

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Subject: Blackbridge Property Inc. c/o Monteith Brown Planning
Consultants
900 Wilton Grove Road
File Number: Z-9677, Ward 14

Date: January 30, 2024

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Blackbridge Property Inc. (c/o Monteith Brown Planning Consultants) relating to the property located at 900 Wilton Grove Road. The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting February 13, 2024, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Light Industrial (LI2, LI3, LI7) Zone, **TO** a Light Industrial Special Provision (LI2, LI3, LI7(_)) Zone;

IT BEING NOTED, that the above noted amendment is being recommended for the following reasons:

- i) The recommended amendment is consistent with the *PPS 2020*;
- ii) The recommended amendment conforms to *The London Plan*, including but not limited to the Key Directions, City Building policies, and the Light Industrial Place Type policies; and;
- iii) The recommended amendment would permit an additional use that is considered appropriate within the surrounding context and will facilitate the reuse of the existing building.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Light Industrial (LI2, LI3, LI7) Zone, to a Light Industrial Special Provision (LI2, LI3, LI7(_)) Zone.

Purpose and Effect of Recommended Action

Staff are recommending approval of the requested Zoning By-law amendment which will permit a tattoo parlour and barbershop within the existing building.

Special provisions requested by the applicant and recommended by staff include: additional permitted use for a barbershop and tattoo parlour, and a regulation to permit a maximum floor area of 40m² for a personal service establishment.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Economic Growth, Culture, and Prosperity** by supporting small and growing businesses, entrepreneurs and non-profits to be successful.

Analysis

1.0 Background Information

1.1 Property Description and Location

The subject site is located on the north side of Wilton Grove Road, adjacent to the Highway 401 East Corridor, within the Westminster Planning District. The site has an area of 1.01 hectares with a frontage of 163 metres along Wilton Grove Road. Currently, the site contains an existing commercial building (Rocky's Harley-Davidson), that is approximately 1,818m² (19,568ft²) in size and includes floor space for the sale of motorcycles, areas for vehicle repair, as well as office space for staff. The subject site has vehicular access from Wilton Grove Road, with 53 surface parking spaces.

The surrounding area mainly consists of light industrial, heavy industrial, and commercial uses. The subject lands are directly adjacent to a trucking insurance business to the east, the Highway 401 East Corridor to the north and west, and an HVAC supply company and truck dealer to the south. The surrounding buildings are mainly in the form of one-to-two storey commercial buildings. Wilton Grove Road is a two-lane road with an estimated daily traffic count of 7,500 per day.

Site Statistics:

- Current Land Use: Motorcycle Sales and Repair Shop (Rocky's Harley Davidson)
- Frontage: 163 metres (534.7 feet)
- Depth: 119 metres (390.4 feet)
- Area: 1.01 hectares (2.5 acres)
- Shape: Irregular (triangular)
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: No

Surrounding Land Uses:

- North: Highway 401 East Corridor
- East: Trucking Insurance Business
- South: Truck Dealer
- West: Highway 401 East Corridor

Existing Planning Information:

- Existing London Plan Place Type: Light Industrial
- Existing Special Policies: N/A
- Existing Zoning: Light Industrial (LI2, LI3, LI7)

Additional site information and context is provided in Appendix B.

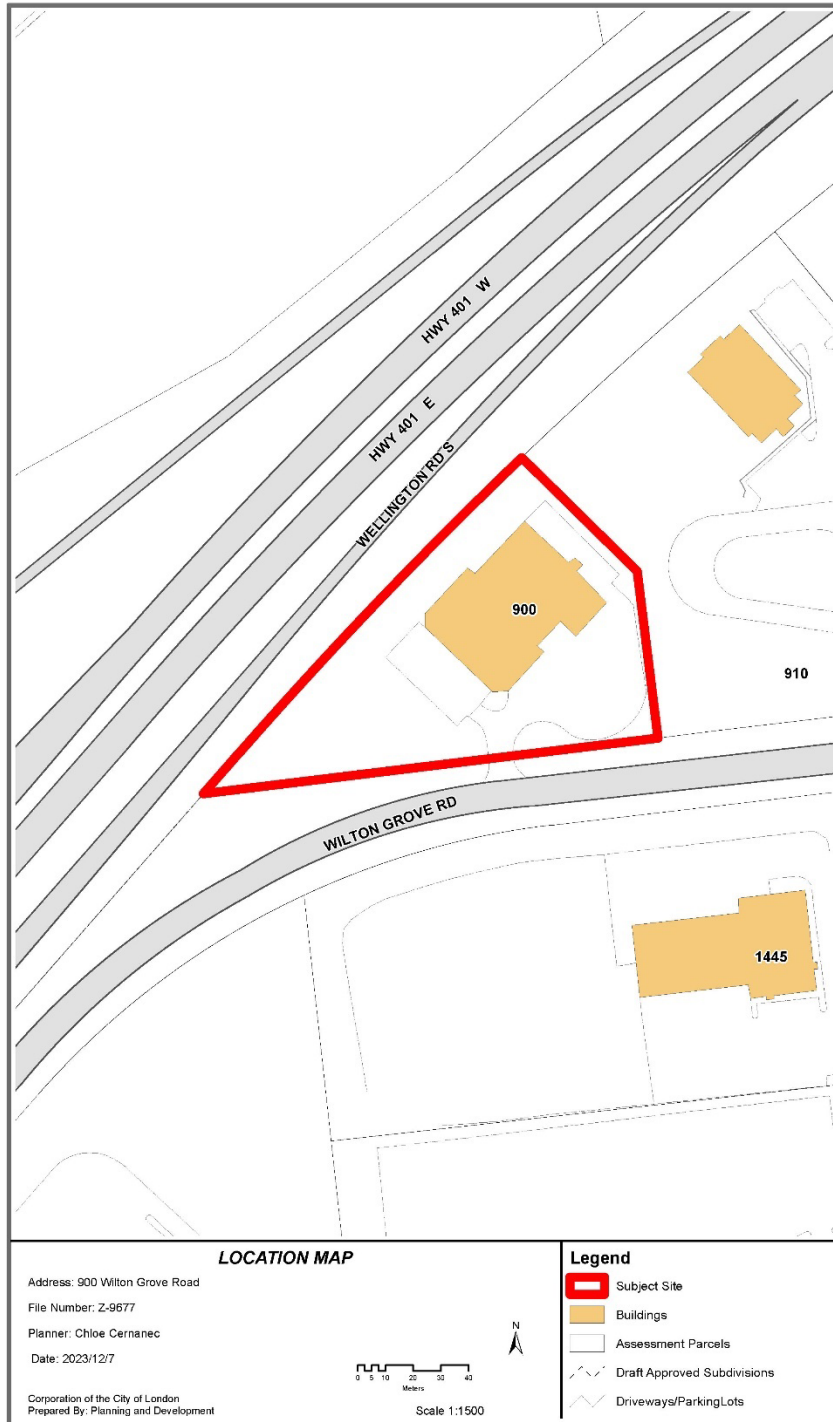


Figure 1- Aerial Photo of 900 Wilton Grove Road and surrounding lands



Figure 2 - Streetview of 900 Wilton Grove Road (view looking north)

2.0 Discussion and Considerations

2.1 Proposal

The applicant is proposing to renovate a portion of the existing building, repurposing approximately 28m² (300ft²) of the existing floor area to contain a personal service establishment in the form of a combined barber shop and tattoo parlour. The proposed personal service establishment uses would be provided by Rocky's Harley-Davidson and operate fully within the existing building and only during normal operating hours of the main permitted use. Additionally, the proposed uses would be accessed internally via the sales establishment, not through a separate exterior access. No expansion to the building footprint or site alteration is proposed, and access to the site would continue to be provided by the existing entrance from Wilton Grove Road.

The proposed development includes the following features:

- Land use: Motorcycle Repair and Sales Shop (Rocky's Harley Davidson)
- Form: 2-storey Commercial Building
- Height: 7.4 metres
- Residential units: 0
- Density: N/A
- Gross floor area: 1,818m²
- Building coverage: 18%
- Parking spaces: 53 surface parking spaces
- Bicycle parking spaces: N/A
- Landscape open space: 48%
- Functional amenity space: N/A

Additional information on the development proposal is provided in Appendix B.



Figure 3 - Conceptual Site Plan (Received November 2023)

Additional plans and drawings of the development proposal are provided in Appendix C.

2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from a Light Industrial (LI2, LI3, LI7) Zone to a Light Industrial Special Provision (LI2, LI3, LI7(_)) Zone.

The following table summarizes the special provisions that have been proposed by the

applicant and recommended by staff.

Regulation (LI7)	Required	Proposed/Recommended
Additional Permitted Use		Personal Service Establishment; tattoo parlour & barbershop
Total Gross Floor Area for Ancillary Personal Service Establishment (Maximum)	The ancillary use does not exceed 25% of the gross floor area (GFA) of the unit or 100m ² (1076 sq. ft.) and does not exceed 30m ² (323 sq. ft.) in total if retail goods are not manufactured on site;	40m ²

2.3 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application; however, no major issues were identified by staff.

Detailed internal and agency comments are included in Appendix D of this report.

2.4 Public Engagement

On November 15, 2023, Notice of Application was sent to 8 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on November 30, 2023. A “Planning Application” sign was also placed on the site.

There were no responses received during the public consultation period.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, *The London Plan*. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of *The London Plan*, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in *The London Plan* analysis below.

As the application for a Zoning By-law amendment complies with *The London Plan*, it is staff’s opinion that the application is consistent with the *Planning Act* and the *PPS*.

The London Plan, 2016

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.

4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

3.0 Financial Impact/Considerations

3.1 Financial Impact

There are no direct municipal financial expenditures with this application.

4.0 Key Issues and Considerations

4.1 Land Use

The proposed use is consistent with the policies of the PPS that promote healthy, liveable and safe communities (PPS 1.1.1) and encourage economic development (PPS 1.3.1).

The Light Industrial Place Type permits a broad range of industrial uses that are unlikely to impose significant impacts on surrounding land uses due to their emissions such as noise, odour, and vibration. The London Plan permits automotive body shops, provided that the use does not detract from the industrial operations of the surrounding area (The London Plan, 1115_). It is noted that the existing automotive sales and service use has been in operation for an extended period and has not resulted in any identified land use conflicts. Additionally, small-scale retail and service uses that will not detract from industrial operations of the surrounding lands may be permitted up to a floor area of 1,000m². The proposed accessory personal service establishment uses would be small in scale with a combined area of 28m² of the total Gross Floor Area of the existing building. The proposed uses would service customers of the existing automotive repair and sales use operating on the site.

4.2 Intensity

The proposed intensity is consistent with the policies of the PPS that encourage an efficient use of land (PPS 1.1.3.2) and a diversified mix of uses (PPS 1.1.2).

The proposed intensity conforms to the policies of the Light Industrial Place Type in *The London Plan* and contributes to utilizing the lands efficiently, through the re-zoning of the lands to a wide range of light industrial uses. The vision of the Place Type promotes a wide choice of locations, lot sizes, services, and street and rail access in order to accommodate a wide range of target industrial sectors and industrial uses (The London Plan, 1113_3). The proposed amendment will permit additional personal service establishment uses within the existing building. No special provisions to the proposed zones are required for measures of intensity such as height, coverage, and parking, indicating the proposed intensity is generally appropriate.

4.3 Form

Given no exterior changes and no changes to the site layout are contemplated as part of this zoning application, staff are satisfied that the proposed form is consistent with the Light Industrial Place Type policies and the City Design Policies (The London Plan, 1125_).

4.4 Zoning

The applicant has requested to rezone the subject site to a Light Industrial Special Provision (LI2, LI3, LI7(_)) Zone to permit a combined tattoo parlour and barber shop (personal service establishment) within the existing building. A special provision is being recommended that would limit the gross floor area of the personal service establishment

to 40m² to ensure the use remains ancillary to the main use on the site while giving the applicant some additional GFA for greater flexibility.

Personal service establishments are not currently permitted in the LI2, LI3, or LI7 zones, prompting the request for the site-specific zoning provision to allow the accessory personal service establishment land use. The proposed barber shop and tattoo parlour would be located and operate within the existing building and would be complementary and accessory to the principal use on the property. Staff are satisfied that there are no anticipated negative impacts of the proposed uses on the existing industrial uses located in the surrounding area.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Light Industrial (LI2, LI3, LI7) Zone to a Light Industrial Special Provision (LI2, LI3, LI7(_)) Zone. Staff are recommending approval of the requested Zoning Bylaw amendment with special provisions.

The recommended action is consistent with the PPS 2020, conforms to The London Plan and will permit a tattoo parlour and barbershop within the existing building.

Prepared by: Chloe Cernanec
Planner, Planning Implementation

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2024

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 900 Wilton Grove Road.

WHEREAS Blackbridge Property Inc. has applied to rezone an area of land located at 900 Wilton Grove Road, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this amendment to the Zoning By-law Z.-1 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 900 Wilton Grove Road, as shown on the attached map comprising part of Key Map No. A. 112, **FROM** a Light Industrial (LI2, LI3, LI7) Zone **TO** a Light Industrial Special Provision (LI2, LI3, LI7(_)) Zone.
2. Section Number 40.4 of the Light Industrial LI7 Zone is amended by adding the following Special Provisions:

LI7(_) 900 Wilton Grove Road

a. Additional Permitted Use:

i. Personal Service Establishment

b. Regulations

- | | |
|---|--|
| 1. Total Gross Floor Area
for Personal Service
Establishment
(Maximum) | 40m ² (430.5ft ²) |
|---|--|

3. This Amendment shall come into effect 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.

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.

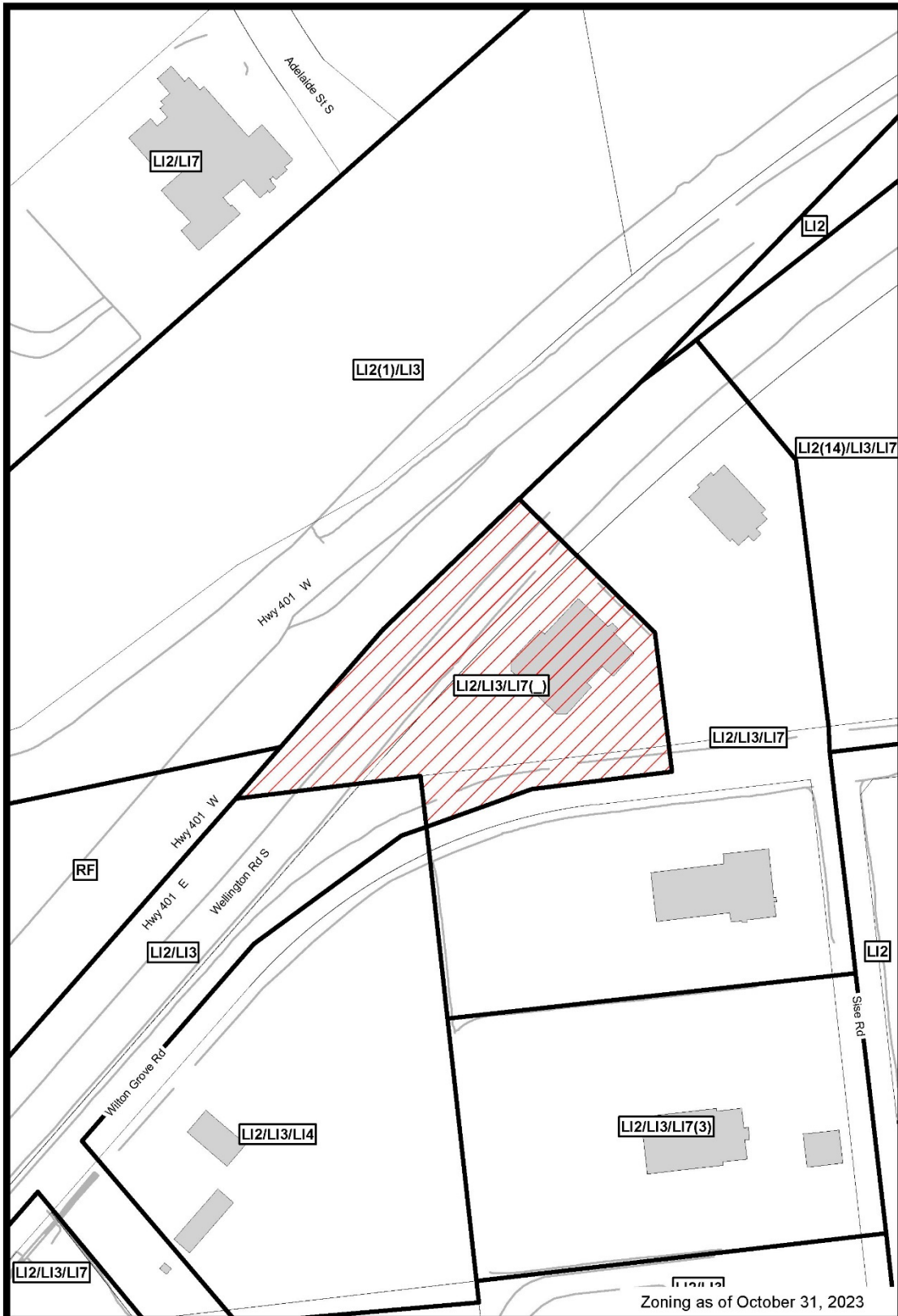
PASSED in Open Council on February 13, 2024, subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.



Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – February 13, 2024
Second Reading – February 13, 2024
Third Reading – February 13, 2024

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



<p>File Number: Z-9677 Planner: CC Date Prepared: 2023/12/06 Technician: rc By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters</p> <p></p>
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Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Motor Vehicle Repair and Sales Establishment
Frontage	163 metres (534.7 feet)
Depth	119 metres (390.4 feet)
Area	1.01 hectares (2.50 acres)
Shape	Irregular
Within Built Area Boundary	Yes
Within Primary Transit Area	No

Surrounding Land Uses

North	Highway 401 Corridor
East	Trucking Insurance Business Use
South	Truck Dealer
West	Highway 401 Corridor

Proximity to Nearest Amenities

Major Intersection	Wilton Grove Road and Pond Mills Road, 1,277m
Dedicated cycling infrastructure	Wilton Grove Road, 2,488m
London Transit stop	Sise Road, 215m
Public open space	South East Reservoir, 5,812m
Commercial area/use	N/A – Industrial use
Food store	N/A – Industrial use
Primary school	N/A – Industrial use
Community/recreation amenity	N/A – Industrial use

B. Planning Information and Request

Current Planning Information

Current Place Type	Light Industrial Place Type fronting a Civic Boulevard (Wilton Grove Road)
Current Special Policies	N/A
Current Zoning	Light Industrial (LI2, LI3, LI7) Zone

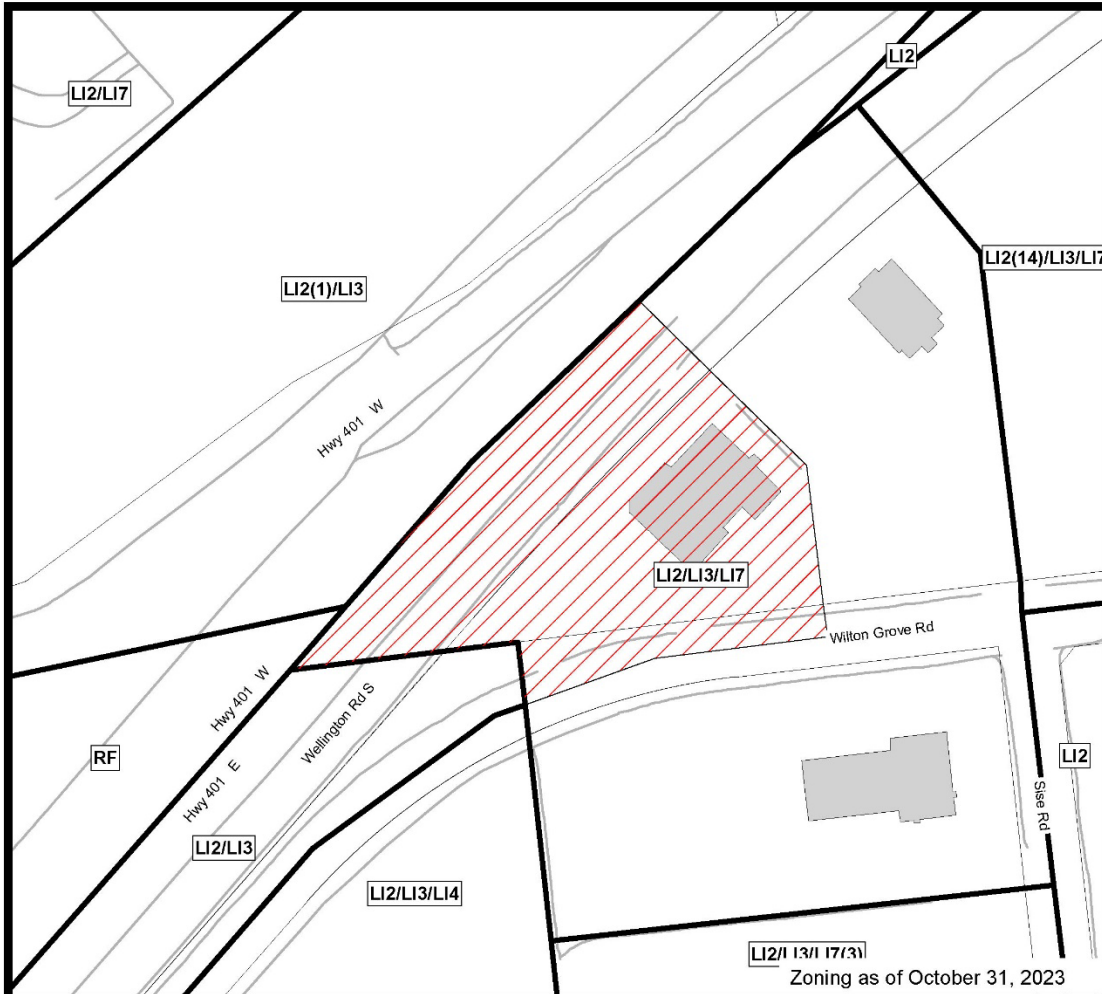
Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	Light Industrial Special Provision (LI2, LI3, LI7(_)) Zone

Requested Special Provisions

Regulation (LI7)	Required	Proposed
Additional Use		Personal Service Establishment
Total Gross Floor Area for Ancillary Personal Service Establishment (Maximum)		40m ² of total Gross Floor Area

Appendix C – Additional Mapping



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | OS - OPEN SPACE |
| R7 - SENIOR'S HOUSING | CR - COMMERCIAL RECREATION |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | ER - ENVIRONMENTAL REVIEW |
| R9 - MEDIUM TO HIGH DENSITY APTS. | |
| R10 - HIGH DENSITY APARTMENTS | OB - OFFICE BUSINESS PARK |
| R11 - LODGING HOUSE | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A

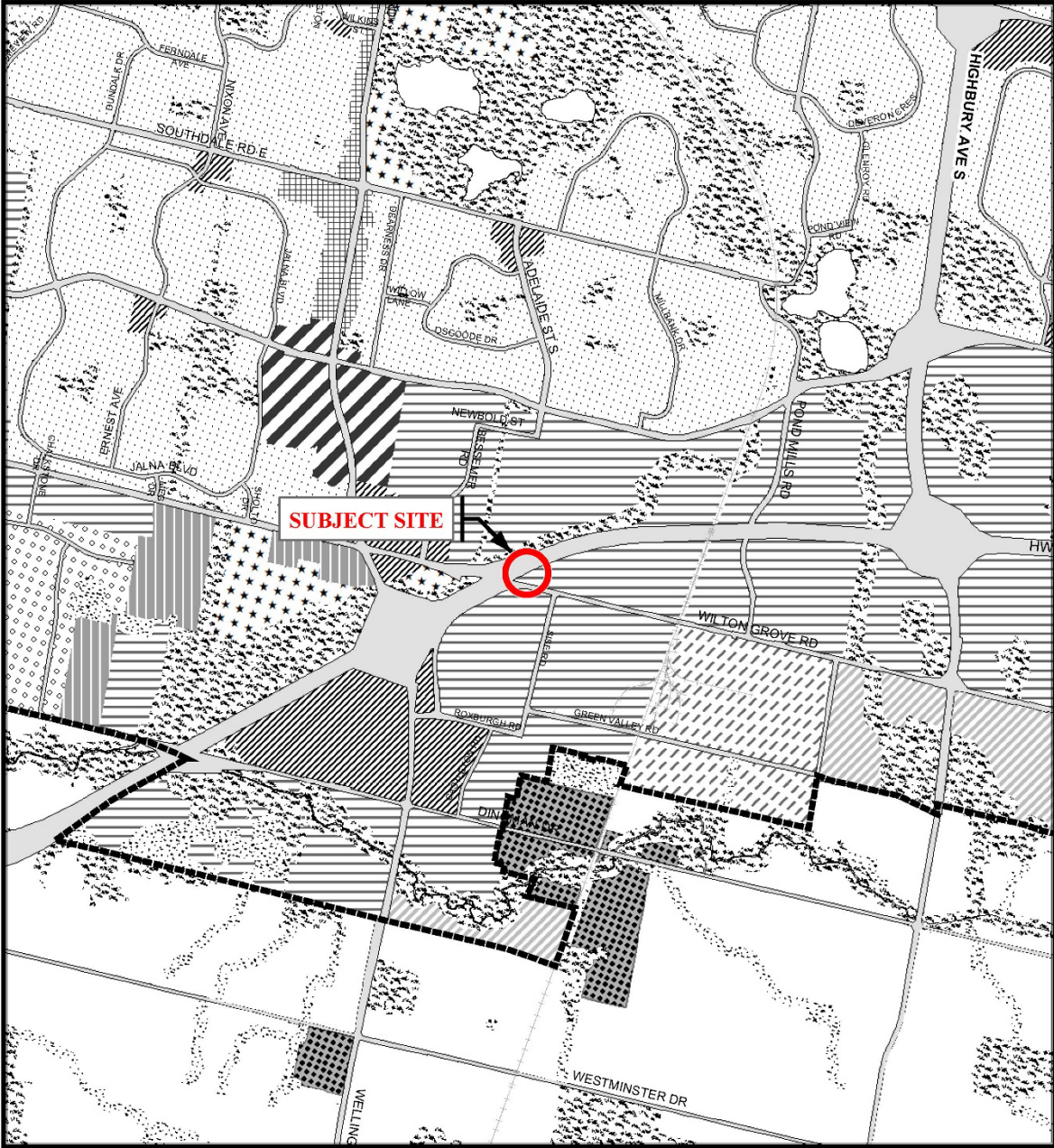


THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
Z-9677 CC

MAP PREPARED:
2023/12/7 RC



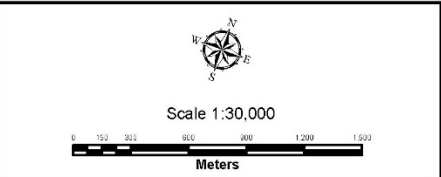


Legend

- | | | |
|------------------------|--------------------------|---|
| 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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

CITY OF LONDON
Official Plan
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning & Development



File Number: Z-9677
Planner: CC
Technician: RC
Date: 2023/12/7

Appendix D – Internal and Agency Comments

Site Plan – Received November 15, 2023

- No comments.

London Hydro – Received November 16, 2023

- This site is presently serviced by London Hydro. Contact the Engineering Dept. if a service upgrade is required to facilitate the new building. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the 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.

Parks – Received November 17, 2023

- Application to add use to existing building, parks has no comments.

Water Engineering – Received November 17, 2023

- Water Engineering has no comment on the zoning bylaw amendment for 900 Wilton Grove Road as the proposal will not impact the site's existing water service.

UTRCA – Received December 7, 2023

- As indicated, the subject lands **are** regulated by the UTRCA due to the presence a riverine flooding hazard associated with tributaries of Dingman Creek. As the proposed uses would be within the existing structure with no further development proposed at this time, the UTRCA has **no objections** to the application.
- We would like to remind the applicant that written approval from the UTRCA may be required prior to undertaking any works within the regulated area, including but not limited to site alteration, grading or development.

Engineering – Received December 19, 2023

- Engineering has no comments or concerns related to the proposed zoning application at 900 Wilton Grove Rd.

Ecology – Received December 20, 2023

- This is to confirm that there are currently no ecological planning issues related to this property and/or associated study requirements.
- Major issues identified
 - No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.
- Ecology – complete application requirements
 - None.
- Notes
 - None.