.....	8
3.0 Planning Framework & Analysis.....	9
3.1.2 Provincial Planning Statement 2024.....	9
3.2 The London Plan.....	9
3.3 City of London Zoning By-law.....	13
4.0 Background Studies .....	16
4.1 Consultation with the Ministry of Transportation .....	16
5.0 Proposed Planning Approvals.....	17
5.1 Zoning By-law Amendment.....	17
6.0 Conclusion.....	18
Appendix A.....	19
Appendix B.....	20
Appendix C.....	21

## Table of Figures

Figure 1   Aerial Photograph of Subject Lands.....	4
Figure 2   Subject Lands from 401 On-Ramp along Wellington Road .....	4
Figure 3   Subject Lands from Southern Access Point on Wilton Grove Road .....	5
Figure 4   Subject Lands from Northern Access Point on Wilton Grove Road .....	5
Figure 5   800m Land Use Context.....	7
Figure 6   Excerpt from Map 1 – Place Types.....	10
Figure 7   Excerpt from Map 3 – Street Classifications.....	11
Figure 8   Excerpt from Map 6 – Hazards and Natural Resources.....	12
Figure 9   Excerpt from Schedule 1 - City Structure Plan .....	13
Figure 10   Zoning Sketch .....	16

# 1.0 Introduction

## 1.1 Purpose

Monteith Brown Planning Consultants (“MBPC”), on behalf of our client, 1398 Wellington NDB Limited, is pleased to submit this Planning Justification Report as part of a comprehensive application package to amend the City of London Zoning By-Law No. Z-1 (“ZBL”) to permit additional commercial and office land uses on the lands known municipally as 1398 Wellington Road (“the subject lands”) in London, Ontario.

The intent of this report is to analyze the land use planning merits of the proposed Zoning By-Law amendment within the context of the surrounding community and relevant planning documents, including: the Provincial Planning Statement 2024 (“PPS”), the London Plan (“LP”), the ZBL, as well as the Upper Thames River Conservation Authority (“UTRCA”) policies.

## 1.2 Site Description

The subject lands are located in south London, are generally triangular in shape, with an area of approximately 1.3 ha (3.1 acres), approximately 220 metres of frontage on Wilton Grove Road and approximately 38 metres of frontage on Wellington Road South. The subject lands contain an existing plaza, approximately 3900 square metres in gross floor area, and are currently used for various light industrial uses including:

- Automobile Rental (Sports car rental)
- Automobile Sales and Service Establishments (Sports car sales)
- Home and Auto Supply Stores (Furniture)
- Home Improvement and Furnishing Stores (Mattresses/home furnishings)
- Repair and Rental Establishments (Safety products)
- Service and Repair Establishments (Safety products)

Parking for the plaza is located around the perimeter of the building containing approximately 102 parking stalls. Ingress and Egress to the subject lands is from Wilton Grove Road, as an access ramp to Highway 401 Corridor abuts the property along Wellington Road.

Figure 1 | Aerial Photograph of Subject Lands



Source: Land Information Ontario Mapping, 2020 Aerial Image

Figure 2 | Subject Lands from 401 On-Ramp along Wellington Road



Source: Google Maps Street View, Oct. 2022 image

*Figure 3 | Subject Lands from Southern Access Point on Wilton Grove Road*



Source: Google Maps Street View, Nov. 2022 image

*Figure 4 | Subject Lands from Northern Access Point on Wilton Grove Road*



Source: Google Maps Street View, Nov. 2022 image

### **1.3 Land Use Context**

As seen in **Figure 5**, below, the surrounding area is predominantly comprised of commercial and light industrial uses. A more detailed description of land uses surrounding the subject lands can be seen as follows:

#### North

The Highway 401 corridor is located to the north of the subject lands. Beyond the corridor, offices for the Ontario Provincial Police are found, along with several hotels. A commercial plaza is also found to north and east, along Wellington Road. Commercial land uses generally line Wellington Road, north of the subject lands, with White Oaks Mall, a large commercial hub under 2km to the North.

#### East

Light industrial land uses are found to the east of the subject lands, comprised of various businesses. These range from an industrial equipment supplier, food service supplier, office equipment services, wholesaler, building material store, and importer among other uses.

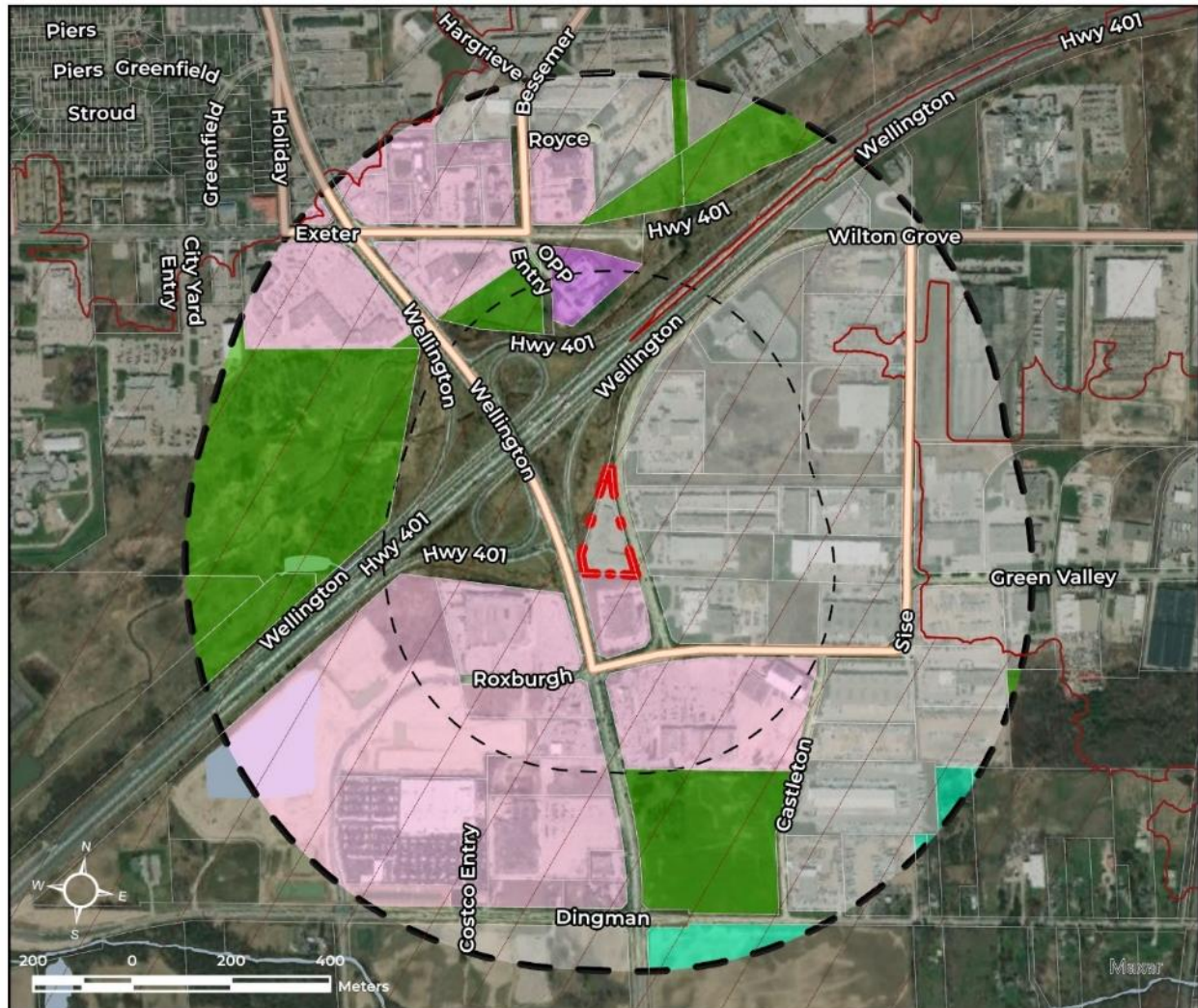
### South

A commercial plaza is found directly abutting the subject lands to the south. This plaza contains similar uses as the subject lands, however, is zoned to allow a greater variation of uses, specifically offices and greater commercial variations. Current businesses in this plaza include an autoparts store, liquidation wholesaler, and furniture store. Further south of this plaza, a large commercial complex containing various commercial establishments, along with a McDonald's restaurant is found, all within 500m of the subject lands.

### West

The subject lands are bound on the western side by an onramp to Highway 401, and further, Wellington Road. A London Transit bus route runs along Wellington Road, providing a public transit connection to the subject lands. To the southwest, across Wellington Road, there is a vacant commercial building, formerly the site of Costco. Multiple restaurants are found in a plaza format just to the south of this.

Figure 5 | 800m Land Use Context



Source: ESRI, MBPC 2024

### 1.4 Pre-Application Consultation

A Proposal Summary was prepared and submitted by MBPC on November 29, 2024 in order to outline the proposed zoning change, begin discussions with the City, and identify complete application requirements. In response to this Proposal Summary, the City provided a Record of Pre-Application Consultation which has been appended

to this report as **Appendix A**. It was deemed unnecessary to have a meeting to discuss the proposal, as the requirements for a complete application were limited to:

- Zoning By-law Amendment Application
- Planning Justification Report
- Zoning Data Sheet
- Consultation with the Ministry of Transportation
- Image for use on sign/webpage

The supporting materials outlined above are all included as part of this complete submission package and the results are summarized in the sections below. Additional materials may subsequently be provided during the detailed design stage.

## 2.0 Development Proposal

Our client owns the commercial plaza located on the subject lands. With the current zoning constraints on the property limiting the types of uses permitted within the plaza, the proponent is having difficulties attracting renters to the space. The proposed zoning by-law amendment is being requested to increase the land uses permitted on the subject lands without changing the physical footprint of the building.

The following uses are being requested to be added to the existing list of uses on the the subject lands:

- Financial institutions;
- Restaurants;
- Retail stores;
- Personal service establishments;
- Clinics;
- Medical/dental offices;
- Offices, professional;
- Offices, service.



## 3.0 Planning Framework & Analysis

The following section provides an overview and analysis of the existing planning framework, identifies the key policies and by-laws that apply to the subject lands and the proposed development, and discuss the application required to amend the ZBL required to permit the desired uses.

### 3.1.2 Provincial Planning Statement 2024

The Provincial Planning Statement 2024 (“PPS”) is a policy statement issued under the authority of section 3 of the Planning Act and came into effect on October 20, 2024. PPS 2024 applies to all decisions in respect of the exercise of any authority that affects a planning matter made on or after October 20, 2024. The PPS is intended “to be read in its entirety,” and decision-makers must balance a range of policy directives when deciding whether a planning proposal is consistent with the PPS rather than prioritizing one set of policies over another (PPS, Chapter 1).

The PPS provides policy direction for settlement areas, stating that they shall be the focus of growth and development (PPS 2.3.1.1). Further, land use patterns within settlement areas should be based on a mix of land uses which efficiently use land resources and optimize existing and planned infrastructure and public service facilities (PPS 2.3.1.2). The proposed zoning amendment adds additional land uses to an existing established plaza, providing an efficient mix of uses that optimizes the existing infrastructure.

While the subject lands contain zoning for Light Industrial uses, they are designated in the Official Plan for commercial use. As such, they do not constitute an employment area, as per the PPS definition (PPS Section 8).

It has been identified by the UTRCA that the subject lands are in a regulated area due to a riverine flooding hazard. The PPS states that planning authorities shall manage development, in collaboration with conservation authorities in identified hazardous lands in accordance with provincial guidance (PPS 5.2.1). The UTRCA were consulted regarding the proposed zoning change and expressed no concerns.

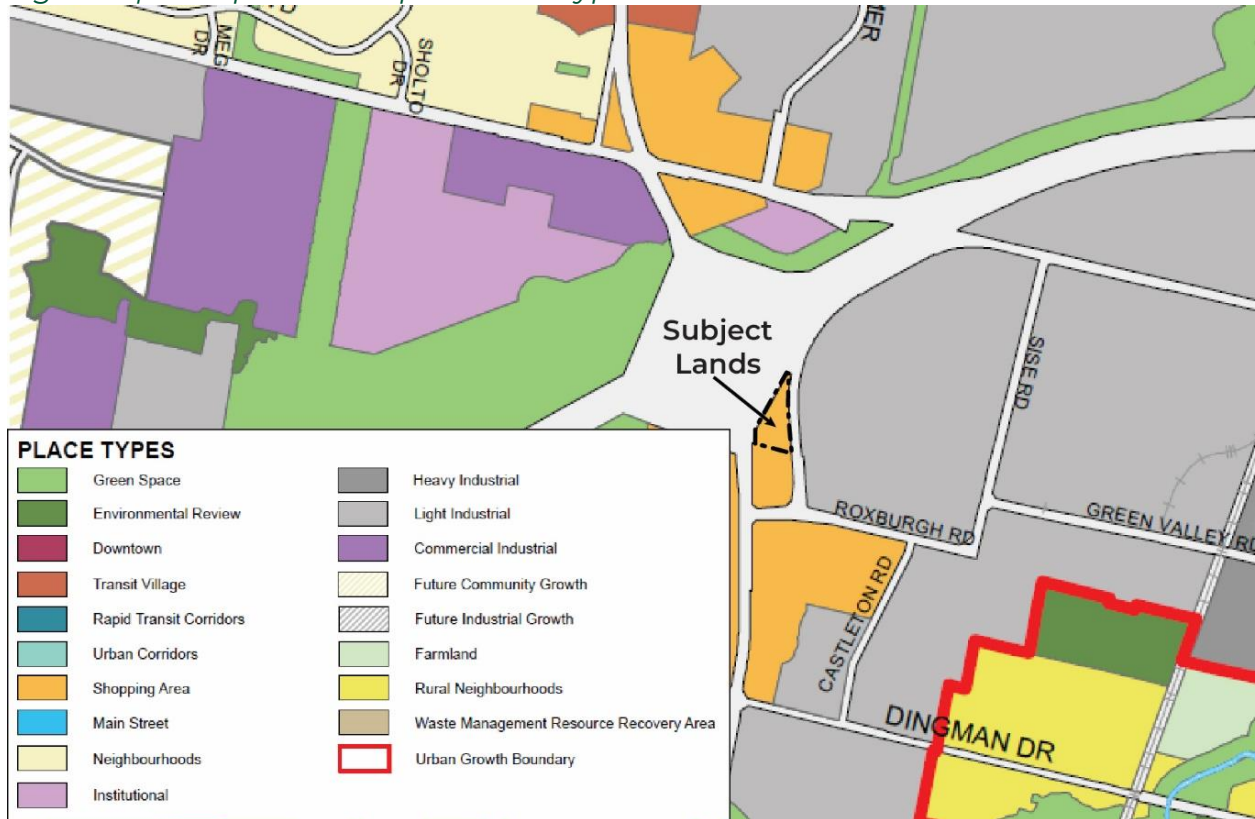
As the proposed zoning change helps to efficiently utilize an existing commercial plaza that has existing municipal services and does not propose any modifications to impervious surfaces or structures on the subject lands, it is consistent with the PPS.

### 3.2 The London Plan

Map ‘1’ – Place Types, of the London Plan (“LP”) identifies the subject lands within the ‘Shopping Area’ Place Type. Shopping Areas are recognized as providing a range of retail, service, business, recreational, social, educational, and government uses, being the primary place type to allow for commercial use (LP 871, 873). Specifically, a broad

range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses may be permitted (LP 877) within the Shopping Area place type.

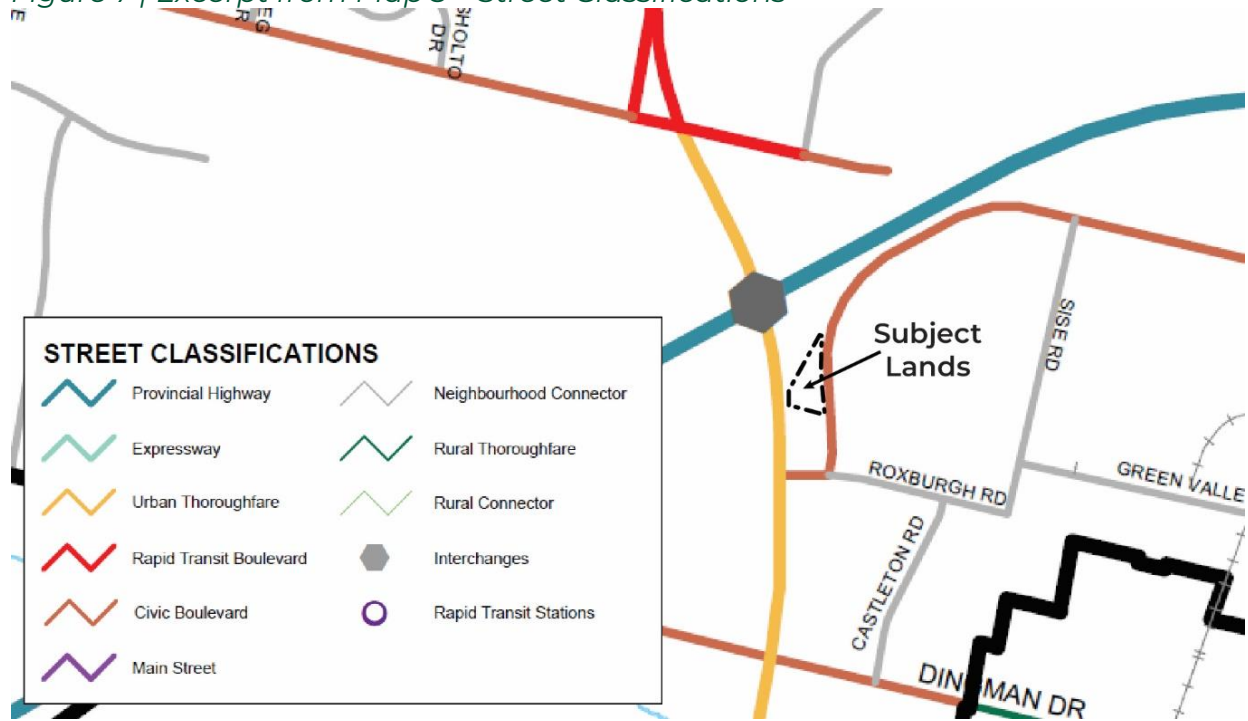
Figure 6 | Excerpt from Map 1 – Place Types



Source: The London Plan, MBPC 2024

Map '3' – Street Classifications, of the London Plan illustrates Wilton Grove Road as a 'Civic Boulevard' and Wellington Road as an 'Urban Thoroughfare'. Street Classifications help to determine the intensity and form permitted in a 'Neighbourhood' place type.

Figure 7 | Excerpt from Map 3 – Street Classifications

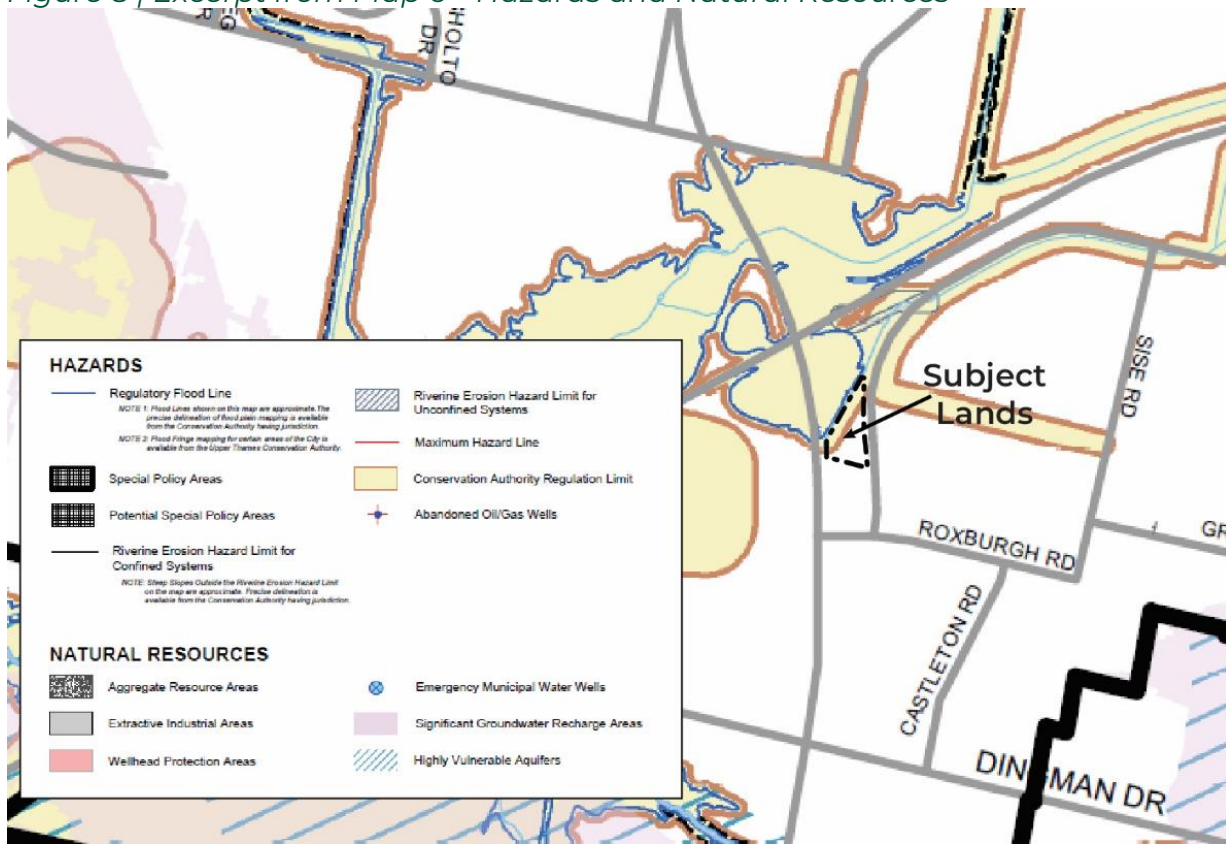


Source: The London Plan, MBPC 2024

The subject lands have no designations illustrated on Map '5' - Natural Heritage, however, Map '6' - Hazards and Natural Resources delineates a portion of the subject lands along the northern edge as being within a 'Conservation Authority Regulated Area'. This regulated limit is associated with a regulatory flood line that is shown outside, but along the northern boundary of the subject sides. It is important to note that the proposed development is only for the change of use and does not contemplate any physical modifications to the impermeable surfaces or structures that currently exist.

Recent updates to the Upper Thames River Conservation Authority ("UTRCA") mapping now include the entirety of the subject lands in their regulated area. The UTRCA was consulted during the pre-consultation stage of the proposed zoning by-law amendment. As the proposal is located entirely within an existing building, the UTRCA provided no complete application requirements, and did not express any concern with the proposal.

Figure 8 | Excerpt from Map 6 – Hazards and Natural Resources



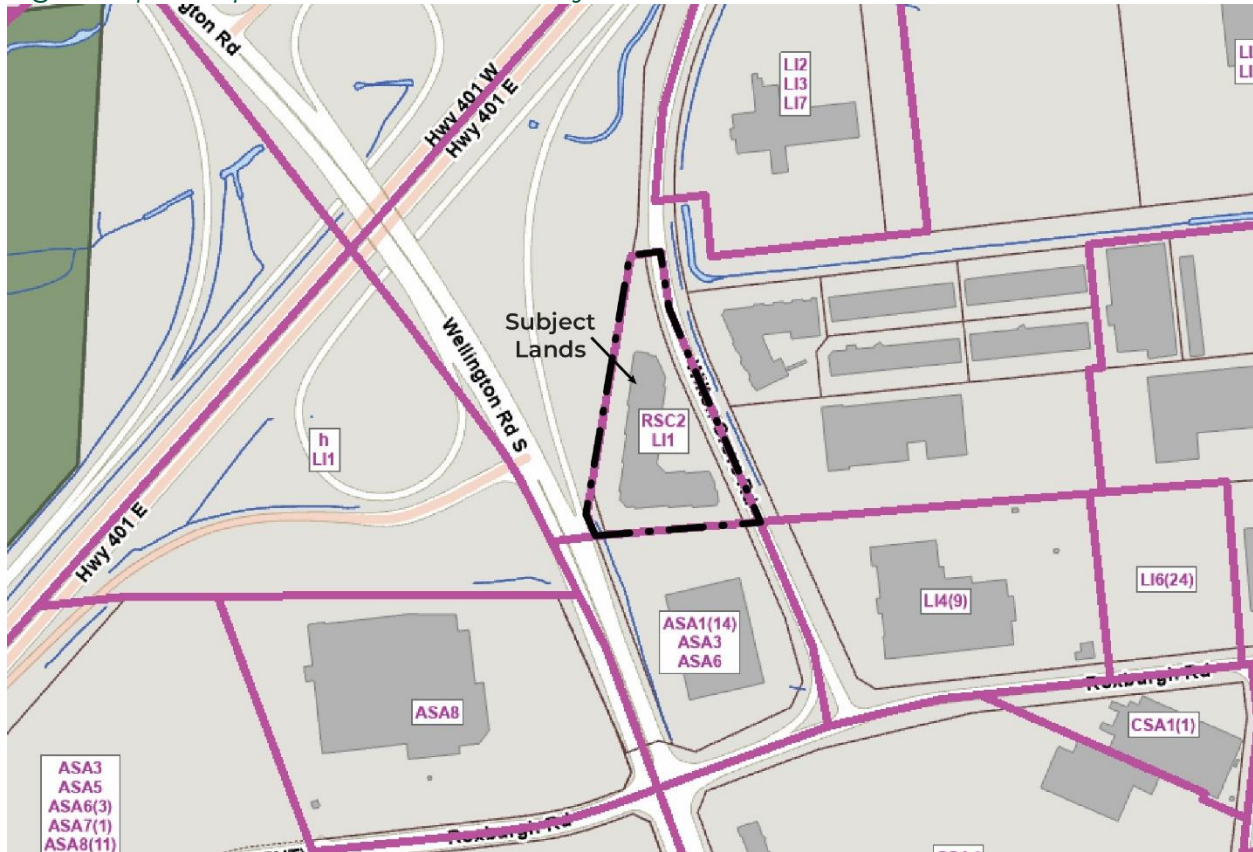
Source: The London Plan, MBPC 2024

### 3.3 City of London Zoning By-law

#### Existing Zoning

The City of London Zoning By-law Z.-1 currently zones the subject lands as 'Restricted Service Commercial (RSC2)' and 'Light Industrial (LI1)'.

Figure 9 | Excerpt from Schedule 1 - City Structure Plan



Source: City of Sarnia Official Plan

Permitted uses on the subject lands include:

#### RSC2

Animal clinics; Automobile rental establishments; Automobile repair garages; Automobile sales and service establishments; Automobile supply stores; Automotive uses, restricted; Catalogue stores; Duplicating shops; Home and auto supply stores; Home improvement and furnishing stores; Kennels; Repair and rental establishments; Service and repair establishments; Studios; Taxi establishments; Self-storage Establishments; Tow Truck Business; Bulk beverage stores; Dry cleaning and laundry depots; Liquor, beer and wine stores; Pharmacies; and Bulk sales establishments.

## L11

Bakeries; Business service establishments; Laboratories; Manufacturing and assembly industries; Offices support; Paper and allied products industries excluding pulp and paper and asphalt roofing industries; Pharmaceutical and medical product industries; Printing, reproduction and data processing industries; Research and development establishments; Warehouse establishments; Wholesale establishments; Custom workshop; Brewing on premises establishments. Service Trade; Existing Self-storage Establishments; Artisan Workshop; Craft Brewery; and Tow Truck Business.

Section 4.19 of the Zoning By-law contains provisions related to parking standards. For non-residential uses, parking standards are placed in Tiers, with the following requirements:

- Tier 1 - 1 space per 20 square metres of gross floor area
- Tier 2 - 1 space per 30 square metres of gross floor area
- Tier 3 - 1 space per 50 square metres of gross floor area
- Tier 4 - 1 space per 30 square metres of gross floor area

The establishments currently occupying the commercial plaza, as outlined **1.2 Site Description** all fall into tier 3 uses. This generates a total parking requirement of 78 parking spaces for the approximate 3,900 square metres of gross floor area. The subject lands currently contain 102 parking spaces.

## Adjacent Zoning

The **adjacent property to the south** falls within the same place type as the subject lands in the London Plan and shares an extremely similar building structure and surrounding context. However, this property has been zoned 'Associated Shopping Area Commercial (ASA1[14], ASA3, ASA6)'.

Permitted uses within the ASA1(14), ASA3 and ASA6 zone variations include:

### ASA1

Animal hospitals; Convenience service establishments; Convenience stores; Dry cleaning and laundry plants; Duplicating shops; **Financial institutions**; Grocery stores; **Restaurants**; **Retail stores**; **Personal service establishments**; Pharmacies; Printing establishments; Video rental establishments; Brewing on premises establishment;

### Site specific ASA1(14) adds the additional permitted use:

A warehouse use with a maximum gross floor area of 1000 sq. metres (10,764 sq. ft); and An automotive parts wholesaler/retailer with an accessory service and repair establishment.

### ASA3

**Clinics**; Day care centres; Laboratories; **Medical/dental offices**; **Offices, professional**; **Offices, service**.

## ASA6

Commercial recreation establishments; **Restaurants**; Taverns.

\***Uses in bold** are uses that our client is specifically seeking in the zoning of their property.

### Parking Requirements

In terms of parking requirements, the most prescriptive use sought after on the subject lands is restaurants, which falls in the tier 1 parking requirement category. Clinics, personal service establishments and retail specific to liquor, beer and wine fall within the tier 2 parking category. The other desired uses highlighted in bold above, fall within the tier 3 parking category.

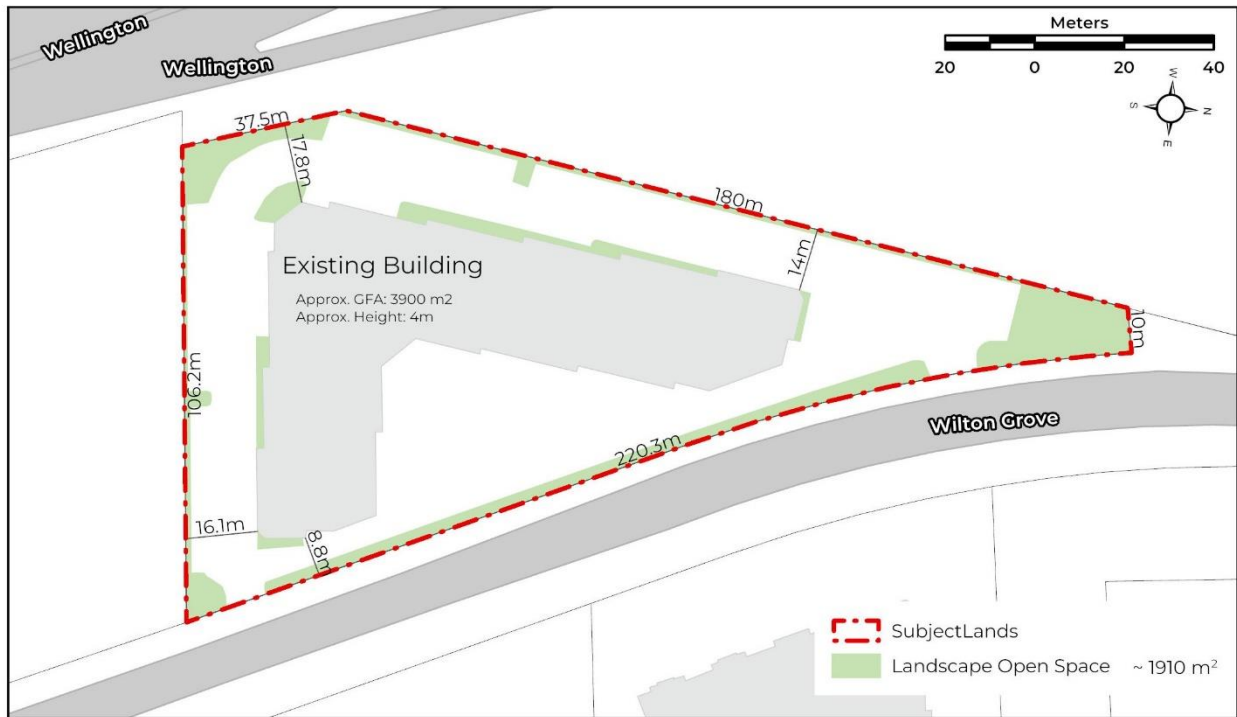
If the entirety of the existing 3900 square metre building were to be used as a restaurant land use, a parking requirement of 195 parking spaces would be required. If the entirety of the existing 3900 square metre building were used for tier 2 uses, a requirement of 130 parking spaces would be required. As such, a site-specific zone will be proposed to include a provision that the parking requirements for the site be as they currently exist, 102 parking spaces.

### Bicycle parking

Bicycle parking is also divided into tiers, with the most prescriptive being tier 1, which requires 3 bicycle parking spaces plus 0.3 spaces for each 100 square metres of gross floor area. Applying this most restrictive category would generate a requirement of 14 bicycle parking spaces. There is sufficient space around the building to facilitate the required bicycle parking.

As seen in the completed Zoning Data Sheet (**Appendix B**) and the zoning sketch prepared below, the existing building complies with all provisions set out in the various zones currently in place, and proposed on the subject lands, aside from the parking requirements. A special provision will be proposed to address the deficiency.

Figure 10 | Zoning Sketch



Source: City of London Open Data, MBPC 2025

## 4.0 Background Studies

### 4.1 Consultation with the Ministry of Transportation

A general inquiry to the Ministry of Transportation (“MTO”) was submitted on December 16, 2024 following the receipt of the cities pre-application consultation report. This inquiry outlined the proposed zoning by-law amendment, specifically that there would be no alterations to the existing parking or ingress/egress to the site.

Correspondence regarding the proposed zoning by-law amendment was received from the MTO through email, stating that the MTO has no requirements for the proposed zoning amendment. A copy of this correspondence has been appended as Appendix C.



## 5.0 Proposed Planning Approvals

### 5.1 Zoning By-law Amendment

A Zoning By-law Amendment is proposed to add a site specific 'Associated Shopping Area Commercial (ASA1[XX])' zone to the existing RSC2 and LI1 zoning, to permit the desired uses. The special provision is proposed to address the parking requirements prescribed with the new uses that will be permitted on the subject lands. Further, it will simplify the zoning, allowing all the uses permitted in the ASA1, ASA3 and ASA6 zone with one zoning label, rather than three.

The following is proposed to be added to section 24.4 of the City of London Zoning By-law:

ASA1(XX) 1398 Wellington Road

- a) Additional Permitted uses
  - i. All uses permitted in the ASA3 zone
  - ii. All uses permitted in the ASA6 zone
  
- b) Regulations
  - i. Parking: 102 spaces for all permitted uses within the existing plaza

## 6.0 Conclusion

Based on the above analysis, the proposed Zoning By-law Amendment application is consistent with the Provincial Planning Statement 2024 and conforms to the London Plan, and maintains the general intent and purpose of the City of London Zoning By-Law Z.-1.

The following materials have been submitted to the City of London Planning Department along with this report in support of an application to amend the Zoning By-law:

- One (1) copy of a Zoning By-law Amendment Application form;
- One (1) copy of this Planning Justification Report;

The application fees will be submitted directly to the Municipality under separate cover by our client.

We trust that the enclosed information is satisfactory to address the submission requirements and look forward to working with staff to advance the applications. If you have any questions regarding this matter or require any additional information, please do not hesitate to contact me.

Respectfully Submitted,

MONTEITH BROWN PLANNING CONSULTANTS



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Jay McGuffin, MCIP, RPP  
Vice President, Principal Planner  
jmcguffin@mbpc.ca

JMc:al

# Appendix A

Record of Pre-Application Consultation





## RECORD OF PRE-APPLICATION CONSULTATION

The following form is to be completed and signed off at/following the Pre-application Consultation Meeting (PACM).

Date: December 13, 2024

TO: Adam Lagrou, Monteith Brown

FROM: Michaella Hynes, City of London

RE: 1398 Wellington Road

ATTENDEES: Michaella Hynes, Planner, Planning Implementation  
Adam Lagrou, Planner, Monteith Brown

PLANNING APPLICATION TEAM: Michaella Hynes, Planner, Planning and Development ([mhynes@london.ca](mailto:mhynes@london.ca)), Brent House, Planner, Site Plans ([bhouse@london.ca](mailto:bhouse@london.ca)), Paul Di Losa, Senior Engineering Technologist ([pdilosa@london.ca](mailto:pdilosa@london.ca)), Sangha Barthakur, Urban Designer, Urban Design ([sbarthak@london.ca](mailto:sbarthak@london.ca)), Michael Greguol, Heritage Planner ([mgreguol@london.ca](mailto:mgreguol@london.ca)), Craig Smith, Planner, Parks Planning & Design ([crsmith@london.ca](mailto:crsmith@london.ca)), Lisa McNiven, Landscape Architect ([lmcniven@london.ca](mailto:lmcniven@london.ca)), Marnie Shepley, Ecologist Planner ([mshepley@london.ca](mailto:mshepley@london.ca)).

City staff reviewed your Proposal Summary submitted November 7, 2024, at an Internal Review Meeting on November 21, 2024. The following form summarizes a preliminary list of issues to be considered during the processing of your application. We have also identified the initial material submissions (Studies, Reports, Background, or Information) that must be submitted along with the completed application form, required fees and this Record of Pre-Application Consultation Form before your application will be accepted as complete for opening and processing.

### **Proposed Development:**

- London Plan: Shopping Area Place Type fronting a Civic Boulevard
- Specific Policy Area: N/A
- Current Zone: Restricted Service Commercial and Light Industrial (RSC2/LI1) Zone.
- Proposed Zone: Restricted Service Commercial, Light Industrial and Associated Shopping Area Commercial (RSC2/LI1/ASA1/ASA3/ASA6) Zone.
- Proposal: To permit additional uses on the subject lands with no expansion, enlargement, or significant exterior modifications to the existing building.

### **Major Issues Identified**

- Planning and Development staff have no concerns with the proposed request to add additional permitted uses within the 'Associated Shopping Area Commercial (ASA1(14), ASA3, ASA6)' Zone to the subject lands.
- The subject site is located in the Shopping Area Place Type which contemplates the proposed use as per The London Plan (TLP). As no expansions to the building footprint or site alterations are proposed, there are no zoning related comments, and Site Plan is not required.

- Given the proximity of the subject lands to Highway 401, consultation with the Ministry of Transportation (MTO) is recommended as they will be circulated through the planning process and may have additional requirements.

## Comments

### Planning

#### Major Issues

- Planning and Development staff have no concerns with the proposed request to add additional permitted uses within the 'Associated Shopping Area Commercial (ASA1(14), ASA3, ASA6)' Zone to the subject lands.
- Given the proximity of the subject lands to Highway 401, consultation with the Ministry of Transportation (MTO) is recommended as they will be circulated through the planning process and may have additional requirements.

#### Matters for OPA/ZBA

- FROM a Restricted Service Commercial and Light Industrial (RSC2/LI1) Zone TO a Restricted Service Commercial, Light Industrial and Associated Shopping Area Commercial (RSC2/LI1/ASA1/ASA3/ASA6) Zone.
- Note Policy 878\_ within the Shopping Area Place Type intensity policies of The London Plan which states – "Total aggregate office uses will not exceed 2,000m<sup>2</sup> within a Shopping Area Place Type". While Planning and Development staff are supportive of office uses, be mindful that said office uses will not be permitted to exceed the intensity policies of The London Plan.
- The intent is not to facilitate any expansion, enlargement, or significant exterior modifications to the existing building. Should this change, additional comments and requirements may arise.

#### Complete Application Requirements

- Zoning By-law Amendment Application
- A Planning Justification Report shall be required to address the Evaluation Criteria for Planning and Development Application policies in the Our Tools part of The London Plan. Such reports will clearly articulate and address matters relating to the use, intensity, and form of the proposal (The London Plan, 1587\_).
  - The justification should point directly to policies within The London Plan, including but not limited to an evaluation of the Key Directions, Place Type policies, and Our Tools policies to provide policy justification for why the proposal is an appropriate use, intensity, and form for the area.
- Zoning Data Sheet – to be completed by the applicant to identify any special provisions based on the proposed zoning, as shown in the concept plan.
- Consultation with the Ministry of Transportation – submit any valuable correspondences and information related to the rezoning of the subject lands.

### Urban Design

#### Matters for OPA/ZBA

- The subject site is located in the Shopping Area Place Type which contemplates the proposed use as per The London Plan (TLP). As no expansions to the building footprint or site alterations are proposed, there are no zoning related comments.
- This application would not proceed through the Site Plan Approval process; however, Staff would encourage the Applicant to explore opportunities for creating a more active frontage along Wilton Grove Road with enhanced site and building design features such as principal entrances, awnings, forecourts, landscaping, signages, pedestrian connection etc. to promote accessibility, walkability and wayfinding and offer passive surveillance along Wilton Grove Road. TLP 285, 291, 286, 268, 228.

## **Site Plan**

- Site Plan not required.

## **Heritage**

- There are no cultural heritage or archaeological concerns associated with this proposal.

## **Parks Long Range Planning and Design**

- Adding additional commercial use to existing commercial building – No comments.

## **Landscape Architect**

- No comments or concerns.

## **Ecology**

- No comments or concerns.

## **Upper Thames River Conservation Authority**

- The subject lands are regulated by the UTRCA due to the presence of a riverine flooding hazard associated with the Thames River. As the proposed additional uses would be located entirely within the existing building, the UTRCA has no complete application requirements for the proposed Zoning By-law amendment.
- As this application is still in the pre-consultation stage, the UTRCA requirements are subject to change pending further consultation and revisions to the proposed development.
- We would like to remind the applicant that written approval from the UTRCA is required prior to undertaking any works within the regulated area, including but not limited to site alteration, grading or development.

## **Engineering**

### Matter for OPA/ZBA

- Engineering has no objection to this Pre-application for zoning bylaw amendment. As the proposal is to expand the uses permitted to include Commercial and office uses type. Application does not intend to facilitate any expansion, enlargement, or significant exterior modifications to the existing building,
- Should any exterior construction or existing parking lot/Access reconstruction/restoration be proposed, then new or additional comments are to be expected.

### Matters for Site Plan

- Engineering would like to note the following if the site comes in for the site plan application:
  - Wilton Grove Rd is subject to a road widening dedication requirement of 4.894m (18m from centerline).
  - The existing building is serviced by a 100mm DI water service connected to the municipal 300mm DI watermain.
  - The site is in the City's low-level service area, which has a hydraulic grade line of 301.8m
  - Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.
  - Further comments to be provided during site plan application.

**Studies, Reports, Background, or Information to be completed and submitted with the application form.**

**Complete Application Submission**

- Zoning By-law Amendment Application and Fee
- Planning Justification Report
- Consultation with the Ministry of Transportation (MTO)
- Zoning Data Sheet
- Image for use on sign/webpage
- Electronic copy of all submitted materials (USB) – AODA Electronic copy of all submitted materials (USB) – AODA
  - All background reports and drawings are required to meet the Accessibility for Ontarians with Disabilities Web Content Accessibility Guidelines (AODA WCAG 2.0 AA) regulations.

\*Complete Application requirements to be completed prior to the submission of any Zoning Bylaw and Official Plan Amendment Application and recommended to be subject to a 30-Day Pre-Review.

**PRE-APPLICATION CONSULTATION HAS OCCURRED**

YES    NO

PLANNER:               Michaella Hynes          

PROPONENT:           Adam Lagrou          

DATE:                      December 13, 2024          

**Disclaimer**

The pre-application consultation process is intended to identify issues early in the process and to identify the reports, studies and information required to be submitted as part of a complete application. A complete application enables Council to make informed decisions within a reasonable period of time and ensures that the public and other stakeholders have access to the relevant information early in the process. While every effort has been made to identify information needs at this stage, additional issues and/or information needs may be identified through the application review process and may be requested at that time. Should a formal submission of an application not materialize within 9 months, a subsequent Pre-Application Consultation Meeting (PACM) will be required.

As of July 1, 2023, application process timing has changed, as per Bill 109. City of London staff may require additional consultation or document review prior to submitting a Zoning By-law and/or Official Plan Amendment application.



*"Inspiring a Healthy Environment"*

December 11, 2024

City of London – Planning & Development  
P.O. Box 5035  
London, Ontario N6A 4L9

**Attention: Chloe Cernanec** (sent via e-mail)

**Re: UTRCA Comments**  
**Pre-Application Consultation – PAC24-099**  
**Proposed Zoning By-law Amendment**  
**Applicant: 1398 Wellington NBD Limited**  
**Agent: Monteith Brown Planning Consultants c/o Jay McGuffin**  
**1398 Wellington Road, London**

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The Upper Thames River Conservation Authority (UTRCA) has reviewed this pre-consultation request with regard for the policies in the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006). These policies include regulations made pursuant to Section 28 of the *Conservation Authorities Act*, and are consistent with the natural hazard policies contained in the Provincial Planning Statement (2024, PPS).

### **BACKGROUND AND PROPOSAL**

The subject lands are located in south London and are approximately 1.3 ha in size. The lands currently contain an existing plaza comprised of various light industrial uses and associated surface parking, with access provided via two (2) driveways on Wilton Grove Road, along the east side of the lands. The lands are within the *Shopping Area Place* Type of the London Plan, and are zoned *Restricted Service Commercial RSC2* and *Light Industrial LI1*.

The proposed Zoning By-Law Amendment seeks expand the permitted uses on the subject lands to include commercial and office type uses. Specifically, the applicant is seeking to add the *Associated Shopping Area ASA1, ASA3, ASA6* designation to the existing zoning. No structural changes, changes to the building footprint, or surface parking configuration are proposed.

### **DELEGATED RESPONSIBILITY AND STATUTORY ROLE**

#### **Provincial Planning Statement 2024**

The UTRCA has the provincially delegated responsibility for the natural hazard policies of the PPS, as established under the "Provincial One Window Planning System for Natural Hazards" Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry (MNR) and the Ministry of Municipal Affairs and Housing. Accordingly, the Conservation Authority represents the provincial interest in commenting on development applications with respect to natural hazards and ensures that applications are consistent with the PPS.



The UTRCA's role in the development process is comprehensive and coordinates our planning and permitting interests. Through the plan review process, we ensure that development applications meet the tests of the *Planning Act*, are consistent with the PPS, conform to municipal planning documents, and with the policies in the UTRCA's Environmental Planning Policy Manual (2006). Permit applications must meet the requirements of Section 28 of the *Conservation Authorities Act* and the policies of the UTRCA's Environmental Planning Policy Manual (2006). This approach ensures that the principle of development is established through the *Planning Act* approval process and that a permit application can be issued under Section 28 of the *Conservation Authorities Act* once all of the planning matters have been addressed.

### **CONSERVATION AUTHORITIES ACT**

The subject lands **are** regulated by the UTRCA in accordance with Ontario Regulation 41/24, made pursuant to Section 28 of the *Conservation Authorities Act*. The regulation limit is comprised of:

- A riverine flooding hazard associated with tributaries of Dingman Creek.

Please refer to the attached mapping for the location of the regulated feature. In cases where a discrepancy in the mapping occurs, the text of the regulation prevails and a feature determined to be present on the landscape may be regulated by the UTRCA.

The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

### **UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL** (2006)

The UTRCA's Environmental Planning Policy Manual is available online at:  
<http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>

### **NATURAL HAZARDS**

As indicated, the UTRCA represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards. The PPS directs new development to locate and avoid natural hazards. In Ontario, prevention is the preferred approach for managing hazards in order to reduce or minimize the risk to life and property. This is achieved through land use planning and the Conservation Authority's regulations with respect to site alteration and development activities.

The UTRCA's natural hazard policies are consistent with the PPS and those which are applicable to the subject lands include:

#### **3.2.2 General Natural Hazard Policies**

These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The Authority also does not support the fragmentation of hazard lands through lot creation which is consistent with the PPS.

### **3.2.3 Riverine Flooding Hazard Policies**

These policies address matters such as the provision of detailed flood plain mapping, floodplain planning approach, and uses that may be allowed in the flood plain subject to satisfying UTRCA permit requirements.

### **DRINKING WATER SOURCE PROTECTION - Clean Water Act**

For policies, mapping and further information pertaining to drinking water source protection; please refer to the approved Source Protection Plan at:

<https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

### **UTRCA REVIEW FEES**

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of *Planning Act* applications and the peer review of technical studies.

Future *Planning Act* applications may be subject to additional review fees, as follows:

Zoning By-law Amendment	\$580.00 to \$1,380.00
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Additional *Planning Act* application submissions will be subject to further review fees.

We remind the applicant that an additional Section 28 permit application will be required for any development or site alteration within the regulation limit, and will be subject to additional fees to be determined upon review of the submissions.

### **COMMENTS AND REQUIREMENTS**

As indicated, the subject lands **are** regulated by the UTRCA due to the presence of a riverine flooding hazard associated with the Thames River. As the proposed additional uses would be located entirely within the existing building, the UTRCA has no complete application requirements for the proposed Zoning By-law amendment.

As this application is still in the pre-consultation stage, the UTRCA requirements are subject to change pending further consultation and revisions to the proposed development.

We would like to remind the applicant that written approval from the UTRCA is required prior to undertaking any works within the regulated area, including but not limited to site alteration, grading or development.

Thank you for the opportunity to comment. Yours truly,  
UPPER THAMES RIVER CONSERVATION AUTHORITY



Aisling Laverty  
Land Use Planner I

Enclosure: UTRCA Approximate Regulated Areas Mapping  
c.c. Catherine Maton, City of London

# Appendix B

Zoning Data Sheet



# ZONING DATA SHEET – ZONING BY-LAW AMENDMENT

To be completed by Applicant as part of Complete Application

**File No.**

Description of Land	
Municipal street address: <a href="#">1398 Wellington Road</a>	
Legal Description: <a href="#">CON 3 PT LOT 15 RP 33R1825 PT PART 1</a>	
Street Frontage / Street Flankage (name): <a href="#">220m - Wilton Grove Rd &amp; 38m - Wellington Rd</a>	
Existing Zone(s) in Z.-1 Zoning By-law: <a href="#">RSC2, LI1</a>	Proposed Zone(s) in Zoning By-law: <a href="#">RSC2, LI1, ASA1, ASA3, ASA6</a>

BY-LAW RESTRICTIONS	REQUIRED (PROPOSED ZONE)	AS SHOWN ON PLAN
(a) Use	<a href="#">Various Light Industrial / Commercial (see Planning Justification Report)</a>	<a href="#">Various Light Industrial / Commercial (See Planning Justification Report)</a>
(b) Lot Area (m <sup>2</sup> ) Min	<a href="#">2500 m2 (LI1)</a>	<a href="#">12,707 m2</a>
(c) Lot Frontage (m) Min	<a href="#">30m (ASA)</a>	<a href="#">38m</a>
(c) Lot Depth (m) Min	<a href="#">50m (ASA)</a>	<a href="#">greater than 50m</a>
(d) Front Yard Depth (m) Main Building	<a href="#">approx. 6.33m (RSC2)</a>	<a href="#">approx. 18m</a>
(e) Rear Yard Depth (m) Min	<a href="#">3.0m (RSC2)</a>	<a href="#">approx. 9m</a>
(f) Interior Yard Depth (m) Min	<a href="#">3.0m (RSC2)</a>	<a href="#">approx. 14m</a>
(g) Interior Yard Depth (m) Min	<a href="#">3.0m (RSC2)</a>	<a href="#">approx. 14m</a>
(i) Lot Coverage (%) Max	<a href="#">30% (RSC2, ASA)</a>	<a href="#">30%</a>
(j) Landscaped Open Space (% Min)	<a href="#">15% (RSC2, ASA)</a>	<a href="#">approx. 15%</a>
(k) Height (m) Max	<a href="#">12m (RSC2, ASA)</a>	<a href="#">approx. 4m</a>
(l) Off-street Parking Min (rate/number)	<a href="#">see planning justification report</a>	<a href="#">see planning justification report</a>
(m) Bicycle Parking Min (rate/number)	<a href="#">14 spaces</a>	<a href="#">14 Spaces</a>
(o) Parking Set Back Min	<a href="#">3m from road allowance</a>	<a href="#">as existing</a>
(r) Yard Encroachments (if applicable)		
(t) Special Provisions		
(u) Other By-law Regulations		

COMMENTS
<p><b>NOTE:</b></p> <ul style="list-style-type: none"> <li>• <b>Please be sure to carefully review and include data / details related to:</b> <ul style="list-style-type: none"> <li>• <b>General Provisions (Section 4) of the Zoning By-law</b></li> <li>• <b>Zones and Zone Symbols (Section 3) of the Zoning By-law</b></li> <li>• <b>Regulations Section and Table for Proposed Zone</b></li> <li>• <b>Zoning By-law Definitions</b></li> </ul> </li> <li>• <b>The Applicant is responsible for submitting complete &amp; accurate information on the Zoning Data Sheet and associated plans.</b></li> <li>• <b>Failure to provide complete &amp; accurate information on the Zoning Data Sheet and associated plans will result in processing delays and may require the submission of a revised Zoning By-law amendment application.</b></li> </ul>

# Appendix C

Correspondence with Ministry of Transportation



## Adam Lagrou

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**From:** Johnston, Jeremiah (MTO) <Jeremiah.Johnston@ontario.ca>  
**Sent:** January 7, 2025 10:51 AM  
**To:** Adam Lagrou  
**Cc:** Jay McGuffin; Daniel Berens; Lucente, Jodie (MTO)  
**Subject:** RE: Pre-Application Consultation - 1398 Wellington Road

Hello Adam,

Provided that the proposal does not involve alteration to parking, or the existing buildings on the property and is only for the additional of uses as described, MTO would have no requirements for the proposed zoning amendment.

Should this proposal change and propose to alter parking or the existing buildings, MTO would need to be consulted.

The owner should be aware that MTO sign permits would be required for signage visible from the Highway 401 corridor.

Thank you,

### Jeremiah Johnston

Corridor Management Planner | Highway Operations Branch  
Ministry of Transportation | Ontario Public Service  
(226)-980-6407 | [jeremiah.johnston@ontario.ca](mailto:jeremiah.johnston@ontario.ca)



*Taking pride in strengthening Ontario, its places and its people*

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**From:** Adam Lagrou <ALagrou@mbpc.ca>  
**Sent:** Monday, January 6, 2025 1:38 PM  
**To:** Johnston, Jeremiah (MTO) <Jeremiah.Johnston@ontario.ca>  
**Cc:** Jay McGuffin <jmcguffin@mbpc.ca>; Daniel Berens <dberens@stanfordhomes.ca>  
**Subject:** Pre-Application Consultation - 1398 Wellington Road

**CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.**

Hello Jeremiah,

I have received your contact information from a general inquiry I submitted to the MTO's general inquiry form on their website.

We are preparing a submission for a zoning by-law amendment on a property adjacent to Highway 401 in the City of London. The property is municipally addressed as 1398 Wellington Road. The proposed amendment does not involve alteration of parking, access or the existing buildings on the property and is only for the addition of commercial uses in the existing light industrial plaza on the site.

As part of a complete application, City of London Planners have requested that we consult with the MTO prior to application submission.

I have attached our initial proposal summary, which provides a high-level overview of the proposed zoning amendment.

Please feel free to contact me for more information, if required.

We look forward to receiving confirmation that the MTO has received this inquiry and if they have any comments regarding the zoning change. If they have no concerns, written confirmation stating so would be appreciated.

Regards,



**Adam Lagrou, B.Sc.**

Planner

**Direct Line:** 519-518-0746

**Main Line:** 519-686-1300 x112

**Fax:** 519-681-1690

**Email:** [alagrou@mbpc.ca](mailto:alagrou@mbpc.ca)

302-219 Oxford St. W.

London, ON N6H 1S5

**[www.mbpc.ca](http://www.mbpc.ca)**



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For more information, please contact:

**MONTEITH BROWN PLANNING CONSULTANTS**

519. 686. 1300 | [jmcguffin@mbpc.ca](mailto:jmcguffin@mbpc.ca)



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