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File: Z-8431
Planner: Mike Davis

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING MANAGING DIRECTOR, PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: WESTBURY INTERNATIONAL (1991) CORP. 3680 WONDERLAND ROAD SOUTH PUBLIC PARTICIPATION MEETING ON JANUARY 19, 2015

RECOMMENDATION

That, on the recommendation of the Managing Director, Planning and City Planner, with respect to the application of Westbury International (1991) Corp. relating to the property located at 3680 Wonderland Road South, a decision on the application to amend Zoning By-law No. Z.-1, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone, **TO** an Associated Shopping Area Commercial Special Provision (ASA8(_)) Zone **BE DEFERRED** until such time as the appeal of Zoning By-law Z.-1-142352 has been resolved by the Ontario Municipal Board;

IT BEING NOTED THAT a hearing date for this appeal has not yet been scheduled **AND THAT** the appellant could appeal this matter to the Ontario Municipal Board based on no decision being made within 120 days of acceptance of a complete application.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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O-7609 – Southwest Area Secondary Plan – The Southwest Area Secondary Plan provides a detailed policy framework to guide the future development of one of the City’s last and largest tracts of undeveloped land. The Southwest Area Secondary Plan was prepared through a comprehensive public and agency consultation process and is intended to establish a vision, principles and policies for the development of the Southwest Planning Area as a vibrant community in the city which incorporates a significant gateway into the city, elements of mixed-use development, an increased range and density of residential built form, sustainability, preservation of significant cultural heritage resources, walkability and high quality urban design. The Southwest Area Secondary Plan was adopted by Council on November 20, 2012 and received final approval from the Ontario Municipal Board on April 29, 2014.

July 22, 2014 Report to Planning and Environment Committee – 51 and 99 Exeter Road (OZ-8324) – This report recommended refusal of a Zoning By-law amendment received from Greenhills Shopping Centre Ltd. intended to facilitate a phased development on the subject lands, with potential for a range of commercial, office, institutional and high-density residential land uses. Phase 1 of the proposed Greenhills development was intended to be primarily a “commercial precinct” with zoning which would allow for up to 46,500m² of commercial gross floor area (GFA). The Greenhills application was recommended for refusal, primarily because the extent of commercial development requested would exceed the 100,000m² “commercial cap” established for the Wonderland Road Community Enterprise Corridor designation as outlined in Section 20.5.6.1 of the Southwest Area Secondary Plan. However, this report recommended a modified version of the Greenhills application which included appropriate limitations on the scale of commercial development at 20, 470m² of GFA to ensure that commercial development within the Corridor does not exceed 100,000m².

January 19, 2015 Report to Planning and Environment Committee – 51 & 99 Exeter Road (OZ-8324) – This report advised Municipal Council that its previous decision to approve Zoning By-law Z.-1-142352 concerning a Zoning By-law amendment on lands owned by Greenhills

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Shopping Centres Ltd. at 51 & 99 Exeter Road has been appealed to the Ontario Municipal Board by B.R. Card on behalf of Westbury International Corp., and based on a staff review of the decision relating to this matter, recommends that Municipal Council not alter its previous position.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The intent of the recommendation is to defer a decision on this Zoning By-law amendment application until such time as Municipal Council has the necessary information to evaluate its conformity with the Official Plan. In this regard, a 100,000m² commercial gross floor area (GFA) cap exists in the Wonderland Road Community Enterprise Corridor. Much of this commercial space (approx. 79,500m² GFA) was allocated to specific properties through existing zoning permissions and previously approved zoning by-law amendment applications. The remaining 20,470m² of commercial space was recently allocated to the Greenhills Shopping Centres Ltd. site (51 & 99 Exeter Road) through Council's approval of Z.-1-142352 in October 2014 thereby reaching the maximum commercial GFA. Z.-1-142352 has since been appealed to the Ontario Municipal Board. It is not known whether any commercial space will be available in the corridor to accommodate the development proposed by way of the subject application until the appeal of Z.-1-142352 is resolved by the OMB.

RATIONALE

- i) Section 20.5.6.1 v) of the Southwest Area Secondary Plan directs that commercial development for the entire Wonderland Road Community Enterprise Corridor designation, excluding those lands generally north of the Bradley Avenue extension that are currently developed or are approved/under construction as of October 2012, shall not exceed 100,000m² of gross floor area (GFA);
- ii) The entire 100,000m² GFA of commercial space permitted in the Wonderland Road Community Enterprise Corridor designation has been allocated through existing zoning permissions and site-specific zoning by-law amendments approved by Municipal Council and/or the Ontario Municipal Board exhausting all available commercial GFA;
- iii) Zoning By-law Z.-1-142352 which was approved by Municipal Council in October 2014 and had the effect of allocating the remaining 20,470m² of commercial GFA to the Greenhills site (51 & 99 Exeter Road) has been appealed to the OMB and, as such, is not in full force and effect.

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BACKGROUND

Date Application Accepted: October 14, 2014	Agent: Stantec Consulting Ltd.
<p>REQUESTED ACTION: The purpose and effect of this zoning change is to permit the development of a wide range of commercial land uses on the subject site. The conceptual site plan submitted with this application contemplates seven (7) commercial buildings with a total gross floor area of 13,950m² (150,155ft²). Possible change to Zoning By-law Z.-1 FROM an Urban Reserve (UR4) Zone which permits existing dwellings, agricultural uses, kennels, riding stables and a limited range of resource-based rural and recreational uses TO an Associated Shopping Area Commercial (ASA8) Zone which would permit a wide range of commercial and retail uses including animal hospitals, convenience service establishments, convenience stores, dry cleaning and laundry plants, duplicating shops, financial institutions, grocery stores, restaurants, retail stores, personal service establishments, pharmacies, printing establishments, video rental establishments, brewing on premises establishments, repair and rental establishments, studios and supermarkets.</p>	

<p>SITE CHARACTERISTICS:</p> <ul style="list-style-type: none"> • Current Land Use – Vacant (Future Urban Growth) • Frontage – 185m (Exeter Road) • Depth – 250m (Wonderland Road South) • Area – 5.5 hectares • Shape – Rectangular

<p>SURROUNDING LAND USES:</p> <ul style="list-style-type: none"> • North – Commercial • South – Vacant (Future Commercial and High Density Residential) • East – Vacant (Future Medium Density Residential) • West – Commercial
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<p>OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map on page 5)</p> <ul style="list-style-type: none"> • Wonderland Road Community Enterprise Corridor
<p>EXISTING ZONING: (refer to Zoning Map on page 6)</p> <ul style="list-style-type: none"> • Urban Reserve (UR4) Zone

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LOCATION MAP

Subject Site : 3680 Wonderland Rd S
 Applicant: Westbury International
 (1991) Corp
 File Number : Z-8431

Planner : MD
 Created By : MB
 Date : 2014/12/15
 Scale : 1:4000

Legend

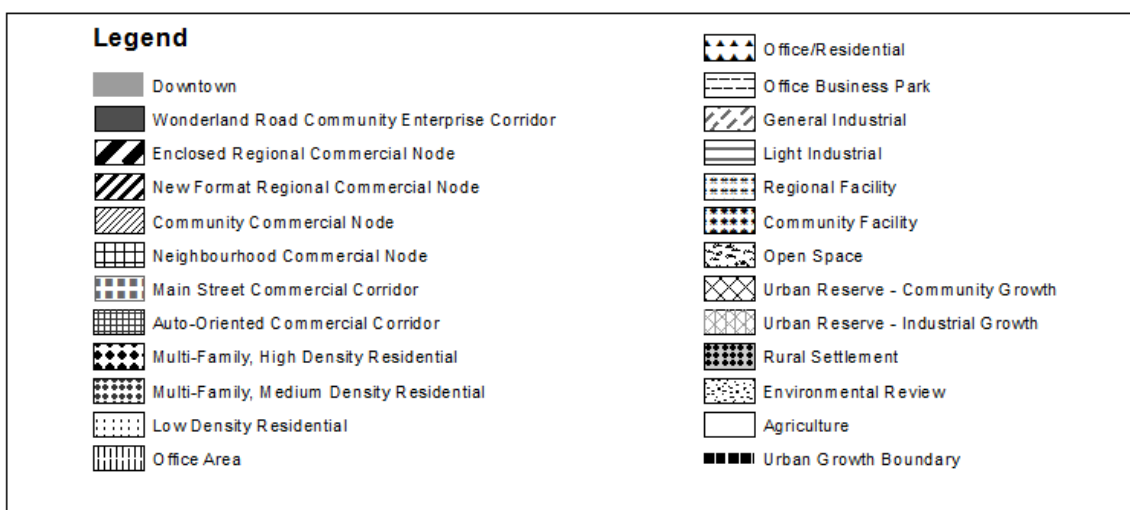
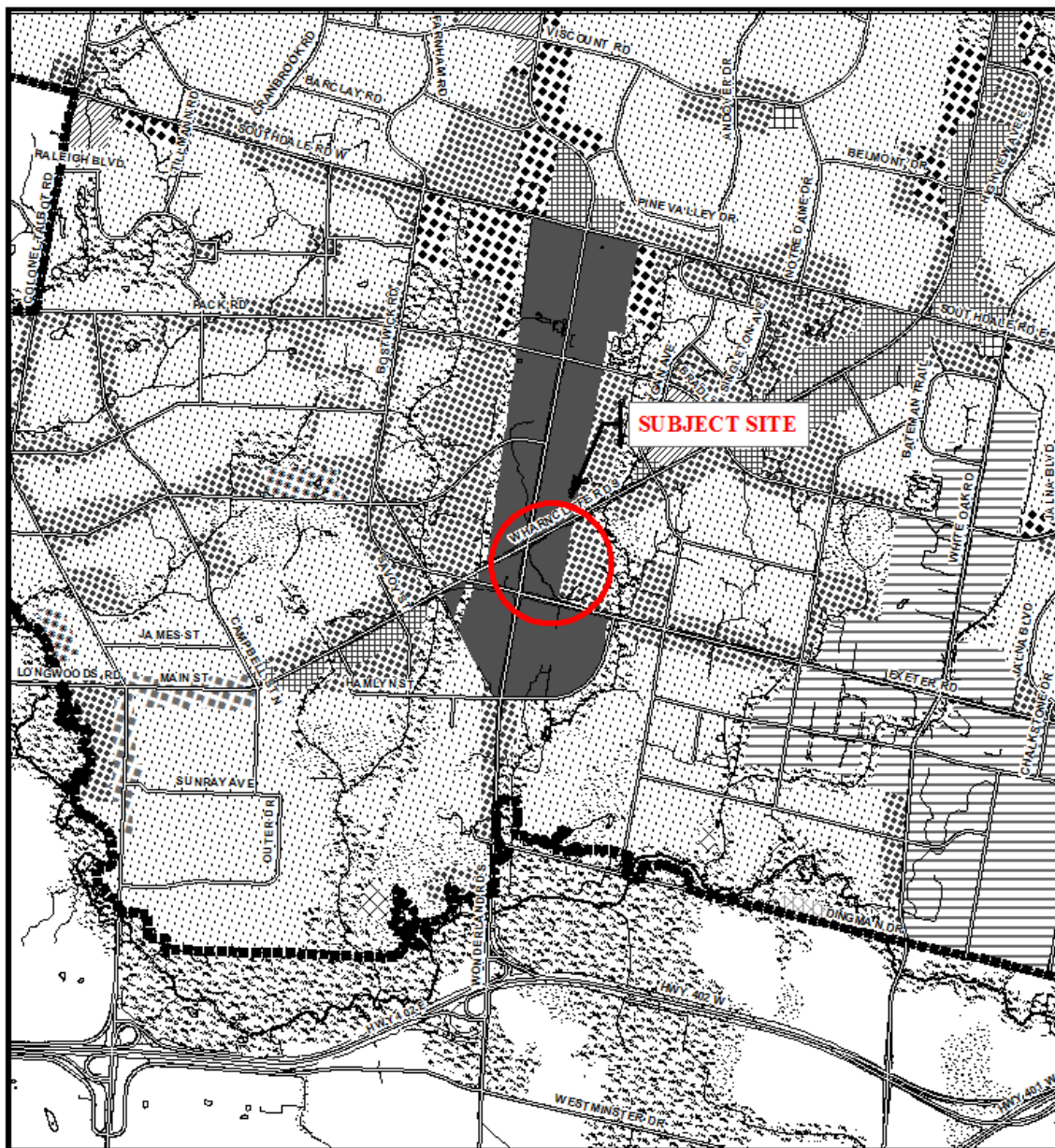
Subject Site

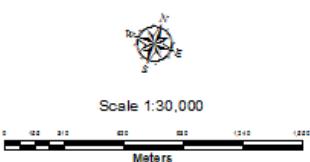
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 Corporation of the City of London
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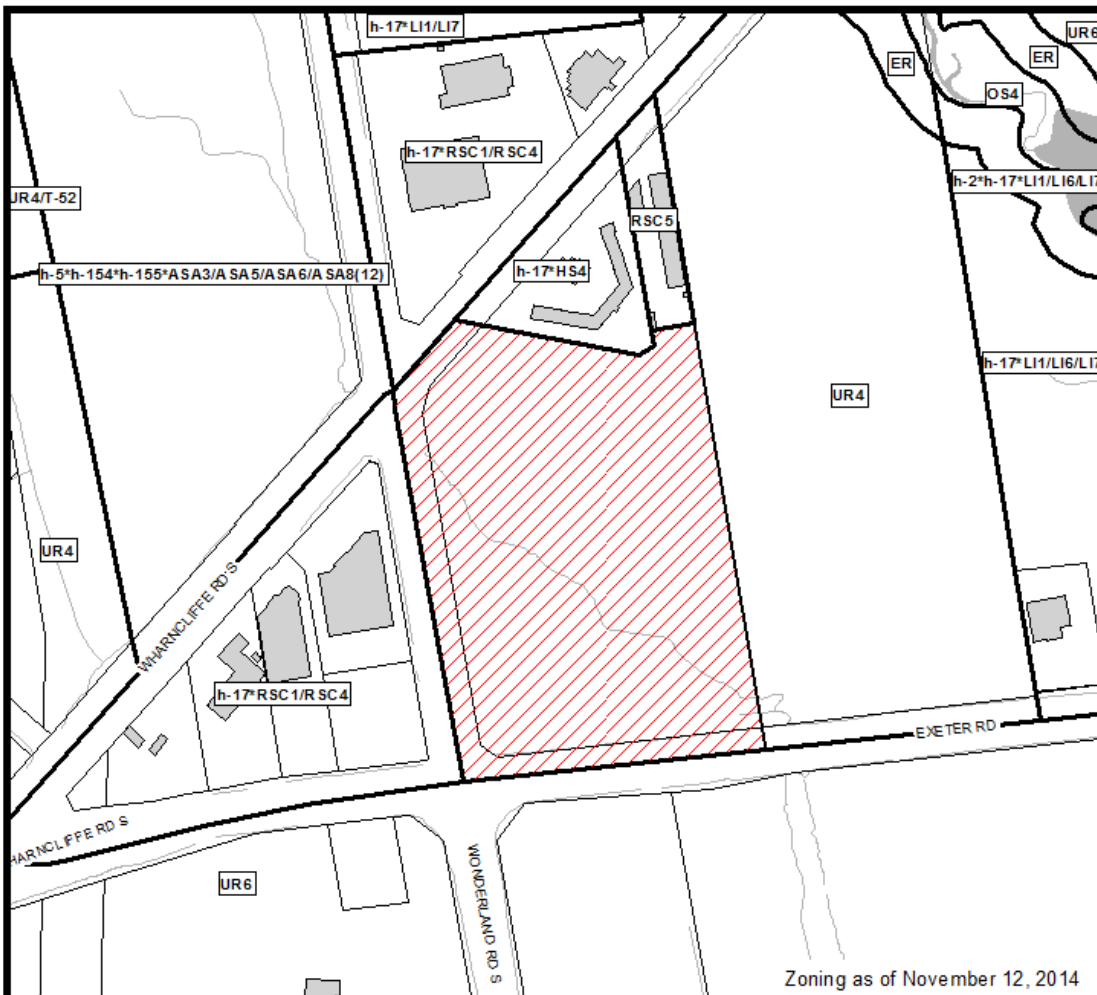
File: Z-8431
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<p>CITY OF LONDON Department of Planning and Development</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	 <p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: Z-8431</p> <p>PLANNER: MD</p> <p>TECHNICIAN: MB</p> <p>DATE: 2014/12/15</p>
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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: UR4

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

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| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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 |
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CITY OF LONDON
PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

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



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

FILE NO:
Z-8431 MD

MAP PREPARED:
2014/12/16 MB

1:4,000
0 20 40 80 120 160
Meters

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PLANNING HISTORY

Southwest Area Secondary Plan (SWAP):

The subject site has a notable recent planning history in that it is situated within the boundaries of the Southwest Area Secondary Plan (SWAP). Beginning in 2009, the City initiated a comprehensive area planning process for the lands generally bounded by Southdale Road West, White Oak Road, Exeter Road, Wellington Road South, Green Valley Road and the Urban Growth Boundary. The result of that comprehensive planning exercise is the Southwest Area Secondary Plan. The SWAP is intended to guide the long-term management and approval of growth in one of the City’s last and largest reserves of greenfield land. The Southwest Area Secondary Plan was adopted by Council as Official Plan Amendment 541 in November of 2012 and received final approval from the Ontario Municipal Board on April 29, 2014. The Secondary Plan is now in full force and effect.

The Westbury lands are situated within the Wonderland Boulevard Neighbourhood and designated “Wonderland Road Community Enterprise Corridor” within the Southwest Area Secondary Plan. The extent of the Wonderland Road Community Enterprise Corridor (WRCEC) was a major point of contention through both the City-initiated planning process and subsequent OMB hearings. Initially, commercially designated lands along the Wonderland Road South corridor were proposed to comprise just the lands fronting Wonderland Road between Southdale Road West to just South of Bradley Avenue. It was intended that up to 120,000m² of commercial GFA would be permitted, including 90,000m² of existing commercial development or approved/under construction (Southside Lands). Essentially, SWAP initially contemplated the addition of 30,000m² of new commercial space along Wonderland Road. This was supported by an independent Retail Market Demand Analysis completed by Kircher Research Associates Ltd. in May of 2012.

Through subsequent discussions, Council adopted the Wonderland Road Community Enterprise Corridor and extended the lands available for commercial development further south, from Bradley Avenue to Hamlyn Street. The total gross floor area of commercial space, excluding the lands north of Bradley, was also increased from a maximum of 30,000m² to 100,000m².

The “Commercial Cap”:

As noted above, the Wonderland Road Community Enterprise Corridor specifies limits on the intensity of Commercial Development allowed within the corridor, without distributing a proportion of that GFA to specific properties. Section 20.5.6.1(v) provides, “*Commercial development for the entire Wonderland Road Community Enterprise Corridor designation shall not exceed 100,000 square metres gross floor area and shall be of a low-mid-rise height. For the purposes of this limit, this shall not include those lands generally located north of the Bradley Avenue extension that are currently developed or are approved/under construction as of October, 2012. Over time, the lands within the designation will be encouraged to include residential uses in a mixed use format.*”

The principle behind the inclusion of a cap on commercial development is to prevent the over-supply of commercial uses in new suburban areas which have potential to undermine the planned function of existing commercial areas. The 2012 Retail Demand Analysis completed by Kircher Associates Ltd. cited difficulties encountered by Westmount Mall after the development of “big-box” commercial uses south of Southdale Road, in suggesting that planning for future retail space in the Southwest Area should be careful to take into account actual market demand in order to prevent overbuilding and ensure that existing public infrastructure is used efficiently. By preventing over-supply through a GFA cap in planning regulations, it is anticipated that the integrity and planned function of existing commercial centres elsewhere in the City, will be preserved and that existing infrastructure and public services will continue to be efficiently utilized in those areas.

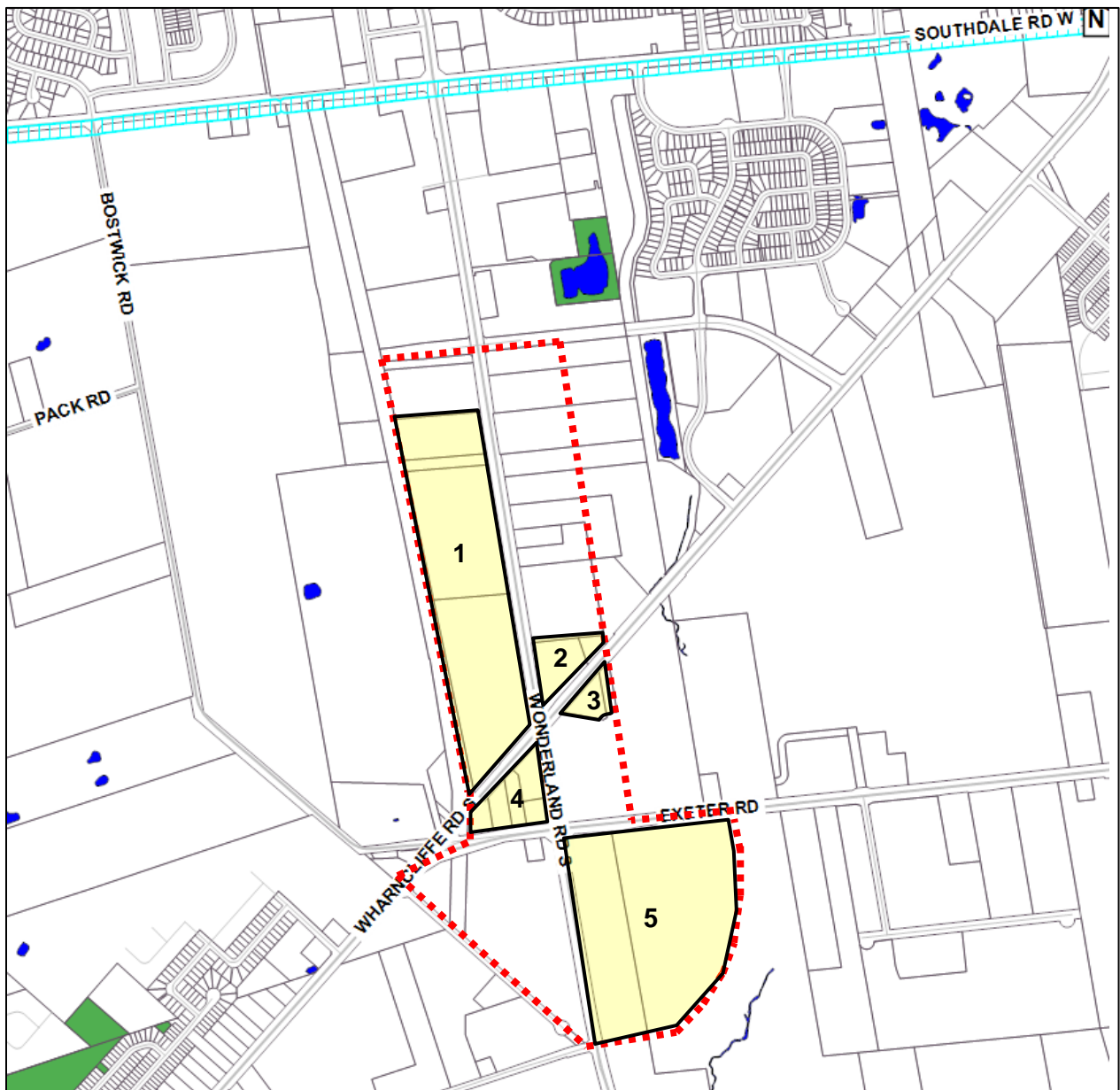
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Allocation of Commercial Space:

As noted above, the policies of the Wonderland Road Community Enterprise Corridor designation allow for a maximum of 100,000m² of commercial GFA within the Wonderland Road Community Enterprise Corridor. However, this policy is broadly applied across the corridor and does not allocate that GFA to specific properties through locational priority criteria or require an equal distribution of such space across properties in the corridor. The allocation of commercial space is intended to be regulated through the City’s Zoning By-law based on market demand as derived from Zoning By-law amendment applications received for commercial development permissions.

Recent OMB and Council decisions have impacted the “Commercial Cap”. In April of 2014 the OMB approved commercial zoning on the York Developments Lands (3313 – 3405 Wonderland Road South & 1789 Wharnccliffe Road South) allowing for 61,065m² of commercial GFA. On October 14, 2014 Municipal Council approved a Zoning By-law amendment to allow for 20,470m² of commercial space on the Greenhills’ Lands (51 & 99 Exeter Road). As well, previously existing commercial zoning is found on a number of other properties in the corridor. The following table and graphics summarize the location and extent of zoned commercial space in the Wonderland Road Community Enterprise Corridor (WRCEC).

Figure 1: Existing commercial lands within the WRCEC



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Figure 2: Breakdown of existing zoned commercial GFA in WRCEC

Wonderland Road Community Enterprise Corridor – Commercially Zoned Lands				
Lands	Zoning	Combined Lot Area	Status	Total Potential Commercial GFA (m ²)
1) 3313 – 3405 Wonderland Road South & 1789 Wharnccliffe Road South	h-5*h-154*h-155* ASA3/ASA5/ASA6/ASA8(12)	20.355Ha (203,550m ²)	In force and effect - Approved by OMB in April 2014	61,065 (based on 30% lot coverage)
2) 1705 & 1659 Wharnccliffe Road South	h-17*RSC1/RSC4	22,386m ² (2.24ha)	In force and effect – predates SWAP	6,715 (based on 30% lot coverage)
3) 1672, 1680 & 1710 Wharnccliffe Road South	h-17*RSC5 & HS4	11,360m ² (1.14ha)	In force and effect – predates SWAP	3,408 (based on 30% lot coverage)
4) 1780, 1806, 1830 & 1856 Wharnccliffe Road South	h-17*RSC1/RSC4	27,811m ² (2.78ha)	In force and effect – predates SWAP	8,343 (based on 30% lot coverage)
5) 51 & 99 Exeter Road	h-17•h-18•h-(184)•h-(185)•h-(186)•h-(187)•h-(188)•ASA8(14))	27.59ha (275,900m ²)	Approved by Municipal Council on October 14, 2014 – subsequently appealed to OMB	20,470 (Based on max. GFA regulation)
TOTAL:				100,000m²

SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Wastewater and Drainage Engineering (WADE):

WADE has no objection to the change of zoning as noted in the application. There is no sanitary outlet for the subject lands presently. WADE is recommending an “h” holding provision be placed on the lands until the construction of a sanitary outlet on Wonderland Road S. which will likely occur in 2018.

Water Engineering:

The applicant acknowledges that the municipal water mains to service the subject lands and proposed development are the existing 600 mm diameter municipal water mains on Wonderland Road South and on Exeter Road. Servicing of individual building is to be provided from service mains constructed on the site. The service main(s) is to be sized and configured in such a way as to provide domestic and fire flows and maintain water quality in the system all in accordance with the City of London Design Specifications & Requirements Manual, Section 7 – Water Design Standards.

Transportation Planning and Design:

The Transportation Impact Assessment (TIA) recommends traffic signals be installed at full turn access locations on Exeter Road and Wharnccliffe Road South. Traffic signals have been approved for the Greenhills Development on the south side of Exeter Road approximately 300

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m east of Wonderland Road South. It was indicated prior to the TIA being undertaken that full access to Exeter Road for Westbury Development must be opposite the access for Greenhills Development to take advantage of the traffic signals already approved. The Westbury Development TIA shows a proposed site plan with a full signalized access that does not align with the Greenhills Development access. This access must be relocated to be opposite the Greenhills Development access. The access to Wharncliffe Road South is proposed on lands to be developed during phase 2 of development. This access should be placed in the ultimate location as shown on the proposed site plan to serve the entire site. Infrastructure, like turn lanes, will also need to be constructed to accommodate ultimate traffic volumes in the permanent location. Based on the proposed site plan, the access should be relocated northerly. The TIA indicates that traffic signals will be warranted at this access when the site builds-out. The need for traffic signals will be discussed in greater detail through Phase 2 development. There are also proposed right in and right out only accesses on Wonderland Road South and Exeter Road. The TIA indicates that during peak times these accesses will be blocked by the queues of traffic on Wonderland Road South, south of Wharncliffe Road South, and on Exeter Road east of Wonderland Road South. We suggest these accesses be eliminated. Therefore, we recommend that a holding provision for access be placed on this site and not removed until access location, type and traffic control is determined to the satisfaction of the City Engineer.

There are other questions with the TIA that need clarifying and an update will be required with changes to accesses. This will be discussed in more detail through the site plan process. Road widening dedications will be required on Exeter Road, Wonderland Road South and Wharncliffe Road South. There is an Environmental Assessment (EA) currently underway on Wonderland Road South which will set the road widening requirements along this street. The zoning by-law indicates that road widening dedications of up to 24 m from the centre line of the road may be required within 150 m of an intersection. Therefore, we recommend that a holding provision be placed on this site and not to be lifted until such time as the Wonderland Road South EA is complete and the road widening dedication known.

Other issues including turn lane requirements, clear throat distance and other site design requirements will be discussed in greater detail through site plan review.

Urban Design Peer Review Panel:

The Urban Design Peer Review Panel (UDPRP) appreciated meeting with you and your consultants on November 19, 2014 to discuss your company's proposal for a Commercial Development at 3680 Wonderland Road South, London, ON. We understand that the Urban Design Brief dated November 14, 2014 and prepared Stantec Consulting Ltd. for Westbury International forms part of your application for Zoning Bylaw Amendment.

The proposed development consists of a number of stand-alone commercial/retail businesses ranging in size from approximately 464m² to 2,500m² (5,000 sq. ft. to 26,909 sq. ft.) The total gross floor area for the site is expected to be approximately 13,946m² (150,113 sq. ft.) The subject site, is approximately 5.47 ha (13.52 ac), and is an irregularly shaped parcel of land with a total street frontage of 508.3m, including approximately 76.1m on Wharncliffe Road, 232.6m on Wonderland Road South, and 199.6m on Exeter Road. Lands to the north and west of Wharncliffe Road are occupied by commercial/ retail outlets (Hully Gully to the north and TSC to the west). Lands to the east and south are vacant and currently used for agricultural purposes. The Panel offers the following observations and comments as part of the proposed project's zoning bylaw amendment application:

Building Siting and Footprint

- a.** *Strengthen the project response to the Wonderland/Exeter and Wonderland/Wharncliffe Road intersections by bookending the proposed pedestrian entrance gateways with appropriately shaped and massed buildings. To this end, shift the free standing building adjacent to the Exeter Road entrance southwest to reinforce the Wonderland/Exeter gateway and strengthen each gateway axis by paralleling the landscaped walkways with the building facades;*

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- b. Gradually transition the entrance roadway and adjacent pedestrian sidewalk from Exeter Road to the main driveway and sidewalk fronting the large building proposed for the easterly side of the site;*
- c. Reinforce the north-south mid-block vehicular two way drive by extending the abutting landscaped islands and pedestrian sidewalk as the drive curves east towards the northwest and southwest corners of the larger building; and*
- d. Structure the pedestrian walkways and landscaping to the six (6) proposed free standing buildings such that the building storefront elevations face Wonderland Road, and the Wonderland Road site entrance or the two corner gateway axis.*

Enhancement of the Pedestrian Environment

- a. Place deciduous shade trees along the west side of the sidewalk fronting the easterly building.*

Resource Conservation

- a. Use permeable pavement to the vehicular parking areas as part of a comprehensive storm water management system.*

On behalf of the Panel, I thank you for your submission and presentation. In consideration of the above comments, the Panel finds that the commercial development proposed for 3680 Wonderland Road, London, ON has the potential to present a built form on the site in keeping with the intent of the City of London’s Urban Design Principles. The Panel requests that the applicant/agent and Architect present in person to the Panel for their review the revised Urban Design Brief documenting the evolved design during the Site Plan consultation process.

Upper Thames River Conservation Authority:

While the UTRCA has identified concerns regarding the proposed development’s potential impact on the Groundwater Recharge Area and the proposed watercourse enclosure, we are confident that these concerns can be addressed through the Site Plan and our Section 28 approval processes. As previously noted, we recommend that the applicant contact the Authority regarding our Section 28 permit submission requirements.

PUBLIC LIAISON:	On October 23 rd , 2014, Notice of Application was sent to eighteen (18) property owners in the surrounding area. Notice of Application was also published in the <i>Public Notices and Bidding Opportunities</i> section of <i>The Londoner</i> on October 23 rd , 2014. A “Possible Land Use Change” sign was also posted on the site.	Five (5) replies were received
Nature of Liaison: The purpose and effect of this zoning change is to permit the development of a wide range of commercial land uses on the subject site. The conceptual site plan submitted with this application contemplates seven (7) commercial buildings with a total gross floor area of 13,950m ² (150,155ft ²). Possible change to Zoning By-law Z.-1 FROM an Urban Reserve (UR4) Zone which permits existing dwellings, agricultural uses, kennels, riding stables and a limited range of resource-based rural and recreational uses TO an Associated Shopping Area Commercial (ASA8) Zone which would permit a wide range of commercial and retail uses including animal hospitals, convenience service establishments, convenience stores, dry cleaning and laundry plants, duplicating shops, financial institutions, grocery stores, restaurants, retail stores, personal service establishments, pharmacies, printing establishments, video rental establishments, brewing on premises establishments, repair and rental establishments, studios and supermarkets.		
Responses:		

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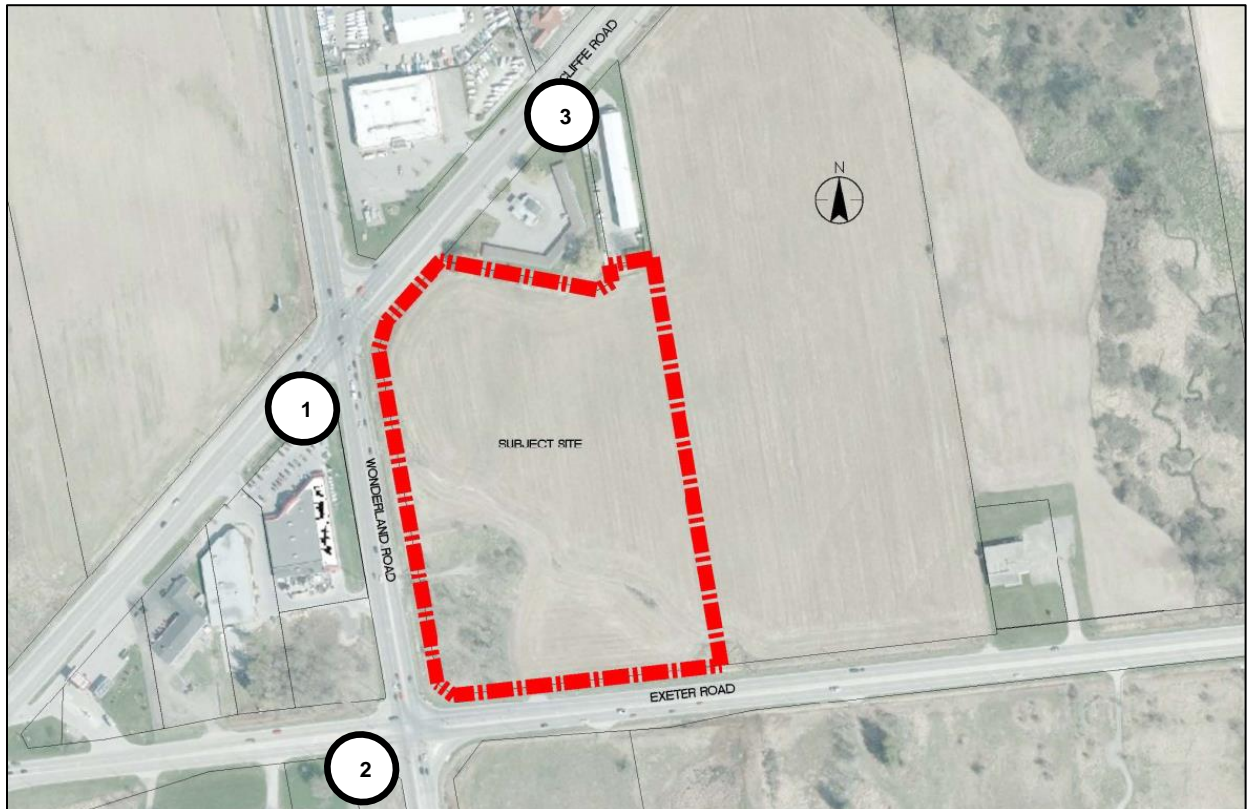
Support	Concern
<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> Concern regarding the location of the proposed northerly access, and about potential for Stormwater runoff onto adjacent property at 1680 Wharncliffe Road South. The 100,000m² of commercial space has already been allocated by pre-existing zoning and previous amendments passed by the OMB and City Council. The 100,000m² commercial cap should not be exceeded.

ANALYSIS

Site Description:

The subject site is approximately 5.5 hectares in size and forms part of a 14 hectare property municipally known as 3680 Wonderland Road South. It is bounded by Wharncliffe Road to the north, Wonderland Road South to the west and Exeter Road to the south. The site is irregular in shape and includes 76 metres of frontage on Wharncliffe Road, 247 metres of frontage on Wonderland Road South and 185.3 metres of frontage on Exeter Road. The site currently exists as actively cultivated agricultural land but is anticipated for future urban growth. A graphic overview of the site characteristics is provided by the location map in Figure 3 below.

Figure 3: Site Location



(Excerpt from Stantec Planning Report; **Note:** Location of numbered icons corresponds to vantage point of street level views below.)

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Street View: Looking east towards site from Wharncliffe Road South and Wonderland Road South.



Street View: Looking northeast toward site from Exeter Road and Wonderland Road South.



Street View: Looking southwest toward intersection of Wharncliffe Rd. S. and Wonderland Rd. S.



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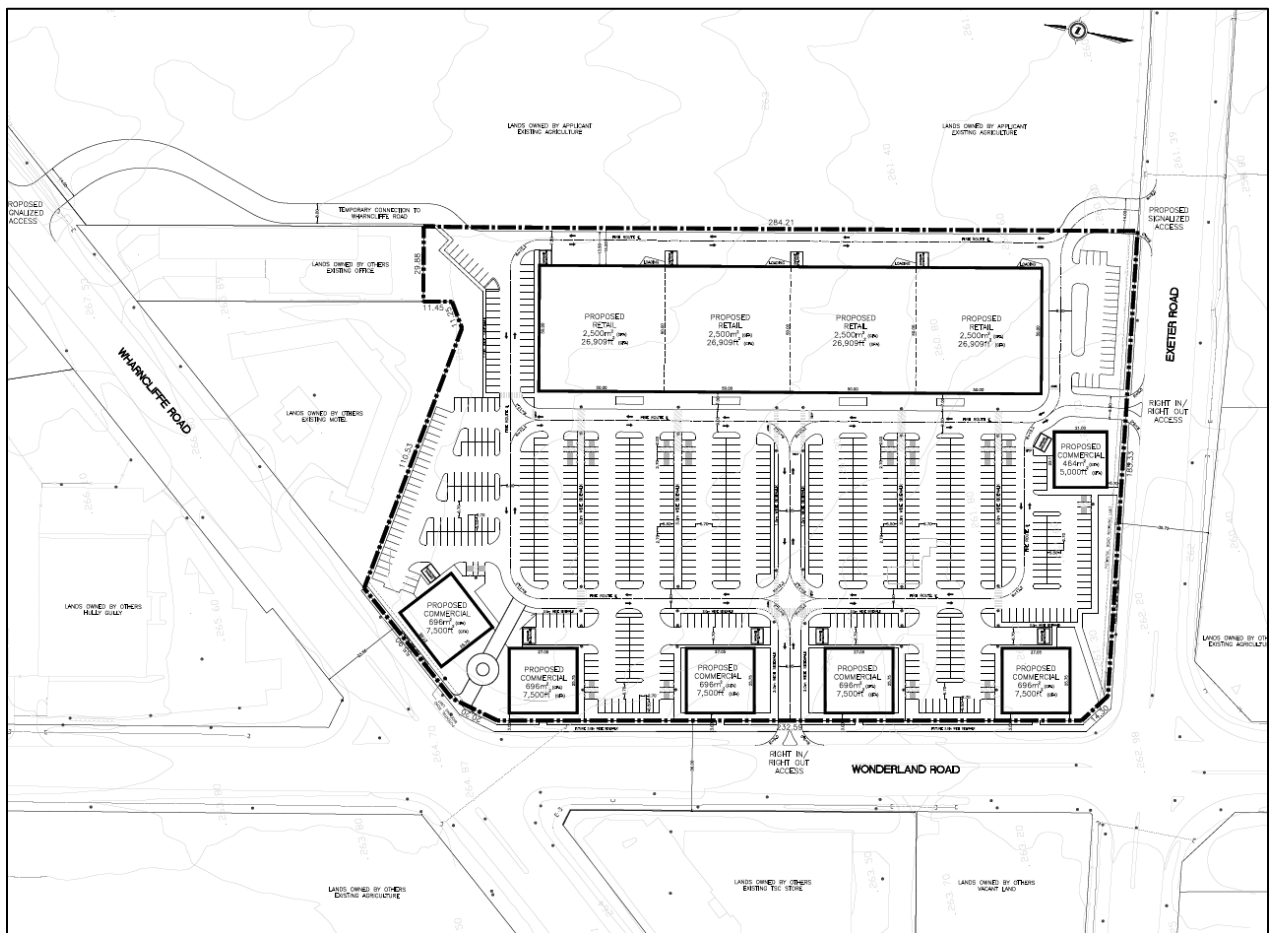
File: Z-8431
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Nature of Application:

Westbury International (1991) Corp. has applied to change the zoning of the subject site from an Urban Reserve (UR4) Zone, which permits existing dwellings, agricultural uses, kennels, riding stables and a limited range of resource-based rural and recreational uses, to an Associated Shopping Area Commercial (ASA8) Zone which would permit a wide range of commercial and retail uses.

The purpose of this Zoning By-law amendment application is to permit the development of a wide range of commercial land uses on the subject site. The following conceptual site plan submitted with this application contemplates seven (7) “big-box” commercial buildings with a total gross floor area of 13,950m² (150,155ft²).

Figure 4: Conceptual Development Plan



Planning Summary:

As noted previously in this report, Section 20.5.6.1 v) of the Southwest Area Secondary Plan provides that, “Commercial development for the entire Wonderland Road Community Enterprise Corridor designation shall not exceed 100,000 square metres gross floor area and shall be of a low-mid-rise height. For the purposes of this limit, this shall not include those lands generally located north of the Bradley Avenue extension that are currently developed or are approved/under construction as of October, 2012. Over time, the lands within the designation will be encouraged to include residential uses in a mixed use format.”

The maximum of 100,000m² of commercial GFA available within the Wonderland Road Community Enterprise Corridor has been approved through commercial zoning to a variety of properties in the Corridor, as shown in Figures 1 and 2 on pages 8 and 9 of this report. Municipal Council’s October 14, 2014 decision to approved 20,470m² of commercial GFA to the Greenhills Shopping Centres Ltd. site (51 & 99 Exeter Road) represented the remaining

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available commercial GFA. Based on the zoning permissions previously approved by Municipal Council, there is no commercial GFA remaining in the designation to accommodate the Westbury proposal in accordance with Section 20.5.6.1 v) of the Southwest Area Secondary Plan.

However, as previously noted in the report, Westbury International has appealed Municipal Council's October 14, 2014 decision regarding the Greenhills application meaning that Zoning By-law Z.-1-142352 is not yet in full force and effect. Depending on the outcome of the future OMB hearing, the GFA allocated to Greenhills may or may not be available for other lands within the designation. Until such time as the OMB has rendered a decision on this matter, it is premature for Planning Staff to conduct a comprehensive evaluation of this proposal's conformity with the Official Plan. As such, it is recommended that a decision on this application be deferred until such time as the OMB has resolved the Greenhills appeal. At that time Staff will have the information necessary to evaluate the Westbury application's conformity with the Official Plan.

CONCLUSION

The recommendation for deferral of the Westbury International (1991) Corp. Zoning By-law amendment application has been supported by the foregoing planning analysis. The proposed amendment has been evaluated in the context of the applicable policies of the Southwest Area Secondary Plan and previous decisions of Municipal Council as it relates to the allocation of commercial zoning in the Wonderland Road Community Enterprise Corridor. Until such time as the OMB has rendered a decision on Zoning By-law Z.-1-142352, it is premature for Planning Staff to conduct a comprehensive evaluation on this proposal's conformity with the Official Plan. As such, it is recommended that this item be deferred until such time as the OMB has resolved the appeal of Zoning By-law Z.-1-142352. Upon the resolution of said appeal, Staff will have the information necessary to offer a recommendation on the merits of the Westbury proposal.

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

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File: Z-8431
Planner: Mike Davis

Responses to Public Liaison Letter and Publication in “The Londoner”

<u>Telephone</u>	<u>Written</u>
Carol Wiebe, MHBC Planning 630 Colborne Street, Suite 202 London, ON, N6B 2V2	Sharmini Mahadevan, Woodbull LLP 65 Queen Street West, Suite 1400 Toronto, ON. M5H 2M5
Douglas Schneider 235 Sunnyside Drive, London, ON. N5X 3V1	Thomas Gunawan 2017216 Ontario Inc. c/o Avium Group
Jeff Dignum 101 Coyne Lane, Lucan, ON. N0M 2J0	

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File: Z-8431
Planner: Mike Davis

Written Responses Received



MUNICIPAL, PLANNING & DEVELOPMENT LAW

11 November 2014

Sent via E-mail

Attention: Mr. Mike Davis

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

Dear Sir:

**Re: Application by Westbury International Corp. re 3680 Wonderland Road South
City of London File No. Z-8431**

We are the lawyers for Greenhills Shopping Centres Limited ("Greenhills"), with respect to the development of the Greenhills lands at the southeast corner of Wonderland Road and Exeter Road (the "Greenhills Property") in the City of London (the "City").

As you know, on 14 October 2014, City Council passed By-law Z.-1-142352 to permit the development of the Greenhills Property for a mixed-use development, including commercial uses to a maximum gross floor area ("GFA") of 20,470 square metres and office uses to a maximum GFA of 5,000 square metres. In restricting commercial uses on the Greenhills Property to 20,470 square metres, Council accepted staff's position that permitting commercial GFA on the Greenhills Property in excess of 20,470 square metres as requested by Greenhills in its application, would be inconsistent with the maximum GFA of 100,000 square metres (the "Commercial GFA Cap") identified in the Southwest Area Plan (the "SWAP") for the Wonderland Road Community Enterprise Corridor ("Enterprise Corridor").

We understand that Westbury International Corp. ("Westbury") has filed an application to rezone its property located at 3680 Wonderland Road South (the "Westbury Property") for a wide range of commercial uses (the "Westbury Application"). It is our client's position that permitting the development of the Westbury Property for commercial uses would be inconsistent with the position taken by staff and City Council regarding the Greenhills Property and the Commercial GFA Cap in the SWAP.

Sharmini Mahadevan [Redacted]
65 Queen Street West Suite 1400 Toronto Ontario M5H 2M5 [Redacted]

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11 November 2014

In light of the position taken by staff and City Council regarding the Commercial GFA Cap in the SWAP, it is our client's position that it is not appropriate for the Westbury Property to be rezoned for commercial uses at this time as it would be inconsistent with the SWAP as applied by staff and Council.

On behalf of our client, we kindly request copies of all information and materials relating to the Westbury Application and any other application(s) relating to the Westbury Property, including:

- any background materials and supporting reports provided by Westbury and/or its consultants;
- any comments and reports prepared by City staff and/or its consultants;
- timely notice of any open house, public meeting, Committee meeting, and Council meeting;
- notice of any decision of Committee and/or Council.

Our client looks forward to continuing to be involved in the public process relating to the City's consideration of the Westbury Application.

Yours very truly,

Wood Bull LLP

A handwritten signature in cursive script, appearing to read "S. Mahadevan", is positioned below the firm name.

Sharmini Mahadevan

c. Ms. Cathy Saunders, City Clerk
Client

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File: Z-8431
Planner: Mike Davis

November 12, 2014.

City Of London
Planning Services
206 Dundas Street
London, ON N6A 1G7
Attn: Mr. Mike Davis



Re: Notice of Application to Amend the Zoning By-Law Z-8431

Dear Mr. Davis:

This is further to my visit to your office on Friday last week to discuss the concerns I have regarding the application to amend the zoning of the property located on 3680 Wonderland Rd South by the property Owner – Westbury International Corp.

My property is located at 1672 Wharnccliffe Rd South, directly adjacent to the property being applied for re-zoning, and will be adversely affected by it in the following manner:

1. The secondary entrance being proposed just North East of the entrance to my property, is too close to my entrance and will pose a great deal of traffic congestion due to vehicle stacking when stop sign or signalized traffic control is put in place. Secondly, the traffic on Wharnccliffe Road South is generally moving very fast with the speed limit is at 80km per hour currently. I am objecting to this close proximity of this new entrance to my front driveway and it should be moved up much farther away along the Wharnccliffe Road. Thirdly, this entrance is not well thought out and does not seem to co-ordinate with the entrances to the businesses on the north side of Wharnccliffe Road and will affect them as well.
2. My property borders directly to the North-West with the property being re-zoned, where their new entrance/exit to Wharnccliffe Road is proposed. There should be some provision being made to allow proper surface water drainage for this area away from my property. Currently this vacant land is draining surface water toward my building. Further distant placement of this entrance roadway will allow proper grading, and it should also be part of their site plan.
3. Please also keep in mind that my property, in addition to being used as my business/office within the RSC Zoning, it is also my personal residence as allowed legally.

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File: Z-8431
Planner: Mike Davis

4. The back (south/west) corner of my property borders with the property being re-zoned. At this corner, there is an existing Catch Basin that receives storm water from this area, which includes my property and surrounding area and the neighbor to the west (Motel). When my property was developed in 2003, a new storm water holding system was put in place to accumulate and contain internally within my property any rain water. This storm water system was connected to this municipal catch basin, which had existed long before my property was developed. My concern is that this catch basin, as part of the storm water management for the area, will not be adversely affected by this new development.
5. At present, there is no provision for City sewer or water for the land being re-zoned. The holding provision as part of the condition of the re-zoning should ensure that this development should not be allowed until such provision exists in this area.
6. The development being proposed will maximize the use of the land to the full limit. My concern, there should be more landscaping barrier to the adjacent neighbours, such as mine, to buffer the impact of this development from noise, dust, snow holding, etc. The preliminary site plan and landscaping drawings do not show sufficient buffer area. Lastly, will there be environmental impact study being done for this area, since this development will adversely affect the traffic hugely.

Best Regards,



Thomas Gunawan, president.
2017216 Ontario Inc.
c/o AVIUM GROUP
1672 & 1680 Wharndcliffe Road South, London, Ontario N6L 1K3

CC: City Counsellor

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File: Z-8431
Planner: Mike Davis

**Bibliography of Information and Materials
Z-8431**

Request for Approval:

City of London Zoning By-law Amendment Application Form, completed by Stantec Consulting Ltd., September 26, 2014.

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*, 2014.

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

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

Stantec Consulting Ltd. *Commercial Site Plan*, September 18, 2014.

Stantec Consulting Ltd. *Landscape Plan*, September 18, 2014.

Stantec Consulting Ltd. *Planning Justification Report*, September 5, 2014.

Stantec Consulting Ltd. *Urban Design Brief*, October 14, 2014.

Stantec Consulting Ltd. *Transportation Impact Assessment*, August 2014.

Stantec Consulting Ltd. *Stormwater Management Design Brief*, August 2014.

Stantec Consulting Ltd. *Scoped Environmental Impact Study*, September 8, 2014.

Correspondence: (all located in City of London File No. Z-8431 unless otherwise stated)

City of London -

Rowland S., Urban Forestry. Email to M. Davis, November 7, 2014.

Abushehada I., Development Engineering. Memo to M. Davis, December 5, 2014.

Departments and Agencies -

Creighton C., UTRCA. Memo to M. Davis, April 9, 2014.

Ries S., Urban Design Peer Review Panel. Memo to M. Davis, November 19, 2014.