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File: OZ-8043
Planner: Mike Corby

TO:	CHAIR AND MEMBERS PLANNING & ENVIRONMENT COMMITTEE
FROM:	JOHN M. FLEMING DIRECTOR, LAND USE PLANNING AND CITY PLANNER
SUBJECT:	APPLICATION BY: SOBEYS DEVELOPMENT LIMITED PARTNERSHIP 981 & 983 WONDERLAND ROAD SOUTH PUBLIC PARTICIPATION MEETING ON JULY 23, 2012 @ 4:00 P.M.

RECOMMENDATION

That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of Sobey's Development Limited Partnership relating to the property located at 981 & 983 Wonderland Road South:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on July 24, 2012, to amend Special Policy 10.1.3, cxxxvi) of the Official Plan which applies to 981 Wonderland Road to **DELETE** "In the Southdale/Wonderland Commercial Policy area applicable to 981 Wonderland Road South, in addition to the uses permitted in the Commercial Policy designation, a small-scale supermarket may also be permitted" and to **INSERT** "In the Auto-Oriented Commercial Corridor designation applicable to 981 & 983 Wonderland Road South, in addition to the uses permitted in the Auto-Oriented Commercial Corridor designation, a small-scale supermarket and a limited amount of retail space with a maximum gross floor area of 996m² (10,721sq.ft.) may and also be permitted"
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on July 24, 2012 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, **FROM** a Restricted Service Commercial Special Provision/Highway Service Commercial (RSC2(10)/HS2) Zone which permits a wide range of commercial uses and a small scale supermarket with a maximum gross floor area of 3,372m² (36,300sq.ft.) and a minimum of 172 parking spaces **TO** a Restricted Service Commercial Special Provision/Highway Service Commercial Special Provision(RSC2(__)/HS2(__)) Zone to allow retail store use with a maximum gross floor area of 996 m² (10,721sq.ft.); a small scale supermarket with a maximum gross floor area of 3,372m² (36,300sq.ft.); a minimum of 172 parking spaces; a reduced front yard setback to 2.2 metres (7.2 feet); a reduced exterior side yard setback to 3 metres (7.2 feet) and a reduced rear yard setback to 5 metres (16.4 feet).

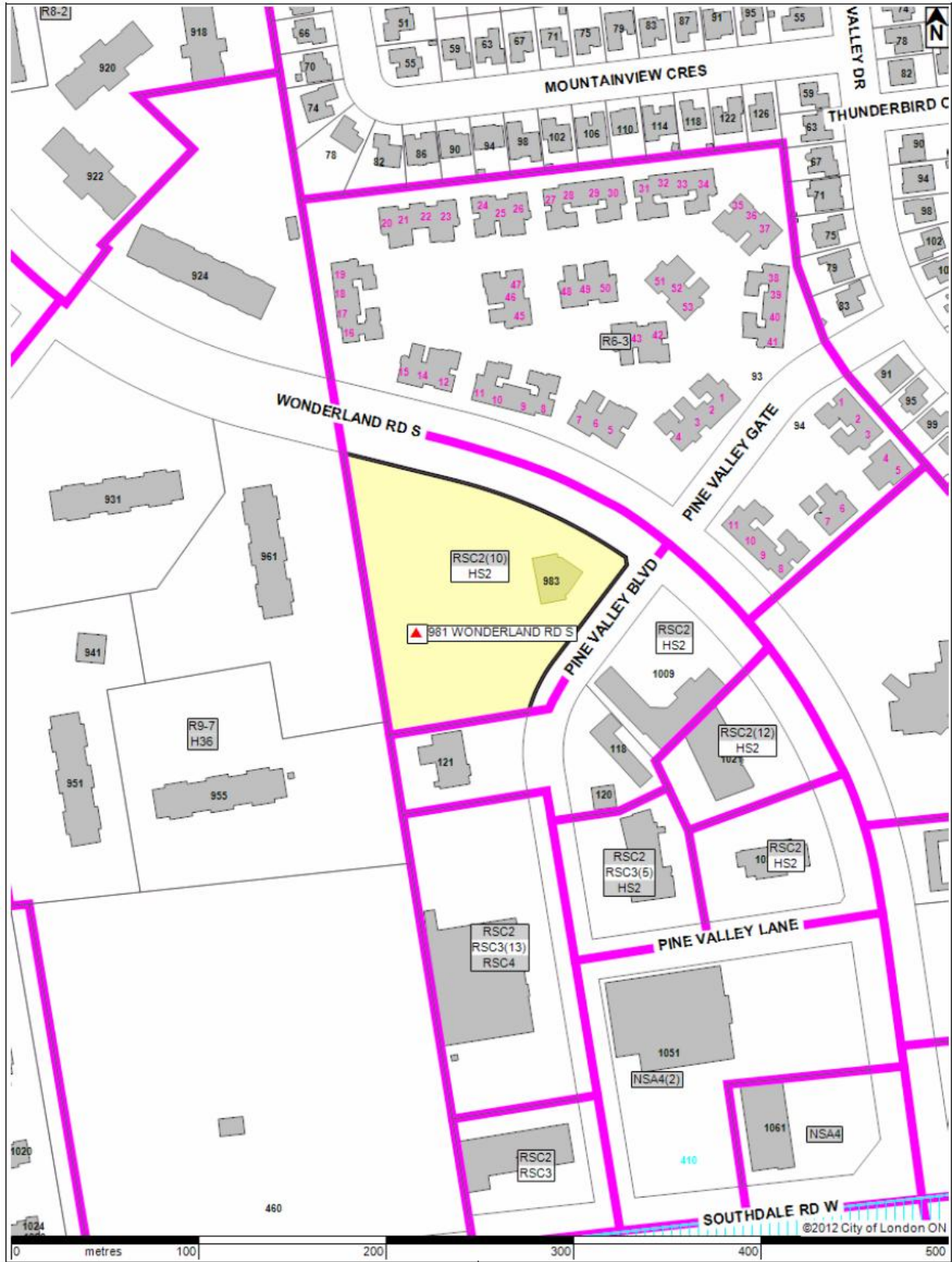
IT BEING NOTED that the site plan process will address issues such as building location, landscaping, buffering, fencing, access, and drainage.

PREVIOUS REPORTS PERTINENT TO THIS MATTER
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Site Plan Approval Application SP12-007144
OZ-6919 – Report to Planning Committee September 26, 2005

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File: OZ-8043
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LOCATION MAP
 Subject Site: 981 and 983 Wonderland Rd S
 Applicant: Sobeyes Development Limited Partnership
 File Number: OZ-8043
 Planner: Mike Corby
 Created By: Mike Corby
 Date: 2012-04-10
 Scale: 1:2500

Corporation of the City of London
 Prepared By: Planning, Environmental

LEGEND

- Subject Site
- Parks
- Assessment Parcels
- Buildings
- 123 Address Numbers



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PURPOSE AND EFFECT OF RECOMMENDED ACTION

To permit the additional use of retail stores to the subject site and limit the retail space up to a maximum gross floor area of 996m² (10,721sq.ft.).

RATIONALE

1. The recommended Official Plan amendment changes the text to the existing Chapter 10 Special Policy 10.1.3, 981 Wonderland Road, cxxxvi) which was previously granted and identified by council as an appropriate area for a site specific use. The proposed Official Plan amendment will permit limited retail space up to 996m² (10,721sq.ft.) in addition to the current uses permitted in the Auto Oriented Commercial Corridor designation.
2. The Special Policy will recognize the existing permitted uses to ensure that the surrounding area will continue to develop with an appropriate mix of uses. The proposed limited retail space will create less impact on adjacent uses than many of the current permitted uses.
3. The recommended special provision to permit limited scale retail stores at a maximum gross floor area of 996m² (10,721sq.ft.) will ensure that the proposed development is compatible and in scale with the surrounding uses.
4. Through the Site Plan process appropriate urban design guidelines will be implemented to ensure a high standard of building design and appropriate landscaping along the pedestrian linkages to provide a strong pedestrian connection. The redevelopment of an existing lot in a well established commercial area provides a positive opportunity to take advantage of the existing infrastructures already in place.

BACKGROUND

Date Application Accepted: April 3, 2012	Agent: Jay McGuffin, Monteith Brown Planning Consultants
<p>REQUESTED ACTION: Is to permit a limited amount of retail space on the subject site to allow for future retail development. An amendment to the existing Official Plan Special Policy 10.1.3, 981 Wonderland Road South, cxxxvi) which permits the use a of a small scale supermarket will also allow for up to 996m² (10,721sq.ft.) of limited retail space on the subject lands in addition to the other uses permitted in the AOCC designation.</p> <p>Change the Zoning By-law Z.-1 to amend the Restricted Service Commercial Special Provision (RSC2(10)) Zone to add the additional permitted use of Retail Stores with a maximum gross floor area of 996m² (10,721sq.ft.) coverage over the subject site and allow for a reduced front yard setback to 2.2 metres (7.2 feet); a reduced exterior side yard setback to 3 metres (7.2 feet) and a reduced rear yard setback to 5 metres (16.4 feet).</p>	

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SITE CHARACTERISTICS:
<ul style="list-style-type: none"> • Current Land Use – No Use, Vacant building on property • Frontage –160m • Depth – 100m - 150m • Area – 1.4ha (3.49ac) • Shape – irregular

SURROUNDING LAND USES:
<ul style="list-style-type: none"> • North - Condominium Corporation • South - Commercial Uses • East - Apartments • West - Commercial and Low Density Residential

OFFICIAL PLAN DESIGNATION: (refer to Official Plan Map)
<ul style="list-style-type: none"> • Auto-Oriented Commercial Corridor (AOCC)
EXISTING ZONING: (refer to Zoning Map)
<ul style="list-style-type: none"> • RSC2(10)/HS2

PLANNING HISTORY

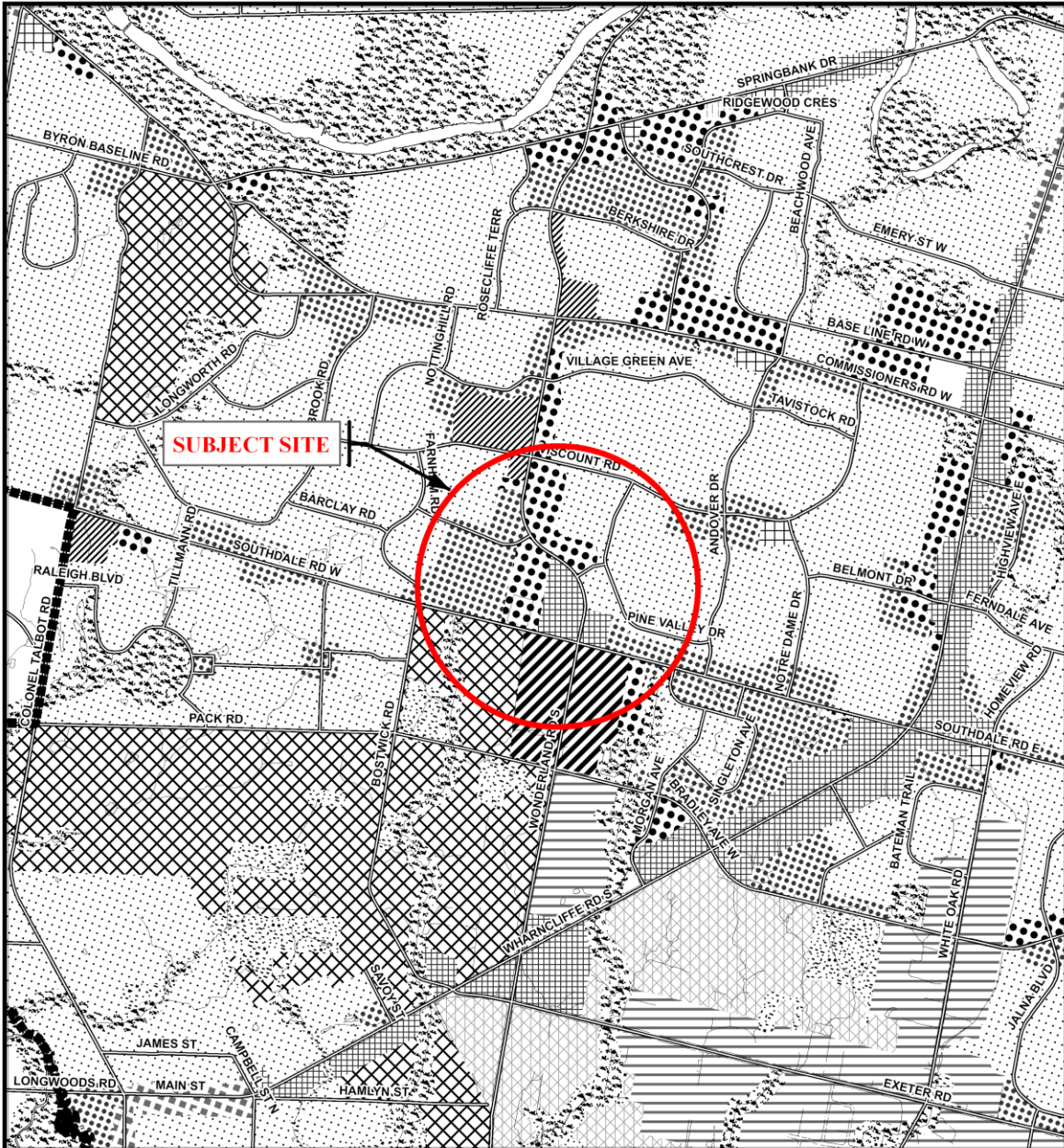
On October 3, 2005 Municipal Council approved Official Plan Amendment No. 369 to add a Chapter 10 Special Policy designation. The special policy permits the use of a small scale supermarket in addition to the current permitted uses on the subject lands. At the same Municipal Council meeting Zoning By-law No. Z-1 was amended to change the zoning of the subject property to a Restricted Service Commercial Special Provision/Highway Service Commercial (RSC2(10)/HS2) Zone to permit a supermarket in addition to the current permitted uses at a maximum gross floor area of 3,252m² (35,008sq.ft.) and a minimum of 172 parking spaces for the subject site.

The Council approved amendments were appealed to the OMB and on May 5, 2006 the Board granted the Motion to Dismiss the appeal making OPA 369 of the City of London approved and Zoning By-law 2-1-051416 in full force and effect.

On March 15, 2012, Sobeys submitted a site plan application to the Development Services Division for the FreshCo supermarket along with retail store uses. They were informed that the proposed retail store use did not conform to the current zoning on the property. In an effort to achieve the desired retail store use an Official Plan and Zoning By-law amendment application was required and submitted to the Planning Division.

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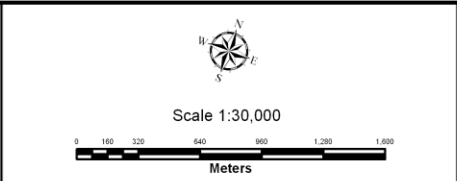
File: OZ-8043
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Legend	
Downtown Area	Office Business Park
Enclosed Regional Commercial Node	General Industrial
New Format Regional Commercial Node	Light Industrial
Community Commercial Node	Regional Facility
Neighbourhood Commercial Node	Community Facility
Main Street Commercial Corridor	Open Space
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth
Multi-Family, Medium Density Residential	Rural Settlement
Low Density Residential	Environmental Review
Office Area	Agriculture
Office/Residential	Urban Growth Boundary

CITY OF LONDON
Department of
Planning and Development
OFFICIAL PLAN SCHEDULE A
- LANDUSE -

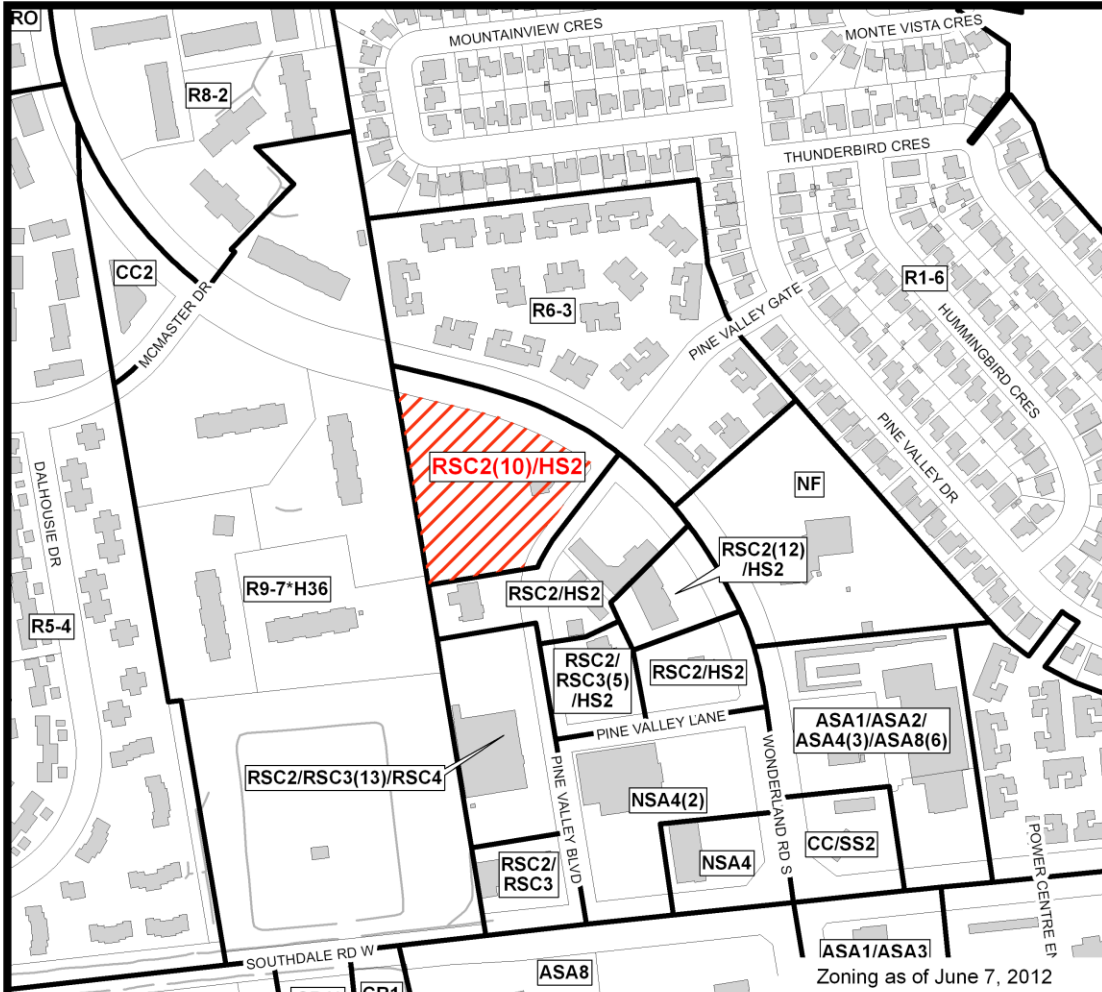
PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8043
PLANNER: MC
TECHNICIAN: CK
DATE: 2012/06/26

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File: OZ-8043
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COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: RSC2(10)/HS2

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

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

FILE NO: OZ-8043	MC
MAP PREPARED: 2012/06/26	CK
1:4,500	
0 20 40 80 120 160 Meters	

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SIGNIFICANT DEPARTMENT/AGENCY COMMENTS

Bell

An easement may be required to service the subject property, depending on a review of more detailed applications under the Planning Act.

Please be advised that Bell Canada requests to be circulated on any future draft plan of subdivision, draft plan of condominium, site plan, or any other development applications, that is proposed to implement the subject Official Plan Amendment and Zoning By-Law Amendment application. Through these processes, Bell Canada will provide a more detailed review and comments with respect to any requirements Bell Canada may have to service the subject property.

UTRCA

- No Objection

London Hydro

- No Objection

Parks Planning

- Parkland dedication has not been collected for the subject lands and will be collected at the time of development; typically through the site plan approval process.

Consistent with the regulations of the Ontario Planning Act, the applicant will be required to provide cash-in-lieu of parkland equal to 2% of the value of the property assessed on the day before the day of issuance of a building permit for the site. An appraisal will be required from an Accredited Appraiser (AACI) and submitted to Development Service Unit for their review. Payment of the dedication will be included as a condition of site plan approval.

PUBLIC LIAISON:	On April 13, 2012, Notice of Application was sent to 521 property owners in the surrounding area. Notice of Application was also published in the "Living in the City" section of the London Free Press on April 14, 2012. A "Possible Land Use Change" sign was also posted on the site.	5 replies were received
Nature of Liaison: A change to the Official Plan by amending the current Special Policy to allow for limited retail space and a change to the zoning to allow for a "Retail Store" use.		
Responses: Two members of the public wanted to express their support for the application while the others were general inquiries who also expressed support once the scope of the application was understood. One individual though in support of the overall development did have some concerns on what future retail uses will occupy the accessory building.		

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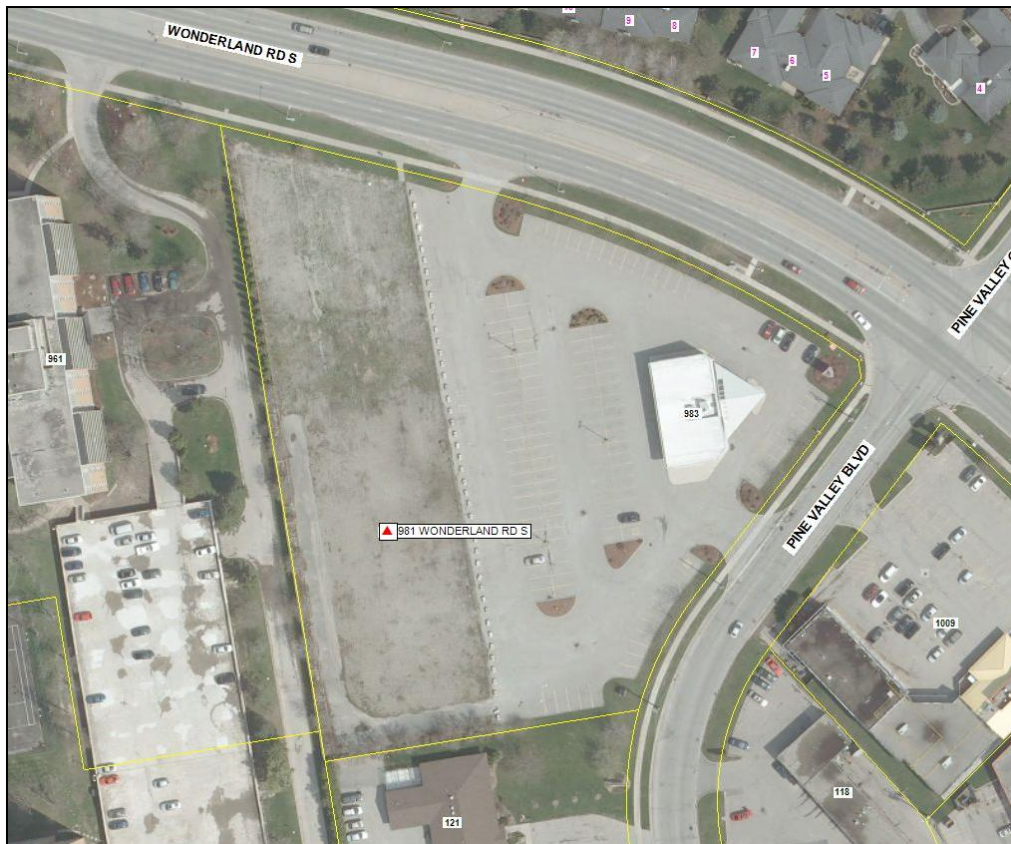
ANALYSIS

Subject Site

The subject site is located in the south end of London on the westerly corner of the Wonderland Road South and Pine Valley Gate intersection just north of Southdale Road. The property has approximately 160m frontage and lot area of 1.4ha (3.49ac). The property was previously occupied by a White Rose gardening centre which was demolished in 2007. Still existing on the site is a vacant CIBC Bank which is located on the easterly corner of the property near the intersection, and which would also be demolished in the proposed redevelopment of this site.

The subject property is part of a large commercial corridor that has developed as a mix of small and medium scale commercial uses and is considered to be along a major gateway access into the City. This area has recently developed with new large scale retail uses mainly located south of Southdale Road. The character and function of the area has been changing with the larger developments such as the Wonderland Power Centre and the Home Depot.

Adjacent uses to the subject site consist of low density residential to the north with a townhouse development directly across the road surrounded by a brick wall, to the west is an apartment complex consisting of 4 apartment buildings, directly south is a Animal Care Centre with the Palasad behind it, to the east is a Green Tea Asian Cuisine Restaurant (converted from a Pizza Hut), Basically Books, Benjamin Moore paints, NAPA AUTOPRO along with other commercial uses.



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Nature of Application

The subject site is zoned Restricted Service Commercial Special Provision/Highway Service Commercial (RSC2(10)/HS2) to permit a range of commercial, service and trade uses along with a supermarket use. The applicant is requesting an amendment to the Official Plan and Zoning By-law No. Z-1. to permit limited scale “Retail Store” uses on a site specific basis.

An application requesting an amendment to the existing Official Plan Special Policy 10.1.3, 981 Wonderland Road South, cxxxvi) and a change the Zoning By-law Z.-1 to amend the Restricted Service Commercial Special Provision (RSC2(10)) Zone is required. The current Official Plan special policy on the site permits the use of a small-scale supermarket and the proposed amendment would also allow for a maximum of 996m² (10,721sq.ft.) of gross floor area for retail space on the subject lands in addition to the other uses permitted in the Auto Oriented Commercial Corridor designation. The zoning amendment will add the additional permitted use of retail stores with a maximum gross floor area of 996m² (10,721sq.ft.).

Provincial Policy Statement (PPS)

The policies of the PPS promote 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 addition of the supermarket and retail uses will help provide an appropriate range of land uses in the area and will help support the surrounding residential areas and neighbouring commercial uses providing a safe walkable option for the surrounding residents. The proposal is appropriate infilling of an existing, fully serviced vacant lot within a well developed area. The proposal will effectively use the existing infrastructure reducing cost as well will prevent any expansion of the settlement areas and land consumption. The development will bring new vitality and regeneration to an area that has seen many tenants move out.

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Official Plan Policies

Chapter 10 of the Official Plan allows Council to consider policies for specific areas where one or more of four criteria apply. The applicable criterion in this case is found in the Section 10.1.1 ii) which indicates that *“The change in land use is site specific and is located in an area where Council wishes to maintain existing land use designations, while allowing for a site specific use.”*

For the following reasons the proposed Official Plan amendment is appropriate for a Chapter 10 special policy designation.

- the amendment is intended to modify the text of the existing site specific policy, which had been adopted by Council to permit a small scale supermarket in addition to the existing range of permitted uses, by introducing a limited amount of retail uses to the existing range of permitted uses.
- the amendment is consistent with the above criteria because the recommended change in land use represents a site specific amendment in an area where council wishes to maintain the existing Auto Oriented Commercial Corridor designation while allowing for a limited range of retail and supermarket uses.
- the amendment will maintain the existing permitted uses to ensure that the surrounding area will continue to develop in conformity with the Auto Oriented Commercial Corridor designation while allowing for an enhancement to the mix of uses.

The planning objectives for all commercial land use designations including those in the Auto-Oriented Commercial Designation have certain criteria which should be maintained when proposing new development even through a Chapter 10 Special Policy and Special Provisions. The proposed retail store use is currently not permitted on the subject lands until the Official Plan and Zoning By-law amendment are complete. Approval of the proposed special policy and zoning by-law amendment will keep the subject property in conformity with the following Commercial Land Use Designation and Auto-Oriented Commercial Corridor policies:

4.2.1 Planning Objectives for all Commercial Land Use Designations

- *Minimize the impact of commercial development on adjacent land uses and on the traffic-carrying capacity of adjacent roads.*
- *Encourage intensification and redevelopment in existing commercial areas within the built-up area of the City to meet commercial needs, to make better use of existing City infrastructure and to strengthen the vitality of these areas.*

The proposed Official Plan and Zoning By-law amendments are consistent for the following reason in relation to the Planning Objectives for all Commercial Land Use Designations:

- minimizes the amount of potential retail space on site to ensure that the parcel is not over developed and the scale of development will have limited impact on adjacent properties;
- provides an opportunity to redevelop and appropriately intensify an existing commercial area with a built-up area of the City; and
- will take advantage of the existing City infrastructure that is already in place including municipal services, roads, and public transit and will bring a valuable use to meet the needs of the surrounding area.

4.4.2 Auto Oriented Commercial Corridor

4.4.2.3 Urban Design Objectives

- *Encourage enhanced street edge landscaping, internal and joint access to multiple uses on the same or different properties and improved building aesthetics.*

Through the site plan process the proposal was required to follow the City of London’s urban design guidelines in an effort to fulfill the Urban Design Objectives. Through the urban design

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process city staff is able to address the following objectives:

- use of landscaping and pedestrian linkages has been provided from the public sidewalks to strengthen and foster a pedestrian connection as well as increase the overall appearance of the site;
- building elevations have been designed to highlight the significant relationship to street and create a safe and inviting environment for both pedestrian and vehicular traffic; and
- the principle vehicular entrance to the site is off Pine Valley Boulevard with the secondary access being a right-in, right-out only access from Wonderland Road South.

4.4.2.3 Function

- *The Auto-Oriented Commercial Corridor designation is applied to areas along arterial roads that typically consist of a mix of retail, auto and commercial uses, office and remnant residential uses. The intent of the policies is to promote the clustering of similar service commercial uses having similar functional characteristics and requirements, and to avoid the extension of strip commercial development.*

The proposed Official Plan and Zoning By-law amendments are consistent in the following ways with the Official Plan policies regarding the function for Auto Oriented Commercial Corridor designations:

- retail store use is appropriate given the mix of uses in the area;
- by limiting the amount of retail space on the site one can ensure the proposal will have similar functional characteristics and requirements with the surrounding properties; and
- limited retail space avoids the potential extension of strip commercial development.

4.4.2.4 Permitted Uses

- *Secondary uses which serve employees of adjacent employment areas including eat-in restaurants; financial institutions; personal services; convenience commercial uses; a limited amount and range of retail uses; day care centres; medical and dental offices and clinics; and offices associated with wholesale warehouse or construction and trade outlets, and similar support offices may also be permitted in appropriate locations.*

The Official Plan and Zoning By-law amendments provide for additional retail store uses and limit the total gross floor area to make it suitable and compatible to serve the surrounding area and conform to the Auto Oriented Commercial Corridor Designation. The proposed retail store use would act as a secondary use to the proposed FreshCo Supermarket on the subject site as well as the surrounding area.

Zoning

The current zoning on the site is a Restricted Service Commercial Special Policy/Highway Service Commercial (RSC2(10)/HS2) Zone which provides for and regulates a range of moderate intensity commercial uses, which may require significant amounts of land for outdoor storage or building space and a location on major streets. The permitted uses include but are not limited to, small-scale supermarkets, automotive uses, home improvement stores, repair and rental establishments, dry cleaners, pharmacies, bulk sales establishments, and more.

The Highway Service Commercial (HS2) Zone provides for and regulates a range of commercial and service uses which cater to the needs of the traveling public. The HS2 Zone permits a range of uses including financial institutions, convenience stores, restaurants, restricted automotive uses, and automotive repair garages. The Zoning By-Law currently does not permit retail use in the existing zones, and as such, an amendment is required to permit the proposed development.

The proposed special provisions will include the limited scale supermarket use along with the proposed limited scale “Retail Store” use. The new special policy will limit the retail space to a

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File: OZ-8043
Planner: Mike Corby

maximum gross floor area of 996m² (10,721 sq. ft.).

In an effort to accommodate the urban design objectives identified by the Urban Design Review Panel the proposed site plan for the supermarket and retail uses will require special provisions for:

- a reduced front yard to 2.2m (7.2 ft.) in place of 8.0m (26.25 ft.);
- a reduced exterior side yard to 3m (7.2 ft.) in place of 8.0m (26.25 ft.); and
- a reduced rear yard abutting a residential zone to 5m (16.4 ft.) in place of 7.5m (24.6 ft.).

These provisions allow for the site to be developed at an appropriate scale with the surrounding land uses and accommodate the desired landscaping and pedestrian linkages.

Use

The initial proposal included a FreshCo supermarket with a secondary building on the site for a financial institution. During the initial design processes the applicant (Sobeys) adjusted their building program which resulted in a smaller footprint for the proposed supermarket. In an effort to make up for the reduction in size of the supermarket Sobeys pursued leasing opportunities and was able to attract a “dollar store” type use occupy the reduced supermarket square footage. During this time period Sobeys also received interest from other retail stores looking for retail space on the site. This interest created a change to the secondary building from a financial institution to a commercial pad with four units which can be used to accommodate retail store uses.

In 2005 City Council determined the subject site has proven to be an appropriate location for a site specific use and the addition of a retail store use in conjunction with the supermarket will function well with the current mix of surrounding uses. The site specific designation will still allow for the existing land use designation to be maintained and not negatively affect the character of the area. It will provide the opportunity for the parcel to be developed appropriately by restricting the scale and density of both the supermarket use and the retail components.

Intensity

The subject site is approximately 1.39 hectares (3.43 acre) in size and meets the area requirement of the most restrictive zoning. With the approval of the attached special provisions the subject site will be able to accommodate the proposed uses and develop at an appropriate density. The initial proposal in 2005 was for a supermarket with a gross floor area limitation of 3,372 m² (36,300sq.ft.) and 172 parking spaces. The new building has a total gross floor area of 3,653 m² (39,324sq.ft.) for the supermarket and 764m² (8,224sq.ft.) of it is being used for the proposed dollar store type retail use. Compared to the initial proposal the supermarket portion of the building has been reduced by 473m² (5091sq.ft.) to 2899m² (31,204sq.ft.). However, the building coverage has increased slightly due to the addition of the “dollar store” use. In comparison to the White Rose which was previously on the site the proposed building is to be 1,349m² (14,520sq.ft.) larger in size.

The remaining 232m² (2,497sq.ft.) of retail use will be used within the proposed 464m² (5,000sq.ft) commercial pad located northeast corner of the site. The increase in overall size and scale, parking and coverage are appropriate for the size of this property as the proposal still conforms to the requirements of the RSC2 zone. The new development will enhance the neighbourhood, and provides the surrounding residents with a walk able alternative.

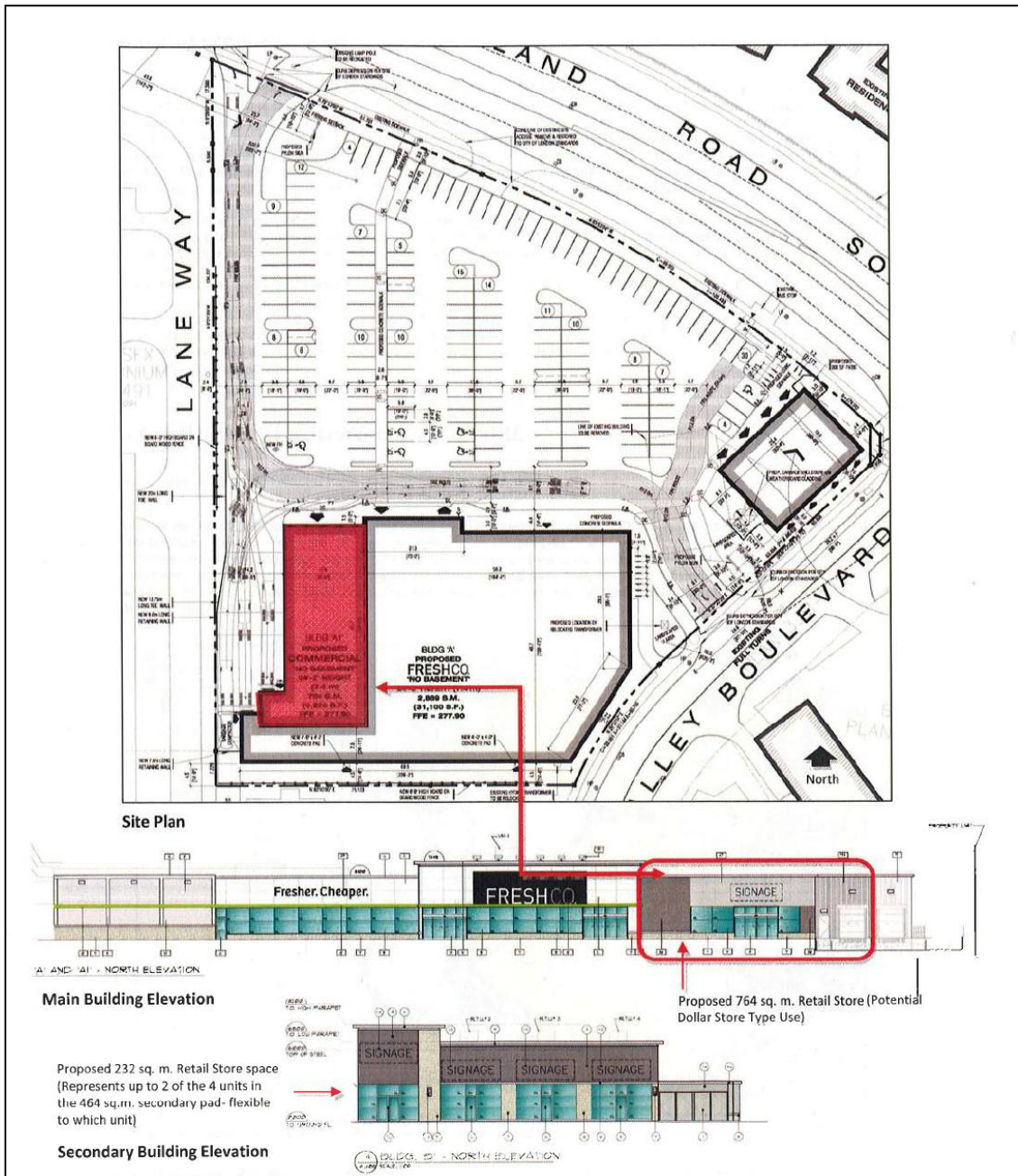
Form

The proposed use is for a small-scale supermarket along with retail store uses which will be limited in size to make the proposal more appropriate for the subject site and surrounding land uses. The new building will improve the overall appearance of the property, provide a high

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File: OZ-8043
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standard of building design and will also utilize the existing infrastructure. The supermarket with the attached retail dollar store type use is to be located at the southside of the property facing towards Wonderland Road South. The proposed commercial pad which is to house 4 units for lease will be located at the northeast corner of the site at the intersection of Wonderland Road South and Pine Valley Boulevard. The proposal has gone through the City of London's site plan process, through the Urban Design Review Panel, and reviewed against the City of London Urban Design guidelines. Use of landscaping along pedestrian linkages has been provided from the public sidewalks to strengthen and foster a pedestrian connection as well as increase the general appearance of the site. The principal vehicular entrance to the site is off Pine Valley Boulevard with the secondary access being a right-in, right-out only access from Wonderland Road South.



Traffic and Vehicular Access

Noise and Traffic issues are being dealt with through the site plan application.

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Servicing

Water, sanitary and storm sewers are present at the subject site. Capacity for the new proposed building should not be an issue and Environmental and Engineering Services has not indicated any concern. Specifics will be dealt with through site plan approval.

CONCLUSION

The recommended Official Plan and Zoning By-law amendments provide for limited scale “Retail Store” uses which is a compatible use with surrounding land uses and provides an appropriate use to the community. The site specific designation will still allow for the existing land use designation to be maintained and not negatively affect the character of the area. It will provide the opportunity for the parcel to be developed appropriately by restricting the scale and density of both the supermarket use and the retail component will reduce potential impacts on the adjacent residential uses.

PREPARED BY:	SUBMITTED BY:
MIKE CORBY COMMUNITY PLANNING AND URBAN DESIGN SECTION	JIM YANCHULA, MCIP, RPP MANAGER OF COMMUNITY PLANNING AND URBAN DESIGN SECTION
RECOMMENDED BY:	
JOHN M. FLEMING, MCIP, RPP DIRECTOR, LAND USE PLANNING AND CITY PLANNER	

June 25, 2012

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Planner: Mike Corby

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

<u>Telephone</u>	<u>Written</u>
Dani Reder – 7 Pine Valley Dr #93 London, ON N6J 4L2	Kent Lattanzio – 121 Pine Valley Blvd, London, ON N6K 3T6
Sandy Hollis – 931 Wonderland Road S. Apt 804, London, ON N6K 2X6	Rob Szabo – 777 Adelaide Street N, London, ON N5Y 2L8
Gus El-Khatib 561 Southdale Road E, Unit 5A, London, ON N6E 3M7	

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File: OZ-8043
Planner: Mike Corby

Bibliography of Information and Materials
OZ-8043

Request for Approval:

City of London combined Official Plan and Zoning Amendment Application Form, completed by Jay McGuffin (Monteith Brown Planning Consultants), March 26, 2012

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.

Monteith Brown Planning Consultants, Planning Justification Report, March, 2012.

Monteith Brown Planning Consultants, Urban Design Brief, March, 2012 as amended.

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

City of London -

Page B., City of London Parks Planning and Design. Memo to M. Corby, April 16, 2012.

Departments and Agencies -

Dalrymple, D., London Hydro. Memo to M. Corby, April 13, 2012.

Raffoul, L., Bell. Letter to M. Corby, April 26, 2012 and May 2, 2012.

Creighton C., UTRCA. Fax to M. Corby, May 1, 2012.

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File: OZ-8043
Planner: Mike Corby

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2012

By-law No. C.P.-1284-_____

A by-law to amend the Official Plan for the City of London, 1989 relating to 981 & 983 Wonderland Road South.

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This by-law shall come into effect in accordance with subsection 17(38) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on July 24, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading - July 24, 2012
Second Reading - July 24, 2012
Third Reading - July 24, 2012

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**File: OZ-8043
Planner: Mike Corby**

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To amend Section 10.1.3 of the Official Plan for the City of London by adding to specific area policy 10.1.3 cxxxvi) to permit a limited amount of retail space in addition to the uses permitted under the Auto Oriented Commercial Corridor designation located on the north-west quadrant of Southdale Road West and Wonderland Road South.

B. LOCATION OF THIS AMENDMENT

1. This Amendment applies to lands located at 981 Wonderland Road South in the City of London.

C. BASIS OF THE AMENDMENT

An Official Plan amendment is required to add a Special Policy to the Official Plan to develop site-specific regulations to limit the amount of retail space on the subject site to ensure the retail uses develop at an appropriate scale and intensity to minimize impacts on the adjacent uses. As previously determined back in 2005 by City Council the subject site has proven to be an appropriate location for a site specific use and the addition of a limited scale retail use in conjunction with the supermarket will function well with the current mix of surrounding uses. The site specific designation will still allow for the existing land use designation to be maintained and not negatively affect the character of the area. The proposed use will provide a positive transition and opportunity for the parcel to be developed appropriately by restricting the scale and density of both the supermarket use and the retail component.

D. THE AMENDMENT

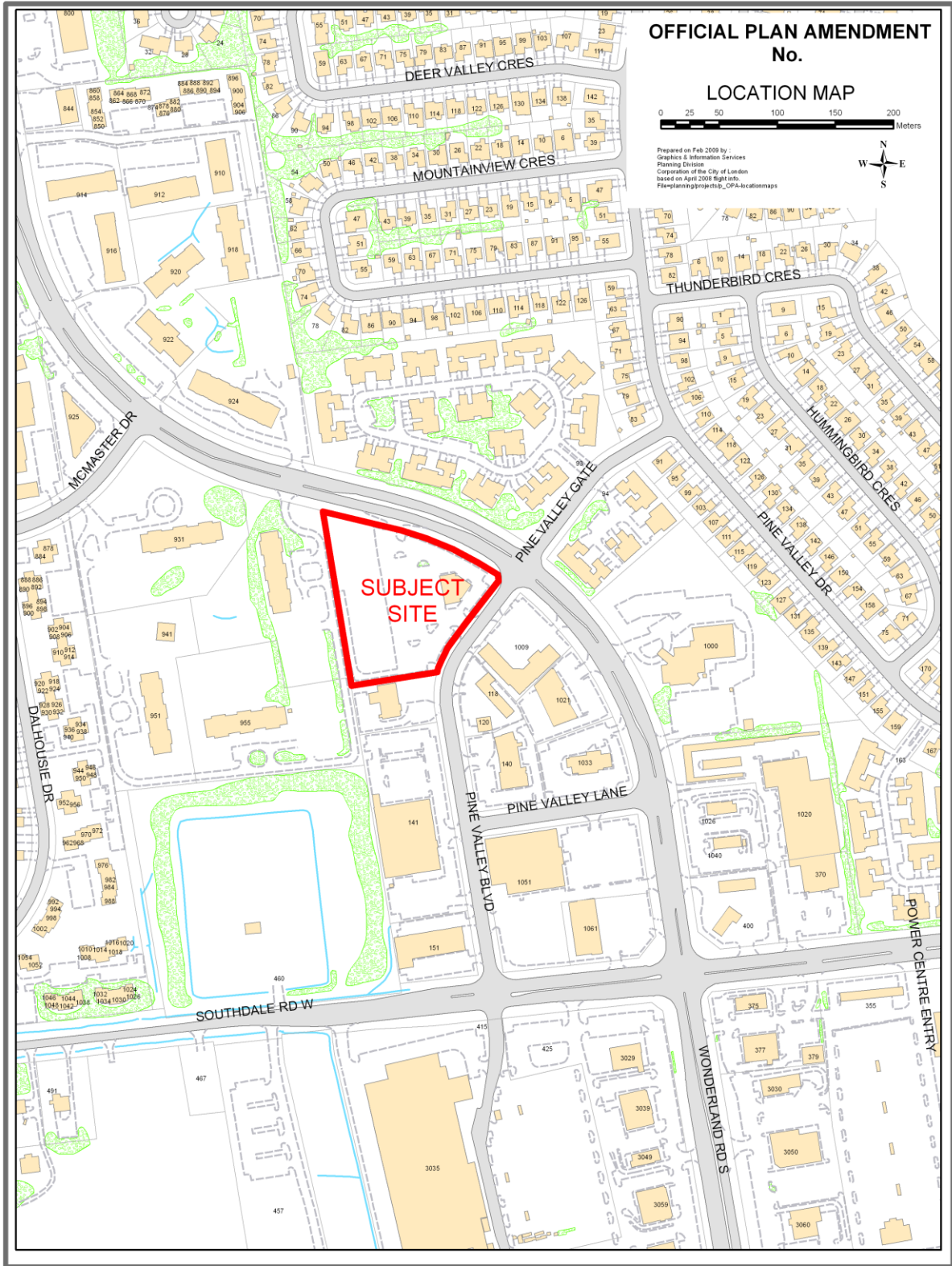
The Official Plan for the City of London is hereby amended as follows:

Section 10.1.3 cxxxvi) – 981 & 983 Wonderland Road South of the Official Plan for the City of London is amended by adding the following:

In the Auto-Oriented Commercial Corridor designation applicable to 981 & 983 Wonderland Road South, in addition to the uses permitted in the Auto-Oriented Commercial Corridor designation, a small-scale supermarket and a limited amount of retail space with a maximum gross floor area of 996m² (10,721sq.ft.) may and also be permitted.

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File: OZ-8043
Planner: Mike Corby



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File: OZ-8043
Planner: Mike Corby

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2012

By-law No. Z.-1-12_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 981 & 983 Wonderland Road South.

WHEREAS Sobeyes Development Limited Partnership have applied to rezone an area of land located at 981 & 983 Wonderland Road South, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

Schedule "A" to By-law No. Z-1 is amended by changing the zoning applicable to lands located at 981 & 983 Wonderland Road South, as shown on the attached map comprising part of Key Map No. 128, FROM a Restricted Service Commercial Special Provision/Highway Service Commercial (RSC2(10)/HS2) Zone which permits a wide range of commercial uses and a small scale supermarket with a maximum gross floor area of 3,372m² (36,300sq.ft.) and a minimum of 172 parking spaces TO a Restricted Service Commercial Special Provision/Highway Service Commercial Special Provision (RSC2(__)/HS2(__) Zone to allow retail store use with a maximum gross floor area of 996 m² (10,721sq.ft.); a small scale supermarket with a maximum gross floor area of 3,372m² (36,300sq.ft.); a minimum of 172 parking spaces; a reduced front yard setback to 2.2 metres (7.2 feet); a reduced exterior side yard setback to 3 metres (7.2 feet) and a reduced rear yard setback to 5 metres (16.4 feet).

1) Section Number 28.4 of the Restricted Service Commercial Zone (RSC) Zone is amended by adding the following Special Provision:

- 28.4) RSC2 (__) 981 & 983 Wonderland Road South
 - a) Additional Permitted Uses:
 - i) Retail Store.
 - ii) Supermarket
 - b) Regulations:
 - i) Gross Floor Area: 996 m²
Retail Store (Maximum) (10,721 sq. ft.)
 - ii) Gross Floor Area: 3,372 m²
Supermarket (Maximum) (36,300 sq. ft.)
 - iii) Parking Spaces: 172
(Minimum)
 - iv) Front Yard Depth: 2.2 metres (7.2 feet)
(Maximum)

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**File: OZ-8043
Planner: Mike Corby**

- v) Exterior Side Yard Depth (Maximum) 3 metres (9.8 feet)
- vi) Rear Yard Setback Depth (Maximum) 5 metres (16.4 feet)

2) Section Number 27.4 of the Highway Service Commercial Zone (HS) Zone is amended by adding the following Special Provision:

27.4) HS2 (___) 981 & 983 Wonderland Road South

a) Regulations:

- i) Front Yard Depth (Maximum) 2.2 metres (7.2 feet)
- ii) Exterior Side Yard Depth (Maximum) 3 metres (9.8 feet)
- iii) Rear Yard Setback Depth (Maximum) 5 metres (16.4 feet)

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 July 24, 2012.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

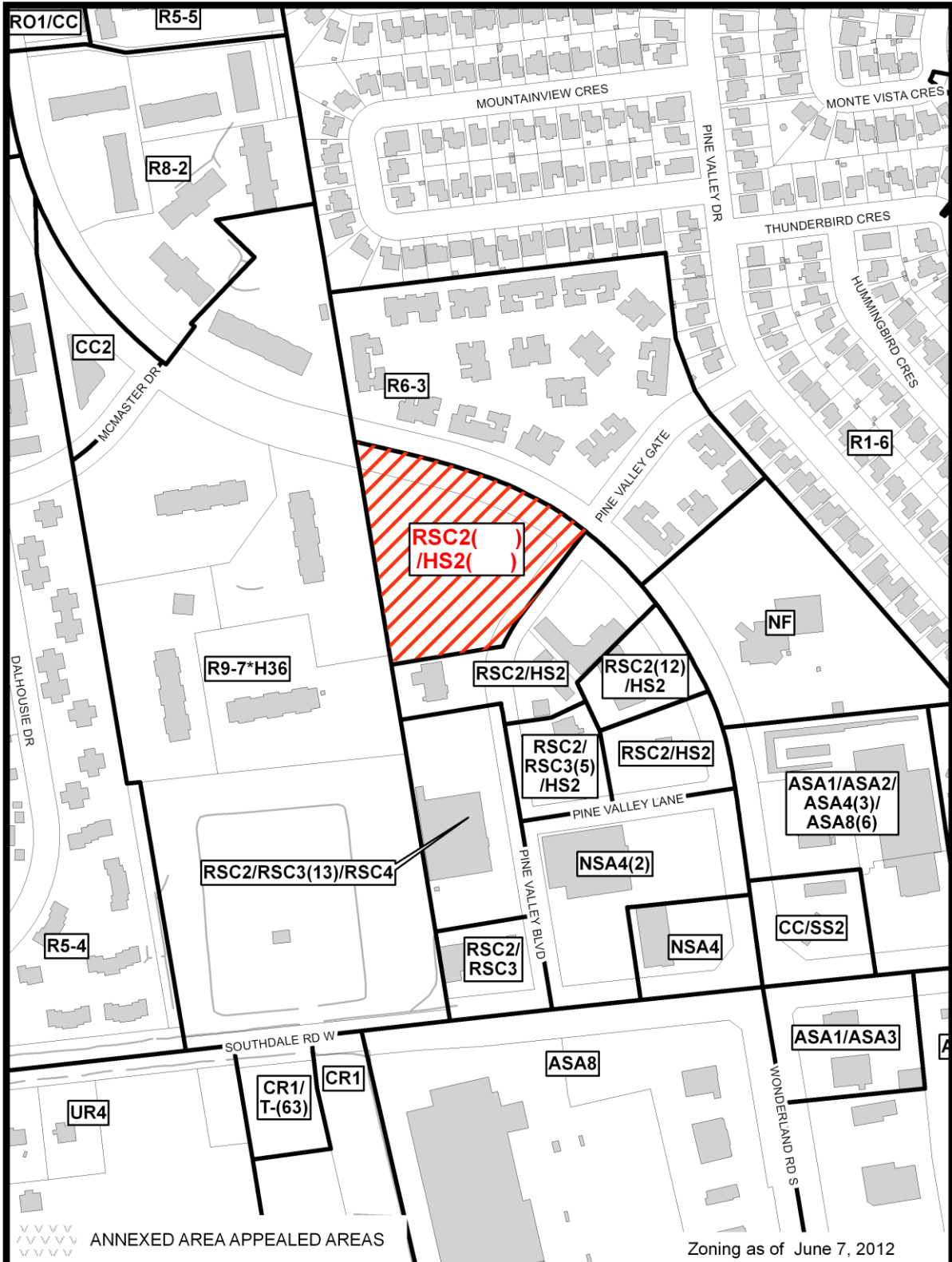
First Reading - July 24, 2012
Second Reading - July 24, 2012
Third Reading - July 24, 2012



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



<p>File Number: OZ-8043 Planner: MC Date Prepared: 2012/07/10 Technician: CK By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:3,800</p> <p>0 1530 60 90 120 Meters</p> 
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Agenda Item # Page #

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File: OZ-8043
Planner: Mike Corby