

FROM:	GEORGE KOTSIFAS, P.ENG. MANAGING DIRECTOR, DEVELOPMENT & COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL
SUBJECT:	APPLICATION BY: YORK DEVELOPMENTS
	3313 – 3405 WONDERLAND ROAD SOUTH AND 1789 WHARNCLIFFE ROAD SOUTH MEETING ON FEBRUARY 22, 2016

RECOMMENDATION

That, on the recommendation of the Senior Planner, Development Planning based on the application of York Developments relating the property located at 3313-3405 Wonderland Road South and 1789 Wharncliffe Road South, the <u>attached</u> proposed by-law **BE INTRODUCED** at the Municipal Council meeting on March 1, 2016, to amend Zoning By-law No. Z.-1 (in conformity with the Official Plan) to change the zoning of the subject lands **FROM** a Holding Associated Shopping Area Commercial Special Provision (h-5.h-154.h-155.ASA3/ASA5/ASA6/ASA8(12)) Zone **TO** an Associated Shopping Area Commercial Special Provision (ASA3/ASA5/ASA6/ASA8(12)) Zone to remove the "h-5", "h-154" and "h-155" holding provisions.

PURPOSE AND EFFECT OF RECOMMENDED ACTION

The purpose and effect of this zoning change is to remove the holding provisions so that development of commercial uses can proceed in accordance with the approved zoning.

PREVIOUS REPORTS PERTINENT TO THIS MATTER

October 5, 2015 – Report to PEC and Site Plan Public Participation meeting for 3313 – 3405 Wonderland Road South and 1789 Wharncliffe Road South.

March 24, 2014 - Ontario Municipal Board advised that all appeals have been withdrawn and the decision of the Council is final and binding (Z.-1-132210 & OPA 553).

September 24, 2013 - Report to the PEC in response to the appeals, confirming Municipal Council has reviewed its decisions & directing the City Solicitor represent the City at the OMB.

June 20, 2013 - Public Participation meeting on revised OPA/ZBA amendments to permit commercial development on the subject property (OZ-7072/OZ-7073).

January 29, 2007 - Public Participation meeting and staff recommendation for refusal of OPA/ZBA amendments to permit commercial development on the subject property (OZ-7072/OZ-7073). The applicant was directed to complete an area plan.

RATIONALE

- 1. The removal of the holding provisions will allow for development to proceed in conformity with the City of London Zoning By-law.
- 2. The site plan was presented at a public meeting before Planning Committee on October 5, 2015, which satisfies removal of the "h-5" holding provision.
- 3. A temporary sanitary servicing arrangement is being implemented through the Development Agreement between the City and the Owner, which satisfies the "h-154" holding provision.

Agenda Item # Page #

H-8527 Alanna Riley

4. The proposed site plan meets the principles of the Southwest Area Plan, which satisfies the "h-155" holding provision.

BACKGROUND		
Application Accepted: September 15, 2015	Owner: York Developments	
REQUESTED ACTION: Removal of the "h-5", "h-154" and "h-155" holding provisions that currently apply to the zoning on the site.		

PUBLIC LIAISON: Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 4, 2016

Nature of Liaison:

City Council intends to consider removing the "h-5", "h-154" and "h-155" holding provisions that were put in place to ensure an agreement is entered into following public site plan review; that the Owner has entered into an agreement with the City which specifies conditions associated with the provision of temporary sanitary servicing for the lands, to ensure that development will not have a negative impact on existing municipal infrastructure or the City's sanitary servicing strategy for the area; and, to ensure that the development is consistent with and conforms to the guidelines and visions of the Southwest Area Plan (SWAP). Council will consider removing the holding provisions as they apply to the lands described above, no earlier than February 22, 2016.

Responses: None

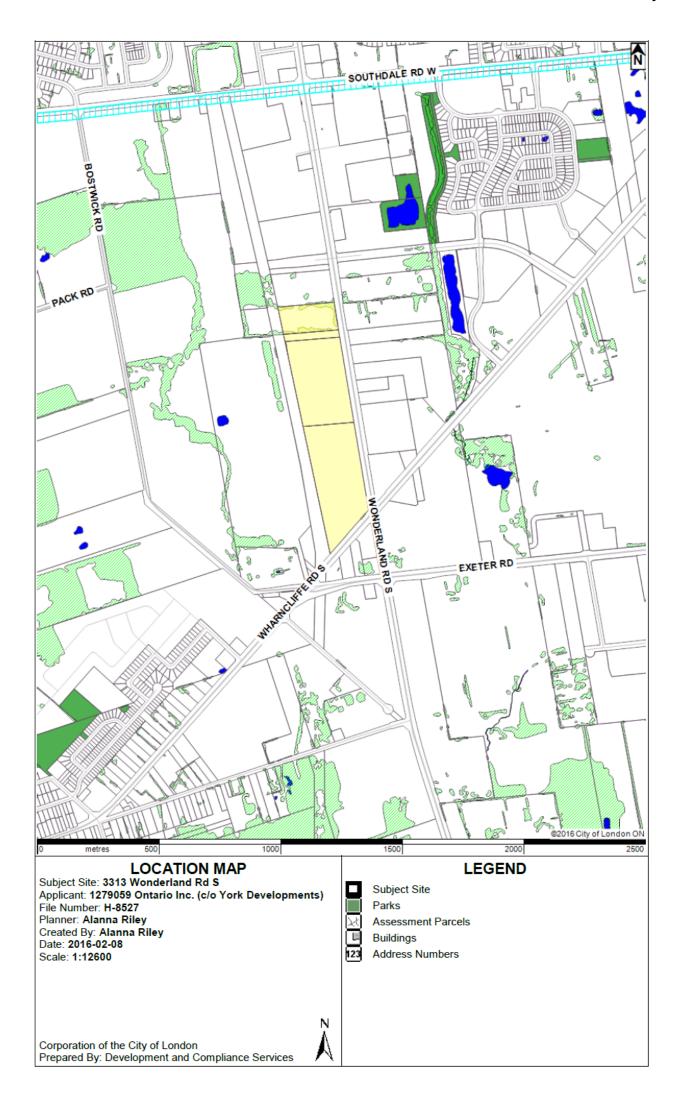
PLANNING HISTORY

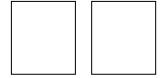
The subject site is located within the "Wonderland Road Community Enterprise Corridor" of the Southwest Area Secondary Plan (SWAP), which was adopted by Council on November 20, 2012 as Official Plan Amendment (OPA) 541.

On July 30, 2012, applications were submitted to the City for Official Plan and Zoning By-law amendments to permit a range of commercial uses on the subject site. At a public participation meeting on June 20, 2013 this application was recommended for refusal on grounds of prematurity since the Southwest Area Secondary Plan was not in effect. The matter was referred back to staff for further consideration. On June 25th, 2013, Municipal Council approved the requested Official Plan Amendment (OPA 553) and Zoning By-law Amendment (Z-1-132210) to permit a broad range of commercial retail and associated uses, with holding provisions to require a site plan public meeting, sanitary servicing infrastructure measures and confirmation that the development is consistent with the vision and guidelines of the Southwest Area Secondary Plan. The approved Zoning allowed for a wide range of commercial uses up to a maximum gross floor area of 60,000 square metres (645,855 sq. ft.). Two appeals to Council's decision were received from area landowners. These appeals were subsequently withdrawn and the amendments to redesignate & rezone the site for commercial development came into effect (as previously adopted by Council on June 25th, 2013).

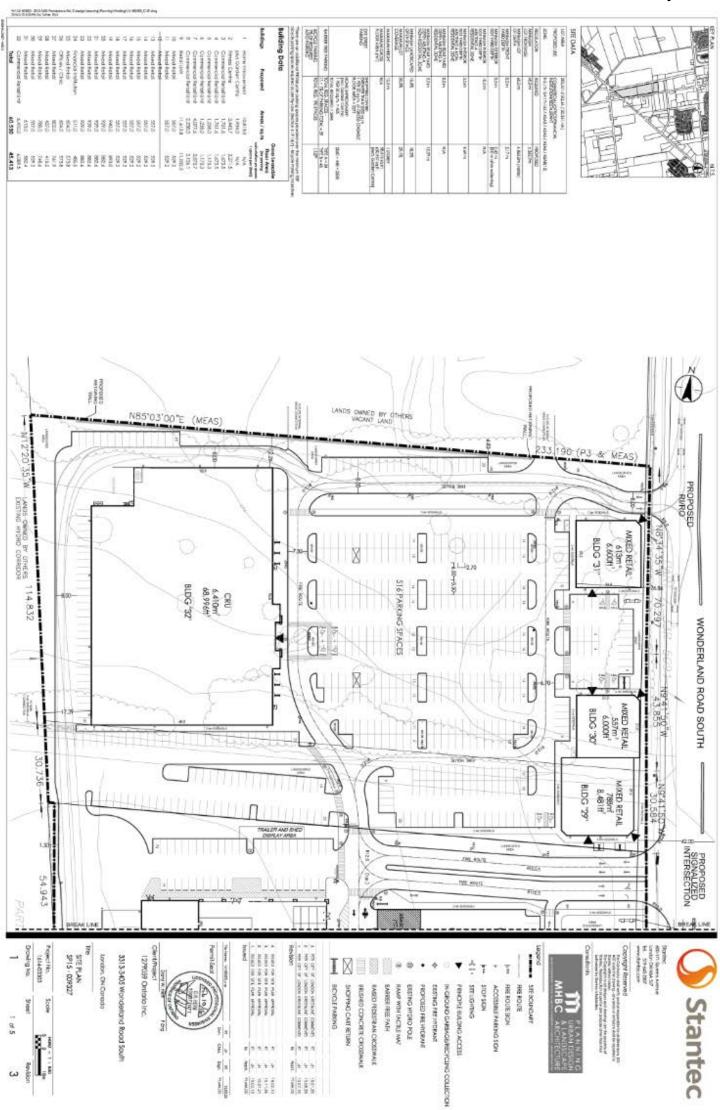
The Ontario Municipal Board conducted an eight week hearing commencing on February 18, 2014, to hear appeals to the Southwest Area Secondary Plan. The Board issued a decision on April 29, 2014. The majority of commercial appeals involved competing landowners within the area and most were settled on resolution among the commercial appellants. As a result of a settlement among the appellants, the Board confirmed the delineation and policies for the Wonderland Road Community Enterprise Corridor, which extends along both sides of Wonderland Road from Southdale Road on the north to Hamlyn Street on the south. The subject site is located within this designation and subject to relevant policies of the Southwest Area Secondary Plan.





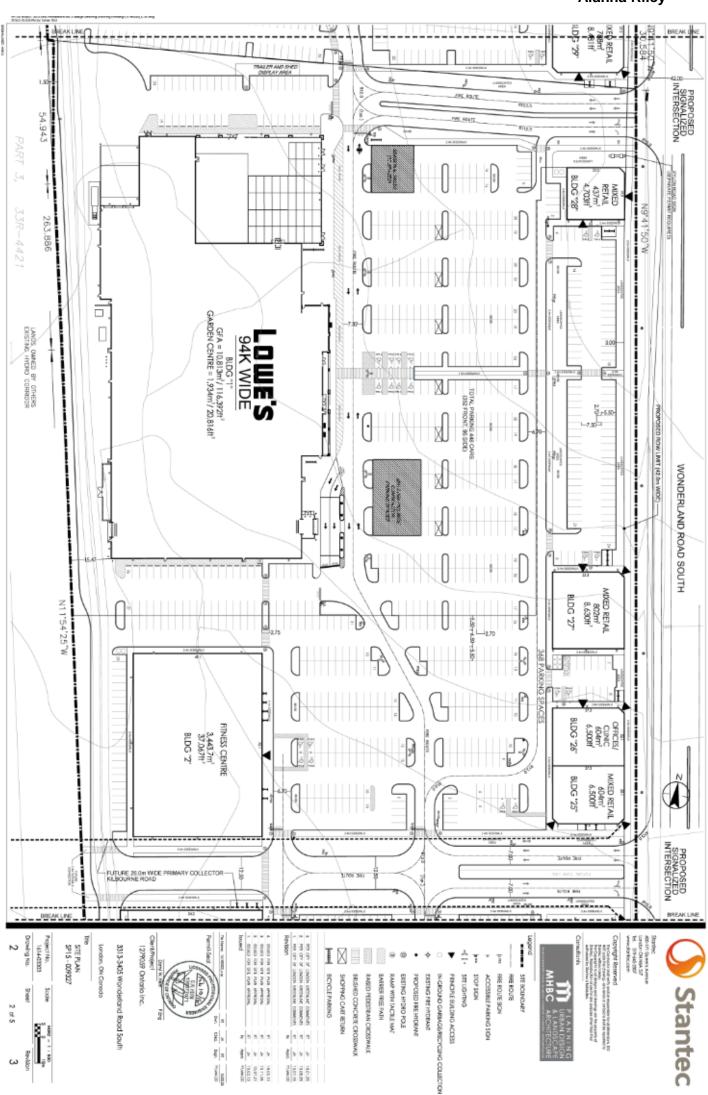


H-8527 Alanna Riley

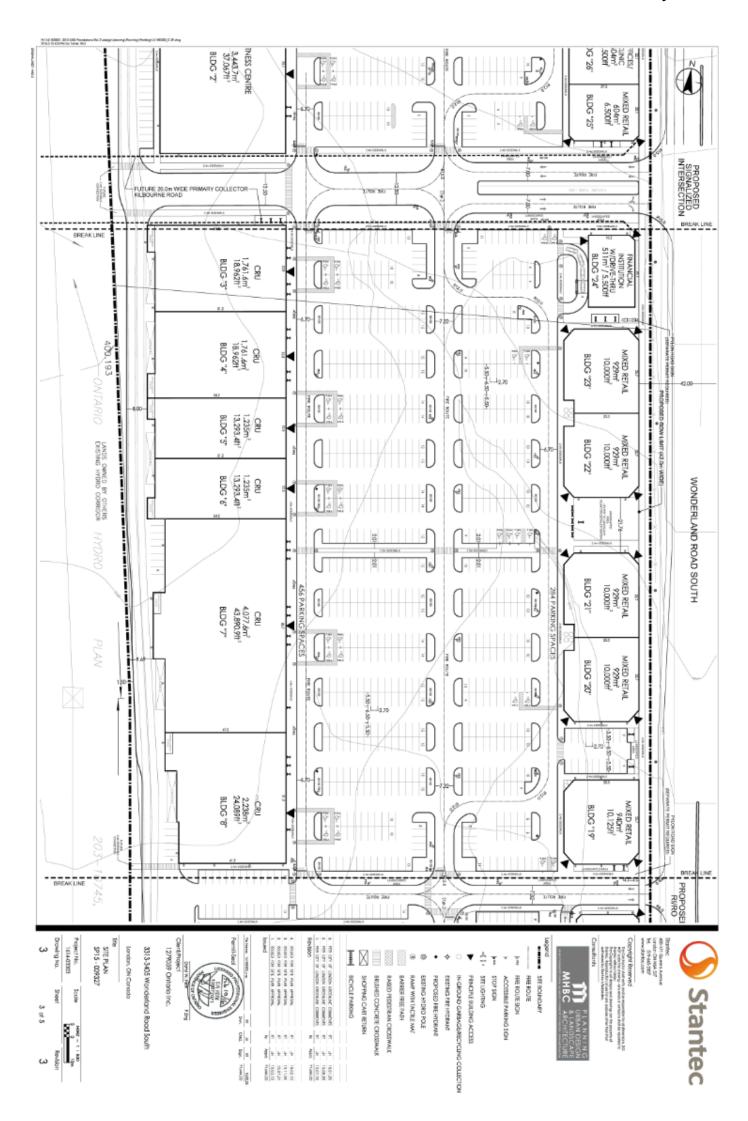




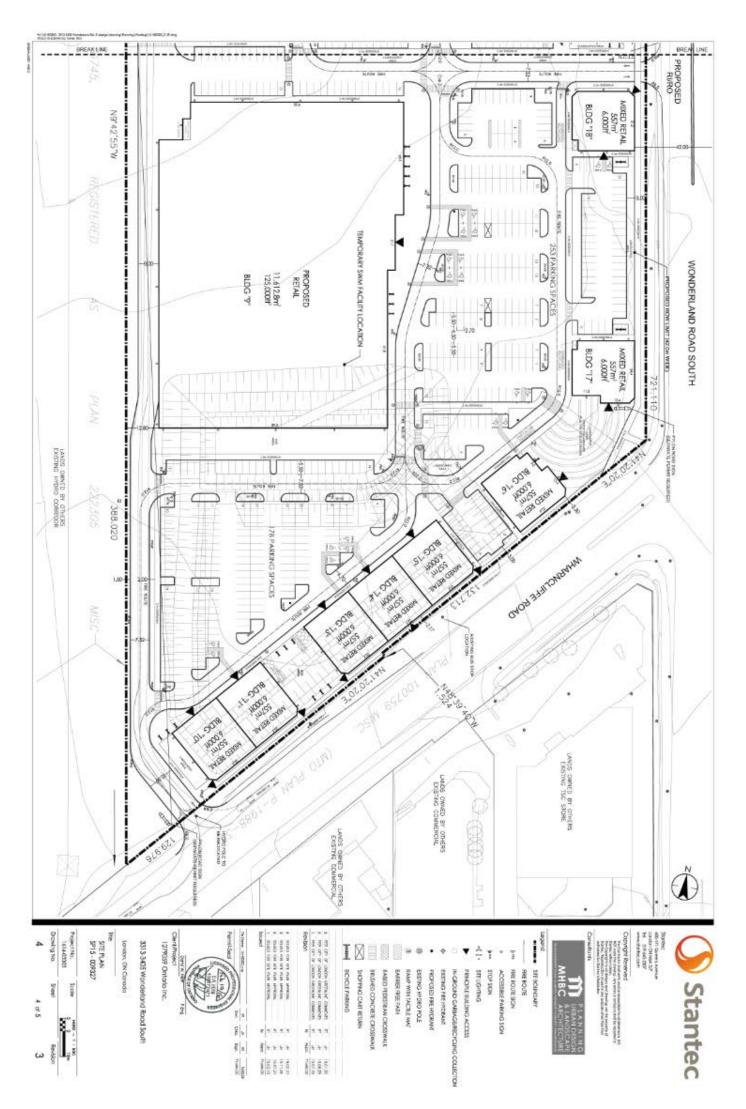
H-8527 Alanna Riley











Page #

Agenda Item #

H-8527 Alanna Riley

ANALYSIS

The proposed development includes a range of commercial buildings and unit sizes with a mix of retail, offices, financial institutions and home improvement store uses ranging from large format stand alone retailers west of Wonderland Road to a mix of stand alone buildings fronting along Wonderland and Wharncliffe. All holding provisions must be removed before development can proceed.

The site is zoned Associated Shopping Area Special Provision (h-5.h-154.h-155.ASA3/ASA5/ASA6/ASA8(12)), which permits a wide range of commercial and related uses up to a maximum gross floor area of 60,000 square metres (645,855 sq. ft.). There are three holding provisions that apply to the zoning, as follows:

- h-5 Purpose: To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the removal of the "h-5" symbol.
- h-154 Purpose: The removal of the h-154 symbol shall not occur until such time as the Owner has entered into an agreement with the City of London, which specifies the conditions associated with the provision of temporary sanitary servicing for the land, in order to ensure that development will not have a negative impact on existing municipal infrastructure or the City of London's sanitary servicing strategy for the area. (Z.-1-132210).
- h-155 Purpose: The removal of the h-155 symbol shall not occur until such time as the Owner has entered into a development agreement with the City of London, to ensure that the development is consistent with and conforms to the guidelines and vision of the Southweast Area Plan.

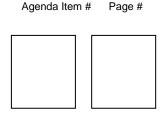
Holding Provision "h-5"

A public site plan meeting was held at the Planning and Environment Committee meeting on October 5, 2015 to hear from the public, receive comments from PEC and Council, and identify further revisions that may be required to the plans. The report that went forward included all site plan issues.

On October 13, 2015 Municipal Council resolved:

That, on the recommendation of the Manager, Development Services and Planning Liaison, the following actions be taken with respect to the site plan approval application by 1279059 ONTARIO INC., CLF1 (WONDERLAND ROAD) INC. and 1699259 ONTARIO INC. (York Developments), for a commercial shopping plaza with retail, offices, clinics, fitness centre and financial institutions proposed at 3313 through 3450 Wonderland Road South and 1789 Wharncliffe Road South:

- a) the Site Plan Approval Authority BE ADVISED that there were no issues raised at the public participation meeting of the Planning and Environment Committee with respect to the application for Site Plan Approval for a commercial shopping plaza located at 3313 to 3450 Wonderland Road South and 1789 Wharncliffe Road South;
- b) the Site Plan Approval Authority BE ADVISED that the Municipal Council supports the Site Plan Application for the proposed commercial shopping plaza located at 3313 to 3450 Wonderland Road South and 1786 Wharncliffe Road South and raised the following issues with respect to the Site Plan Approval application:
 - i) the applicant and the Civic Administration collaborate with the London Transit Commission to determine the placement of transit infrastructure and the routing of buses within the site, having regard to section 2.6.4 "Large Shopping Centres and Big Box Retail" in the Province of Ontario's Transit-Supportive Guidelines;



- ii) tree coverage on the site be enhanced to better reflect city-wide tree canopy goals and reduce the heat island effect of the surface parking area;
- iii) the Civic Administration measure the net effect of the addition of the proposed new commercial lands on the existing commercial lands in the city;
- iv) the highest standards of design be incorporated into the site plan; and,
- v) ensure that there are sidewalks from Wonderland Road, at major entry points, to ensure that pedestrians are not competing with vehicular traffic;

The "h-5" holding provision has been satisfied by the public meeting conducted at Planning and Environment Committee.

Holding Provision "h-154"

Requirements relating to the construction, maintenance, operation and decommissioning of a temporary private sanitary pump station & forcemain are included in the Development Agreement signed by the owner, and identified on the Site Plan drawings. Under the terms of the Development Agreement, the owner is required to connect to the ultimate sanitary outlet once it is operational and a holdback of performance security has been identified in the agreement to ensure this will be undertaken. Similar requirements apply to the provision of a temporary on-site stormwater management facility and storm outlet. All installation and decommissioning of sanitary and stormwater works must be undertaken to the satisfaction of the City Engineer.

The Development Agreement requirements and associated plans, which have been reviewed in consultation with the Wastewater & Drainage Engineering Unit, provide a basis for removal of the "h-154" provision.

Holding Provision "h-155"

As noted above, the proposal includes a range of commercial buildings and unit sizes with a mix of retail, offices, financial institutions and home improvement store uses ranging from large format standalone retailers along the west side of Wonderland to a mix of stand along buildings along Wonderland and Wharncliffe. Many of the buildings sited along Wonderland and Wharncliffe have entrances oriented toward the street as well as toward the parking area. Municipal sidewalks are proposed along Wonderland Road South connecting to several internal pedestrian corridors with on-site connections provided between buildings.

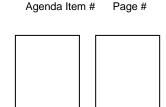
A Municipal Class EA was recently completed for the Wonderland Road South corridor, requiring a road allowance width of 42 metres and establishing design standards for the ultimate design. Hardscape courtyards are proposed near the intersection of Wonderland and Wharncliffe, as well as between several buildings along the streets. Areas with exposed parking along Wonderland have dense landscaping proposed to buffer views of large parking fields. All of the buildings proposed along Wonderland Road South and Wharncliffe Road South feature primary entrances oriented to the abutting roads or to the plaza spaces between buildings, contributing to creating a defined street wall and active streetscape.

Kilbourne Road is identified in the Southwest Area Secondary Plan as a primarily collector. The plan provides a public street like design along the southernmost signalized intersection where future Kilbourne Road will be located. The corridor will be deeded to the City but maintained by the applicant and deemed a public highway, when warranted. This corridor will ultimately be extended to provide for future pedestrian and vehicular connections further west.

Several revisions have been made to the site plan drawings since October, resulting in an improved design with enhanced landscaping features and pedestrian connections. Potential points of conflict between pedestrians and vehicular traffic have been addressed through the elimination of right turn access ramps and redirection of through-traffic away from pedestrian crossings.

Conformity with SWAP:

Section 20.5.3.9 iii) a) of SWAP states that buildings, structures and landscaping shall be designed to provide visual interest to pedestrians, as well as a "sense of enclosure" to the



street. Generally, heights of buildings shall also be related to road widths to create a more comfortable pedestrian environment, so that the wider the road width, the higher the building height. Relevant policy direction from SWAP is discussed below:

Section 20.5.3.9 iii) b) of SWAP is specific to commercial development in the Southwest Area Plan and states that where commercial development is permitted, it will be encouraged in a "main street" format where retail and service commercial uses are oriented to the street creating a pleasant, pedestrian shopping environment, whether in stand-alone stores or in the ground floor of mixed-use buildings. The Commercial policies of SWAP continue to provide policy direction for these areas, as follows:

- the principal public entrance shall provide direct access onto the public sidewalk;
- the primary windows and signage shall face the street;
- buildings facing the street shall be encouraged to have awnings, canopies, arcades or front porches to provide weather protection;
- no parking, driveways, lanes or aisles shall be permitted between the buildings and public sidewalks;
- buildings shall have a consistent setback and parking lots abutting the street shall be limited and designed in accordance with the parking provisions;
- the location and design of any large-format retail stores shall consider the design alternatives; and
- any commercial nodes including large-format retail stores shall be integrated into the pattern of streets and blocks of which they are a part. The pattern of blocks and the physical design of the buildings in relation to the street shall encourage pedestrian circulation to, from and within this commercial area. Streets, sidewalks and the orientation of buildings shall be designed to create comfortable, enjoyable pedestrian movement in a vibrant public realm.

Section 20.5.3.9 iii) h) states that all commercial and office development proposals shall demonstrate safe, effective and accessible pedestrian and bicycle and transit oriented transportation linkages from residential areas, and between and within these developments.

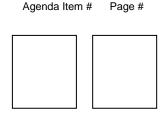
Section 20.5.3.9 iii) i) Landscaping requirements shall ensure:

- the creation of a human scale within new development;
- the enhancement of pedestrian comfort;
- the provision of features which contribute to the definition of public open space, framing of views and focal points, direction of pedestrian movement and demarcation of areas with different functions; and,
- landscape design that promotes the use of native species and enhancement of ecological stability and integrity to reduce the heat island effect.

As discussed above, the policies of SWAP support pedestrian prioritization, transit-friendly development and increased landscape standards. The proposed development has taken all of these policies into consideration.

The site features enhanced landscaping and courtyards along all street frontages without buildings, and buffering along the areas with exposed parking fields. Some additional landscaping and pedestrian-oriented design measures have been provided on the revised plan in order to fully implement the enhanced standards required by SWAP, and satisfy relevant requirements of the Site Plan Control Area By-law.

The proposed pedestrian circulation network provides prioritized pedestrian routes along all main drive aisles, building frontages and two main east-west pedestrian only connections through the large parking areas. No sidewalks are proposed along the central north-south drive aisle as this is intended to be the main vehicular circulation route. Landscape islands are provided along most of the walkways helping to create a pleasant pedestrian environment generally separated from the abutting parking areas. A 2.5 m concrete sidewalk will be constructed along Wonderland Road South to provide pedestrian access to the east side of the buildings along Wonderland. This proposed sidewalk has a number of connections to the internal pedestrian network throughout the site. All walkways that cross drive aisles are proposed as concrete, to contrast the surrounding asphalt and delineate pedestrian corridors.



Agenda Item #

H-8527 Alanna Riley

The proposed plan features landscape boulevards along the main drive aisles, landscape parking islands at the end of all parking aisles and dense buffering of all surface parking visually exposed to the surrounding roads. Most of the parking lot landscape islands are adequately sized for the planting and growth of two trees per island in accordance with the minimum standards of the Site Plan Design Manual. Most of the pedestrian corridors through the site feature landscape areas along the walkways with trees and shrubs. Small planting areas are proposed along the eastern walkway and in front of several large buildings along the west side of the site.

The Owner has entered into a development agreement with the City of London and submitted plans which address the policies of SWAP, Zoning regulations and requirements in the Site Plan Control By-law. Staff in Development Services and Planning Services/Urban Design are satisfied with the updated site plan designs, and can now recommend removal of the "h-155" provision.

Claimable Works

Some of the infrastructure being constructed for 3313-3405 Wonderland Road South is not "local services." City staff have identified external sidewalks, streetlights and the signalized intersection of Kilbourne Road and Wonderland Road South as being eligible for claims to the Development Charge reserve funds. Finance staff have prepared a companion report for this meeting, providing details associated with the claimable works and a Source of Financing to make a budget commitment and enable a future claim.

|--|

The Owner has entered into a Development Agreement and submitted plans that demonstrate how the proposed development will address relevant municipal design standards and servicing requirements pursuant to the policy framework of the Southwest Area Plan. It's now considered appropriate to remove the holding provisions and allow development to proceed in accordance with the approved Zoning.

PREPARED AND RECOMMENDED BY:	REVIEWED BY:
ALANNA RILEY, MCIP, RPP SENIOR PLANNER	ALLISTER MACLEAN MANAGER
DEVELOPMENT SERVICES	DEVELOPMENT PLANNING
REVIEWED BY:	SUBMITTED BY:
TERRY GRAWEY, MCIP, RPP	GEORGE KOTSIFAS P.ENG.
MANAGER	MANAGING DIRECTOR, DEVELOPMENT
DEVELOPMENT SERVICES & PLANNING LIAISON	& COMPLIANCE SERVICES & CHIEF BUILDING OFFICIAL

February 12, 2016

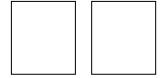
Y:\Shared\DEVELOPMENT SERVICES\Subdivisions\2015\H-8527 - 3313-3405 Wonderland Rd. South (AR)\Report to PEC (Final)

	Agenda Item #	Page #
		H-8527 Alanna Riley
		Bill No. 2016
		By-law No. Z1
		A by-law to amend By-law No. Z1 to remove the holding provisions from the zoning on the lands located at 3313-3405 Wonderland Road South and 1789 Wharncliffe Road South
	a portion of the lands located at 33	s applied to remove holding provisions from 13-3405 Wonderland Road South and 1789 ched to this by-law, as set out below;
the zoning of the		opriate to remove the holding provisions from
enacts as follo		il of The Corporation of the City of London
shown on the	ed at 3313-3405 Wonderland Road s attached map, to remove the holding I Shopping Area Commercial Spec	amended by changing the zoning applicable South and 1789 Wharncliffe Road South, as provisions so that the zoning of the lands as cial Provision (ASA3/ASA5/ASA6/ASA8(12))
2.	This By-law shall come into force an	d effect on the date of passage.
	PASSED in Open Council on March	1, 2016
		Matt Brown Mayor

Catharine Saunders

City Clerk

First Reading - March 1, 2016 Second Reading - March 1, 2016 Third Reading - March 1, 2016



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

