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London
CANADA

July 25, 2012

Ontario Municipal Board
655 Bay Street, Suite 1500
Toronto, ON M5G 1E5

I hereby certify that the Municipal Council, at its session held on July 24 and 25, 2012 resolved:

8. That, on the recommendation of the Director, Land Use Planning and City Planner, the following actions be taken with respect to the application of 1242778 Ontario Limited, relating to the property located at 1761 Wonderland Road North:

- a) the Ontario Municipal Board **BE ADVISED** that a Commercial Justification Report, Planning Justification Report, and Traffic Impact Assessment Report Addendum have been received by the Planning Division, circulated to the appellants, evaluated and considered at a public participation meeting of the Planning and Environment Committee on July 16, 2012;
- b) the Ontario Municipal Board **BE ADVISED** that Municipal Council recommends that Official Plan Amendment No. 488 **BE AMENDED**, as attached (Appendix "A"), **FROM** "Notwithstanding policy 4.3.8.5, commercial development within the Neighbourhood Commercial Node located at the intersection of Wonderland Road North and Fanshawe Park Road West shall be permitted up to 23,000 square metres of total gross floor area" **TO** a modified policy which adds the following sentence to special policy 4.3.8.6.(2)", and at the lands located at 1761 Wonderland Road North", such that this special policy will now read as follows, "Notwithstanding policy 4.3.8.5, additional commercial development may be permitted at the Neighbourhood Commercial Node on the south portion of commercial lands at 751 Fanshawe Park Road West up to a maximum lot frontage of 72 metres, a maximum lot depth of 91.5 metres, and a maximum lot area of 7,572 square metres, and at the lands located at 1761 Wonderland Road North; and,
- c) any additional reports, comments and information received, with the revised application, and at the Planning and Environment Committee meeting held on July 16, 2012, **BE PROVIDED** to the Ontario Municipal Board for consideration;

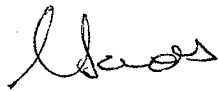
it being noted that the Planning and Environment Committee received the attached communication, dated July 13, 2012, from Ali Soufan, York Developments, with respect to this matter;

it being pointed out that at the public participation meeting associated with this matter, the following individuals made oral submissions in connection therewith:

- Alan R. Patton, Patton, Cormier & Associates, on behalf of Loblaw Properties Limited, FCHT Holdings (Ontario) Corporation, Barvest Realty Inc., Sunningdale Developments Inc. and Auburn Developments – advising that this is similar to the issue that was previously at the Municipal Council and the Ontario Municipal Board, relating to the property located at Southdale Road and Colonel Talbot Road; indicating that there are issues with the traffic recommendations; advising that this application is premature by a number of years; reading item 1 under "Rationale" of the Civic Administration's report relating to the Commercial Justification Report; advising that there are additional supermarkets in the area; noting that the supermarket use has not been supported; advising that the last bullet on page 6 of the Civic Administration's report is the basis for his clients' appeal; advising that the request was for a special type of food store; noting that now any old supermarket is allowed on this site; advising that a Traffic Impact Study was completed for this site; reading the italicized typing on page 7 of the Civic Administration's report under "Transportation Planning & Design Division"; noting that his client has concerns with the left turns out of the site as it is in conflict with his client's site; also noting that the Traffic Impact Study does not take into account the traffic from the food store being diverted; advising that on page 9 of the Civic Administration's

report, the "Primary Area Study" includes the designation and zoning of a food store; advising that on page 19 of the Civic Administration's report, the comments about the existing No Frills is the current situation today, as it is the first food store in the area; indicating that the flaw in the report is that the numbers decrease over time; advising that on page 13 of the Civic Administration's report, the 34,444.5 square foot building is pushed right up to the street line because the building is out of alignment; indicating that there is development being built in the future at Richmond and Sunningdale; noting that this will jump over the plan function at Wonderland Road North and Southdale Road; advising that nothing has changed with the reports; advising that this is premature by 5 or 6 years; and indicating that additional commercial properties have been added west of Wonderland Road North, north of Fanshawe Park Road East.

- Ali Soufan, York Developments – understanding why Mr. Patton's clients wish to delay the application; expressing support for the original decision of the Municipal Council; advising that the market analysis was done by a consultant in Toronto; advising that the Transportation Impact Study was adjusted to meet Mr. Patton's tests; requesting that the Planning and Environment Committee reiterate the original decision; indicating that the previous application appealed the York Developments application, but not the Decade Developments application; and advising that this is part of a food store war. (2012-D11-06) (8/19/PEC)



C. Saunders
City Clerk
/jb

cc: 1242778 Ontario Limited c/o A. Soufan, York Developments, 233 Horton Street East, London, ON N6B 1L1
A. Patton, Patton Cormier & Associates, 1512-140 Fullarton Street, London, ON N6A 5P2
J.M. Fleming, Director, Land Use Planning and City Planner
J. Yanchula, Manager, Community Planning and Urban Design
M. Tomazincic, Planner II

Appendix "A"

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to modify section 4.3.8.6.(2) of the Official Plan for the City of London to expand the existing Neighbourhood Commercial Node designation by adding the lands at 1761 Wonderland Road North to the existing special policy applied to the Wonderland Road North/Fanshawe Park Road West Neighbourhood Commercial Node.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1761 Wonderland Road North in the City of London.

C. BASIS OF THE AMENDMENT

This amendment is consistent with the policies of the *Provincial Policy Statement, 2005* which promotes economic development and competitiveness by providing for an appropriate mix and range of employment uses; providing opportunities for a diversified economic base and including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

This amendment is also consistent with the policies of the Official Plan Neighbourhood Commercial Nodes which permits the application of Neighbourhood Commercial Nodes to a collection of small stores intended to serve the surrounding neighbourhood.

D. THE AMENDMENT

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

1. Section 4.3.8.6.(2) – Wonderland Road North/Fanshawe Park Road West of the Official Plan for the City of London is amended by adding the following phrase to the end of the existing paragraph:

“, and at the lands located at 1761 Wonderland Road North”