



Zelinka Priamo Ltd.

LAND USE PLANNERS

September 17, 2021

Chair and Members
Planning and Environment Committee
City of London
300 Dufferin Avenue
London, ON
N6A 4L9

Attention: Heather Lyzynski, Committee Secretary

**RE: Request for Deferral
Planning and Environment Committee (PEC)
September 20, 2021, Item 3.3
Zoning By-Law Amendment Application
755-785 Wonderland Road South
London, ON**

On behalf of McCOR Management Inc., Zelinka Priamo Ltd. is submitting this letter as a Request for Deferral of the Committee's consideration of the Zoning By-Law Amendment application for 755-785 Wonderland Road South (known as Westmount Mall – 'Westmount'). Having reviewed the Staff Report and the basis for its recommendation, we believe further discussion with staff is warranted, as the report does not accurately reflect, analyse or present the application which was submitted.

The Zoning Bylaw Amendment application before the Planning and Environment Committee is to permit the **Business Service Establishment** ('BSE') use as a permitted use on the subject lands. While the motivation for the application was as the interest of a call centre operator to locate its operation in the existing Westmount building, the BSE use was seen as a non-office use that could increase the potential for leasing existing vacant building area by allowing compatible businesses service uses other than just call centres. Given the high vacancy rate within Westmount, attracting new tenants is critical to the successful reuse of the former retail shopping mall (as acknowledged in the City Staff Report). The selection of the BSE use was made because it included the call centre use, based on previous zoning interpretations made by the City, and would be complimentary to other uses already permitted within Westmount.

Through the application review process, City Staff focused attention on legally existing uses within Westmount which they believe can be interpreted as “offices”; then analysed them against the office policy limits in the City’s Official Plan, the London Plan, and the Zoning By-law. However, the application before the Committee is to permit a Business Service Establishment, which is not an “office” use under the City’s Zoning By-law. Staff were examining a planning matter not related to the application submitted. The confusion was generated by Staff’s opinion that call centres do not belong under the BSE use, but rather are an “office” use. Staff have evaluated the application as a request to add office uses, and increase the office space with Westmount, which is not the case. The Staff Report is not reflective of the application submitted. While we disagree with Staff’s interpretation of the call centre use as an office use, the application remains as requesting the Business Service Establishment permission to be added to the subject lands. At no time did we amend this application to request either additional office uses, or an increase in the permitted office floor area.

The Staff Report contains significant analysis on the protection and preservation of the Downtown Core, and how the present application could undermine its vitality and long-term success; however, this analysis is conducted through a lens of increasing the office uses, and office capacity at Westmount, neither of which is the subject of this application. In addition, the Staff Report leans heavily on the Provincial Policy Statement and its policies relating to protection of Employment Areas, emphasizing that those policies speak to the protection of the Downtown Core as a major employment area. While we do not disagree with the position that the Downtown is a major Employment Area, the report fails to recognize that Westmount is also a major Employment Area within the City of London, and has been since the former shopping mall’s inception in 1971. Those PPS policies speaking to the protection and preservation of employment areas relate to Westmount as they do to the Downtown Core.

Based on the Staff Report which, in our opinion, does not appropriately evaluate the application submitted, and which seeks to establish new interpretations which contradict established City practice, we respectfully request that consideration of the application be deferred to enable additional discussion with City Staff to determine the best course forward for this application and to support the viability of Westmount as a transit-supportive employment area.

Thank-you for your consideration of this request,

ZELINKA PRIAMO LTD.



Casey Kulchycki, BAA, MCIP, RPP

Senior Planner