

## **STIKEMAN ELLIOTT**

---

Stikeman Elliott LLP Barristers & Solicitors

5300 Commerce Court West, 199 Bay Street, Toronto, Canada M5L 1B9  
Tel: (416) 869-5500 Fax: (416) 947-0866 www.stikeman.com

October 23, 2012  
File No.: 129002.1001

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

Attention: Councillor Bud Polhill, Chair,  
Planning & Environment Committee and  
Members of Committee

Dear Sir/Madam:

**Re: City of London Southwest Area Secondary Plan**

We are counsel to York Developments Inc. and the other landowners of 3313-3405 Wonderland Road South. As a follow-up to my deputation on behalf of these landowners at the meeting held on Monday, October 15, 2012, please find enclosed our proposed modifications to the Secondary Plan that we are requesting Planning Committee recommend to Council for approval. These modifications have been prepared by Carol Wiebe of MHBC Planning.

We provide these to you for ease of reference with the request that Planning Committee approve the Secondary Plan, with these modifications, and forward the Secondary Plan as modified to Council for its final approval at its meeting scheduled for October 30, 2012.

TORONTO

MONTRÉAL

OTTAWA

CALGARY

VANCOUVER

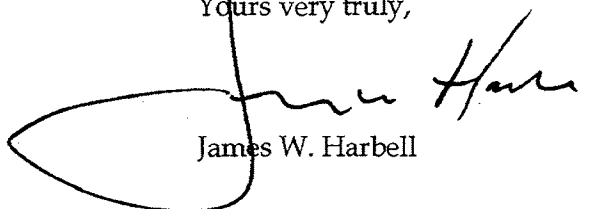
NEWYORK

LONDON

SYDNEY

If you have any questions, we would be pleased to respond.

Yours very truly,



James W. Harbell

JWH/vmb  
Enclosure

- cc. Mayor Joseph Fontana, *City of London*  
John Fleming, Managing Director, *Planning & City Planner for City of London*  
Catharine Saunders, Clerk, *City of London*  
Ali Soufan, *York Developments Inc.*  
Paolo Rovazzi, *North American Development Group*  
Carol Wiebe, *MHBC Planning*

**Schedule 1**  
**PROPOSED AMENDMENTS**  
**to the**

**DRAFT SOUTHWEST AREA PLAN FOR THE CITY OF LONDON**

**A. THE AMENDMENT**

**1. Draft Policy 20.5.1.3 - 'Vision'**

As a result of this amendment, the proposed Vision policies are modified by amending paragraph seven (7) of the draft policy:

Enhancements are proposed to the Natural Heritage System and open space features in the southwest designing them as neighbourhood features interwoven in the urban landscape. Specifically, enhanced corridors of generally 30 metres on each side of identified natural areas, and generally 50 metres on each side of Dingman Creek also serve to protect, maintain, enhance and rehabilitate the corridors.

**2. Draft Policy 20.5.3.5 - 'Parkland Dedication'**

As a result of this amendment, the proposed policies for parkland dedication are modified by amending the following draft policy:

**i) Conveyance of Parkland**

The public components of the Community Parkland identified in Section 20.5.3.4, and/or shown as Open Space on Schedules 5 through 17 of this Secondary Plan, shall be dedicated to the City for public park purposes. Some components of the natural heritage/environmental features, pedestrian pathways/trails, and stormwater management systems may serve other public uses, in which case the land may be conveyed to the City for public use by other authorized means. The City may permit departures from the Open Space boundaries delineated on Schedules 5 through 17 of this Secondary Plan if the general intent of the Secondary Plan is maintained and the departure is advisable and reasonable.

**3. Draft Policy 20.5.3.6 i) - 'Components of the Natural Heritage System'**

As a result of this amendment, the proposed policies for the natural heritage system are modified by amending the following draft policy:

**b) Width of the Dingman Creek Corridor**

The protection, maintenance, enhancement and rehabilitation of the corridor are integral to the sustainability of this unique natural heritage feature and its ecological functions. To further protect the corridor and provide opportunities for enhancement the minimum width of the Dingman Creek Corridor will

generally be comprised of a minimum 50 metres on each side of the watercourse measured from the ordinary high water mark, as determined by a qualified hydrogeomorphologist or hydrogeologist. The ultimate width of a corridor will be established on a case-by-case basis through application of the Guidelines for Determining Setback and Ecological Buffers, as part of an Environmental Impact Study and/or Subject Lands Status Report approved by the City.

**c) Other Natural Heritage Features**

To increase the natural cover within the Southwest Secondary Planning Area, and to protect the features and ecological functions for which the natural area has been identified, a minimum 30 metre corridor will generally be established on each side of the feature, measured from the edge of any other Natural Heritage Feature other than the Dingman Creek, identified on Schedule B-1 of the Official Plan. The ultimate width of a corridor will be established on a case-by-case basis through application of the Guidelines for Determining Setback and Ecological Buffers, as part of an Environmental Impact Study and/or Subject Lands Status Report approved by the City.

**d) Development Limit**

Where development is proposed adjacent to a 50 metre minimum width of the Dingman Creek corridor, and the existing land use in the adjacent lands is not otherwise constrained by the presence of other natural heritage features or natural hazards, the requirement for an EIS will be waived.

Where development is proposed adjacent to a 30 metre minimum corridor for other natural heritage features, and the distance for the preparation of an EIS as set out in Table 15-1 of the Official Plan is less than 30 metres, the requirement for an EIS is waived. Where the distance for the preparation of an EIS for the natural heritage feature exceeds 30 metres, an EIS shall be prepared to confirm and delineate the limit of the buffer.

**e) Implementation/Acquisition**

For lands adjacent to Dingman Creek, 20 metres of the corridor adjacent to the Creek shall be dedicated to the City in accordance with the City's policies regarding the dedication of environmentally significant lands, at the reduced rates as defined in the Parkland Conveyance and Levy By-Law CP-9. For the remaining ~~30 metres~~ corridor to be dedicated, development credit equal to the land area will be assigned to the adjacent land for the purposes of density, coverage and lot area calculations. As full development credit for these lands to be dedicated is to be provided, no parkland credit will be provided for the remaining ~~corridor~~ 30 metres. Notwithstanding, the City will undertake a study to evaluate the benefit provided by the development credit policy to confirm that the policy provides adequate compensation for dedicated lands.

For lands adjacent to any Natural Heritage Feature identified on Schedule "B-1"-Natural Heritage Features, 10 meters of the corridor adjacent to the natural heritage feature shall be dedicated to the City in accordance with the City's policies regarding the dedication of environmentally significant lands, at the reduced rates as defined in the Parkland Dedication and Conveyance By-Law CP-9. For the remaining ~~20 metres~~ corridor to be dedicated, development

credit equal to the land area will be assigned to the adjacent land for the purposes of density, coverage and lot area calculations. As full development credit for these lands to be dedicated is to be provided, no parkland credit will be provided for the remaining corridor 20 metres. Notwithstanding, the City will undertake a study to evaluate the benefit provided by the development credit policy to confirm that the policy provides adequate compensation for dedicated lands.

#### 4. Draft Policy 20.5.3.8 iv) - 'Design for Wonderland Road South'

As a result of this amendment, the intent of the policies and design concepts proposed for Wonderland Road South are modified by amending the following draft policy:

##### a) Intent

As the primary gateway to Central London from the 400 series Highways, Wonderland Road South will be developed with an non-standard six-lane arterial road cross section. The intent of this design is to fulfill the two functions of this major transportation corridor-as a major arterial designed to carry high volumes of traffic in a safe and efficient manner, and as a major gateway and arrival corridor into the City. Wonderland Road South will serve as the spine of the Southwest Area, and will link both the existing and newly developing neighbourhoods within the area to one another and to the rest of the City. For these reasons, a high design standard, including landscaping, medians, opportunities for on-street parking and bicycle lanes, and local street connections will be provided within the a-widened road allowance.

~~Based on a six-lane profile, conceptual designs have a minimum of two through-lanes in each direction within the Southwest Planning Area to carry traffic through the area in a safe and efficient manner. Where feasible, the third lane in each direction is designed as a parallel frontage street, allowing for local streets to run to the east and west directly from the arterial road right-of-way.~~

~~This design allows for the slowing of traffic, and the creation of an intimate pedestrian street environment adjacent to the development along the corridor. Bicycle lanes and onstreet parking within the frontage street, and a wide landscaping strip planted with trees and other vegetation between the through lanes and the frontage street lane, will contribute to the sense of enclosure and the pedestrian feel for this area, while supporting street-oriented development and front door opportunities. Building setbacks and design elements as set out in Section 20.5.3.9 of this Plan, will relate to this design to provide an effective interface between the public and private realms.~~

The through lanes in either direction may will be divided by a wide raised median developed as a showcase of landscaping and trees, providing amenity for the street and enhancing this corridor as a significant gateway to the city that is representative of the Forest City. The anticipated minimum right-of-way width requirement is 40 57 metres.

**~~b) Design Concepts~~**

*This draft policy is deleted in its entirety.*

**5. Draft Policy 20.5.6.1 iii) - 'Development Pattern/Local Street Connections'**

As a result of this amendment, the policies for the proposed local street connections for the 'Wonderland Road Enterprise Corridor' are modified by amending the following draft policy:

**iii) Development Pattern/Local Street Connections**

In order to establish an organizing structure for ~~the present and~~ future development ~~for lands~~ within the "Wonderland Road Enterprise Corridor" land use designation, local street connections shall be established perpendicular to Wonderland Road South for the full width of the blocks adjacent to both the east and west sides of Wonderland Road South as part of the ~~development or~~ redevelopment of any lands within the Wonderland Road Enterprise Corridor. Local street right-of-way dedications shall be consistent with the Conceptual Network of this Plan. The City may enter into an encroachment agreement with the property owner for the use of the local street right-of-way in advance of its development as a local street.

Local street right-of-ways shall be dedicated for any ~~development or~~ redevelopment within the Wonderland Road Enterprise Corridor. The dedication shall occur as a condition of a plan of subdivision or consent. Where the ~~development or~~ redevelopment of the site is subject to site plan control, land area dedicated to the city for right-of-way will be included in the lot area calculation permitted density, coverage and floor area. Internal access and shared internal driveways across adjacent lands shall be required.

**6. Draft Policy 20.5.6.1 v) - 'Built Form and Intensity – Commercial Development'**

As a result of this amendment, the proposed Built Form and Intensity – Commercial Development policies are modified by removing the following draft policy:

- ~~a) Commercial development for the entire Wonderland Road Enterprise Corridor designation shall not exceed 100,000m<sup>2</sup> gross floor area. 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.~~

**B. PROVISIO**

The amendments to the draft policies of the Southwest Area Plan apply to any other modifications necessary to give the full effect to the amendments described herein.