

Zoning By-Law Amendment

755-785 Wonderland Road South (Westmount Mall)



File: Z-9356

**Applicant: McCor Management Inc. c/o Ben McCauley
(Zelinka/Priamo)**

What is Proposed?

Zoning amendment to 1) add business service establishment as a permitted use to permit call centres, customer service field offices or other businesses which operate on a fee or contract basis such as advertising, mailing, building maintenance, employment services and protective services or 2) increase the maximum cap for office space in the zone.

Possible change to Zoning By-law Z.-1 to the existing Regional Shopping Area Special Provision (RSA2(2)) Zone to add business service establishment as an additional permitted use or increase the maximum cap for office space in the zone.

YOU ARE INVITED!

Further to the Notice of Application you received on May 27, 2021, you are invited to a public meeting of the Planning and Environment Committee to be held:

Meeting Date and Time: Monday, September 20, 2021, no earlier than 4:00 p.m.

Meeting Location: City Hall, 300 Dufferin Avenue, 3rd Floor

Please refer to the enclosed Public Participation Meeting Process insert.

For more information contact:

Chuck Parker
cparker@london.ca
519-661-CITY (2489) ext. 4648
Planning and Development, City of London,
206 Dundas St., London ON N6A 1G7
File: Z-9356

london.ca/planapps

To speak to your Ward Councillor:

Paul Van Meerbergen
pvanmeerbergen@london.ca
519-661-CITY (2489) ext. 4010

**If you are a landlord, please post a copy of this notice where your tenants can see it.
We want to make sure they have a chance to take part.**

Application Details

Requested Zoning By-law Amendment

The applicant requested a zoning amendment to add business service establishment as a permitted use to permit call centres, customer service field offices or other businesses which operate on a fee or contract basis such as advertising, mailing, building maintenance, employment services and protective services. The City is reviewing the option of increasing the maximum cap for office space in the zone.

Possible change to Zoning By-law Z.-1 to the existing Regional Shopping Area Special Provision (RSA2(2)) Zone to add business service establishment as an additional permitted use or increase the maximum cap for office space in the zone.

Changes to the currently permitted land uses and development regulations are summarized below.

The Zoning By-law is available at london.ca.

Current Zoning

Zone: Regional Shopping Area Special Provision (RSA2(2)) Zone.

Permitted Uses: Assembly halls; Automotive uses, restricted; Catalogue stores; Clinics; Commercial parking structures and/or lots; Commercial recreation establishments; Convenience service establishments; Day care centres; Duplicating shops; Financial institutions; Institutions; Liquor, beer and wine stores; Medical/dental offices; Offices; Patient testing centre laboratories; Personal service establishments; Private clubs; Restaurants; Retail stores; Service and repair establishments; Studios; Supermarkets; Taverns; Taxi establishments; Video rental establishments; Place of Entertainment; and, Brewing on premises establishments .

Special Provision: Additional Permitted Use: Commercial and Private Schools.

Height: 24 metres (79 feet)

Requested Zoning

Zone: Regional Shopping Area Special Provision (RSA2()) Zone

Permitted Uses and Special Provision: Add business service establishment to existing special provision zone

Height: 24 metres (79 feet)

The City may also consider increasing the cap for office uses. The Regional Shopping Area (RSA) Zone allows a maximum 10% of total Gross Leasable Floor Area (GLFA) for office uses.

Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. The subject lands are in the **Shopping Area Place Type** in The London Plan, permitting a broad range of retail, service, office, entertainment, recreational, educational, institutional and residential uses. Mixed use buildings will be encouraged. Uses with large amounts of outdoor storage, large warehouse components, storage of heavy vehicles and/or emitting noise, vibration or dust will not be permitted. Uses that are not compatible with residential and retail uses will not be permitted. The full range of uses described above will not necessarily be permitted on all sites within the Shopping Area Place Type.

Total aggregate office uses will not exceed 2000m² (21,528 sq.ft.)

The 1989 Official Plan designates this site as a **Community Commercial Node** which allows a broad range of retail, office and serve uses at a minimum scale of 13,000m² to a maximum scale of 50,000m². Offices are allowed up to a maximum of 5000² depending upon size of buildings in the node.

How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the zoning of land located within 120 metres of a property you own, or your landlord has posted the public meeting notice in your building. The City reviews and makes decisions on such planning applications in accordance with the requirements of the Planning Act. If you previously provided written or verbal comments about this application, we have considered your comments as part of our review of the application and in the preparation of the planning report and recommendation to the Planning and Environment Committee. The additional ways you can participate in the City's planning review and decision making process are summarized below.

See More Information

You can review additional information and material about this application by:

- Contacting the City's Planner listed on the first page of this Notice; or
- Viewing the application-specific page at london.ca/planapps
- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

Attend This Public Participation Meeting

The Planning and Environment Committee will consider the requested zoning changes at this meeting, which is required by the Planning Act. You will be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](https://neighbourgood.ca) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

Alternative formats to in-person attendance are available through telephone or virtual web streaming (computer) application. Pre-registration is required to access these options and can be found in the Public Participation insert.

Please refer to the enclosed Public Participation Meeting Process insert.

What Are Your Legal Rights?

Notification of Council Decision

If you wish to be notified of the decision of the City of London on the proposed zoning by-law amendment, you must make a written request to the City Clerk, 300 Dufferin Ave., P.O. Box 5035, London, ON, N6A 4L9, or at docservices@london.ca. You will also be notified if you speak to the Planning and Environment Committee at the public meeting about this application and leave your name and address with the Secretary of the Committee.

Right to Appeal to the Ontario Land Tribunal

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Corporation of the City of London to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

For more information go to <https://olt.gov.on.ca/appeals-process/forms/>.

Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Cathy Saunders, City Clerk, 519-661-CITY (2489) ext. 4937.

Accessibility

The City of London is committed to providing accessible programs and services for supportive and accessible meetings. We can provide you with American Sign Language (ASL) interpretation, live captioning, magnifiers and/or hearing assistive (t coil) technology. Please contact us at planning@london.ca or 519-661-4980 by September 13, 2021 to request any of these services.



Public Participation Meeting Process

As part of the City's ongoing efforts to slow the spread of COVID-19, and in keeping with the regulations and guidelines provided by the Province of Ontario, the Public Participation Meeting process has been modified. The capacity for individuals in City Hall meeting rooms and the Council Chambers Public Gallery will reflect the requirement for 2m physical distancing, with designated seating and standing areas being provided.

Please refer to the public meeting notice for all options available for you to participate in the planning process.

Public Participation Meeting (PPM) Process

- Members of the public are asked to “pre-register” to speak in person at a PPM. Pre-registered speakers will be given priority access to entering City Hall. Speakers will be limited to five minutes of verbal presentation.
 - **Pre-register by calling 519-661-2489 ex. 7100; or by emailing PPMClerks@london.ca** Please indicate the PPM subject matter when contacting the Clerk's Office. Registrations will be confirmed.¹
 - When pre-registering, members of the public will have a brief COVID-19 health screening and will be asked to self-screen prior to entering City Hall.
- Presentations will be strictly verbal; any other submission of photos, slides or written information must be made outside of the PPM. These can be forwarded to the Planner associated with this application and/or to the registration email, noted above. In order to be considered, all submissions should be made prior to the Council meeting when the Planning and Environment Committee recommendation regarding the subject matter is considered.

Public Participation Meeting (PPM) Process – At the meeting

- Members of the public should self-screen before entering City Hall. You likely will be greeted by security upon entering the building. A mask/face covering is required at all times in City Hall.
- Each committee room in use for the PPM will broadcast the meeting taking place in the Council Chambers.
- City Staff will be in each assigned room to assist members of the public.
- When appropriate, individual members of the public will have an opportunity to speak to the committee remotely, using the camera/microphone in the committee room. Floor markings will indicate where to stand.

Council Chambers

- Committee members and staff will be present in the Chambers (physically, or by remote attendance).
- There will be no public access to the Council floor.

¹ Notice of Collection of Personal Information – information is collected under the authority of the *Municipal Act, 2001*, as amended, and the *Planning Act, 1990* RSO 1990, c.P. 13, and will be used by Members of Council and City of London staff in their consideration of this matter. Please see additional information on the enclosed Public Meeting Notice pages.