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August 24, 2017

City of London
300 Dufferin Avenue
London, Ontario
PO BOX 5035
N6A 4L9

Attention: Chair and Members of the Planning and Environment Committee

Dear Sirs/Mesdames:

Re: Applications by Barvest Realty Inc. – 58 Sunningdale Road West
File No.: 39T-16503/OZ-8637

We represent York Developments Inc. (“York”) with respect to the properties municipally known as 135 Villagewalk Boulevard, 2118 Richmond Street, and 1830 Adelaide Street North.

On July 5, 2017, we filed a letter on behalf of York to express our concern with Barvest Realty Inc.’s (“Barvest”) proposal to expand the “Community Commercial Node” designation on the property municipally known as 58 Sunningdale Road West (the “Barvest Site”) and to develop a traditional shopping centre on those lands. A copy of that letter is attached for your convenience.

We have reviewed the Staff Report, dated August 16, 2017, to be addressed at the upcoming Planning and Environment Committee meeting on August 28, 2017. We remain concerned with the proposed commercial development given that the Market Justification Study prepared by UrbanMetrics, dated June 18, 2015, submitted in support of the proposal for 20,000 square metres of commercial gross floor area does not include a quantitative impact assessment to account for both developed and vacant commercial lands in the trade area. Similarly, there has been no quantitative impact assessment to justify staff’s recommendation to support 15,000 square metres of commercial gross floor area on the Barvest Site.

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The introduction of additional commercial space on the Barvest Site without warranted demand would undermine the planned function of other commercial sites in the trade area. Accordingly, we are opposed to the proposed commercial development on the Barvest Site until such time that an adequate qualitative impact assessment has been produced to demonstrate warranted demand.

Please continue to copy our office on any correspondence related to this matter, including but not limited to staff reports, notice of any meetings and notice of any decision of Council or committee of Council.

Thank you for your attention to this matter.

Yours truly,



Maggie Bassani

Attach.

MB/

cc. Ali Soufan and Maneesh Poddar, *York Developments Inc.*

James Harbell, *Stikeman Elliott LLP*

Carol Wiebe and Scott Allen, *MHBC*

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July 5, 2017

City of London
300 Dufferin Avenue
London, Ontario
PO BOX 5035
N6A 4L9

Attention: Craig Smith, Senior Planner

Dear Mr. Smith:

Re: Applications by Barvest Realty Inc. – 58 Sunningdale Road West
File No.: 39T-16503/OZ-8637

We represent York Developments Inc. with respect to the following properties:

1. 135 Villagewalk Boulevard (located at the northwest corner of Richmond Street and Sunningdale Road with 2560334 Ontario Inc. as the registered owner).

Under the City's existing Official Plan, this property is designated 'Community Commercial Node' and is subject to special polices prescribed for the 'Sunningdale North Planning Area'. The intent of this special policy framework is set out in Section 4.3.7.6.(1) of this Plan, which directs that these commercially-designated lands are generally, "... intended to support retail uses of a distinctive character within a lifestyle commercial theme, small to medium scale office uses, and stand alone or mixed-use residential development".

The City's new Official Plan (*'The London Plan'*) designates the portion of this property fronting Villagewalk Boulevard 'Main Street' Place Type, with the balance of the site designated 'Shopping Area' Place Type. Additionally, these lands are subject to 'Sunningdale North' policies which (1) require that new development has regard for urban design

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guidelines that encourage a lifestyle commercial theme and (2) prescribe the following floor space 'caps':

- Retail floor space will not exceed 16,000 m² (172,222 ft²);
- Individual office uses will be 5,000 m² (53,820 ft²) or less and will not exceed 10,000 m² (107,639 ft²) in total floor space for the entire Shopping Area Place Type and the adjacent Main Street Place Type.

These floor space caps are reflected in the site-specific 'Business District Commercial (BDC(25))' Zone applied to this property. The zoning also permits only one primary retail/service use up to 5,500 m² (59,202 ft²); all other individual retail/service uses cannot exceed 2,000 m² (21,528 ft²). Further, provisions in the BDC(25) Zone require development fronting Villagewalk Boulevard to be in a mixed-use, main street (multi-storey) form.

2. 2118 Richmond Street (located at the northeast corner of Richmond Street and Sunningdale Road with Encore at Upper Richmond Village Inc. as the registered owner).

This property is designated 'Multi-Family, Medium Density Residential' under the existing Official Plan and has a 'Specific Area' permission allowing for increased building height and residential density subject to site-specific bonus zone provisions. These provisions are defined in Bonus Zone 'B-30' of the Zoning By-law. The London Plan designates the property as 'Neighbourhoods' Place Type and includes special policies that carry forward the permissions prescribed in the existing bonus zone.

3. 1830 Adelaide Street North (located at the southeast corner of Adelaide Street North and Sunningdale Road with 2560533 Ontario Inc. as the registered owner).

This property is currently designated 'Neighbourhood Commercial Node' under the existing Official Plan. A variety of service/retail commercial uses, professional and medical/dental offices, community facilities and medium/high density residential uses are permitted in this designation. The London Plan designates the property 'Shopping Centre' Place Type, which permits a similar range of uses. The 'Neighbourhood Shopping Area (NSA1/NSA2/NSA5)' zoning applied to the site permits a total gross floor area of up to 4,000 m² (43,0556 ft²). This zoning also applies floor area caps to certain uses, including food stores (3,200 m²; 34,444 ft²), restaurants (500 m²; 5,382 ft²) and offices (20% of total gross floor area).

We have reviewed the Official Plan Amendment, Draft Plan of Subdivision and Zoning By-law Amendment applications (the "Applications") for 58 Sunningdale Road West (the "Property") by Barvest Realty Inc. ("Barvest") and we

are concerned with the proposed expansion of the 'Community Commercial Node' designation on the Property and the plans for a traditional shopping centre on these lands.

The Market Justification Study prepared by UrbanMetrics, dated June 18, 2015, submitted in support of the Applications does not include a quantitative impact assessment to account for both developed and vacant commercial lands in the trade area. As stated in the Staff Report, submitted to Planning & Environment Committee on November 14, 2016, "... the demand and supply comparison does not account for the existing vacant commercial space and all of the proposed commercial developments in the Trade Area". The Staff Report goes on to conclude that:

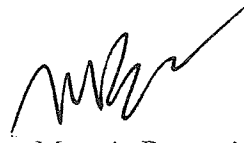
... the analysis provided in the Retail Market Justification Study does not demonstrate that there is a need to expand the CCN designated lands located at the intersection of Sunningdale Road and Richmond Street. The proposed required gross floor area as demonstrated in the Retail Market Study is less than the 15,000m² of gross floor area permitted in the proposed CSA3 Zone. The proposed special provision to allow 40% coverage can accommodate all identified required gross floor area identified in the Retail Market Study on the designated 3.2ha site.

Without warranted demand, the expansion of the Community Commercial Node on the Property has the potential to undermine the planned function of York's commercial properties at 135 Villagewalk Boulevard and 1830 Adelaide Street North, which are within the same trade area as the Property, as well as other commercial sites. As such, it is imperative that a quantitative impact assessment is completed prior to any consideration of the addition of commercial space in this trade area.

We will be following the Applications closely and ask that we be added to the notifications list so that we receive all correspondence related to this matter, including but not limited to staff reports, notice of any meetings and notice of any decision of Council or committee of Council.

Thank you for your attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read 'MB', with a long, sweeping flourish extending to the right.

Maggie Bassani

MB/

cc. Ali Soufan, *York Developments Inc.*
James Harbell, *Stikeman Elliott LLP*
Carol Wiebe and Scott Allen, *MHBC*