



# NOTICE OF PLANNING APPLICATION & NOTICE OF PUBLIC MEETING

## Zoning By-law Amendment

### 475 Wharncliffe Road South



**File: Z-9687**

**Applicant:** Micheal Clark Construction (c/o SBM LTD).

#### What is Proposed?

Zoning amendment to allow:

- To expand the range of permitted uses on the subject lands with an additional special provision to include Retail Stores, Bakeries, Clinics Medical/Dental, Laboratories, Private Clubs, and Restaurant (with drive-through) as additional permitted uses.
- Special Provision requested for lot depth, exterior side yard setback, rear yard depth, lot coverage, landscape open space and parking setback from the Ultimate Road Allowance.

## LEARN MORE & PROVIDE INPUT

You are invited to provide comments and/or attend a public meeting of the Planning and Environment Committee to be held:

**Meeting Date and Time:** Wednesday, February 21, 2024, no earlier than 1:00 p.m.

Please monitor the City's website closer to the meeting date to find a more accurate meeting start time: <https://london.ca/government/council-civic-administration/council-committee-meetings>

**Meeting Location:** The Planning and Environment Committee Meetings are hosted in City Hall, Council Chambers; virtual participation is also available, please see City of London website for details.

Please provide any comments by **January 8, 2024**

For more information contact:

Brent House  
bhouse@london.ca  
519-661-CITY (2489) ext. 4078  
Development Services, City of London  
300 Dufferin Avenue, 6<sup>th</sup> Floor,  
London ON PO Box 5035 N6A 4L9  
File: Z-9687

[london.ca/planapps](https://london.ca/planapps)

To speak to your Ward Councillor:

Skylar Franke  
sfranke@london.ca  
519-661-CITY (2489) ext. 4011

**If you are a landlord, please post a copy of this notice where your tenants can see it. We want to make sure they have a chance to take part.**

Date of Notice: December 11, 2023

# Application Details

## Requested Zoning By-law Amendment

A Zoning By-law Amendment is required to expand the range of permitted uses on the subject lands. The request is for the subject lands to remain zoned as a Restricted Service Commercial (RSC2/RSC4) Zone with an additional special provision to include Retail Stores, Bakeries, Clinics Medical/Dental, Laboratories, Private Clubs, and Restaurant (with drive-through) as additional permitted uses. Changes to the currently permitted land uses and development regulations are summarized below.

The complete Zoning By-law is available at [www.london.ca/planapps](http://www.london.ca/planapps).

### Current Zoning

**Zone:** Restricted Service Commercial (RSC2)

**Permitted Uses:** Animal clinics; automobile rental establishment; automobile repair garage; automobile sales and service establishment; automobile supply store; automotive uses, restricted; catalogue store; duplicating shops; home and auto supply store; home improvement and furnishing stores; kennels; repair and rental establishments; service and repair establishment; studios; taxi establishments; self-storage establishment; tow truck business; bulk beverage store; dry cleaning & laundry depot; liquor, beer and wine store; pharmacy; bulk sales establishment

**Zone:** Restricted Service Commercial (RSC4)

**Permitted Uses:** Automobile repair garage; automotive uses, restricted; bake shops; convenience service establishment; convenience store; day care centre; duplicating store; financial institution; florist shop; personal service establishment; restaurants; video rental establishments; brewing on premises establishment; self-storage establishment

### Requested Zoning

**Zone:** Restricted Service Commercial Special Provision (RSC2/RSC4(\*))

**Permitted Uses:** add Retail Stores, Bakeries, Clinics Medical/Dental, Laboratories, Private Clubs, and Restaurant (with drive-through) as additional permitted uses.

**Special Provisions:** include a change of lot depth to permit a depth of 57m where a minimum of 60 m is required, an exterior side yard setback of 7.7m where 8.0m is required, a rear yard depth of 4.2m where 7.5m is required, a lot coverage of 36% where 30% is required, a landscape open space of 0% where a minimum of 15% is required, and a parking setback from the Ultimate Road Allowance of 0.0m.

The City may also consider the use of holding provisions, and additional special provisions to facilitate the proposed development.

## Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. These lands are currently designated as Urban Corridor Place Type.

The Urban Corridor Place Type permits a range of residential, retail, service, office, cultural, recreational, and institutional uses. Urban Corridors will encourage mixed-use buildings that allow for a mix of retail and service uses.

## How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the Official Plan designation and the zoning of land located within 120 metres of a property you own, or your landlord has posted the notice of application in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. The ways you can participate in the City's planning review and decision-making process are summarized below.

### See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at [london.ca/planapps](http://london.ca/planapps)
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

## **Reply to this Notice of Application**

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include Planning & Development staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

## **Attend This Public Participation Meeting**

The Planning and Environment Committee will consider the requested Official Plan and zoning changes at this meeting, which is required by the Planning Act. You will be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](#) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

## **What Are Your Legal Rights?**

### **Notification of Council Decision**

If you wish to be notified of the decision of the City of London on the proposed official plan amendment and/or zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at [docservices@london.ca](mailto:docservices@london.ca). You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Clerk of the Committee.

### **Right to Appeal to the Ontario Land Tribunal**

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <https://olt.gov.on.ca/appeals-process/forms/>.

### **Notice of Collection of Personal Information**

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Evelina Skalski, Manager, Records and Information Services 519-661-CITY(2489) ext. 5590.

### **Accessibility**

The City of London is committed to providing accessible programs and services for supportive and accessible meetings. We can provide you with American Sign Language (ASL)

interpretation, live captioning, magnifiers and/or hearing assistive (t coil) technology. Please contact us at [plandev@london.ca](mailto:plandev@london.ca) by February 14, 2024 to request any of these services.