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File: Z-8228
Planner: Mike Corby

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: 2376563 ONTARIO INC 447 OLD WONDERLAND ROAD PUBLIC PARTICIPATION MEETING ON MARCH 25, 2014

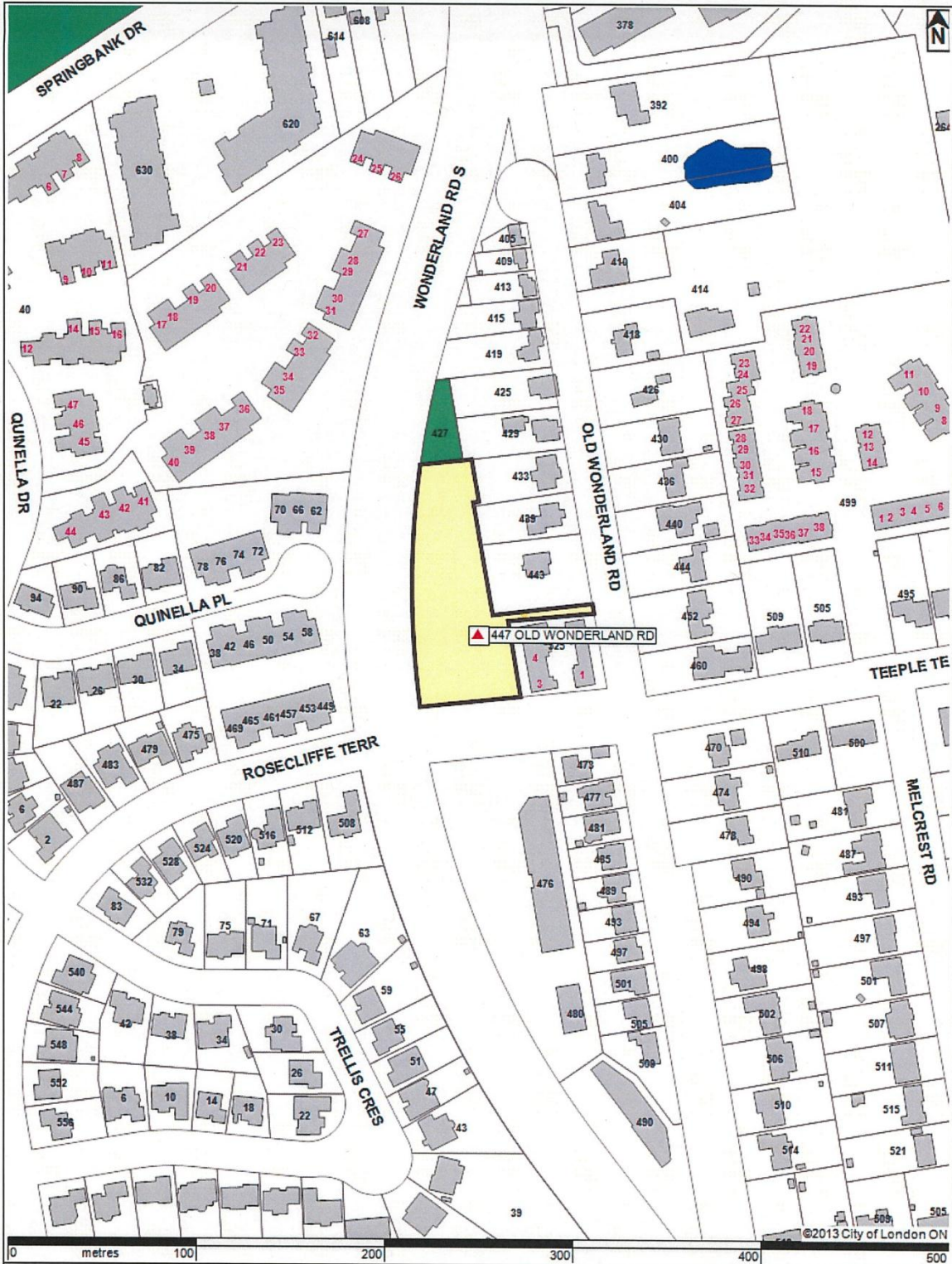
RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the application of 2376563 Ontario Ltd relating to the property located at 447 Old Wonderland Road:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on April 1st, 2014 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject property **FROM** an Open Space (OS1) Zone **TO** a Holding Restricted Office Special Provision (h-5*h-64*RO2(_)) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to implement, through the site plan approval process, the design features recommended below:
 - i) Consider extensive landscaping along the western edge of the property to screen all exposed parking lots from the Wonderland Road South corridor and create a positive edge condition which enhances the pedestrian experience;
 - ii) Consider extensive landscaping along the eastern edge of the property abutting the residential lands to provide screening of the parking lot, street, and building from the adjacent residences;
 - iii) Install a continuous 1.83 metre (6 feet) minimum sound attenuation fence along the eastern property line directly abutting the adjacent residential lands in order to: mitigate the impacts from the Wonderland Road South corridor, the surface parking lot, and/or any mechanical equipment to the residential uses; screen the residential amenity area; and, prevent pedestrian access from Old Wonderland Road;
 - iv) Consider additional landscaping in the plantable area within the parking lot islands to reduce the heat island effect of the parking lot;
 - v) Consider aligning the proposed building with the Teeple Terrace property line in order to allow the building to properly address the street; and,
 - vi) Enhance the architecture of the building at the intersection with a change in massing which could include a height element in order to address the corner and provide definition to enhance the pedestrian experience at the intersection;
- (c) The request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** an Open Space (OS1) Zone, **TO** a Restricted Office Special Provision (RO2(_)) Zone to permit additional uses which include: pharmacies, financial institutions, personal service establishments, and commercial recreation establishments **BE REFUSED** for the following reasons:
 - i) The additional uses are not in conformity with the Official Plan;
 - ii) The additional uses do not meet the location criteria of the Official Plan given the proximity to low density residential development;
 - iii) The additional uses are not considered office uses contemplated in the Restricted Office Zone.

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<p style="text-align: center;">LOCATION MAP</p> <p>Subject Site: 447 Old Wonderlnd Rd Applicant: 2376563 Ontario Inc. File Number: Z-8228 Planner: Mike Corby Created By: Mike Corby Date: 2013-08-29 Scale: 1:2500</p>	<p style="text-align: center;">LEGEND</p> <ul style="list-style-type: none"> Subject Site Parks Assessment Parcels Buildings Address Numbers
<p>Corporation of the City of London Prepared By: Planning and Development</p>	

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PREVIOUS REPORTS PERTINENT TO THIS MATTER

“None”

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of the requested Zoning By-law amendment is to permit the development of a small scale Medical/Dental Office.

RATIONALE

1. The recommended amendment is consistent with the polices of the Provincial Policy Statement (2005).
2. The recommended zone is consistent with the City of London Official Plan.
3. The subject lands are of a sufficient size and shape to accommodate the proposed uses.
4. The recommended Zoning By-law amendment provides appropriate regulations to control the uses and intensity of the building and limits the development at a scale that is appropriate for the context.

BACKGROUND

Date Application Accepted: August 28, 2014	Agent: Zelinka Priamo (Michelle Doornbosch)
<p>REQUESTED ACTION: The purpose and effect of the requested Zoning By-law amendment is to permit the development of a small scale Medical Dental Office as well as additional uses which include Pharmacies, Financial Institutions, Personal Service Establishments, and Commercial Recreation Establishments.</p> <p>Change Zoning By-law Z.-1 FROM a Open Space (OS1) Zone which permit conservation lands, conservation works, cultivation of land for agricultural/horticultural purposes, golf courses, private parks, public parks, recreational golf courses, recreational buildings associated with conservation lands and public parks, campgrounds and managed forests, TO a Restricted Office Special Provision (RO2(_)) Zone which permits clinics, medical/dental offices, medical/dental laboratories, offices. The special provision will permit a reduced front yard setback and reduction in parking as well as additional uses which include pharmacies, financial institutions, personal service establishments, and commercial recreation establishments.</p>	

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SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use - Vacant • Frontage – 129m • Depth - Irregular • Area – 0.55 ha (1.36 ac) • Shape - Irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - Residential/Open Space • South - Commercial Plaza/ Residential • East - Residential • West - Residential

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • MFMDR
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • OS1

PLANNING HISTORY

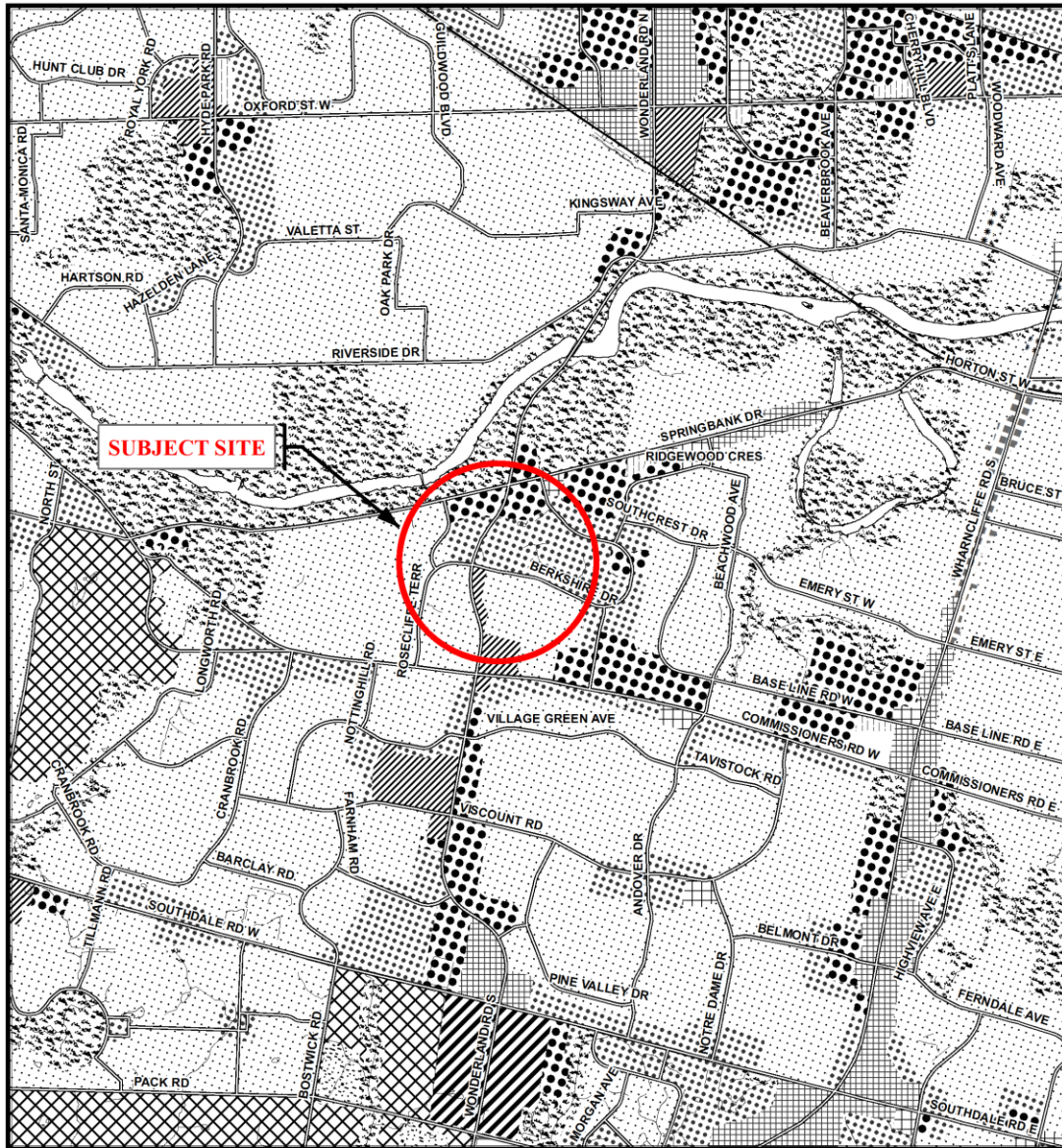
On August 28th, 2013 an application to rezone the subject site was submitted by the applicant. Upon acceptance the application and accompanying documents were circulated and it was determined that the Subject Land Status Report and Urban Design Brief required additional information necessary for a comprehensive review. The application was placed on hold until the updated information was submitted. A revised Subject Land Status Report was submitted on November 20, 2013 and preliminary comments were provided by Environmental and Parks Planning Staff on December 11, 2013. A follow up meeting with the applicant’s Ecologist and Agent was schedule for January 7th, 2014 to discuss the findings of the Subject Land Status Report. The updated Urban Design Brief was submitted on December 16, 2013 and the proposal was presented to the Urban Design Peer Review Panel on January 15, 2014.

On December 27, 2013 the property owner undertook tree removal activity to the majority of the trees on the subject site. After investigation by By-law Enforcement Staff, it was determined that the tree removal did not contravene the relevant City By-laws. On January 7th, 2014 the follow up meeting took place with Environmental and Parks Planning Staff and the applicant’s Ecologist to discuss the issues surrounding the Subject Land Status Report. During the meeting additional information was requested by the City which was submitted by the applicant’s Ecologist and on January 21st, 2014. The additional information submitted by the applicant resolved all outstanding issues compelling Staff to determine the site is not a “significant woodland”. The chronology of these comments are found in the “Parks Planning” comments in the Significant Department/Agency Comments Section below.

On February 12, 2014 City Staff held a community meeting to address the public concerns that resulted from the tree removal activity that took place in December 2013.

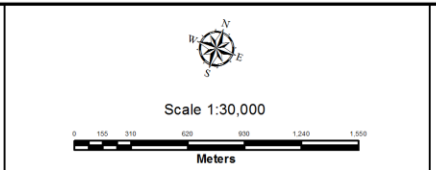
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Legend	
	Downtown
	Enclosed Regional Commercial Node
	New Format Regional Commercial Node
	Community Commercial Node
	Neighbourhood Commercial Node
	Main Street Commercial Corridor
	Auto-Oriented Commercial Corridor
	Multi-Family, High Density Residential
	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

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LANDUSE -
PREPARED BY: Graphics and Information Services

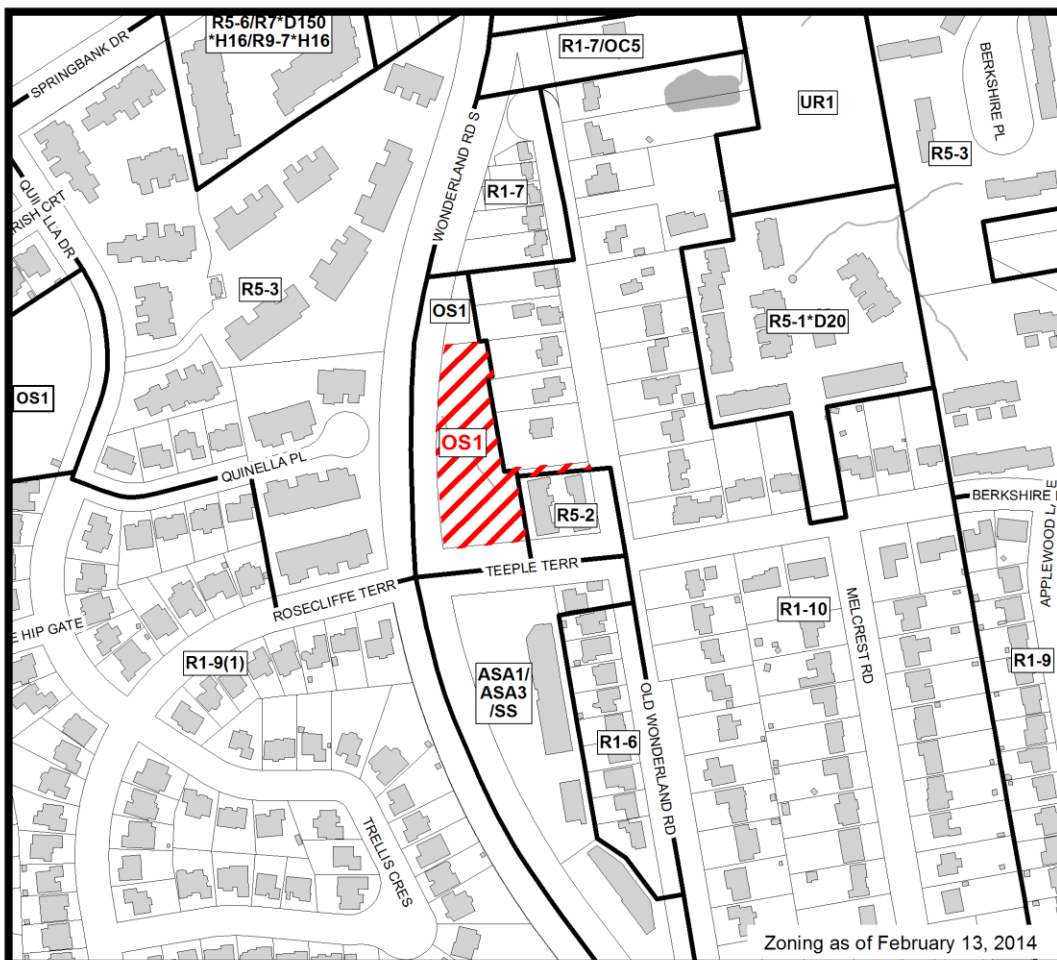


FILE NUMBER: Z-8228
PLANNER: MC
TECHNICIAN: CK
DATE: 2014/03/04

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consol00\excerpts\mxd_templates\scheduleA_NEW_b&w_8x14.mxd

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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: OS1

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

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - 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

- 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

2) ANNEXED AREA APPEALED AREAS

CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



FILE NO:
Z-8228 MC

MAP PREPARED:
2014/03/04 CK

1:3,500
0 15 30 60 90 120
Meters

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

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Urban Design

Urban design staff are generally supportive of the siting of the proposed building as it creates a street edge and with some minor enhancements to the architecture and orientation of the building it will also animate the street creating a positive pedestrian streetscape.

The site plan authority should be requested to address the following design issues through the site plan process:

- *Align the building’s short end parallel to Teeple Terrace in order to allow the building to properly address the street.*
- *Orient the building to the corner of Wonderland Road and Teeple Terrace in order to provide definition to the corner and enhance the pedestrian experience at the intersection.*
- *Enhance the architecture of the building at the intersection with a change in massing which could include a height element in order to address the corner.*
- *Include planters with enhanced landscaping along the property line, where no built form is proposed, in order to screen all exposed parking areas from the public streets.*
- *Ensure landscape islands are included along the parking row adjacent to the eastern edge of the property in order to create opportunities for trees to be planted which will in turn reduce the heat island effect of the parking lot. In the long term these trees will also provide screening of the parking lot, street, and building for adjacent residences.*

Urban Design Review Panel

The Panel has the following observations and comments for the applicant and their design team regarding the Medical/Dental Office Building project proposed for 477 Old Wonderland Road, London, ON:

1. *Align the proposed building with the Teeple Terrace property line and the east-west axis of approaching vehicular and pedestrian traffic on Teeple Terrace;*
2. *Consider curving the project’s west façade (partial or whole) as a contextual response to the curve of Wonderland Road South;*
3. *Situate the building in section to minimize the differential between the municipal sidewalk and the building’s Ground Floor Elevation. Provide additional detail on the type of landscaping and retaining walls (if necessary) planned for this area;*
4. *Structure design of the building’s entrances in elevation based on their function. Note: the current elevations imply that the building will have four principal entrances although this is not reflected on the site or landscaping plans;*
5. *Revisit the extent, height, depth and purpose of the canopy which extends around all four sides of the building. Canopies can be utilized over major building entrances to way find patients from the municipal sidewalk and parking areas to the building’s principal entrances. Canopies can also be utilized over pedestrian walkways (i.e. east elevation) to reinforce entry routes. Consider solar shading devices to all fenestration of size on the south-east and south-west exposures only;*
6. *Significantly improve the building’s aesthetics;*

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7. Consider the visual impact of the building's roof top mechanical equipment and/or penthouses on the abutting easterly properties;
8. Align the slope of the proposed parking area's north-south axis with Wonderland Road South to minimize if not eliminate the need for the fencing as shown on cross section 1;
9. Review the extent of the plantable area for trees within the parking lot islands. Several islands currently do not allow adequate space for tree plantings when a walkway is contained within the same island; and
10. Review the project's extensive deciduous landscaping and substitute coniferous landscaping

Parks Planning (September 26, 2013)

The SLSR by Biologic Inc. dated August 16, 2013 received September 20, 2013 by Environmental and Parks Planning is incomplete. In our comments of January 30, 2013 we identified that "there is an existing Woodland covering most of the 0.55 ha parcel that extends north onto City property and east onto private property. As part of the required rezoning process a Subject Lands Status Report must be provided to assess the Woodland consistent with the Environmental Management Guidelines (EMG), and, the Official Plan Section 15.4.14. Other Woodland Patches larger than 0.5 Hectares."

Environmental and Parks Planning staff offered to meet to review the requirements of the SLSR. Unfortunately, this meeting was not requested and has not occurred and so at this time the significance of the vegetation patch has not been adequately determined. Specifically, the SLSR does not meet the requirements, follow or correctly apply:

- the Guidelines for Completing a SLSR referred to in the EMG,
- the Data Collection Standards for Ecological Inventory in the EMG,
- the Criteria for Identification of Significant Woodlands in the EMG.

1. The SLSR does not provide sufficient data or complete mapping of the patch to adequately assess the significance of the Woodland. The Evaluation of Woodlands (15.4.5) using City of London Guideline for the Evaluation of Ecologically Significant Woodlands (2000) is a requirement of the SLSR and is not provided in the Biologic SLSR.

2. The Figure 1. Vegetation Communities map does not include the northern portion of the patch, and incorrectly identifies the northern boundary and the size of the unevaluated Woodland feature within the vegetation patch. The vegetation patch with woodland extends north onto and then beyond City property. The entire patch must be shown on all maps going forward. Please see our mapping of the limits of this patch.

3. All of the completed ELC data sheets and summary sheets are required as part of the reporting in an SLSR and are not provided in the Biologic SLSR. The Community Description and Classification arrived at in the SLSR cannot be verified unless the stand description, stand composition, plant species lists, soil analysis, and prism sweeps data have been provided following the standard ELC data collection protocols with a minimum of three sampling sites in the patch. Data must be collected on the portion of the patch on City property in addition to the subject property.

4. Biologic's SLSR states that "MNR (NHIC database) noted the presence of numerous species/habitat of provincial interest within 1km of the legal parcel (Attachment 2)". As the SLSR does not follow the Data Collection Standards for Ecological Inventory, the report provides insufficient data to assess the presence or absence of the 25 species of provincial interest, (element occurrences) present within 1km of the legal parcel as listed in Appendix B/Attachment

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2 of the SLSR. These species including Northern Long-eared Bat must be surveyed for and data provided following the Data Collection Standards in the EMG.

5. Northern Long-eared Bat is listed as Endangered (END) by SARO (the END status is omitted in Appendix B/Attachment 2 of the Biologic Report) and, as they roost under loose bark and in the cavities of trees Endangered, Northern Long-eared Bats may be present on the site and must be surveyed for and reported on.

6. Butternut (*Juglans cinerea* L.) is listed as Endangered (END) by SARO. The presence of an Endangered Butternut Tree (a non-hybrid) satisfies Criterion 3 (High) (15.4.5.iv) for the identification of Significant Woodlands. A Woodland is considered a Significant Woodland if one or more criteria meet the standards for High therefore the presence of an Endangered Species may qualify this patch as a Significant Woodland. The Butternut may be a Category 2 tree and despite the fact that it has bole cankers (noted in the report) the degree to which it is affected is may not be too advanced and retaining the tree could support the protection or recovery of butternut trees in the area in which the tree is located. More discussion is required with respect to the habitat for a viable population of Butternut reproducing within this woodland.

7. The signed and completed Butternut Heath Assessor reports must be included in the SLSR and reported to MNR in Aylmer. Specifically, the report must identify the MNR Butternut Category ranking of the non-hybrid, Endangered Butternut tree in the patch. Further, we would note that while in the field, differentiating Butternut (*Juglans cinerea* L.) from hybrids called Heartnut (*J. ailantifolia* var. *cordiformis*), Buartnut (*J. x bixbyi*), and the second-or-more-generation hybrid progeny of Buartnuts can be difficult. In some instances, only genetic testing can definitively assign a tree to one or another of these lineages. The identification of the 4 Hybrid Butternuts as hybrids must be carefully verified noting how the determination was made, providing any supporting information in the report.

8. There are errors in the report, for example both Figures in the report are titled as Figure 1, and the text refers to Attachments 1 and 2 but they are labelled in the back as Appendices A and B.

Parks Planning (December 11, 2013)

This memo is in response to the Biologic Inc. letter of October 31, 2013 received by Environmental and Parks Planning staff on November 20, 2013. We would note that our comments and requirements for a Subject Lands Status Report (SLSR) for this woodland patch have been consistent since September of 2012. Our comments of September 26, 2013 identified that the August 16, 2013 Biologic SLSR was incomplete. While Biologic has now submitted ELC Data sheets (noting a soil analysis was not included), breeding bird and plant lists as appended to their most recent letter we disagree with Biologic’s delineation of the boundary of the patch, and with their assessment of the ecological significance of the woodland.

Timeline of Environmental and Parks Planning Comments on this Application:

- September 11, 2012 Record of Pre-Application Consultation
- January 30, 2013 Memo to Development Services staff for Site Plan Pre-Consultation
- September 26, 2013 Memo to Mike Corby, Planner II, Comments re: SLSR Review

The ELC Data sheets, breeding bird and plant lists presented in Biologic’s October 31, 2013 letter along with the locations of the 3 additional Butternut trees (listed as an Endangered species by SARO) inside the patch as identified on the map presented by the Old Wonderland and Area Community Association now provide a basic inventory with which to assess the significance of the patch.

The presence of Skunk Cabbage (identified on the plant list by Biologic) are an indicator species for seeps which could indicate that there is Significant Wildlife Habitat (SWH) in the patch as the presence of two or more seeps would meet the criteria for SWH in Ecoregion 7E. SWH is

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recognized in 15.4.7 of the Official Plan and is of Provincial interest. Skunk Cabbage is one of 39 native species identified on Biologic’s plant list found in the patch.

Section 15.4.5 Official Plan Significant Woodland Criteria Met in Patch

- i) *The Woodland contains natural features and ecological functions that are important to the environmental quality and integrity of the Natural Heritage System. These include site protection (hydrology and erosion/slope); and Landscape Integrity (richness, connectivity and distribution).*

HIGH – The site protection for hydrology criterion is met as the presence of Skunk Cabbage is an indicator for surface groundwater and seeps - a hydrological feature and ecological function within the patch.

HIGH - The site protection for erosion and slope criterion is met as there are slopes in the patch of up to 18% with erodible soils.

- iv) *The Woodland provides significant habitat for species at risk.*

HIGH- Butternut trees (Juglans cinerea is listed as Endangered by MNR) are located inside the patch.

As per Section 15.4.5.1 Significant Woodlands in the Official Plan a woodland will be considered “Significant” if it achieves a minimum of one High or five Medium criteria scores as determined by application the Guideline Document for the Evaluation of Ecologically Significant Woodlands (March 2006) as listed in Section 19.2.2.

Based on the information provided to date, this patch should be considered an Ecologically Significant Woodland as it meets two High criterions. As this patch covers the majority of the parcel the development potential of the parcel is limited. It should also be noted that MNR generally requires a 25m radius around Butternut trees be protected. As a significant natural heritage feature, we cannot support the rezoning of these lands from OS1 – the limit of the feature plus an appropriate buffer should be rezoned to OS5, including the rear of the properties fronting onto Old Wonderland Road.

Parks Planning (January 22, 2014)

EPP has reviewed the attached letter from the applicant’s consultant. Further to our memo of December 11, 2013 regarding the status of our review based on the information to that point in time, we can provide this update.

The issue of whether the patch is to be considered significant under OP Policies and Guidelines has been a key issue. We raised two criteria that we believed at the time, would qualify this patch as a significant woodland – the presence of butternut and seepage zones.

We do note that the presence of butternut on the site was addressed by the applicant’s consultant with the MNR earlier in 2013. The more recent issue of potential butternut on adjacent lands (near the eastern property line of the development site, but within this vegetation patch) has now been resolved to our satisfaction. While we did receive a tree plan from the community indicating butternut on the adjacent lands, when staff went to confirm this on site, we were not permitted on the lands. Since that time, Biologic has provided more information about these trees and confirmed to us that no butternut were present when they revisited the site and viewed the location of the trees (as per the plan - about 3-5m east of the development site).

To the second point regarding seepage zones on the lands, Biologic has provided additional information to clarify that the presence of skunk cabbage is directly related to internal surface drainage of the site that “ponds” around a catch basin in the low area of the site. This storm drainage system was not shown on any previous plans or referred to in their studies. They have clearly stated that no seepage areas exist on site.

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With this further information and these points clarified, we would not consider this patch to be a “significant woodland”.

Notwithstanding this, development of this site must afford protection of trees (and root zones) on adjacent lands, including City lands. Efforts should be made through the approval process to maximize tree retention as per Site Plan Approval requirements.

Wastewater and Drainage Engineering Division

Property is to be serviced to the 250mm diameter sanitary sewer on Wonderland Road South. This sewer flows by gravity to Berkshire PS and is forced to Greenway PCP. There is a 200mm diameter sanitary PDC available at property line to tie into. A sanitary Inspection manhole is required to City standards for this development. Density is 180 ppl per gross acre as shown on sanitary design sheet #9666. This equates to 445 people per hectare or 244.75 people maximum over the site area of 0.55Ha.

Stormwater Management Unit

The SWM Unit has no objections to the proposed 447 Old Wonderland Road Application. All necessary servicing and drainage requirements/ controls, SWM, etc. will be addressed at Site Plan approval.

In addition to the application, the SWM Unit provides the following comments to be addressed at the site plan approval stage:

- *The subject lands are located in the Central Thames Subwatershed. The Owner shall be required to apply the proper SWM practices to ensure that the storm discharges from the subject site under the post- development conditions will not exceed the peak discharge of storm run-off under pre-development conditions.*
- *The owner’s Professional Engineer shall address minor, major flows, SWM measures (quantity, quality and erosion control), and identify outlet systems (major and minor) in accordance with City of London Design Permanent Private Stormwater Systems and MOE’s requirements, all to the satisfaction of the City Engineer.*
- *According to drawing 9665, the design value C value for the subject lands is 0.7. If this value is exceeded, the owner shall provide alternative on-site SWM which is designed and certified by a Professional Engineer for review and approval by the Environmental Services Department.*
- *The municipal storm sewer outlet for this development is the existing 1500 mm diameter storm sewer on Wonderland Rd. South.*
- *Due to the nature of the land use the owner may be required to have a consulting Professional Engineer design and install an Oil/Grit Separator to the standards of the Ministry of the Environment and to the satisfaction of the City Engineer.*
- *The Owner is required to provide a lot grading and drainage plan that includes, but it is not limited to, minor, major storm/drainage flows that are generally contained within the subject site boundaries and safely conveys all minor and major flows up to the 250 year storm event that is stamped by a Professional Engineer, all to the satisfaction of the City Engineer.*
- *The Owner and their Consulting Professional Engineer shall ensure the storm/drainage conveyance from the existing external drainage through the subject lands are preserved, all to the satisfaction of the City Engineer.*

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- *The owner shall be required to comply with the City's Drainage By-Laws (WM- 4) and acts, to ensure that the post-development storm/drainage discharges from the subject lands will not cause any adverse effects to adjacent lands, , all to the satisfaction of the City Engineer.*

Transportation Planning & Design Division

Transportation has reviewed a Traffic Impact Statement submitted with this application. A turn lane will be required on Teeple Terrace to safely accommodate traffic turning into this site and permit eastbound through traffic to travel unimpeded on Teeple Terrace. This and other traffic issues including access design will be discussed in greater detail through site plan review process.

PUBLIC LIAISON:	On September 6, 2013, Notice of Application was sent to 156 property owners in the surrounding area and on January 30 th , 2014 a revised Notice of Application was sent out. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on September 12, 2013 & February 6, 2014. A "Possible Land Use Change" sign was also posted on the site.	Numerous replies were received
Nature of Liaison:		
<p>The purpose and effect of the requested Zoning By-law amendment is to permit the development of a small scale Medical Dental Office as well as additional uses which include Pharmacies, Financial Institutions, Personal Service Establishments, and Commercial Recreation Establishments.</p> <p>Change Zoning By-law Z.-1 FROM an Open Space (OS1) Zone which permit conservation lands, conservation works, cultivation of land for agricultural/horticultural purposes, golf courses, private parks, public parks, recreational golf courses, recreational buildings associated with conservation lands and public parks, campgrounds and managed forests, TO a Restricted Office Special Provision (RO2(_)) Zone which permits clinics, medical/dental offices, medical/dental laboratories, offices. The special provision will permit a reduced front yard setback and reduction in parking as well as additional uses which include pharmacies, financial institutions, personal service establishments, and commercial recreation establishments.</p>		

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Responses:

- Appropriate fencing and separation between residential lots and the proposed development (i.e. brick wall, evergreens);
- No public access from Old Wonderland Road;
- Concerned about lighting shining into rear yards;
- Increased noise levels;
- Traffic congestion at intersection;
- Potential that butternut trees exist on neighbouring lands;
- Groundwater was an issue in 2001 storm sewer infrastructure work. Concern this will cause more issues with the groundwater in the area;
- Presence of other Medical/Dental in the area;
- Proposed building is not in character with the area (bulk and scale);
- Loss of greenspace/privacy;
- Concerned that reduction in parking will create spill over onto Old Wonderland Road;
- Grading concerns;
- Request for a change of address to ensure people do not travel to Old Wonderland Road unnecessarily;
- Height Concerns.

ANALYSIS

The Subject Site

The subject site is located at 447 Old Wonderland Road. The site has maintained its Old Wonderland Road address as a narrow portion of the lands still connects this site to the road. The property however sits on the northeast corner of Wonderland Road and Teeple Terrace with the majority of the frontage being along Wonderland Road. The land is approximately 0.55 ha (1.36ac) in size and abuts a low density residential form of development to the east and a commercial development directly south of the property. The surrounding neighbourhood to the east outside of abutting single detached dwellings is mainly medium density residential forms of development and to the southeast is low density residential.

Nature of Proposal

The applicant has applied to rezone the subject site from and Open Space (OS1) Zone to a Restricted Office Special Provision RO2() Zone. The Restricted Office Zone would permit clinics, medical/dental offices, medical dental laboratories and offices. The special provision is a two part provision. The first goal of this provision is to permit additional uses to the site which include pharmacies, financial institutions, personal service establishments; and commercial recreation establishments. The other part of the provision is to allow for a reduction in parking from the required 97 spaces to 85 spaces and a reduction in front and exterior yard setbacks to 0 metres to allow the building to locate as close to Wonderland Road as possible. The proposed development is in the form of a two-storey medical dental office building with a footprint of 726 m2 (7,815 sq.ft) totally 1,452 m2 (15,630 sq.ft) of total space.

Provincial Policy Statement

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use and development. The following are relevant policies as they relate to this

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application.

Section 1.1 - Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns

Section 1.1.1 of the PPS promotes healthy, liveable and safe communities by: encouraging efficient development and land use patterns which sustain the financial well-being of the municipality; accommodating an appropriate range and mix of land uses; and promoting cost effective development standards to minimize land consumption and servicing costs. The requested amendments to intensify the subject site promote these goals of the PPS for the following reasons:

- The recommended amendment encourages efficient development patterns by utilizing a lot that has previously been undeveloped. The use of existing municipal infrastructure and transit to the site assists the financial well-being of the municipality.
- The recommendation will conform to the existing policies of the medium density residential designation contributing to the range and mix of land uses in the area which is currently a large residential area.
- The proposed development will utilize an existing parcel within the built up area of the City and will minimize land consumption and servicing costs.

Section 1.1.3.2 of the PPS identifies that land use patterns within settlement areas should be based on:

- a) *densities and a mix of land uses which:*
 1. *efficiently use land and resources;*
 2. *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; and*
 3. *minimize negative impacts to air quality and climate change, and promote energy efficiency in accordance with policy 1.8; and*
- b) *a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3.*

1.1.3.3 Planning authorities shall identify and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The proposed amendment is consistent with the Provincial Policy Statement as it:

- efficiently uses a developable parcel of land and will capitalize on the surrounding infrastructure in the area;
- provides for an appropriate mix of land uses;
- takes into consideration the existing building stock as the two storey design is proposed at a height of 8.53 metres where the zoning on the surrounding lands permits maximum heights of up to 12 metres;
- the proposal results in an intensification in use along a transit corridor which helps to minimize negative impacts to air quality.

Official Plan Policies

The subject site was heavily vegetated at the time of the application and the vegetation patch was of a sufficient size to permit staff to request a Subject Land Status Report under section 15.4.14. (Other Woodland Patches larger than 0.5 Hectares) of the Official Plan. The significance of the woodland was evaluated in accordance with the criteria identified in section 15.4.5. Significant Woodlands and Woodlands of the Official Plan below:

i) The Woodland contains natural features and ecological functions that are important to the environmental quality and integrity of the Natural Heritage System. These include site protection

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(hydrology and erosion/slope); and Landscape Integrity (richness, connectivity and distribution).

ii) The Woodland provides important ecological functions and has an age, size, site quality, diversity of biological communities and associated species that is uncommon for the planning area.

iii) The Woodland is important for the provision of a balanced distribution of open space amenities and passive recreational opportunities across the urban area.

iv) The Woodland provides significant habitat for species at risk.

v) The Woodland contains distinctive, unusual or high quality natural communities or landforms.

Through the review of the Subject Land Status Report and follow up with the applicant's ecologist, Planning Staff have determined that the woodland did not meet the relevant criteria and it should not be considered a "Significant Woodland". Since the site is not considered a natural heritage feature the policies in Chapter 15 - Natural Features of the Official Plan do not apply. The Official Plan policies of Multi-Family, Medium Density Residential are applicable to this site and must be considered for the proposed application.

Section 3.1.3. Multi-Family, Medium Density Residential Objectives of the Official Plan outlines 3 objectives one of which applies to this application.

- i) *Support the development of multi-family, medium density residential uses at locations which enhance the character and amenity of a residential area, and where there is safe and convenient access to public transit, shopping, public open space, recreation facilities and other urban amenities.*

The proposed medical/dental office use is a permitted use in the Multi-Family, Medium Density Residential designation. The location of the property is along a major arterial road running north/south through the City with convenient access to public transit with a stop located adjacent to the property. A commercial node for shopping is located approximately half a kilometer south of the site and Springbank and Greenway Park are located to the north of the subject site. The subject site conforms to the location objectives of the Official Plan.

3.3.1. Permitted Uses

Secondary Permitted Uses

- iv) *Uses that are considered to be integral to, or compatible with, medium density residential development, including group homes, home occupations, community facilities, funeral homes, commercial recreation facilities, small-scale office developments, and office conversions, may be permitted according to the provisions of Section 3.6.*

The application for a medical/dental office and commercial recreation uses is contemplated by the policies of the Official Plan. The Restricted Office Zone provides for and regulates new office uses outside of the Downtown area in small-scale office buildings primarily in areas designated Multi-Family Medium Density or High Density Residential. A small scale office is considered 2000m² or less. The recommendation and the development proposal is consistent with these policies.

The request for pharmacies, financial institutions and personal services establishments however does not fall under the primary or secondary permitted uses in the Multi-Family, Medium Density Residential designation and will not be supported as part of the Staff recommendation. An Official Plan amendment would be required in order to permit such uses and no such amendment or justification was provided by the applicant in their Planning Justification Report as to why these uses should be permitted on the site or how they conform to relevant policies.

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3.3.3. Scale of Development

Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development.

Height

- i) *Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood. Normally height limitations will not exceed four stories. In some instances, height may be permitted to exceed this limit, if determined through a compatibility report as described in Section 3.7.3. to be appropriate subject to a site specific zoning by-law amendment and/or bonus zoning provisions of Section 19.4.4. of this Plan.*

The proposal is for a 2 storey flat roof office building with a proposed height of 8.53 metres which is below the general maximum of 4 storeys permitted in the Multi-Family, Medium Density Residential designation. The Restricted Office zone has a height limitation of 12 metres which is consistent with the height limitation on the surrounding properties. The flat roofline will also provide less of an impact on the surrounding lands. The height and scale of this building will provide for an appropriate transition between a high traffic arterial road and the low density form of development to the east. The position of the building towards Wonderland Road provides maximum distance between the building and rear yards of the abutting lands creating a buffer to reduce any impacts.



When adding a commercial recreation use to a Multi-Family, Medium Density Residential Designation through an amendment to the Zoning By-law it must conform to the policies of section 3.6.7. Commercial Recreation Facilities. The following apply:

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Location

- i) *The property proposed for development shall be located on an arterial or primary collector road and **shall not** abut any existing or zoned low density residential uses.*

Although the Official Plan policies contemplate Commercial Recreation Establishments as a permitted use, this use is subject to additional location criteria. The subject site is located at the intersection of an arterial road and a secondary collector. However, the property does abut existing and zoned low density residential uses making the proposed location inappropriate for this use.

Planning Impact Analysis

- ii) *The proposed use may be subject to a zone change and Planning Impact Analysis as provided for in Section 3.7.*

See planning impact analysis below.

3.6.8. New Office Development

Small-scale, free-standing office buildings may be permitted as secondary uses in the Multi-Family, Medium and Multi-Family, High Density Residential designations, subject to the following provisions:

Location

- i) *Office developments shall be located on an arterial or primary collector road. In established neighbourhoods, office developments will only be permitted in areas where the residential amenity of properties fronting onto the arterial or primary collector road has been substantially reduced.*

The proposal is located at the intersection of an arterial road and a secondary collector. The residential component along Wonderland Road South can be considered to have little residential character left on it. On the west side of the street all the residential developments back onto Wonderland Road South and have some form of fencing protecting the rear yards. To the south of the subject site wonderland road is mainly commercial uses with no residential components present.

Buffering

- ii) *Provision shall be made for landscaping, privacy screening, building setbacks and other appropriate measures necessary to protect the amenity of adjacent residential properties.*

The site plan will be able to establish appropriate buffers with landscaping and privacy screening. Staff have recommended that the Site Plan Approval Authority consider additional landscaping and appropriate fencing to help create appropriate buffers the abutting lands.

Scale, Appearance

- iii) *The proposed building shall be sensitive to the scale and appearance of adjacent residential uses.*

The proposed building is at a height of 8.53 metres which is keeping with the permitted height of 12 metres of the abutting residential neighbourhood. The use of a flat roof reduces the impact as no high peaks are created which can cause shadows and block views. However, it is important to ensure that no visual impacts are created through the building roof top mechanical equipment which can be addressed through the site plan approval process. The two storey development also helps contain the scale of the building in a smaller footprint and allows it to be

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moved up to the corner of the property therefore limiting its impacts on the neighbouring lands.

Zoning, Planning Impact Analysis

- iv) *Proposals for new office developments shall require a Zoning By-law amendment. A Planning Impact Analysis as described in Section 3.7. will be required to determine if the proposed development is appropriate.*

Planning Impact Analysis

A planning impact analysis is required when introducing commercial recreation facilities as well as office uses as identified in the above Official Plan policies. Where an Official Plan amendment and/or zone change application is being considered the following criteria may be considered:

- (a) *compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area.*
 - The area is a well-developed neighbourhood with future land use changes being unlikely.
 - The criteria in section 3.6.7 clearly identifies that commercial recreation uses are not permitted beside low density residential uses. This is due to compatibility issues in relation to the uses permitted in commercial recreation establishments and low density residential uses.
 - Office uses and other permitted recommended uses under the proposed Restricted Office (RO2) Zone however, are more compatible with the surrounding low density and medium density residential uses. Generally they operate during the day time limiting night time traffic, noise, and lighting concerns and can be accommodated in a form compatible with the surrounding land uses.

- (b) *the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed use;*
 - the parcel is a rather narrow site resulting in any future proposed use to be in close proximity to the abutting residential uses. As stated Commercial Recreation Establishments are not permitted adjacent to low density residential zones due to land use conflicts that are often created.
 - The medical/dental type offices uses operate at a generally lower intensity during regular business hours and is appropriate on such a site.
 - The reduction in parking is minimal and is appropriate along a transit corridor where the building is sited to accommodate pedestrian traffic.

- (c) *the supply of vacant land in the area which is already designated and/or zoned for the proposed use; and*
 - there is limited opportunity in the area where vacant lands are designated and zoned to accommodate the proposed uses.

- (d) *the proximity of any proposal for medium or high density residential development to public open space and recreational facilities, community facilities, and transit services, and the adequacy of these facilities and services.*
 - not applicable since this is not a proposal for medium or high density residential development.

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(e) *the need for affordable housing in the area, and in the City as a whole, as determined by the policies of Chapter 12 - Housing.*

- not applicable since this is not a proposal for medium or high density residential development.

(f) *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;*

- the proposed building is identified as being 8.53 metres high and located in a position which limits its impacts on the surrounding land uses. The height is in keeping with what is permitting on the abutting lands and the flat roofline will create a lower roofline than a 2 storey home.

(g) *the extent to which the proposed development provides for the retention of any desirable vegetation or natural features that contribute to the visual character of the surrounding area;*

- while acknowledging that this site was largely vegetated, it was not deemed to be a significant woodland which provides an ecological function. This vegetation was cleared by the property owner without contravening any by-law. Now that the lands are cleared the proposal has limited opportunity to retain any of the desirable vegetation or natural features on the site. A large surface parking lot is required in an area of the site that had been previously vegetated. Extensive planting around the properties edges will be recommended to contribute to the visual character of the surrounding area.

(h) *the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;*

- a transportation impact assessment was submitted by the applicant and reviewed by the City's Transportation division. The proposed access off Teeple Terrace is considered the most appropriate and safest point of access. The potential increase in traffic to the area has also been reviewed and the existing intersection (with the addition of a turning lane into the subject site) will be able to function in an appropriate manner to accommodate the potential increases in traffic.
- the issue of customers parking on Old Wonderland Road and walking to the site should not be an issue as Staff feels the recommended number of parking spaces will be sufficient to support the proposed use. The site's location along a bus route and an active bicycle path provide alternative modes of transportation to the site.
- restriction to parking such as the use of a fee for parking is often a deterrent to park on site causing parking to overflow onto side streets. However, the subject site cannot restrict access through the use of a fee as per section 4.19(c) of the Zoning By-law given that the owner is required to make available the required parking spaces.

(i) *the exterior design in terms of the bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;*

- the exterior design should be revisited specifically the corner of the building and how it addressed the intersection, a change in massing which could include a height element could be used to address the corner,
- significantly improve the building's aesthetics,
- consider design elements that will reduce the impacts of roof top equipment on abutting lands.
- these can be addressed in detail through the Site Plan Approval Process

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(j) *the potential impact of the development on surrounding natural features and heritage resources;*

- through the review of the Subject Land Status Report, no natural features or heritage resources were identified on the site.

(k) *constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration and rail safety may limit development;*

- N/A

(l) *compliance of the proposed development with the provisions of the City's Official Plan, Zoning By-law, Site Plan Control By-law, and Sign Control By-law;*

- the proposal is requesting special provisions to permit for reduced interior and exterior side yards as well as a slight reduction in parking. The implementation of these provisions will ensure the proposed site plan conforms to the Zoning By-law.
- the proposal will be required to go through the Site Plan process which will ensure that it conforms to the Site Plan Control By-law.
- only the uses permitted by policy are being recommended. Additional commercial uses are being recommended for refusal given that they do not conform to the Official Plan or Restricted Office zone.

(m) *measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis;*

- the applicant has identified fencing and landscaping measures to help mitigate any adverse impacts on the surrounding land uses. Additional landscaping may be requested to ensure proper mitigation measures are achieved. These can be addressed through the Site Plan Approval process. Planning Staff are recommending that the Site Plan Approval Authority consider the installation of a continuous 1.83 metre (6 feet) minimum sound attenuation fence along the eastern property and a holding provision requiring the submission of a noise study.

(n) *impacts of the proposed change on the transportation system, including transit.*

- No impacts are expected to the transportation system.

No justification was provided by the applicant in their Planning Justification as to why additional commercial uses including: Pharmacies, Financial Institutions, Personal Service Establishments and Commercial Recreation Establishments should be permitted on the site in relation to the Official Plan policies.

Zoning

The applicant has applied to rezone the site from an Open Space (OS1) Zone to a Restricted Office Special Provision (RO2(_)) Zone which would permit clinics, medical/dental offices, medical/dental laboratories, offices. The special provision will permit a reduced front yard and exterior side yard depth and a reduction in parking as well as additional uses which include pharmacies, financial institutions, personal service establishments, and commercial recreation establishments. The requested zoning would allow the applicant to build the proposed medical dental/office on the site in conformity with the proposed site plan.

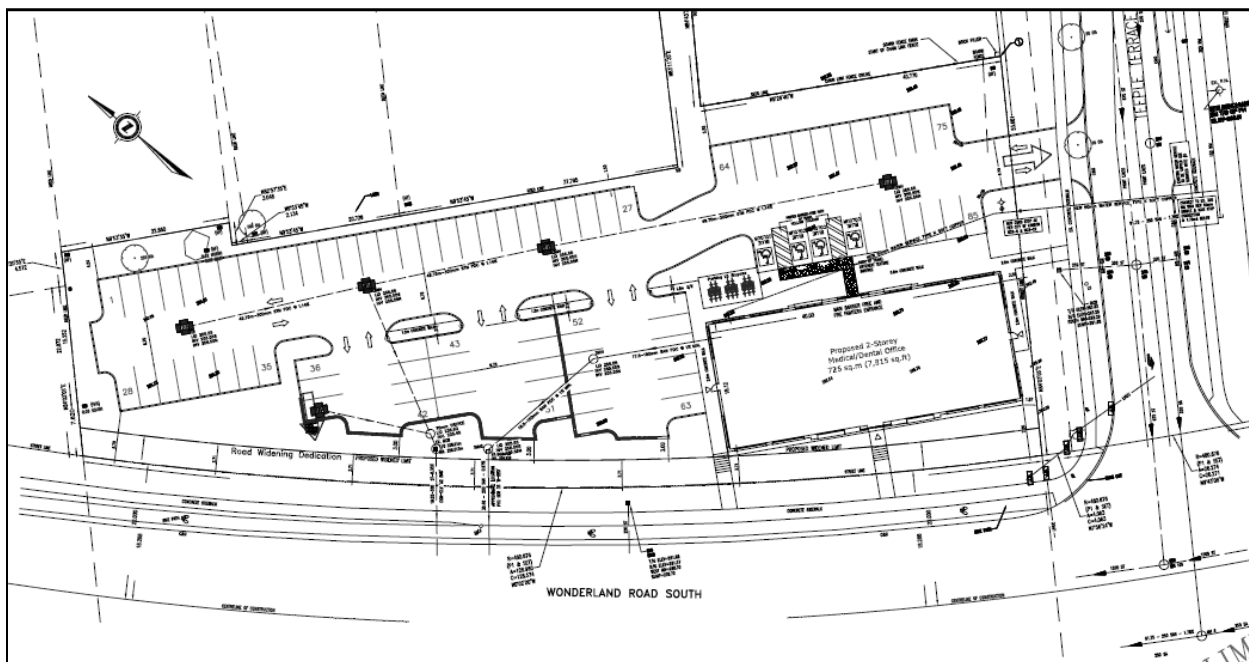
The RO2 Zone provides for and regulates new office uses outside of the Downtown area in small-scale office buildings primarily in areas designated Multi-Family Medium Density or High Density Residential. Staff are recommending approval of the RO2 zone as it permits

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appropriate uses on the subject site and conforms with the Official Plan designation. However, the request for additional commercial uses through special provision is being recommended for refusal specifically for the additional uses of pharmacies, financial institutions, personal service establishments, and commercial recreation establishments. These uses are not permitted under the Official Plan designation of Multi-Family, Medium Density Residential or the location criteria prescribed by Official Plan policy 3.6.7. The applicant will still be permitted a small scale pharmacy as an accessory use to a clinic which is an approved use under the recommended zoning.

The portion of the special provision related to a reduction in the regulations is being recommended for approval to reduce front yard and exterior yard depth to 0.0 metres where 6 metres is required as this will help facilitate an appropriate form and orientation of development. Both the Urban Design Peer Review Panel and Planning Staff suggest that the building be shifted toward Teeple Terrace. This provision provides flexibility for Staff to work with the applicant during the site plan review process and come up with an acceptable orientation of the building. Staff also recommended a reduction in parking spaces through the special provision given that 85 parking spots is sufficient to accommodate the recommended uses. Extra Bicycle parking has been provided on site and the property is located beside a local bus stop providing for convenient alternative forms of transportation. Staff are also recommending that the maximum height be reduced to 9.0 metres, whereas 12.0 metres would generally be permitted, to accommodate the requested form of development while mitigating the public concerns with regard to loss of privacy and potential noise on abutting lands.



Due to the nature of this application and concerns raised about the built form and the impacts of the proposal on the abutting lands Planning Staff feel it is appropriate to recommend a holding provision for a public Site Plan process. The use of a h-5 holding provision will be placed on the property to ensure the public have the opportunity to comment during the site plan process. An additional holding provision is also being requested for a noise study. One of the main public concerns was the issue of noise entering their back yards. Though a request cannot be made to assess the road noise and its effect on the existing residential dwellings, Staff are requesting a noise study for the proposed development and the noise effects it will have on the abutting residential lands. The use of the h-64 holding provision will ensure that any proposed development will take into consideration the noise it will produce from roof top air conditioners and equipment on the abutting residential properties. The h-64 reads as follows:

h-64 Purpose: To ensure there are no land use conflicts between commercial uses and adjacent residential land uses, the h-64 symbol shall not be

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deleted until the owner agrees to implement all noise attenuation and design mitigating measures as recommended in a noise study, acceptable to the City of London.

The final zoning which is being recommended will be a Restricted Office Special Provision h-5*h-64*(RO2(_)) Zone which will permit a clinic, medical/dental offices, medical dental laboratories, and offices. The special provision will be for a 0.0 metre minimum depth for the front and exterior side yard, a reduction in parking from 97 spots to 85, and a maximum height of 9.0 metres whereas 12.0 metres is permitted by the Zoning By-law. No additional permitted uses are recommended by way of special provision to the Zoning By-law.

Public Concerns

Through the planning process several public concerns were raised. The main concern was in regard to the heavily treed lot, its importance to the abutting properties and area, and the potential natural features on the site for consideration as a significant woodland. Through the planning process Staff requested a Subject Land Status Report which was submitted by the applicant as part of a complete application. The report identified the presence of Butternut trees, an endangered species requiring protection on the site which was addressed by the applicant's consultant and a butternut assessment report was sent to the Ministry of Natural Resources (MNR) in 2013. MNR was in agreement with the applicant's Ecologist report and it was determined the 4 of the Butternuts were hybrids and 1 was non-retainable. Hybrids and non-retainables do not receive protection under the Endangered Species Act 2007 (ESA). A document was submitted by the public stating that there was a possible group of butternut trees on adjacent lands (near the eastern property line of the development site within this vegetation patch). When staff went to confirm this on site, they were not permitted on the lands. Through further information from the applicant's ecologist the issue has now been resolved to Staff's satisfaction that the trees are in fact not Butternuts. A 25 m radius for protection of the potential butternut trees was not applied to the subject lands. A radius could only be placed on the trees if it was determined that the trees were Butternuts by the appropriate parties. All available information indicates that this does not apply to the subject lands.

Another major issue raised was the ability of the property owner to cut down trees on their land while an active planning application was being reviewed by Planning Staff. Neither the Planning Act nor the Official Plan prohibit site alterations or tree cutting to occur while an active application is underway. Furthermore, the current City By-laws relating to trees and site alteration do not apply to the subject site. The Site Alteration By-law applies to lands within the City of London that are designated Open Space or Environmental Review in the Official Plan, and lands situated within a draft approved plan of subdivision. The Tree Conservation By-law is only applicable to lands that are defined as Environmental Protection Area, and lands designated as Open Space and/or Environmental Review on Schedule "A" of the Official Plan or zoned Open Space (OS5) and/or Environmental Review (ER) under the Zoning By-law. The public expressed strong opinions that the applicant should not be able to proceed with the application because of their actions with regard to tree removal. However, Staff must review the application against the applicable policies and By-laws in place and cannot make a recommendation based on the actions of a property owner that conformed to all legislation, policies and By-laws.

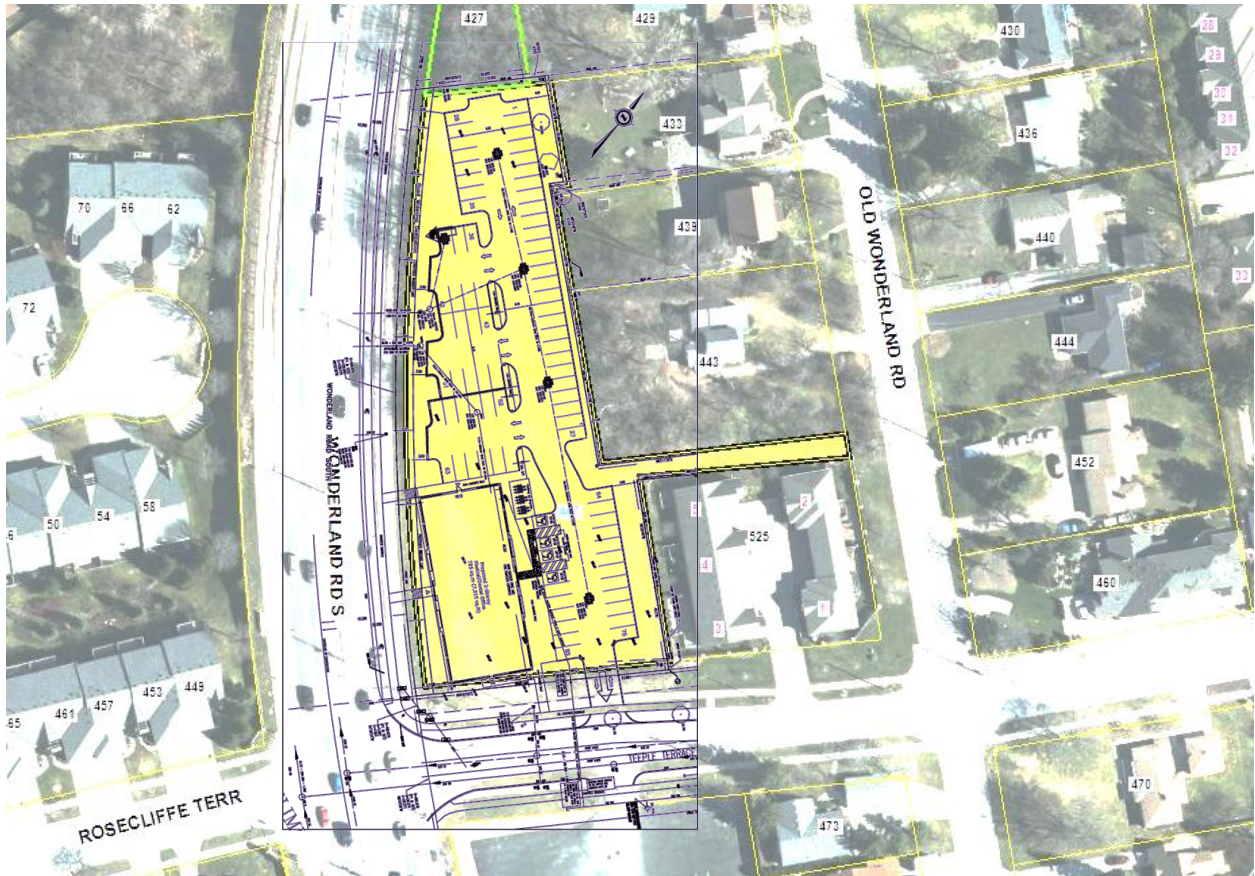
Another major concern from the community is the increase in traffic to the area and potential danger for bicycle traffic along Wonderland Road South as they get to the intersection. As part of a complete application it was required that the applicant submit a Transportation Impact Assessment to City Staff for review. The City's Transportation Division reviewed the report and had no concerns about the potential increase in traffic. Transportation Staff did identify that a turn lane will be required on Teeple Terrace to safely accommodate traffic turning into this site and permit eastbound through-traffic to travel unimpeded on Teeple Terrace. This will be discussed in greater detail through Site Plan review process.

Several other concerns were raised that were related with the proposed site plan and how the site would function. One concern is the small strip of land that connects the subject site to Old

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Wonderland Road (see below). This strip of land is not wide enough for vehicular traffic however concerns about foot traffic travelling through the strip has been raised resulting from on-street parking along Old Wonderland Road. Staff is requesting that the Site Plan Approval Authority review this strip of land and use landscaping features to discourage the potential for cut-through access for pedestrians.



Other issues relate to the height of the building and the opinion that it is not in keeping with the height prevailing building height in the area, the loss of privacy, and proposed building design. The abutting residential properties exist in a zone that allows for up to 12 metres in height for a residential structure. It should be noted that peaked roofs often extend higher than 12 metres in height as the height is not calculated to the top of the roofline. The regulations of the proposed Restricted Office (RO2) Zone permits the same height restriction of 12 metres as the abutting residential lands and the proposed height of 8.53 metres along with the use of a flat roof will limit its impacts on the abutting lands. Planning Staff are recommending a maximum building height of 9.0 metres to facilitate the proposed building height while acknowledging the neighbourhood concerns. The building itself is proposed to be located as far away from the rear property line as possible also reducing and height impacts on the abutting residential lands.

The issues of privacy will be addressed through the Site Plan Approval process. During this process requirements for fencing and landscaping will be addressed which will help maintain privacy to the rear yards of the residential properties. These site plan concerns, along with the design of the building, will be re-addressed during the public site plan process. Staff's recommendation has also requested that the site plan approval authority consider these issues by examining the potential for increased landscaping on the site and addressing some of the building design issues.

The public also were concerned about the potential for ground water impacts that result from the development of the site. No concerns were raised by the City's Storm Water Management Unit and all storm water issues will be dealt with during the site plan process.

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CONCLUSION

The Staff recommendation is appropriate as it is consistent with the policies of the Provincial Policy Statement (2005) and with the City of London Official Plan. The subject lands are of a sufficient size and shape to accommodate the recommended uses and the recommended Zoning By-law amendment provides appropriate regulations to control the uses and intensity of the building. The additional permitted uses requested by the applicant are not recommended for approval given their inconsistency with the policies of the Official Plan.

PREPARED BY:	SUBMITTED BY:
MIKE CORBY PLANNER II, CURRENT PLANNING	MICHAEL TOMAZINCIC, MCIP, RPP MANAGER, CURRENT PLANNING
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP MANAGING DIRECTOR, PLANNING AND CITY PLANNER	

February 18, 2014

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Responses to Public Liaison Letter and Publication in “Living in the City”

<u>Telephone</u>	<u>Written</u>
Mary Read, 440 Old Wonderland Road, London ON,	Online Petition (2,419 signatories, 1,869 from London)
David Hall, 439 Old Wonderland Road, London ON,	See attached emails
Paul Krzic, 460 Old Wonderland Road, London ON	
Stan Sawicki 4-525 Teeple Terrace	
Faye Shantze	
Edlirav & Vasillaq Leci 508 Rosecliffe Terrace	
Johnathan Yates, 22 Berkshire Ct, London ON, N6J 3N7	

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Planner: Mike Corby

Bibliography of Information and Materials
Z-8228

Request for Approval:

City of London Zoning By-Law Amendment Application Form, completed by Zelinka Priamo Ltd, August 21, 2013.

Reference Documents:

Ontario. Ministry of Municipal Affairs and Housing. *Planning Act, R.S.O. 1990, CHAPTER P.13*, as amended.

Ontario. Ministry of Municipal Affairs and Housing. *Provincial Policy Statement*, March 1, 2005.

City of London. *Official Plan*, June 19, 1989, as amended.

City of London. *Zoning By-law No. Z-1*, May 21, 1991, as amended.

Zelinka Priamo. *Urban Design Brief*, December 10, 2013.

Zelinka Priamo. *Justification Report*, August 19, 2013.

F.R. Berry & Associates. *Transportation Impact Assessment*, August 2013

Correspondence: (all located in City of London File No. Z-8228. unless otherwise stated)

City of London -

Macpherson A., City of London Environmental and Parks Planning. E-mail to M. Corby. January 21, 2014.

MacDougall L., City of London Environmental and Parks Planning. Memos to M. Corby. December 11, 2013 and September 26, 2013.

Urban Design Review Panel. Memo to M. Corby. January 15, 2014

Somlarek J., City of London Urban Design. Memos to M. Corby. February 24, 2014, September 6, 2013

Clavet Y., City of London Storm Water Management Unit. Email to M. Corby. October 1, 2013

Couvillon A., City of London Transportation. Comments from AMANDA to M. Corby. September 20, 2013

Moore R., City of London Waster Water and Drainage. Email to M. Corby. September 27, 2013

Departments and Agencies -

Creighton C., UTRCA. Letter to M. Corby. February 7, 2013.

McCloskey M., Ministry Natural Resources. Various emails with L. McDougall. October 22, 2013 October 17, 2013, October 10, 2013.

Dalrymple D., London Hydro. Memo to M. Corby. September 10, 2013.

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Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2014

By-law No. Z.-1-14 _____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 447 Old Wonderland Road.

WHEREAS 2376563 Ontario Inc. has applied to rezone an area of land located at 447 Old Wonderland Road, 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 447 Old Wonderland Road, as shown on the attached map comprising part of Key Map No. A.106, **FROM** an Open Space (OS1) Zone **TO** a Holding Restricted Office Special Provision (h-5*h-64*RO2(_)) Zone.
- 2) Section Number 18.4(c) of the Restricted Office (RO2) Zone is amended by adding the following Special Provision:

)	RO2()	447 Old Wonderland Road	
	a)	Regulation[s]	
		i) Front Yard Depth (minimum)	0.0 metres (0.0 ft.)
		ii) Exterior Yard Setback (minimum)	0.0 metres (0.0 ft.)
		iii) Parking (minimum)	85 Spaces
		iv) Height (maximum)	9 metres (29.53 ft.)

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 April 1, 2014.

Agenda Item # Page #

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File: Z-8228
Planner: Mike Corby

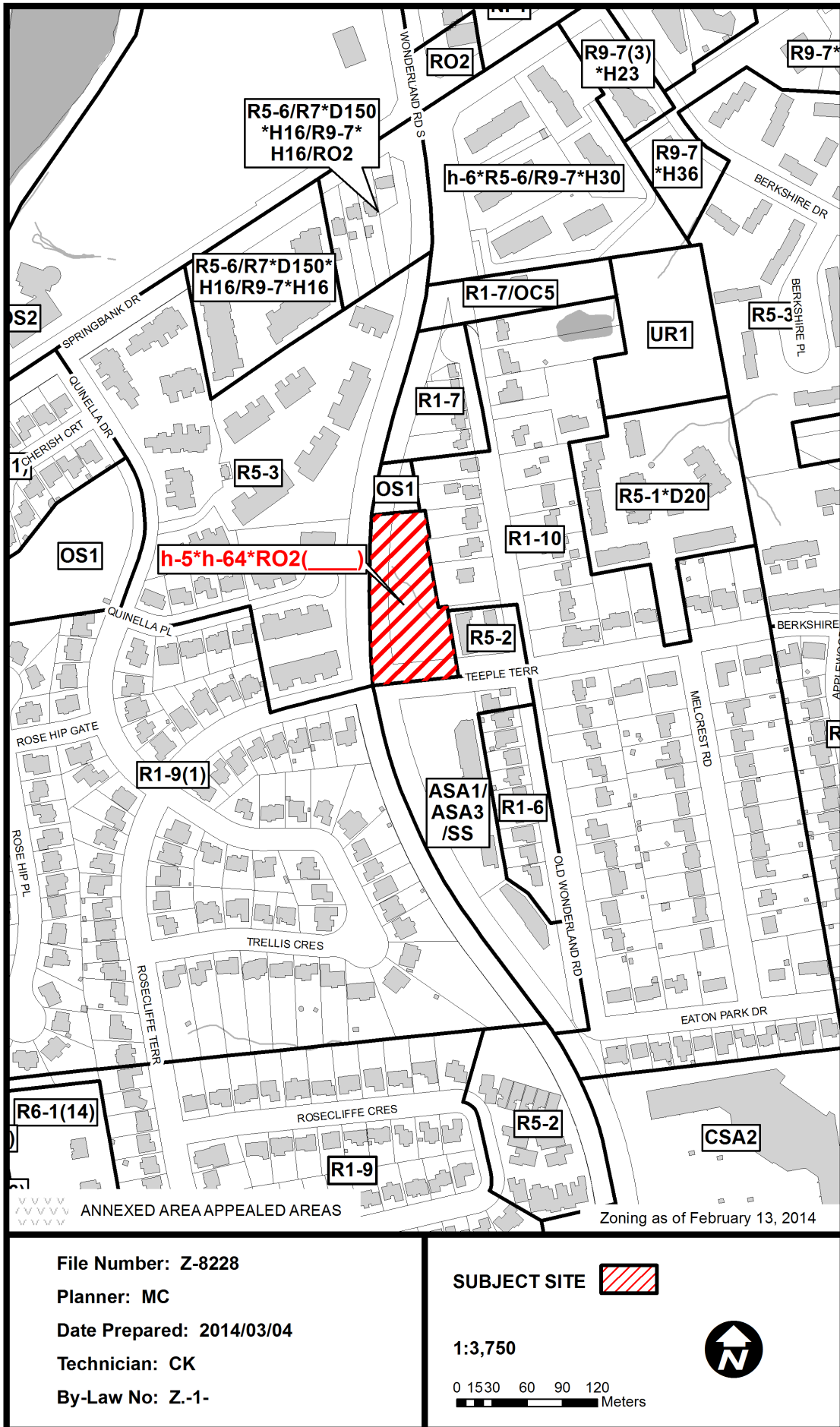
Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - April 1, 2014
Second Reading - April 1, 2014
Third Reading - April 1, 2014

Empty boxes for Agenda Item # and Page #

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



Geodatabase

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From:
Sent: Wednesday, September 11, 2013 11:28 AM
To: Corby, Mike
Subject: rezoning at 447 Old Wonderland Road

Mr Corby

I would like to comment on the application to amend the zoning bylaw for the above address. I live at the corner of Old Wonderland and Teeple Terrace, in a small five unit condo setup. The small woods to the west of our units provides shelter for small animals and such. It is a pleasure for us to look out and watch the animals and birds in their natural habitat. It also provides a buffer for the noise from Wonderland Road. There are many empty small malls around and I don't understand why anyone would want to remove more greenery from this city. It seems that the city is allowing this to happen more and more often. I would hope that city hall would put a stop to this practice and not allow this change to happen.

Thank You
Carlo Cecchin

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Randy Whiteway
Sent: Thursday, September 12, 2013 6:02 PM
To: Corby, Mike; Carolyn
Subject: APPLICATION NO Z-8228

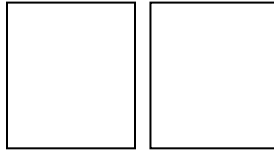
Follow Up Flag: Follow up
Flag Status: Flagged

Mike Corby,

Regarding the above application to amend, I am a resident of Teeple Terrace, and I wish to register my objection . I read your letter . As well I also read the Planning justification report. I am upset with the contents of this report. There are a great many errors, omissions and just plain untruths contained therein. I wish to be put on a list of concerned citizens who will have the opportunity to have my say at the proper time.

Please provide me with information regarding all upcoming hearings.

Regards,
Randy Whiteway
3-525 Teeple Terrace,
London, On
N6K4Y1



File: Z-8228
Planner: Mike Corby

Corby, Mike

From:
Sent: Monday, September 16, 2013 3:16 PM
To: Corby, Mike
Subject: Application to Amend Zoning By-Law by 2376563 Ontario Inc. at 447 Old Wonderland Road
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Corby,

I am writing this letter because I vigorously oppose the above proposed amendment to the zoning by-law. I don't believe a two-storey, medical/dental building with 89 parking spaces on the corner of Wonderland Road and Teeple Terrace is an appropriate use of the land.

Not only will this building and parking lot be an eyesore, it will interfere with the privacy of residents living directly behind it, there will be increased light and traffic noise, property values will drop and I foresee a corner waiting for an accident to happen. Within a very short distance there are two streets going north and south from which cars will be turning left or right, the traffic light allowing cars to exit Teeple Terrace onto Wonderland Road or Rosecliffe, is very short and will result in cars being backed up. If approved, there will be three driveways with cars attempting ingress and egress to the left or right and, there is a bus-stop near the corner of Teeple Terrace and Wonderland Road that will cause visual sight lines to be impaired. In my opinion, this will create an enormous hazard and threatens public safety.

On a personal note, we own one of the condominiums at 525 Teeple Terrace. Although our unit does not back onto the ravine, it is one of the reasons we chose to purchase here. We love all the mature trees in this area, the seclusion it affords and watching the wildlife who call it home. When we moved here in 2002, we were under the impression nothing could be built on that piece of land due to the sewer drainage. If this amendment is approved it will have a devastating effect on me and my neighbours. Not only because the serenity we enjoy will be lost, but also because our property values will be reduced significantly.

I find it appalling that the City of London has already approved re-zoning so many wooded and ecologically sensitive areas in favour of replacing them with concrete and asphalt when there are so many strip malls, etc. that are virtually empty. If new buildings must be erected, surely there is vacant land available where trees won't be removed and wildlife displaced. Despite opposition from the public over the past several years, the City has approved re-zoning in favour of office buildings, stores, box malls and housing in areas where there was once significant woodlands and wetland. While London's forests are already under a threat, thousands of ash trees will be lost due to the ash borer. The 'forest city' is being eradicated and it must stop. This small woodlot on the corner of Wonderland Road and Teeple Terrace is all that remains of what used to be a beautiful area between Dingman Drive and Springbank Drive. Let's not lose it too.

There is a new medical/dental building at 460 Springbank Drive as well as new dental office nearby where problems have already been seen with respect to the volume of traffic as well as parking issues.

In less than a 3 mile radius of the corner of Wonderland Road and Teeple Terrace, there are -

- 27 Dental Offices
- 49 Doctor's Offices
- 8 Medical Centres
- 4 Walk-In Clinics



File: Z-8228
Planner: Mike Corby

Ethel Fielding

5-525 Teeple Terrace • London, ON N6K 4Y1 •

September 17, 2013

Mike Corby
City of London Planning Division
P.O. Box 5035
London ON N6A 4L9

RECEIVED
CITY OF LONDON
PLANNING DIVISION

SEP 18 2013

FILE NO. _____

REFERRED TO _____

SUBSEQUENT REFERRALS

- FOR ACTION
- FOR INFORMATION
- FOR REPORT
- FILE
- B.F.
- OTHER

RE: FILE #Z-8228 – 423 OLD WONDERLAND RD, LONDON, ONTARIO

I own a unit in the Middlesex Condo Corporation #502 at 525 Teeple Terrace London, Ontario. According to your map we are at #453 Old Wonderland Road. My Unit #5, along with two others, backs directly on to the ravine that is the subject of the bylaw change proposed in your letter.

I believe that taking down all the trees and filling in the ravine to make way for a new medical/dental building will affect this area very negatively.

We have a new medical building just down the road on the north-east corner of Springbank and Wonderland. My neighbours & I cannot figure out why we need another one. On top of this, the presence of the above-mentioned building has caused a lot of parking problems for the residents living across the road off Springbank Drive. I fear that parking problems will also occur here in this neighbourhood if this project goes ahead especially if fees are involved. The plaza next to our complex will be affected, as will the streets around. The walkway shown on the plan which will connect the new parking lot to Old Wonderland Road will provide access to unwanted parking on that street. The entrance to the proposed parking lot is just off Teeple Terrace, very close to the intersection at Teeple and Wonderland Road. As you know, cars coming off Wonderland in order to use the entry to the medical building parking lot, will have difficulty making the necessary left turn off Teeple Terrace.

These are some of the problems I see for the general area if the bylaw change proceeds. For myself and my neighbours who live right behind the ravine in question, the impact of this proposal will be much more serious.

I moved in to my house in early March 2012. The ravine was a big factor in the purchase. There was no indication back then that this devastating plan was even being considered.

A ravine has its own wildlife. Last summer, a deer and her young visited several times. There are birds here not often seen in ordinary gardens. The trees act as a buffer to cut out traffic noises from Wonderland Road. They also provide shade from the sun in the west on summer afternoons and as we all know, like all trees, they give out much needed oxygen. The environmental benefits of trees are endless and they don't need to be of the rare variety. Much more thought needs to be given to the protection of them in this - "The Forest City".

I hope that in its wisdom, the Committee will reject this bylaw change request.

Ethel Fielding
Resident
EF:bab

Copy: Denise Brown, Councillor, Ward 11

**PLANNING DIVISION
SCANNED**

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Paul Fidler
Sent: Thursday, September 19, 2013 7:49 PM
To: Corby, Mike
Subject: Medical Centre at Teeple Terrace & Wonderland Road

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mike:

We have lived at 419 Old Wonderland Road for 11 enjoyable years now.
The proposed Medical Centre development would really have a negative impact on most people living in this neighbourhood.
I'm sure most of us enjoy seeing the tree'd area there.
It really is beautiful.
It would be a shame to see it removed.
Please consider refusing the development of the medical centre and keeping this small piece of land green...
Surely there are other un-tree'd properties / already cleared land sitting vacant / empty buildings sitting unwanted for sale that could be torn down – that could be used instead.

Paul Fidler
419 Old Wonderland Road
London ON N6K 3R1

[Empty boxes for Agenda Item # and Page #]

File: Z-8228
Planner: Mike Corby

September 26, 2013

The City of London Planning Division
P.O. Box 5035
London, ON N6A 4L9

Attn: Mike Corby

Dear Mr. Corby,

RECEIVED
CITY OF LONDON
PLANNING DIVISION

SEP 27 2013

FILE NO. 12pm

REFERRED TO _____

SUBSEQUENT REFERRALS

- FOR ACTION
- FOR INFORMATION
- FOR REPORT
- FILE
- B.F.
- OTHER

**Re: File Z-8828
Application to Amend Zoning By-Law
447 Old Wonderland Road**

We own a condo that backs directly on the proposed development. We have studied the documentation relating to the proposal and have found much of it flawed and misleading. Noted below are some examples from the Urban Design Brief:

- 1.1 The proposed development does not have driveway access on Old Wonderland Road. Addressing the proposed building as 447 Old Wonderland Road will direct unnecessary traffic to this quiet street in search of businesses located in the building.
- 1.2 The proposed two-storey building is in conflict with all other buildings located in the adjacent 'commercial node'. Buildings located between Teeple Terrace and Commissioners Road are all only one-storey.
- 1.3 (xiv) & 1.5
Our home is located directly east of the proposed parking lot. We only have a narrow (20 ft) back garden. We do not have a six (6) foot high wood privacy fence. We have a six (6) foot 'wire mesh' fence.
- 2.1 The proposed building is a two storey building. The parking lot will have powerful lights. There is to be signage placed at the top of the building. Light spill-over is inevitable.

Mr. Corby, we have invested an enormous amount of time and energy into our back patio. We have spent approximately \$8,000 to create the secluded retreat that you see in the attached photographs. All of that is about to change. If the proposed development proceeds, our privacy is destroyed. The parking lot will be within 10 ft of our outdoor table. The only physical separation will be the existing wire mesh fence. This would be devastating.

[Empty boxes for Agenda Item # and Page #]

File: Z-8228
Planner: Mike Corby

If this development proceeds as planned, we beseech the City of London to attach an amendment to the final approval to help protect our privacy and quality of life:

We ask that the Developer be directed to erect a wall made entirely of brick or stone between our property and the proposed driveway and parking lot.

- Wall should be higher than the existing wire fence.
- Wall should stretch the entire length of the three homes on that side of the condo development.
- The wall should be built using a quality brick or stone in keeping with the existing condo buildings

Currently we have, at our back door, a dense wood lot that not only provides privacy but also a noise buffer between us and the traffic on Wonderland Road. The wood lot runs the full length of our property and beyond. This wall would not replace the beauty of the wood lot but would, to some degree, buffer the traffic noise while at the same time help maintain our existing privacy.

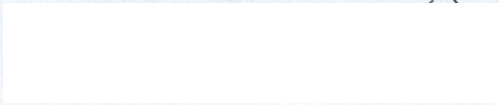
Obviously this is not our first preference. We want to keep our wood lot intact. However, if we cannot, we expect a quality stone or brick wall. We moved to this quiet neighbourhood and invested in our back garden, as small as it is, so that we could enjoy our leisure time.

We hope you can appreciate our dilemma. We extend an invitation to you or your representative to visit our home to see firsthand why this issue is so important to us.

Yours very truly,

Randy Whiteway and Carolyn Carter

Randy Whiteway
 UNIT NO. 3
 525 Teeple Terrace
 London ON
 N6K4Y1



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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Christine
Sent: Tuesday, October 01, 2013 9:13 PM
To: Corby, Mike
Subject: Proposed Wonderland Development

Follow Up Flag: Follow up
Flag Status: Completed

Greetings Mr. Corby.

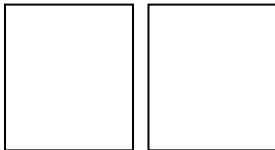
In response to the upcoming meeting regarding this proposed development slated for Teeple Terrace and Wonderland. It is totally unthinkable the city would propose accepting this developers proposal and ridding London of another beautiful woodlot.

London is loaded with vacant commercial space along this corridor and in the surrounding area WHY in the WORLD!! would London loose another valued woodlot. The one near Cosco is one too many. Councillors going against what the logical sense would be.

SAVE THE WOODLOT... shame on London!!!

A very concerned old South resident

Christine Woolner\



File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Wiesje Henderson [
Sent: Tuesday, October 01, 2013 9:36 PM
To: Corby, Mike
Subject: Re-zoning Application Z-8228 447 Old Wonderland Road

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Corby,

We feel the need to add our voices to so many others who have shown concern regarding the proposed re-zoning application as noted above.

Not only is this area over-serviced by the proposed development with 17 dental practices, 31 doctor's offices, 5 medical centres, 5 optometry offices, 14 pharmacies and 3 walk-in clinics within a 3 radius of Wonderland Rd/Teepie Terrace, to lose a natural woodland in "The Forest City" is unconscionable, unnecessary and unbelievably short-sighted by the City of London. In the short-term, yet more noise pollution in this area along Wonderland Road, the main artery of this city, boggles the mind. At the busiest times of the day, those of us backing onto Wonderland Rd cannot even hear a conversation with a person sitting beside us in our own backyards, yet we don't complain to the City because we currently have natural beauty with mature trees and unique homes. To take away a natural sound and pollution buffer for yet another, another! medical/dental facility, which is NOT needed in this area, is such a ridiculous proposal it is almost laughable if it weren't seriously being considered. In the long-term, the proposed expansion of Wonderland Road in the future will create serious traffic hazards due to the zero set-back that the City seems to find acceptable! For what?!? More tax revenue? There are many empty storefronts along Wonderland and surrounding major roads that would serve the purpose for this type of facility.

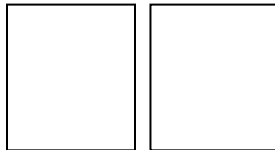
This development negatively impacts the properties that directly back onto the proposed development site. The mature trees that have stood for decades on neighbour's properties, have complicated root systems that will be adversely affected when the shovels hit the ground. Where is the protection for these trees? There are protected trees in that woodland, the size of which, as we understand, has been misrepresented by the developer. Add to that, that land has a deep ravine that provides natural attenuation for storm waters. What is the impact on the neighbouring properties when this ravine is eliminated?

The increase in traffic on Teepie Terrace is a major concern, with only one entry/exit road for the facility. Teepie Terrace cannot handle the increase in traffic that would result, particularly at an intersection that is heavily traveled daily, and with the proposed building situated on such an odd piece of land.

There are so many more concerns with this development, but we will conclude this email with an impassioned plea to reconsider the re-zoning application.

Respectfully,

Mrs. Nelly Roos
Ms. Wiesje Roos Henderson
415 Old Wonderland Rd
London ON N6K 3R1



**File: Z-8228
Planner: Mike Corby**

Corby, Mike

From: MAUREEN TUCKER
Sent: Wednesday, October 02, 2013 10:35 AM
To: Corby, Mike
Subject: File Z-8228 - 447 Old Wonderland Road

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning from Old Wonderland Road;
 Thank you for the Notice of Application to Amend the Zoning By-Law for 447 Old Wonderland Road. I am a member of the newly formed Old Wonderland and Area Community Association (OWACA) and very familiar with the land in question.

I am strongly opposed to the construction of this proposed Medical/Dental building. I believe it is unnecessary as there are already 17 dental offices, 31 doctors offices, 5 medical centers, 5 optometry offices, 14 pharmacies and 3 walk-in medical clinics within a 3km radius of the site. I also feel that a generic, unsightly two storey building will be an eyesore on our lovely old street, filled with well maintained and charming homes ranging in age from 50-80 years old. As for the loss of the woodlot and the heritage and potentially endangered trees that will be destroyed in order to shoe-horn in this unnecessary building and its 90 (!) concrete parking spots, I am vehemently opposed. My heart breaks for our neighbours who will lose their shaded peaceful backyards and have to endure unwanted noise, lighting and commotion. Not to mention the construction process, which given the inaccessibility of that slice of land, will be chaotic and protracted I'm sure.

We live at 410 Old Wonderland Road, directly beside the "next" attack by developers - 414 Old Wonderland Road, the Salmon family's sale to Siftons. I have seen preliminary maps of the proposed development on that 3.96 acre parcel. It appears they plan to build a 4 storey building, a 12 storey building and dozens of townhouses on the land directly beside and behind our home. As you can imagine, this is a MAJOR cause of anxiety and distress to us, and our neighbours as well. Not only will we lose the lovely green space and pond behind us, we will suddenly have an entirely new neighbourhood literally in our back yard - hundreds of new families, and their vehicles and the chaos of would most likely be a multi-year construction project. After 16 happy years here, we hate the idea that anything, and everything, will change. We hate the idea that the enjoyment of our beloved home and neighbourhood can be so negatively, seriously and irrevocably changed by the whim of a profit seeking developer.

I mention this future project only to amplify my opposition to the project up the street, at 447 Old Wonderland. How much "progress" can one small block take? It truly feels like we are being attacked on two fronts. This is causing anxiety, uncertainty and instability on our street. Five homes have been vacated or have changed hands since January, with, I'm sure, more to follow IF sellers can find buyers with all this development looming! All this has had a negative impact on our peace of mind, our enjoyment of our homes and our property values. I understand the need for in-filling. I understand the need to create homes for people as our city grows. I understand that these projects - an unnecessary and ugly medical/dental building, and the future addition of 250+ (?) residential units has to happen somewhere. But I don't believe that all this "progress" needs to happen on one very short and pretty block of Old Wonderland Road. TWO massive changes is too much to ask of a few dozen families.

I invite you to take a drive down our street some day. Turn down our street, park your car, roll down the windows and listen. You will hear birds, and the sounds of the wind blowing through the leaves on the tallest trees in Westmount. Now picture an insipid glass and stucco "tooth whitening place" where all those trees stood. Stand on the street near our house and picture it without any trees - with developer's unsightly brick walls

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File: Z-8228
Planner: Mike Corby

lining sections of the street, and fencing us in beside and behind our home. Instead of a bird-filled pond, a grassy field and dozens of apple trees and spruces, picture another huge cement parking lot for hundreds of vehicles. This is not a street I want to live on.

Being a realist, I know change is coming to Old Wonderland Road. I knew it would only be a matter of time before developers trained their opportunistic eyes on our little slice of heaven in Westmount. And I know you can't fight City Hall. My fervent wish, and the wish of my entire community, once merely neighbours now friends, is that all future development on Old Wonderland Road be done with respect to the character and charm of our lovely street, and that our input, as the residents who will have to put up with it all, is welcome and taken into serious and sober consideration.

I am vehemently opposed to the addition of a Medical/Dental Centre at 447 Old Wonderland Road. I am extremely upset and concerned about any future development beside and behind me here at 414 Old Wonderland Road. There's progress in the name of progress, but I feel this is progress in the name of greed. And I don't want it on my street. Please leave me my trees, my green space, my birds and my happy peaceful neighbourhood filled with friends that want to live here.

Thank you for your attention to my concerns. I look forward to the hearing on December 10th.
~ Maureen Tucker, 410 Old Wonderland Road.

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Sara Hall
Sent: Friday, October 04, 2013 3:26 PM
To: Corby, Mike
Subject: File Z-8228 my response
Attachments: Zoning letter 2a.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mike
Attached is my response to File Z-8228, 447 Old Wonderland Road
Thank you
Sara Hall

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**File: Z-8228
Planner: Mike Corby**

October 1, 2013

mcorby@london.ca

Mike Corby Planner 11
City of London Planning Division
Community Planning & Design
206 Dundas Street
P.O. Box 5035 London, Ont. N6A 4L9

Dear Mr. Corby

Re: 447 Wonderland Road, London, Ont., file Z-8228

I wish to express my concerns regarding the proposed development of a new medical/dental office facility at the subject address. While there are many different concerns regarding environmental issues and appropriateness of the use of the site, I will focus on the traffic concerns.

The site plan for the proposed development proposes 85 parking spaces but 97 are "required". While the view behind my house would become not the view I purchased when I moved here 21 years ago, I worry that excess parking will be sought elsewhere, like on Old Wonderland Road, in front of my house, especially if the parking lot charges a fee. So now I'll have cars parked in front of me and behind me. If the site requires payment for parking then Old Wonderland will become a free parking zone favoured by everyone. Traffic along our quiet cul-de-sac will be increased immensely with little space for us residents to park. Does the city really want another parking controversy like that recently experienced on Trowbridge?

The corner clearance at Teeple Terrace and Wonderland Rd is not enough by London or Canada guidelines. The developer, in his Transportation Impact Assessment, states the corner clearance is 68m and well beyond the recommended minimum of 55m suggested by Transportation Association of Canada. He does not bother to state that this is under the minimum of 75m set by the City of London. But even worse, his numbers are blatantly wrong as the correct corner clearance is 53.8m, well below the minima of either London or TAC. The entranceway to the proposed development is thus a huge problem, instantly recognized by all those who frequent this intersection. Already there is severe backing up of traffic turning left off Teeple onto Wonderland. Any traffic coming onto Teeple from Wonderland and then attempting to turn left into this site will be blocked and then cause the traffic to backup around the corner into Wonderland. Instant frustration with accidents waiting to happen.

The developer's Transportation Impact statement does not take into account future development in the area that will impact the traffic count. What will happen to the traffic count when Wonderland Rd is connected to the 401? Or when the fields at Wonderland and Wharncliffe are developed? What will happen when more multi-family dwellings are inevitably constructed in the Berkshire Village area? There will no doubt be an increase along Teeple trying to turn left onto Wonderland, compounding the problem that is already there. Adding this proposed development is just going to cause so many traffic problems at this intersection.

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**File: Z-8228
Planner: Mike Corby**

The address of the subject property is problematic. With only 17 feet of frontage on Old Wonderland Rd and 10 times as much on Teeple Terrace it would only be right that this place have an address on Teeple Terrace. If not, people looking for the site and using a GPS device will be directed down Old Wonderland only to find there is no access off Old Wonderland. Thus the neighbourhood will experience yet more unnecessary traffic as people are directed into our cul-de-sac only to discover they have to turn around and try to find where the entrance is truly located.

The proposal correctly notes that the development will necessitate the re-grading of the land and consequent destruction of all trees on the lot. This will totally remove the natural buffer extending 80 feet high between my property and Wonderland Rd. The natural sound absorption will be lost forever. Everyone knows that Wonderland Rd. is one of the busiest and noisiest streets in the city, but not everyone realizes that Wonderland Rd directly behind my house is a fairly steep hill. The thousands of cars, trucks, motorcycles, emergency vehicles that travel up that hill daily have to give an extra boost to get up that hill, and the noise level is raised even more so. My back yard will be subject to far higher decibel levels than most places along Wonderland Rd. If this proposed development goes through, I will expect the developer to provide an attractive stone wall/sound barrier standing at least 12 feet high. Surely the city doesn't want another noise level controversy such as experienced on Veterans Memorial Parkway. A better solution is to just leave the land as it is with its natural berm and 80 foot high screen and sound barrier.

I do not want this development behind my property as it is unnecessary, problematic, and detrimental. The neighbourhood does not want this development because of the traffic problems it will create, the inappropriateness of the development, but also because of the destruction of the natural woodland that helps shape and give character to the area. I encourage the city planners to disallow the rezoning, and leave the property in its natural state.

Sincerely,
Sara Hall
439 Old Wonderland Rd.

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: David Hall
Sent: Friday, October 04, 2013 3:22 PM
To: Corby, Mike
Subject: Z-8228 response
Attachments: Zoning letter.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mike
Attached is my response to file Z-8228
Many thanks.
David Hall

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File: Z-8228
Planner: Mike Corby

October 1, 2013

mcorby@london.ca

Mike Corby Planner 11
City of London Planning Division
Community Planning & Design
206 Dundas Street
P.O. Box 5035 London, Ont. N6A 4L9

Dear Mr. Corby

Re: 447 Wonderland Road, London, Ont., file Z-8228

I am writing to express my concerns re the proposed development of a new medical/dental office facility at the subject address. The property is currently zoned Open Space and I will argue that it should remain so. If the zoning is changed, I will argue that the proposal is not appropriate.

Wonderland Road South has turned into a concrete jungle with no natural spaces south of Teeple Terrace. The subject land, for historical reasons, was left natural and as one travels north, it marks a gateway to an attractive streetscape stretching to the river that includes Woodland Cemetery. The commercial node should not be extended north of Teeple Terrace, as the subject land provides a relief from the soul-sucking concrete streetscape of Wonderland South.

The subject land is not "vacant" as the developer describes it, but is home to many of my neighbours: deer, rabbits, fox, groundhogs, squirrels, chipmunks, hawks, songbirds, etc. There are many mature trees growing 60-100 feet tall. To describe this project as "infill" is misleading. The land is full of valuable natural life, an oasis in a concrete desert. It should be preserved for future generations to enjoy, as my children did growing up, as many people do now as they walk by. The proposed development will not "enhance the pedestrian experience" as the developer states, but will ruin a pedestrian experience that has been enjoyed and valued for generations.

Having lived next to the subject property for 21 years, I can attest to the superb drainage quality of the land. After an intense downpour, the large puddles that quickly accumulate on paved surfaces nearby quickly disappear as the water runs off and is absorbed by the soil. The proposal would pave over all this property, not allowing the soil to absorb the excess water. We all remember what happened in Toronto this past June: flooding attributed to so much paving over of land such that the water had no place to go. Let's take advantage of the natural drainage properties and leave this land zoned Open Space.

Currently I can look out my back window and enjoy the view of the woods with numerous large trees, including a mature and healthy butternut (an endangered species) and a very large oak. The proposal will necessitate leveling of the land and consequently destruction of all trees for a parking lot. I will lose my privacy as cars and pedestrians along Wonderland will have a clear view of my back yard and the back of my house. In turn, my view will be reduced to a clear view of Wonderland Road traffic and a paved wasteland, my ears will be subjected to the increased volume of traffic noise and my olfactory sense and lungs will be affected by the fumes. At night I will be the victim of light pollution from the parking lot. In the winter I will have lost my natural break from cold westerly winds. I will completely

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File: Z-8228
Planner: Mike Corby

lose my buffer from Wonderland Rd. Plus I have several large trees on my southern property line whose roots are entwined with trees on the other side of the subject property line; they will no doubt die as a consequence. How can this in anyway be considered an improvement to what is already there?

While this plan directly affects me more than most people, it also affects the wider community

- A deleterious affect on the whole experience of walking and driving along Wonderland R. and Old Wonderland Rd.
- Creation of a redundant medical/dental building when there are already numerous such operations in the area. If we really need yet another, there are many vacant buildings with ample parking in the vicinity (eg. 725 Viscount Rd.) that could be renovated, thus saving this important woodland.
- Yet more woodland destruction, even of endangered species, in our so-called Forest City. In a recent Free Press online poll less than 25% of respondents believed London was the Forest City; over 75% feel that we need more trees. Destroying large trees at Teeple and Wonderland will not be in keeping with the wishes of the vast majority of Londoners.
- Increased traffic congestion at Wonderland and Teeple Terrace – an intersection that already experiences frustrating (if not dangerous) moments daily.
- Sight problems at Teeple and Wonderland: the proposed building is way too close to the corner.

This proposal has too many problems associated with it. If it is accepted, it will create many more problems for the community. I understand that the Official Plan designates this as Multi-family. I feel this is a mistake and encourage the planning department to not accept the rezoning application. Keep this precious parcel Open Space.

Sincerely,
David Hall
439 Old Wonderland Rd.

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: D Billard
Sent: Saturday, October 05, 2013 11:01 AM
To: Corby, Mike
Subject: Objection to re-zoning application Z-8228

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Corby,

We the undersigned, strongly oppose and object to the application for re-zoning, designated Z-8228, for the site at 447 Old Wonderland Road in London. We live at 10-499 Teeple Terrace and are within the affected neighbourhood. We also belong to the Old Wonderland and Area Community Association which has also filed its objections and arguments for rejection of this request.

Our neighbourhood is already well served by medical and office space and this application, which is fraught with misrepresentations and understatements, does not propose a service or building that is needed or wanted by the neighbourhood.

Why would we ever agree to allow a green space with hundreds of trees, which buffers the noise and sight lines of a major arterial road such as Wonderland Rd, to be cut down and paved over for a building which will cause unneeded congestion and traffic issues at the corner of Teeple Terrace and Wonderland? The developer will need amendments and exemptions (road clearances & number of parking spaces) to even shoe horn the proposed building on the site. This structure and application are totally contrary to the public good and do not match the existing single family residence zoning which exists today on 3 sides of this proposed site.

Please turn this application down.

Yours truly

Dennis Billard
Janice Billard
Alexandra Billard

PS: Would you be so kind please to confirm receipt of our input email?
Thank you.

Two empty rectangular boxes for agenda item and page numbers.

File: Z-8228
Planner: Mike Corby

Subject Re: ZBA - Z-8228 2013-D14A
- 447 Old Wonderland Rd.
objection
 OCT 10 2013

443 Old Wonderland Road
 London, ON N6K 3R1

Ref: M. Corby ✓
 C.C. J. Neherrott

October 09, 2013

The City of London Planning Division
 P.O. Box 5035
 London, ON N6A 4L9

Ref to: mc. IN ✓ SCANNED MN

RECEIVED
 CITY OF LONDON
 PLANNING
 OCT 17 2013

FILE No. _____
 REFERRED TO: _____
 SUBSEQUENT REFERRALS
 FOR ACTION FILE
 FOR INFORMATION B.F.
 REPORT OTHER

Attn: Mr Mike Corby

Re: Notice of Application to Amend the Zoning By-Law,
 dated September 06, 2013
Lands at 447 Old Wonderland Road (map attached)
 File Z-8228

Dear Sir:

This letter is in response to your Notice of Application to amend the Zoning By-law at 447 Old Wonderland Road, dated September 06, 2013.

After considerable thought on the matter, I want to document my objection to the proposed amendment to the Zoning By-Law to permit a Restricted Office Special Provision (RO2()) Zone which is a type of commercial use of these lands.

I am the owner and a long time resident at 443 Old Wonderland Road, which is immediately adjacent to the subject lands.
 My property at 443 Old Wonderland Road abuts the subject lands along both my rear boundary to the west, and along my side boundary to the south (immediately adjacent to the strip of land running east to Old Wonderland Road).

The subject lands at 447 Old Wonderland Road are comprised of 1.362 acres of vacant land at the corner of Teeple Terrace and Wonderland Road South and include a 17 foot wide strip of land extending 175 feet east to Old Wonderland Road.
 These lands consist largely of a heavily treed ravine. Many of these trees are tall and mature. The terrain there is markedly uneven and the site also slopes downward from south to north parallel to Wonderland Road South.

The lands 447 Old Wonderland Road are the last undeveloped woodland in the area, excluding parts of Woodland Cemetery and Springbank Park.

However I do understand that the subject lands are private property and that the Official Plan for the City of London currently designates these lands as "Multi Family Medium Density Residential".

On September 24, 2013, I attended in person at the City Planning Office at 206 Dundas St., London, ON and I obtained information from Mike Corby about the proposed development at 447 Old Wonderland Road, including a copy of the site plan.

I have carefully studied this site plan, and I have observed over the last few weeks the very negative reaction of my neighbours to the proposed development.

PLANNING DIVISION
 SCANNED

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File: Z-8228
Planner: Mike Corby

2-

I make the following points which support my objection to the proposed development of the lands at 447 Old Wonderland Road:

1. The current plan for a commercial development which comprises a two storey medical/dental clinic building with a parking lot covering all of the subject lands is an unwelcome and radical change from the present situation there.
A commercial building of this sort would be completely out of character with the quiet, treed and mainly residential neighbourhood of Old Wonderland Road and Teeple Terrace.
2. There already exist a number of medical/dental clinics in the area, notably a large new medical clinic, Springbank Medical Centre, located closeby at 460 Springbank Drive. We do not need another one.
3. The site plan for this development appears to make no provision whatsoever for the preservation of any of the well established mature trees or for any of the natural terrain. These trees have long provided the Old Wonderland Road neighbourhood with a barrier from the noise and car pollution of the increasingly traffic congested Wonderland Road South.
4. The proposed access to the site off Teeple Terrace would create considerable traffic congestion at the Teeple Terrace and Wonderland Road South corner at all times of the day. That intersection is already dangerous to both cars and pedestrians because of the heavy traffic on Wonderland Road South. And there are already two openings onto Teeple Terrace between Old Wonderland Road and Wonderland Road South which contribute to the car traffic there.
5. The additional traffic pollution and noise from the proposed development and from an exposed Wonderland Road South would disproportionately and adversely affect the peace and privacy of the residents of the residential area comprising the condominiums at 525 Teeple Terrace, as well as the homes at 443, 439 and 433 Old Wonderland Road. These properties lie immediately adjacent to the subject lands.
6. As owner and resident at 443 Old Wonderland Road, I am particularly concerned about what use, if any, might be put to the 17 foot wide strip of land which belongs to the subject lands and which runs east to Old Wonderland Road along the 175 foot south border of my property. That strip also runs immediately adjacent to the two northerly condominiums at 525 Teeple Terrace.
Currently that strip of land is zoned R1-10 (Residential) and it forms part of a settled treed garden continuous with my property at 443 Old Wonderland Road .
I worry about trespass and privacy concerns should there be a change in use there as a result of any development of the subject lands.

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File: Z-8228
Planner: Mike Corby

In summary, a commercial development of this kind is not suitable for the lands at 447 Old Wonderland Road..

It would change for the worse the whole makeup of the neighbourhood which currently enjoys a quiet and private environment and the benefit of the plant and wildlife which surrounds it.

Such a development would be an eyesore and a continuous traffic and noise nuisance to the settled residential neighbourhood of Old Wonderland Road and Teeple Terrace.

Yours faithfully

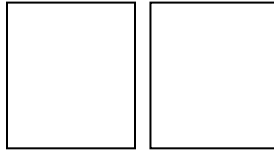


Vivien Scott
443 Old Wonderland Road
London, ON N6K 3R1

Copy to Denise Brown, Councillor, Ward 11, City of London

Copy to Joe Fontana, Mayor, City of London

✓ copy to Cathy Saunders, City Clerk, City of London



File: Z-8228
Planner: Mike Corby

Corby, Mike

From: rita reiners
Sent: Monday, October 28, 2013 9:55 PM
To: Corby, Mike
Subject: RE: Old Wonderland Road

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Mike
I am against this planning application on Wonderland road.
sincerely Rita Reiners

From: mcorby@London.ca
To: rita777@sympatico.ca
Subject: FW: Old Wonderland Road
Date: Thu, 24 Oct 2013 18:47:14 +0000

Hi Rita,

So the planning application is on the yellow portion of land below. The City owns the lands at 427 Old Wonderland.

Please feel free to respond to this email in regard to the planning application at 447 Old Wonderland Road.

Thanks

Mike

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Christine
Sent: Tuesday, January 07, 2014 3:00 PM
To: Corby, Mike
Subject: Loss of Woods at Teeple and Wonderland

Follow Up Flag: Follow up
Flag Status: Flagged

Greetings Mr Corby!!

I'm just disgusted of how the woodlot at Teeple and Wonderland has been destroyed. Those developers had it all planned a day when City Hall was not in operation. I know the current developers were wishing to build a medical Centre. How can the city not protect that woodlot and how it was not in the official plan (a size of woodlot like it was) . It is despicable that these developers think and will do whatever they wish to do without due process!!

It is about time City Council and City Planners say NO and hold them accountable -- it is truly sickening of how they they can over rule due process. Reason why.. City lets them

Please stop these developers and many others in this city!!
Thank you so much for your time

Christine

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Ted Williams
Sent: Wednesday, January 08, 2014 3:44 PM
To: Corby, Mike
Cc: Mary Read
Subject: Old Wonderland community association

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr Corby

We have lived in this neighbourhood for 43 years and take great pride in it, so we were bitterly disappointed with the recent premature clear cutting of the wood lot at Wonderland and TeepleTerrace while the proposed plan for this property was under review. This and other recent unilateral actions by developers makes one question why we bother with a city plan at all, or even a planning department for that matter. Sadly this would seem to confirm the growing belief that city hall, elected representatives and civil "servants" are firmly tucked in the developers' pockets.

E.P. Williams
28 Westmorland Rd

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Randy Whiteway
Sent: Thursday, February 06, 2014 6:48 PM
To: Corby, Mike
Subject: Re: Z-8228 Application to ammend Zoning

Mike,

This memo is a follow up to your correspondence dated January 30th as well as my previous email to you.

I will be at the upcoming meeting called in reference to the above. At that time, I will be interested in voicing my concerns. My comments will not be about the tree removal. They are gone. I want to concentrate on my concerns as we go forward. Of particular interest is privacy fencing, overlighting, noise reduction as well as traffic congestion.

The issue of premature tree removal, in my opinion, is a matter between the property owner and city officials. Having the opportunity to address my concerns will be greatly appreciated.

Regards,
Randy Whiteway, Carolyn Carter

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Ethel Fielding
Sent: Thursday, February 13, 2014 4:34 PM
To: Corby, Mike
Subject: Land development Wonderland Rd

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mike,

Thanks for attending last night's meeting re the development at the corner of Wonderland Rd & Teeple Terrace.

I was the person who asked the question about the separation area between the condo land & the parking lot. We were told that it's unusual for those affected to be given a voice. I feel strongly that we should at least be given the chance to say what we would like. I personally would appreciate a brick wall instead of a wooden fence on the dividing line, plus a row of evergreens beyond that. We need trees that don't shed their leaves in the Fall to help with the hot sun from the west in the late afternoon & to act as a sound barrier from the traffic noise on Wonderland.

I got the impression last night that the walkway, which we have been led to believe will connect Old Wonderland Rd & the parking lot might not be on the table. If it's to be landscaping, that's great news. The path will have to be sectioned off at both ends though to prevent pedestrian traffic from using it. I appreciate your listening to me. I do hope you can help with getting us a voice in the matter of the separation area.

I will be at the meeting on the 25th.

Thanks for your attention.

Sincerely Ethel Fielding

Agenda Item # Page #

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File: Z-8228
Planner: Mike Corby

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File: Z-8228
Planner: Mike Corby

443 Old Wonderland Road
London, ON N6K 3R1

February 19, 2014

The City of London Planning Division
300 Dufferin Avenue
P.O. Box 5035
London, ON N6A 4L9

Attn: Mr Mike Corby

RECEIVED
CITY OF LONDON
PLANNING DIVISION
FEB 19 2014
FILE NO. _____
REFERRED TO _____
SUBSEQUENT REVISIONS FOR ACTION

Re: Revised Notice of Application
to Amend the Zoning By-Law, dated January 30, 2014
Lands at 447 Old Wonderland Road (map attached)
File Z-8228

Dear Sir:

This letter is in response to your Revised Notice of Application to amend the Zoning By-law at 447 Old Wonderland Road, dated January 30, 2014 and to the City of London Community Information Meeting which I attended on February 12, 2014.

I am the owner and a long time resident at 443 Old Wonderland Road, a property which is adjacent to the subject lands.

My property at 443 Old Wonderland Road abuts the subject lands along both my rear boundary to the west, and along my side boundary to the south (adjacent to the strip of land running east to Old Wonderland Road).

Should the proposed rezoning of these lands come about, and this commercial development goes ahead, then as owner and resident at 443 Old Wonderland Road, I am concerned about what use, if any, might be put to the 17 foot wide strip of land which belongs to the subject lands and which runs east to Old Wonderland Road adjacent to the 175 foot south border of my property.

That strip also runs adjacent to the two northerly condominiums at 525 Teeple Terrace. ✨

I brought your attention to this matter previously in my letter of October 09, 2013 to the City of London Planning Department.

That strip of land is zoned R1-10 (Residential) and it forms part of a settled treed garden continuous with my property at 443 Old Wonderland Road .

I worry about a possible change in use there as a result of the development of the subject lands.

At present, looking at the proposed development site plan, and from information I obtained recently from Mike Corby, there appears to be no plan to develop that strip of land, and the major services to the development site would come off Teeple Terrace or Wonderland Road South.

Currently that strip of land is the only access to the development site from a public roadway, until another access is obtained, presumably that off Teeple Terrace, as planned.

PLANNING DIVISION
SCANNED

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File: Z-8228
Planner: Mike Corby

2.

I worry that if public access off Old Wonderland Road to the development site along that strip of land is allowed, then the resulting (foot) traffic would cause a nuisance and trespass and privacy concerns for the residents of the residential properties on either side, namely 443 Old Wonderland Road to the north, and the condominiums at 525 Teeple Terrace to the south.

It would create an unwanted commercial access strip running east and west between two presently quiet and settled residential properties.

And further, should parking prove inadequate at the site, then patrons to the commercial development could start to use parking on the street on Old Wonderland Road, further worsening any traffic nuisance to these residents.

Therefore I ask the City Planner to consider this proposal, i.e. that the site plan for this development include a provision to prohibit public access off Old Wonderland Road to the development site once a new access off Teeple Terrace to the development site is obtained.

I understand that the proposed development will be subject to site plan approval at a future public meeting, but I want to raise this issue with you now.

This issue was raised at the City of London Community Information Meeting on February 12, 2014.

A provision in the site plan to prohibit public access off Old Wonderland Road to the development site, as a solution to this issue of nuisance to residential neighbours, was suggested by City Planning Staff present at the City of London Community Information Meeting on February 12, 2014.

Yours faithfully



Vivien Scott
443 Old Wonderland Road
London, ON N6K 3R1

Copy to Denise Brown, Councillor, Ward 11, City of London

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Mary Read
Sent: Wednesday, September 18, 2013 11:50 PM
To: Corby, Mike
Subject: Z-8228 Old Wonderland re-zoning SLSR

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mike,

We have had an opportunity to review the Subject Land Status Report and have a few of questions and concerns about it.

1. We have been advised that a woodland evaluation form should have been part of the SLSR, but it was not included in the PDF you forwarded to me. Since the Pre-Consultation notes from Parks indicated an evaluation was necessary, I am assuming one was completed. Could you please send that to me as well?

2. The presence of Butternut trees in the woodlot are of special interest since they are, as you know, on the Endangered Species List. Whether the specimens are hybridized and to what extent is a key issue, since most Butternuts are at least slightly hybridized and hybridization does not necessarily exclude them from the endangered list. Therefore we would like to see the Butternut Health Assessment, and if one has not been conducted, ask that one be initiated.

Thank you very much for your help with these two items.

Mary
on behalf of the Old Wonderland & Area Community Association

Mary Read
440 Old Wonderland Rd
London, Ontario N6K 3R2

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Mary Read
Sent: Thursday, September 19, 2013 4:08 PM
To: Corby, Mike
Subject: Re: Info

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Mike,

I'd like to make one quick comment for the record about the developer's misstatement of the zoning of adjacent properties, which I see appears once again in the Urban Design Brief.

The properties along Old Wonderland Road are all zoned single-family residential, and it is these which abut the land in question. A small cluster of condos on the corner of Old Wonderland (whose address is Teeple Terrace) is zoned multi-family, but the greater percentage of adjacent properties is single-family.

Thank you,
Mary

On 2013-09-19, at 3:57 PM, Corby, Mike wrote:

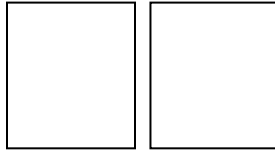
Please find attached additional information.

Thanks,

Mike Corby
Planner II
City of London, Planning Division
Community Planning & Design
206 Dundas Street
P.O. Box 5035 London, ON, N6A 4L9
Direct Line: 519-661-2500 ext. 4657
mcorby@london.ca

<Traffic Report (aug 13).pdf><Urban Design Brief (aug 16-13).pdf>

Mary Read DesignStudio
440 Old Wonderland Rd
London, Ontario N6K 3R2



File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Mary Read
Sent: Thursday, October 03, 2013 1:07 PM
To: Corby, Mike
Cc: Fleming, John M.; Galloway, Sean
Subject: Z-8228 - 447 Old Wonderland - JOINT SUBMISSION
Attachments: OWACA-JointSubmission_final-Oct3-Z-8228.pdf; PETITION-Oct3-COMMENTS-OWACA-Z-8228.pdf; PETITION-OCT3-SIGNATURES-OWACA-Z-8228.pdf

To the City Planning Department:

Members of the community that surrounds the subject land in this re-zoning application firmly believes that the developer’s plans do not propose an appropriate use of the site, that it has serious deficiencies in terms of intention, scope and execution, and that it strays significantly from good planning principles.

The City of London has a stated intention, supported by language in the Official Plan, to protect and preserve its natural heritage on behalf of current residents and future generations. In our association’s view, the destruction of this urban forest would reflect an indifference toward quality of life and to the enhancements a natural environment delivers to citizens – all under the guise of providing the area with services it does not need or want, and economic benefits that will not happen.

The building is demonstrably too large for the site and does not reflect the community’s tone or character. If there exists a building that would serve as a better landmark for this intersection than a beloved woodland, it is not represented by this proposal. Further, the large number of similar services in the area guarantees that the building’s tenants will relocate from existing commercial space and employees transplanted from jobs they already hold. The result is no net benefit of new jobs, and even more commercial vacancies to add to the sizeable inventory already threatening our city’s reputation and economic health.

We are including a petition that contains over 2,400 signatures, with a second file that contains comments left by those signatories. These remarks come from London residents who are deeply offended by an unhindered political process that is laying waste to our sense of community and our shared vision of what London is and should be.

We say enough is enough. The undersigned respectfully ask that your department consider the attached comments and concerns when reviewing the developer’s re-zoning application. We know that as concerned professionals, you will do your utmost to protect the tenets of good urban and community design, and we look forward to a report that reflects and supports those principles.

The Old Wonderland and Area Community Association

On behalf of its 80 area resident members and BCC’d to that membership

Three attachments: OWACA Joint Submission; Petition Signatures; Petition Comments

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**File: Z-8228
Planner: Mike Corby**

OLD WONDERLAND & AREA COMMUNITY ASSOCIATION (OWACA)

October 3, 2013

**COMMENTS AND CONCERNS REGARDING:
Re-zoning Application Z-8228
447 Old Wonderland Road**

Should this re-zoning application be granted, we request a Site Plan Review Holding Provision to allow for public participation.

ENVIRONMENTAL CONCERNS

OWACA has concerns and objections to the proposal as it relates to specific criteria of its Environmental Policies (Chapter 15, the City's Official Plan) as follows:

- The subject land, at .55ha (5,512 sq. m. [1.4 acres], Urban Design Brief, Zelinka Priamo Ltd.) qualifies as a woodland and Natural Heritage area and should be properly assessed and reviewed as such.
- The presence of endangered species on the land also makes it eligible for this designation.

15.1 Environmental Policies

i) Achieve healthy terrestrial and aquatic ecosystems in the City's subwatersheds.

- The subject land has a deep ravine that provides natural attenuation for stormwaters and as such meets the City's stated objective of recognizing and protecting "significant natural features and ecological functions" as per 15.1 (i).

iv) Enhance the contribution of the Natural Heritage System to urban form and community design.

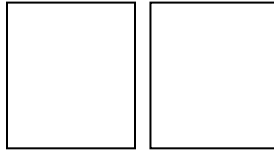
- The Planning Justification Report fails to take into consideration the broader neighbourhood of which this woodland is part. The destruction of this urban forest will affect not only those residents immediately adjacent to the property, but also those who live on all sides of it. The surrounding low density, single-family community actively views this urban forest as part of its natural landscape. We'd like to note that OWACA's membership includes residents from this wider area, who are as deeply opposed to the re-zoning as those who back directly onto the subject land.
- Despite the developer's assertion that the intersection serves as an entry to Berkshire Village, it does not. The intersection of Wonderland and Teeple Terrace is understood by this community to be the entry point to the single-family, low density neighbourhood across from and adjacent to it.

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- Berkshire Village's first entrance is a kilometre away on Topping Lane at Berkshire Drive. The second entrance is almost 2 kilometres away at the intersection of Springbank Drive and Berkshire Drive.
 - This kind of commercial building may be an appropriate gateway feature to a neighbourhood of townhouse rentals and apartment buildings such as those found in Berkshire Village, but it is not an appropriate entry to the large, low-density neighbourhood of well-established single family homes that are nearest to it.
 - The woodland provides the entire community, as well as travellers along Wonderland Road, with relief from the continuous commercial development situated along the entire length of this major artery.
 - As the entrance to our community, the woodland contributes to residents' sense of engagement with London's natural heritage. No commercial development could enhance or contribute to the character and tone of the neighbourhood in the way that this remnant forest does. These woods are a far superior gateway to the neighbourhood than a sprawling parking lot, and mark this neighbourhood as part of The Forest City in a way that no man-made structure could.
 - It is imprudent and short-sighted to destroy a stand of mature trees when London's stated goal is to expand its tree canopy. It will take many years of growth for planted saplings to replace the canopy this woodland contributes to the city's natural assets.
- v) ***Maintain, restore, and improve the diversity and connectivity of natural features, and the long-term ecological function with biodiversity of natural heritage systems.***
1. The trees on the subject land, located beside the most heavily travelled artery in the city ("City of London Traffic Volume Data": Retrieved April 28, 2010.), filter carbon dioxide and other pollutants generated by the vehicles next to them and release oxygen into the air. This is a major ecological benefit enjoyed by the surrounding community which will be destroyed by the proposed development.
 2. In addition to the endangered species on the property, there are mature Red Oaks, Bur Oaks, Willow, Mulberry and others. Even the "scrub" trees on the property provide habitat for the wildlife that has made this urban forest its home, and their contribution to the property's biodiversity should not be discounted.
 3. The ravine, berm and trees on the subject land provide a natural sound and wind barrier that protects the property, health and well-being of area residents.

15.3. Natural Heritage Areas Designated As Open Space

- (e) ***Habitat of Endangered and Threatened Species;***
4. OWACA insists that an Environmental Review be conducted to "***assess significance, refine boundaries and determine the appropriate level of protection***" (15.2.3 OP) due to the presence of Butternut trees (protected under the Endangered Species Act, 2007) on the subject land.
 5. The current SLSR has not provided the scientific evidence required to prove that these Butternut specimens are hybrids to an extent that disqualifies them from protection under the law.



6. We assert that the tree which was identified in the SLSR as a pure specimen and not retainable due to infection by bole canker disease, does in fact have a 'healing callous' on its trunk. This indicates it is recovering from the disease. As such, this qualifies the specimen as a "Category 3 tree" under the Endangered Species Act (Section 23.7 [3]) which states that:
 - "the butternut tree may be useful in determining sources of resistance to butternut canker" (O. Reg. 176/13, s.14)
 - An owner "cannot remove or harm trees that appear to be resistant to butternut canker (category 3 trees)." (<http://www.ontario.ca/environment-and-energy/butternut-trees-your-property>)
7. To the north of the subject land sits an OS1-zoned property that appears on zoning maps as city-owned parkland. We believe this small, triangular wedge of woodland will not be deemed appropriate for commercial or residential development given its shape, size, location and access issues. We insist that this be considered part of an Environmental Impact Assessment, along with the subject land, since it is part of the uninterrupted woodlot that begins at Teeple Terrace and ends at the north boundary of the city land.

4.5.2. Scope of Planning Impact Analysis

OWACA has concerns and objections to the proposal as it relates to specific criteria under Section 4 of the City's Official Plan (Planning Impact Analysis), as follows:

- ii) ***compatibility of proposed uses with surrounding land uses, and the likely impact of the proposed development on present and future land uses in the area;***
 1. Properties surrounding the subject land are exclusively residential, with the exception of a single residential commercial hub. OWACA's members object to the unwarranted destruction of an urban forest in favour of a medical/dental building in an already heavily-serviced area. A search within a 3-km radius of the subject land shows that number to include 17 dental practices, 31 doctor's offices, 5 medical centres, 5 optometry offices, 14 pharmacies and 3 walk-in clinics.
 2. The strip plaza to the south of the subject land does provide services embraced by the community. However, it sits well back from the road, has safe access to its parking lot and does not interfere with the larger neighbourhood's amenities or the safe flow of traffic.
- iii) ***the size and shape of the parcel of land on which a proposal is to be located, and the ability of the site to accommodate the intensity of the proposed uses;***

The proposal asks for a 0.0 metre setback from the street, a reduction in the number of parking spaces required under planning guidelines for the size and building purpose, and excludes appropriate distances from adjacent properties required to safeguard neighbours' trees and privacy. We conclude that, based on these and other requests for variances, the building is larger than the lot size can or should accommodate, based on the city's own regulations. There is no justification for these special exemptions from the standards currently required by the City and object to these exceptions and variances being granted.
- iv) ***the supply of vacant land or vacant buildings in the area which is designated and/or zoned for the proposed uses;***

There are many commercial vacancies available for conversion in the area and lots of similar size appropriate for new buildings in a 2 kilometre radius of the area, including but not limited to:

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**File: Z-8228
Planner: Mike Corby**

- Comparable property at the corner of Wonderland and Springbank Drive – less than 200 metres from the subject land – consisting of 4 homes and lots. Some of these homes are already vacant and in a state of disrepair, and have been recently posted as available for commercial development. This property is almost identical in size and poses substantially fewer obstacles to development than the subject land.
- a vacant lot at Commissioners Rd. at West Street
- 725 Viscount (4 smaller leaseholds plus a very large vacant commercial building (the former Home Hardware)
- Westmount Mall - numerous vacancies
- 1021 Wonderland Road South: large commercial building available (Angelo's)
- Westborough Plaza - 2 commercial vacancies
- Giant Tiger Plaza (Springbank Drive) - 2 commercial vacancies
- Springbank Centre (Springbank Drive) - 1 commercial vacancy
- Springbank Drive - 3 commercial buildings available (between Wharnccliffe and Wonderland Rd.)

We note that most of the above existing commercial uses already have parking facilities available, whereas the proposed development would add to the area's parking inventory. Paving over natural woodland leads to increased water runoff, and thus flooding, water pollution, and the necessity for infrastructure enhancements.

TRAFFIC ISSUES

Traffic generated by the proposed development will impair the safe functioning of Teeple Terrace, Wonderland Road, the existing plaza driveway, as well as the adjacent private road. Furthermore, the added vehicular congestion will reduce safety for drivers, bicyclists and pedestrians alike, as per our following comments:

4.3.10.1 *General Evaluation Criteria, Official Plan Chapter 4*

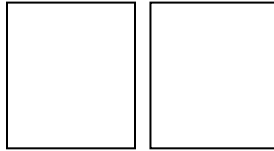
"(i)... consideration of traffic impacts through the preparation of a traffic study which identifies and addresses the timing of proposed future road infrastructure improvements relative to the proposed expansion or new area and ensures that there is adequate capacity in the road system to accommodate new commercial development"

- No allowance has been made for the space that will be required to create a right-turn lane onto Wonderland Road northbound for vehicles travelling west on Teeple Terrace. Increases in traffic at this intersection are a given, with vacant land in the area slated for medium to high density infill development. A new right turn lane will be essential to accommodate that traffic. The existing Transportation Impact Assessment report does not address the requirement to consider future road infrastructure improvements under the criteria.

4.5.2. v) *the potential traffic generated by the proposed change, considering the most intense land uses that could be permitted by such a change, and the likely impact of this additional traffic on City streets, pedestrian and vehicular safety, and on surrounding properties;*

and

vii) *the location of vehicular access points and their compliance with the City's road access policies and Site Plan Control By-law, and the likely impact of traffic generated by*



the proposal on City streets, on pedestrian and vehicular safety, and on surrounding properties;

1. The proposed driveway for the proposed development is on Teeple Terrace. No plans are in existence to widen Teeple Terrace, which is already too narrow to handle current usage. This is evidenced by the fact that north bound London Transit buses constantly ride up on the curb and grass when making the easterly turn onto Teeple Terrace from Wonderland. This occurs despite the widening of that approach in 2012.
2. The corner clearances stated by the developer and the Transportation Impact Assessment are incorrect. London Access Management Guidelines apply both to public and private roads connecting to a signalized intersection. Guidelines, April 2012 state: *(1.4.3.2) At a signal controlled intersection a minimum corner clearance of 75 meters should be provided from the centre line of an arterial signalized intersection and the centre line of the proposed driveway adjacent a traffic signal – controlled intersection... Furthermore a traffic analysis has to be conducted with traffic volumes projected 5 years into the future... In addition, a full movement driveway must be clear of the start of the taper for the left lane storage.*
 - Exact measurements have been taken (twice), and the distance between the centre of the proposed driveway and the centre of Wonderland Road is 53.8 meters – significantly short of the required 75 meters.
 - Exact measurements have been taken (again, twice) of the distance between the centre of the proposed driveway and the centre of the existing driveway of Condo Corp MCC 502. It measures 37.23 meters. Therefore, the proposed driveway cannot be relocated further east.
 - The proposed driveway does not meet the minimum requirements for a corner clearance.
3. The Transportation Impact Assessment (completed August 2013) measured traffic during the week of the May long weekend. Measurements were done at peak traffic periods, rather than during the regular business hours of retail outlets at the adjacent Westborough Plaza (Mall). These data therefore do not reflect the reality of the steady flow of traffic in and out of the proposed clinic, where patients will be entering and exiting throughout business hours. In addition, there is no consideration in the report for school buses which pick up and drop off children on a daily basis just meters from the proposed driveway. This assessment is not a valid portrayal of the ongoing traffic situation near this intersection.
4. The Transportation Impact Assessment states that while the site does have frontage on Old Wonderland Road, the width of that frontage does not permit construction of a driveway to appropriate standards, yet 447 Old Wonderland Road is the civic address. This is a quiet, dead end street. Prospective clients/customers searching for the business address 447 Old Wonderland will create undue traffic. The neighbourhood strongly objects to the installation of a walkway or any other pedestrian or vehicular access route which will connect the parking lot to Old Wonderland Road.
5. The developer is responsible for providing adequate parking and access to it for staff and customers. Neighbouring streets must not be expected to accommodate parking spillover and/or an increase in pedestrian and vehicular traffic due to inadequacies in the developer's parking/access proposal. This is a certainty if the developer is permitted to

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File: Z-8228
Planner: Mike Corby

put fewer than the number of parking spaces than the building size and customer base dictates will be required.

6. The Wonderland Road widening dedication of 3.71 meters in the Proposed Site plan shows the sidewalk and bike trail almost touching the side of the proposed building with this proposed 0.0 metre set-back. Safety for pedestrians and bicyclists will be an issue with a high-speed six-lane artery so close to a building. The sight-line for access onto Wonderland Road is also a serious traffic safety issue.
7. Teeple Terrace is a secondary collector street with a posted speed limit of 50km. The adjacent Wonderland Road is a four-lane major north-south traffic artery, notorious for its speeding drivers; it is slated to be expanded to a six-lane arterial roadway. A recent study printed in *The London Free Press* ranked Wonderland Road as having the highest traffic volume of any street in the entire city of London.
8. The intersection is signalized with left turning lanes on all four approaches. The proposed driveway will be the only access to an 89 car parking lot for a two-storey building housing offices and retail space. Traffic will be entering/exiting, turning right and left, onto Teeple Terrace, all of this within less than 42 meters of a main four lane arterial road. The city's long-term plan to expand Wonderland to six lanes will further reduce this distance to 38 meters.
9. The queue of vehicles waiting to turn left onto Teeple Terrace from southbound Wonderland Road and those waiting to turn left onto Wonderland Road southbound from Teeple Terrace will interfere with vehicles attempting to enter/exit into/from the proposed parking lot. Added to this traffic congestion will be cars turning in and out of Westborough Plaza, and turning in and out of the adjacent private road. All of this will occur within a space of less than 70 meters.
 - The timing of the light on Wonderland Road will have to be adjusted to allow for the increased number of vehicles turning onto it from Teeple Terrace. This section of Wonderland is already backed up in both directions on an almost daily basis. Lengthier timing at this light will mean more traffic jams as well as increased driver frustration, commute times and the likelihood of accidents.

vi) *the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;*

1. **SETBACKS:** Variances have been requested for setback eliminations. This is to allow placement of a much larger building than is suitable for the lot size and in the absence of consideration of serious traffic safety concerns arising from increased traffic flow in the area.
 - A 0.0 metre setback from the street is not acceptable, given sight line issues that will arise from positioning a building on a curved section of a very heavily travelled road. It will block the view of oncoming northbound traffic from both moving and stationary traffic at the corner intersection. We object to variances on setbacks being granted and insist that minimum standards be respected.
2. **TREES:** No accommodation has been made in the proposal to preserve the root systems of any of the mature trees in neighbouring yards.
 - Based on the maturity of these trees, a buffer must be added to the plan to ensure root systems that extend beyond the property line are not disturbed. Further, subject

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File: Z-8228
Planner: Mike Corby

land trees at close proximity to the property line must be retained. Their entangled root systems mean that the destruction of these trees will harm and/or kill trees on adjacent properties. See page 8, Figure 1.

- Three of these neighbouring trees (See page 8, Figure 1) are Butternuts. Even if the developer is granted permission to destroy the endangered species on his property, he has a legal obligation to cause no damage to neighbouring properties and in particular to safeguard the health of rare and endangered species found thereon.
- Grading of land along the property line must also be adjusted to preserve the moisture regime required by neighbours' trees.

3. **NOISE POLLUTION:** No sound barriers or berms have been proposed to reduce the dramatic increase in noise pollution that will follow tree removal and re-grading of the property for a parking lot. Furthermore, the building itself will not serve as an adequate barrier from noise pollution for the condos immediately behind it, and neither will the existing chain link privacy fence.

At this section, Wonderland Road is hillside, and southbound traffic must accelerate to ascend the hill. The result is an even greater concentration of engine sounds and noise pollution along that portion of the roadway. At present this is mediated by the natural buffer on the subject land. The developer must be required to ensure this mediation is matched by including the following measures:

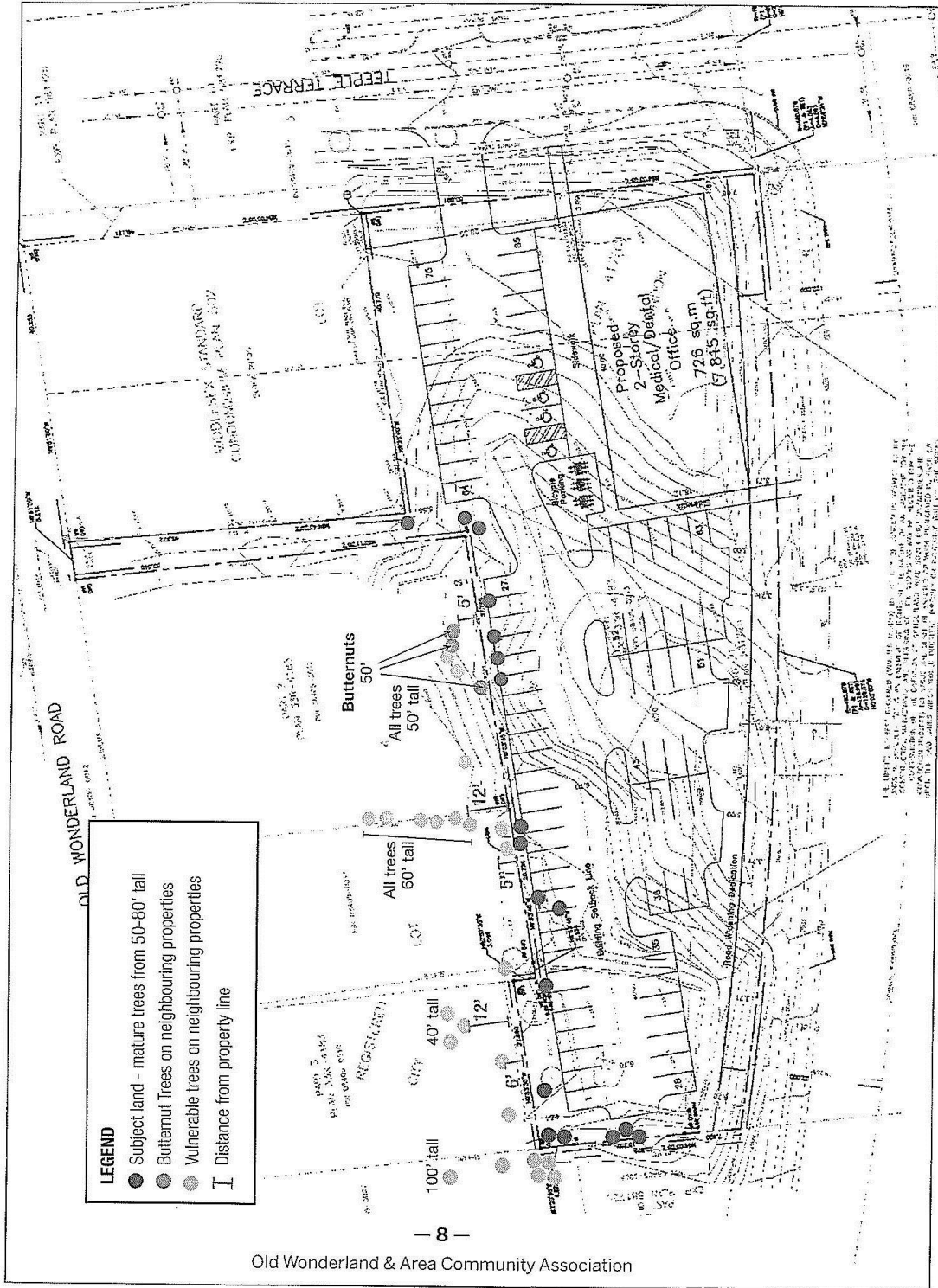
- A 12-foot sound barrier of solid stone or brick must be erected, positioned a suitable distance inside the subject property to ensure that neighbouring tree root systems are not disturbed. The height of this wall must extend 12 feet above the backyard elevation of neighbouring properties and *not* from the base elevation of the re-graded subject land.
- Additional space for an adequate vegetation buffer must be left undisturbed.
- The sound barrier wall must run continuously from the entrance of the development on Teeple Terrace, extend along the property line and wrap around its northern boundary.
- The existing sound barrier wall that runs along the western edge of Wonderland Road and across from the subject land will have reduced efficacy if the woodland is destroyed. Sound that is presently absorbed by the woods will be deflected off the retaining wall and building. The developer must be required to add enhancements to the existing wall to ensure Rosecliffe neighbours are not subject to increases in already high levels of noise pollution.

4. **PRIVACY:** Traffic on Wonderland, visitors to the proposed parking lot, and pedestrians on the sidewalks on Wonderland Road will have an uninterrupted view of the private residences on Old Wonderland due to their raised elevation. An 8-foot sound barrier wall plus appropriate vegetation border is the minimum required to protect the residents' enjoyment of their private properties.

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File: Z-8228
 Planner: Mike Corby

Figure 1



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- ix) *the exterior design in terms of bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area and its conformity with the City's commercial urban design guidelines;*
1. The property to the south of Teeple Terrace houses a single-storey plaza, set well back from Wonderland Road. All other surrounding properties are exclusively one and 2-storey residences on large lots.
 2. This large, squat, 2-storey building would occupy unprecedented visual space compared to neighbouring commercial buildings and private residences. It does not reflect the streetline or embrace the open space, but hulks against the road as if transplanted there from an industrial park. There has been no attempt made by the building's designer to reflect the tone or character of residences in the neighbourhood, which are primarily brick and/or stone homes with spacious lots, large trees and mature landscaping.
- x) *the potential impact of the proposed development on surrounding natural features and heritage resources;*
1. The property's ravine provides stormwater attenuation and a natural filtration system which reduces runoff and the opportunity for pollutants to enter our stormwater management system. This natural system will vanish once the property has been graded, and will contribute to future infrastructure and upgrade costs.
 2. The city is developing an Urban Forest Management Policy to preserve and protect exactly this type of natural asset (See "City of London Urban Forest Strategy Report, 2012", B.A. Blackwell and Associates). There will be no point in creating and implementing policy if in the interim the city allows the few privately-owned woodlands within the city limits to be surrendered to commercial development.
 3. A .55ha woodland of mature trees including Red and Bur Oak, Black Walnut, Ash, Willow, Mulberry and Butternut (an at-risk species that is protected by Ontario's Endangered Species Act, 2007) will be destroyed. See Environmental Concerns, pgs 1-3).
- xiii) *compliance with Ministry of the Environment (MOE) noise guidelines; and 4.3.10.1 iii consideration of noise impacts on abutting sensitive land uses; and*
- No noise pollution study has been undertaken by the developer. The removal of the ravine and berm, along with the lot's thick screen of mature and young trees, will open all residences in the area to an increase in traffic noise and exhaust fumes to unacceptable levels. These levels will be increased dramatically when Wonderland Rd. is widened to six lanes. We insist that a noise study be conducted to determine means by which the developer plans to meet MOE noise guidelines.
- xv) *impacts of the proposed change on the planned transportation system, including transit.*
- There is a school bus stop located 5 metres away from the proposed entry to the development, as well as a public bus stop directly at its entrance. These will both have to be relocated.
- iv) *completion of a commercial justification report which addresses the availability of other designated lands to accommodate the uses proposed, the effect of the change in designation on the supply of commercial lands; and to determine the need for new commercial floor space in this area;*

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- We insist that a **Commercial Justification Report** be conducted to evaluate the existing supply of commercial land and space, given the large number of available commercial properties we have found in the area, as well as the large number of similar medical/dental services already available. A search within a 3-km radius of the subject land shows that number to include:
 - 17 dental practices;
 - 31 doctor's offices;
 - 5 medical centres;
 - 5 optometry offices;
 - 14 pharmacies;
 - 3 walk-in clinics.

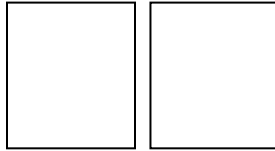
Clearly the area enjoys an extraordinarily high level of access to health services by any standards, despite the developer's disingenuous assertion that the neighbourhood is "currently under-served by such uses" (page 8, Planning Justification Report)

vii) *conceptual site plan which identifies how the proposed expansion or new area relates to the existing node and surrounding areas with respect to land use, privacy, noise, signage, lighting, appropriate building height, location and height of parking areas and structure, the location and function of delivery routes and bays as well as site access and circulation including pedestrian and transit access and connections;*

1. Parking lot lighting will spill over into neighbouring properties. We insist that plans include baffles, positioning and adjustments to light standard heights that will minimize the intrusion on privacy and enjoyment of adjacent private properties. The narrowness of this proposed lot makes it unnecessary for commercial lighting to be on outside of the building's operating business hours.
2. The site plan makes no allowances for a delivery bay, garbage storage or containers, or an area appropriate for delivery or maintenance vehicles to access the building without blocking the only entrance to the lot. With a single entry/exit into the parking lot, delivery trucks (Fedex/Canada Post/Medical Supplies) will be required to exit by negotiating 3-point turns in the tight parking laneways, back out into Teeple Terrace, or park illegally on the street with flashers on. These are all clearly traffic safety concerns.

GRADING ISSUES

1. There is a 35' drop in elevation from the ground level of neighbouring homes to street level of Wonderland Road. The second storeys of these homes rise even further above that grade. Obviously, the re-grading will have a dramatic impact on their privacy and needs to be addressed in review of the site plans and requirements made of the developer.
2. There is absolutely no possibility of saving any of the trees on this property given the dramatic change in grade required to erect a building and parking lot.
3. The area is filled with underground springs and streams that could result in serious damage to the watershed should grading take place without appropriate pre-assessments.
4. Infrastructure repairs and upgrades are likely if these streams are unearthed in the



grading process. Please reference similar issues, cost overruns and engineering difficulties installing sewers on Old Wonderland Road in 2002.

5. The property's soil and topography must be assessed to verify its integrity and to determine if it is appropriate for construction of any kind.
6. We insist that an evaluation of the impact this extensive regrading will have on the adjacent properties which must address:
 - the safety of residents given the steep drop created at their property's edge;
 - the kind of retaining wall proposed and its distance from the property line to allow for an appropriate vegetation buffer;
 - moisture regime damage to adjacent properties caused by the grading and retaining wall;
 - the proximity of neighbours' septic tanks and drainage beds to the property line;
 - the impact on residents' privacy and enjoyment of their property
 - all other issues arising from the extensive property re-grade.

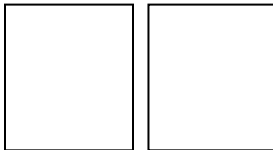
Submitted on October 3, 2013 by the undersigned
Old Wonderland & Area Community Association:

Executive Committee:

*David Hall
 Ted Henderson
 Wiesje Henderson
 Mary K. Read
 Randy Whiteway*

Members:

<i>Ulf Areskoug</i>	<i>Mary Dalziel</i>	<i>John Kember</i>	<i>Norm Reid</i>
<i>Gary Benjaminsen</i>	<i>Karen Deans</i>	<i>Arlene Kember</i>	<i>Paulette Renaud</i>
<i>Maria Bento</i>	<i>John Deans</i>	<i>Thanos Kritakis</i>	<i>Nell Roos</i>
<i>Rick Bergsma</i>	<i>Marilyn Dickson</i>	<i>Paul Krzic</i>	<i>Stan Sawicki</i>
<i>Marjorie Bergsma</i>	<i>Gail Dimson</i>	<i>Angela Krzic</i>	<i>Joyce Sawicki</i>
<i>Dennis Billard</i>	<i>Ken Dimson</i>	<i>Kelly Labatt</i>	<i>Faye Shantz</i>
<i>Richard Blosdale</i>	<i>Nathan Ferguson</i>	<i>Sharon Liepins</i>	<i>Ben Simpson</i>
<i>Linda Bolack</i>	<i>Abbey Ferguson</i>	<i>Bill MacMaster</i>	<i>Ralph Thomas</i>
<i>Robert Bolacks</i>	<i>Paul Fidler</i>	<i>Mary McIntosh</i>	<i>Vicky Thomas</i>
<i>Wayne Boland</i>	<i>Ethel Fielding</i>	<i>Ken McIntosh</i>	<i>Jakob Toporowski</i>
<i>Susan Booth</i>	<i>Paula Folkeard</i>	<i>Becky Menzies</i>	<i>Maureen Tucker</i>
<i>Donna Brush</i>	<i>George Gold</i>	<i>Barbara Nelson</i>	<i>Ron Tucker</i>
<i>Carolyn Carter</i>	<i>Biden Hall</i>	<i>Joanne Pack</i>	<i>Glynis Tucker</i>
<i>Christine Cecchetto</i>	<i>Sara Hall</i>	<i>Bill Peco</i>	<i>Peter Visser</i>
<i>Carlo Cecchin</i>	<i>Chuck Helson</i>	<i>Judy Rancak</i>	<i>Barbara White</i>
<i>Barbara Cecchin</i>	<i>Ann Henderson</i>	<i>Jerry Rancak</i>	<i>Ted Williams</i>
<i>James T. Currie</i>	<i>Alice Holt</i>	<i>Mary Beth Reid</i>	<i>Lynn Williams</i>
<i>Joy A. Currie</i>	<i>Bobbie Hulley</i>	<i>Ian Reid</i>	<i>David Winninger</i>
<i>Art Currie</i>	<i>George Jedizejowski</i>	<i>Hayden Reid</i>	<i>Joe Winser</i>



**File: Z-8228
Planner: Mike Corby**

Corby, Mike

From: Mary Read
Sent: Monday, December 30, 2013 8:51 AM
To: Corby, Mike
Cc: Brown, Denise; Fleming, John M.; Listar, Ivan; MacLean, Allister; Craven, Ryan; McDougall, Linda; Macpherson, Andrew
Subject: Z-8228 - developers tear down woods over Christmas break

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mike,

I'm sure you are well aware that there are many, many unhappy people in our community right now. I have been inundated with emails, phone calls, and tearful neighbours at my door. The destruction of the woods, in direct contravention of a process we believed was managed and overseen by your department in good faith, has sent us all into a state of shock.

At our October 31st meeting, we were told by staff that Brent Rudell and Martha Leach had been instructed to resubmit the SLSR and include wooded areas that extend beyond their own property lines. This was confirmed by Allister's Nov. 8th clarification notes (below) on a summary I distributed afterwards. A MNR 25-metre radius hold around the three butternuts on adjacent properties was also added to the project file.

While the developer's clear-cutting crew did respect that 25-metre hold (I would have to take out my measuring tape to confirm that -- there are questions), are we to understand that the request for a new SLSR was merely a gentle suggestion? Since that hold was to serve as a means by which to determine whether or not the full woods contained endangered species and thus trigger a "significant woodland" designation, the hold is pretty pointless now that the developer just wiped out the woodland under discussion. Oh right. I guess they know that.

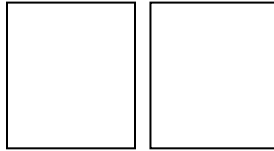
Does the planning department have no authority to ensure developers follow city evaluation procedures? Area residents have abided by due process and are outraged that it appears that the developer has to cooperate only if he feels so inclined. Are we to understand that it is actually up to developers and their attorneys to determine whether woodlands are significant? I guess we know how many trees London would have left, were that the case. Surely there will be some kind of meaningful penalty for this blatant abuse of the democratic process. Could your department possibly recommend granting the re-zoning application to a developer who has so brazenly demonstrated that he has no regard for the City's Planning Department's authority, let alone for the community from which he means to profit?

Our thanks to Andrew MacPherson and Denise Brown who came to the site in the midst of the wreckage to try to bring some order to the scene. We are very sorry that the developer's 'property rights', as determined by Alan Patton, trumped due process. Perhaps you could explain to our community why we even have a process in place, if there is no meaningful enforcement of it. I believe there is a lot that needs to be explained here. Members of our association will be very happy to come to your office so you can do just that.

Happy New Year.

Sincerely,

Mary



File: Z-8228
Planner: Mike Corby

Mary Read
Old Wonderland & Area Community Association
440 Old Wonderland Rd.
London, Ontario N6K 3R2

On 2013-11-08, at 3:51 PM, MacLean, Allister wrote:

Hi Mary,

Thanks for putting together the comments below. See my comments in *red italics* providing clarification on a couple of points.

Allister MacLean
Manager - Development Planning (Team West)
City of London
Ph (519) 661-2500 ext 4594
Fax (519) 930-3501

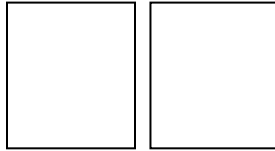
DISCLAIMER: A reasonable effort has been made to ensure that the information in this letter is correct. The opinions in this letter reflect the writer's interpretation of the information provided. Any opinion set forth in this letter may be changed at any time during the review process. Only the final report to the Planning and Environment Committee reflects the position of the Development Services Division. The Corporation of the City of London accepts no liability arising from any errors or omissions. Every Applicant should consider seeking independent planning advice.

From: Mary Read
Sent: Wednesday, November 06, 2013 9:28 AM
To: Brown, Denise
Cc: Corby, Mike; MacLean, Allister; Craven, Ryan; McDougall, Linda
Subject: Re: Meeting - Z-8228 - OWACA and Planning Dept. meeting summary

Hi Denise,

Our thanks also go to Mike and to the city staff in attendance. It was a long meeting with discussion of many items and we were very grateful for everyone's time and input. The following is a summary of main topics discussed as our group understood them:

1. Many of our concerns are not related to the re-zoning but to specifics of the developer's site plans. These will be addressed in a Public Site Plan Review, which we requested in our Joint Submission and which should be on record in city records now. Mike, if there are additional steps we need to take to ensure the holding provision is put into effect, please advise accordingly.
2. The developer must submit a new Subject Lands Status Report that includes all of the woods including those that extend beyond the borders of his property. We will keep our fingers crossed that they will find



File: Z-8228
Planner: Mike Corby

retainable butternuts (or anything else!) that will aid in having the land designated a 'significant woodland'.

3. The three trees on adjacent property, which we asserted to be butternuts, triggered a process that had the Ministry of Natural Resources impose a 25-metre radius hold on those trees until spring. That is when the trees will be 'leaf on', at which time we will hire a BHA to do a formal assessment.

4. Allister MacLean agreed that given the unclear grading plans and the possible removal of a natural berm that provides the area with a (certain amount of) sound buffer, a noise evaluation study would be required of the developer. *The study would address the impacts of the proposed development on the adjacent residential uses and it would also need to show whether or not any changes in site grading will have an impact on noises levels (from road traffic on Wonderland Rd) that currently exist in the area.*

5. The delays and cost overruns in 2001 on storm sewer infrastructure work along Old Wonderland, due to groundwater and the presence of underground streams, was noted. Allister agreed this was cause to require a hydro-geological survey. *Our Engineering Department will determine if a hydrogeological study is required.*

6. Transportation staff (Andy Couvillon and Maged Elmadhoon) (I'm sorry, I can't recall their names so they're not cc'd here) said they also have site access concerns and also intend to ask for what I think was called a "clear sight triangle study."

Mike, you had given us a tentative date for the public Planning & Environment Committee meeting for this application as December 9th, 2013. Later in conversation you suggested it might be moved into the new year. Could you please advise if this application has been put on the calendar yet?

All the best,
Mary

Mary Read
Old Wonderland & Area Community Association
440 Old Wonderland Rd.
London, Ontario N6K 3R2

On 2013-11-05, at 12:33 PM, Brown, Denise wrote:

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File: Z-8228
Planner: Mike Corby

First, thank you for meeting last week.

As requested, please forward an update of any information shared after my departure.

Thank you.

Sincerely,

Denise Brown
Councillor - Ward 11

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Mary Read
Sent: Thursday, January 02, 2014 9:09 AM
To: Corby, Mike
Cc: Fleming, John M.; Brown, Denise; Listar, Ivan; MacLean, Allister; Craven, Ryan; McDougall, Linda; Macpherson, Andrew; Zuidema, Art; Braam, John; Soldo, Edward
Subject: Z-8228 - city-owned woodland disturbed

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mike,

There is a point I should have made in my Dec. 30th email to you regarding Rudell and Leach's destruction of the woodland and which I would like to forward now as an item I believe needs consideration. I'm sure you are already aware of this argument, but for my own understanding of the situation I would like to be sure it is noted on the public record and would appreciate a response to it.

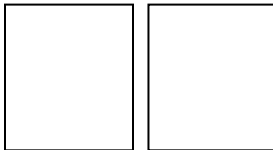
As I mentioned in my earlier email, City staff confirmed for us in October that woods span property lines and must be evaluated as a complete and functioning entity exclusive of imposed boundaries. The woodland in question extends onto city-owned land and is therefore co-owned by it. If permanent damage has been done to assets, natural or otherwise, contained on adjoining land parcels, surely those who cause the damage are accountable for it? Is the developer not be bound by some legal consideration to consult and negotiate with a neighbouring property owner before completely changing the nature, value, and character of that property? And most importantly in this case, city-owned land?

By Rudell and Leach's disregard of this larger ownership issue, including the city's right to manage and make decisions about its own property, haven't they just set a very dangerous precedent for present and future members of London's development community?

Thank you for your consideration and any feedback you can provide on this point.

Regards,
Mary

Mary Read
Old Wonderland & Area Community Association
440 Old Wonderland Rd.
London, Ontario N6K 3R2



File: Z-8228
 Planner: Mike Corby

Corby, Mike

From: Mary Read
Sent: Sunday, January 05, 2014 2:23 AM
To: Fleming, John M.
Cc: Listar, Ivan; Rowland, Sara; McDougall, Linda; Corby, Mike; Tomazincic, Michael; Macpherson, Andrew; Postma, Rick; Brown, Denise
Subject: Re: Trees on Residents' Property

Hi John - sorry, I am resending this as a 'reply all'

We were advised by both MNR staff and City Ecologist Linda McDougall that a proper assessment could not be made until the trees were "leaf on." This is why the MNR put a 25-metre hold until at least April on those trees. We were in touch with Butternut Health Assessors for estimates but had not yet scheduled a visit since we believed we still had months before it was required. On that note, there is a serious question about damage done to trees within the MNR's holding area and believe it needs official verification. Is it up to neighbourhood residents to petition the MNR to visit the site to make an inspection or may we count on the city to do that? Please advise.

I've had many enquiries from neighbours about a public meeting in which their questions could be answered in better detail. They appear to be unsatisfied by forwarded emails and are asking to speak to officials directly. Could you please advise if city staff are willing to attend such a meeting? I am cc'ing Denise Brown because I know she had raised the possibility of a public meeting herself and hope that she will agree to set one up at a mutually agreed time and date.

I'm attaching photos of the site for your reference. You'll note that the berm (which appears in the fourth photo) has already been graded flat. I think your email this morning suggested that Rudell and Leach are entitled to do this even without even preliminary site plan approvals. Is that conclusion correct? The last photo is purely sentimental, as it shows the trees as they appeared from the backyards of the property's neighbours a few months ago. I hope these images will assist you in understanding the profound impact this action has had on their privacy and how completely it has exposed them to the traffic noise on Wonderland Road.

Lastly, you will need to speak to the property owner directly about access to the trees on her property. I understand that she has serious concerns about liability and insurance and is rightly wary given the amount of destruction already on her doorstep.

Thank you,
 Mary

Hi Mary:

There has been some question as to whether the trees that have been identified on the neighbours' properties are, in fact, Butternut trees. I understand that you were having an independent assessment of those trees completed as a neighbourhood group. Was any work done and, if so, could our Forester please review it. Also, as the lead on the community group I wanted to ask you whether our Forester could have the opportunity to enter onto the property with those neighbours to inspect those trees. While we are not intending to assess the trees for health and viability at this time, we would like to confirm the species for our own records.

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**File: Z-8228
Planner: Mike Corby**

Please let me know what you have by way of information for us to access and whether we can get on site. If it would be more appropriate to speak to the individual land owners, we could do so.

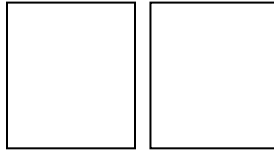
Thank you,
John

<image001.png>

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*Join us as we ReThink London. Visit our website to discover how you can participate.
Email: ReThink@London.ca | Twitter: [@ReThinkLdn](https://twitter.com/ReThinkLdn) | Facebook: [ReThink London](https://www.facebook.com/ReThinkLondon)*

Mary Read
Old Wonderland & Area Community Association
440 Old Wonderland Rd.
London, Ontario N6K 3R2



**File: Z-8228
Planner: Mike Corby**

Corby, Mike

From: Mary Read
Sent: Wednesday, February 12, 2014 11:52 AM
To: Corby, Mike
Cc: OWACA rogers email; Randy Whiteway & Carolyn Carter; David Wunninger and Linda Lincoln; David Hall; Dennis Billard; Susan Booth; Barbara E. White; Ted & Ann Henderson; Brian Edwards; Wiesje Henderson; Maureen and Ron Tucker; Tomazincic, Michael; Fleming, John M.
Subject: Z-8228 Revised Notice of Application - Response from community
Attachments: Z-8228-OWACA_response_RevisedApplication_Feb2014.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mike,

Please find attached a letter of response, signed by over 100 area residents, to the revised notice of application this community received last week. The executive of the Old Wonderland & Area Community association have been cc'd this email; the remaining signatories have been bcc'd.

We look forward to seeing you and other staff at tonight's Information Meeting to discuss the situation.

All the best,
Mary

Mary Read
Old Wonderland & Area Community Association

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**File: Z-8228
Planner: Mike Corby**

COMMENTS AND CONCERNS REGARDING:
Re-zoning Application Z-8228
447 Old Wonderland Road

February 12, 2014

The City of London Planning Division
P.O. Box 5035
London, Ontario N6A 4L9

Attn: Mike Corby
Re. Z-8228 Revised Notice of Application to Amend the Zoning By-Law

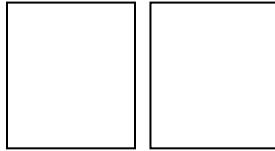
Our community association has already voiced area residents' objections to the setback reduction, insufficient access, inadequate parking and other deficiencies in the applicant's site plan (see our submission from Oct. 3, 2013). Wording noted in the recent "Revised Notice of Application" has raised additional concerns within the community. Specifically:

The special provision will permit a reduced front yard setback and reduction in parking as well as additional uses which include pharmacies, financial institutions, personal service establishments, and commercial recreation establishments.

The vague terms in the requested special provision (quoted above) lead us to conclude that almost any kind of business could be set up on the property that would extend well beyond the proposal details outlined in Application Z-8228. These categories are so broad and ill-defined that an appropriate assessment of the impact this proposal would have on our community cannot be adequately gauged. We believe this provision could open the community to land use that is incompatible with the area and contrary to the interests of residents.

This applicant has not only demonstrated an extraordinarily high level of disregard for the community that its application claims it means to service, but to the City's own planning

Continued...



procedures and by extension to all London residents. We have no confidence that #2376563 Ontario Inc. will develop its property with respect, courtesy or consideration and demand the City's assurance that the applicant will not be granted any amendments, provisions or variances that would allow it to take further advantage of this community.

Submitted on February 12, 2014 by the undersigned:

EXECUTIVE:

<i>Dennis Billard</i>	<i>Wiesje Henderson</i>	<i>Randy Whiteway</i>
<i>David Hall</i>	<i>Mary K. Read</i>	<i>Barbara E. White</i>
<i>Ted Henderson</i>	<i>Maureen Tucker</i>	<i>Susan Booth</i>

MEMBERS:

<i>Ulf Areskoug</i>	<i>Mary Dalziel</i>	<i>John Kember</i>	<i>Nell Roos</i>
<i>Sharon Allison-Prelazzi</i>	<i>Karen Deans</i>	<i>Arlene Kember</i>	<i>Stan Sawicki</i>
<i>Vyvyan Bauer</i>	<i>John Deans</i>	<i>Thanos Kritakis</i>	<i>Joyce Sawicki</i>
<i>William Bauer</i>	<i>Marilyn Dickson</i>	<i>Paul Krzic</i>	<i>Faye Shantz</i>
<i>Gary Benjaminsen</i>	<i>Gail Dimson</i>	<i>Angela Krzic</i>	<i>Ben Simpson</i>
<i>Maria Bento</i>	<i>Ken Dimson</i>	<i>Kelly Labatt</i>	<i>Ralph Thomas</i>
<i>Rick Bergsma</i>	<i>Barbara Fenn</i>	<i>Sharon Liepins</i>	<i>Vicky Thomas</i>
<i>Marjorie Bergsma</i>	<i>Brian Fenn</i>	<i>Betty Anne Marlow</i>	<i>Jakob Toporowski</i>
<i>Dennis Billard</i>	<i>Nathan Ferguson</i>	<i>Bob Marlow</i>	<i>Maureen Tucker</i>
<i>Richard Blosdale</i>	<i>Abbey Ferguson</i>	<i>Bill MacMaster</i>	<i>Ron Tucker</i>
<i>Linda Bolack</i>	<i>Paul Fidler</i>	<i>Mary McIntosh</i>	<i>Glynis Tucker</i>
<i>Robert Bolacks</i>	<i>Ethel Fielding</i>	<i>Ken McIntosh</i>	<i>Peter Visser</i>
<i>Wayne Boland</i>	<i>Janet Fleet</i>	<i>Brian Meehan</i>	<i>Barbara White</i>
<i>Susan Booth</i>	<i>Ken Fleet</i>	<i>Becky Menzies</i>	<i>Carolyn Williams</i>
<i>Donna Brush</i>	<i>Paula Folkeard</i>	<i>Barbara Nelson</i>	<i>Jim Williams</i>
<i>Carolyn Carter</i>	<i>George Gold</i>	<i>Joanne Pack</i>	<i>Ted Williams</i>
<i>Christine Cecchetto</i>	<i>Biden Hall</i>	<i>Bill Peco</i>	<i>Lynn Williams</i>
<i>Carlo Cecchin</i>	<i>Sara Hall</i>	<i>Judy Rancak</i>	<i>David Wilson</i>
<i>Barbara Cecchin</i>	<i>Chuck Helson</i>	<i>Jerry Rancak</i>	<i>David Winner</i>
<i>Barbara Collier</i>	<i>Ann Henderson</i>	<i>Mary Beth Reid</i>	<i>Joe Winser</i>
<i>Mike Collier</i>	<i>Alice Holt</i>	<i>Ian Reid</i>	<i>Kate Young</i>
<i>James T. Currie</i>	<i>Bobbie Hulley</i>	<i>Hayden Reid</i>	
<i>Joy A. Currie</i>	<i>Ken Huffman</i>	<i>Norm Reid</i>	
<i>Art Currie</i>	<i>George Jedizejowski</i>	<i>Paulette Renaud</i>	

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File: Z-8228
Planner: Mike Corby

Corby, Mike

From: Mary Read
Sent: Monday, February 24, 2014 8:25 AM
To: Corby, Mike
Cc: Tomazincic, Michael; McDougall, Linda
Subject: Z-8228 : revised SLSR

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mike,

There's been quite a bit of discussion out here following the public meeting last Wednesday. The lack of clarity around the SLSR continues to be of interest. My emailed summary from our committee meeting with the city on Oct. 31st, which everyone in attendance received, stated that:

The developer must submit a new Subject Lands Status Report that includes all of the woods *including those that extend beyond the borders of his property*. We will keep our fingers crossed that they will find retainable butternuts (or anything else!) that will aid in having the land designated a 'significant woodland'.

It wasn't stated directly last Wednesday, but my impression is that this revised SLSR was never submitted. The suggestion seemed to be that the developer argued that the woodlot was not large enough to be considered, which was countered by the city with maps and measurements. I am concluding that they were sent away from the December meeting with another stipulation to supply it, which is when they decided to remove the trees instead.

Could you please confirm this is the course of events? Perhaps I am wrong and they had submitted a revised SLSR which your department still deemed to be deficient. The water basin/skunk cabbage references by staff the Westminster meeting certainly suggests that someone was in there looking at the property again. If there is a revised SLSR, may I please have a copy of it?

Thanks very much,
 Mary

Mary Read
 Old Wonderland & Area Community Association
 440 Old Wonderland Rd.
 London. Ontario N6K 3R2