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June 19, 2013
File No.: 129002.1001

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

Attention: Catharine Saunders, Clerk

Dear Ms. Saunders:

**Re: 1279059 Ontario Inc. (York Developments), CLF 1
(Wonderland Road Inc.) and 1699259 Ontario Inc.
3313-3405 Wonderland Road South and 1789 Wharncliffe
Road South
File No. 0Z-7072/0Z-7073**

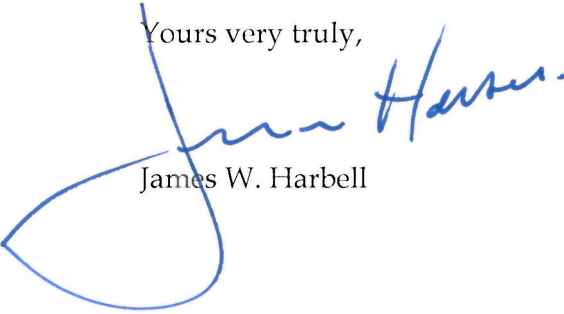
We are counsel to the owners for this application, which is scheduled to be heard by the Planning and Environment Committee on Thursday, June 20, 2013.

As the Staff Report recommendation is for refusal and we will be requesting the Committee to recommend approval to Council of the Official Plan Amendment and Zoning By-law Amendment, please find enclosed a Recommendation together with a draft Official Plan Amendment and a draft Zoning By-law Amendment. Would you kindly circulate this to the members of the Committee in advance of the meeting, if possible.

TORONTO
MONTRÉAL
OTTAWA
CALGARY
VANCOUVER
NEW YORK
LONDON
SYDNEY

I will be in attendance tomorrow to discuss this Recommendation.

Yours very truly,

A handwritten signature in blue ink, appearing to read "James W. Harbell", is written over the typed name. The signature is fluid and cursive, with a large loop at the end.

James W. Harbell

JWH/vmb
Enclosure

- cc. John M. Fleming, *Managing Director, Planning & City Planner for City of London*
Barb Debbert, *Senior Planner, Community Planning and Design for City of London*
Jim Yanchula, *Manager, Community Planning and Design for City of London*
Ali Soufan, *York Developments Inc.*
Paolo Rovazzi, *North American Development Group*
Carol Wiebe, *MHBC Planning*
Jeff Paul, *Stantec Consulting Ltd.*
Michael Flainek, *Dillon Consulting Limited*

RECOMMENDATION

That the following actions be taken with respect to the application of 1279059 Ontario Inc. (York Developments), CLF 1 (Wonderland Road) Inc., and 1699259 Ontario Inc. relating to the property located at 3313 - 3405 Wonderland Road South and 1789 Wharncliffe Road South.

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 25, 2013 to amend the Official Plan to change the designation of the subject lands **FROM** an "Urban Reserve - Community Growth" designation which permits a limited range of uses based on the nature of their existing use, **TO** a "New Format Regional Commercial Node" designation to permit a range of retail, convenience, personal and financial service, restaurant, commercial recreation, office, community facility and limited automotive uses, and
- b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on June 25, 2013, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan as amended in part (a) above, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone which permits existing dwellings, agricultural uses, conservation lands, managed woodlots, wayside pits, passive recreation uses, kennels, private outdoor recreation clubs, and riding stables, **TO** an Associated Shopping Area Commercial Special Provision (h-()^{*} A5A3/A5A5/A5A6/ASA8()) Zone which permits a broad range of large and small scale retail outlets including supermarkets and food stores, department stores, retail warehouses, building supply; service commercial uses; offices; automotive related uses and other uses such as restaurants, studios, day care centres, commercial recreation establishments and home improvement stores, subject to a holding provision to ensure there are no conflicts between arterial roads and development on these lands within 19.5 metres of the centreline of Wonderland Road until a Municipal Class EA has been completed on Wonderland Road and its recommendations approved by Council.
- c) the Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - the introduction of two full movement signalized intersections along the Wonderland Road frontage to allow for the proper functioning of the lands in accordance with the proposed level of development envisioned within the Wonderland Road corridor;
 - the use of rights of way through the property as part of the 'first generation' of development to ensure a high level of connectivity.
- d) that staff be directed to implement an interim sanitary servicing solution via a private pumping station to connect to the existing forcemain on Wharncliffe Road similar to that implemented for the LTC site on the opposite side of Wonderland Road.

Appendix "A"

Bill No. (number to be inserted by Clerk's Office)
2013

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

A by-law to amend the Official Plan for the City of London, 1989 relating to 3313 - 3405 Wonderland Road South and 1789 Wharnccliffe Road South in the City of London.

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 June 25, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – June 25, 2013
Second Reading – June 25, 2013
Third Reading – June 25, 2013

AMENDMENT NO.

to the

OFFICIAL PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to change the designation of lands described herein from Urban Reserve - Community Growth to New Format Regional Commercial Node on Schedule "A", Land Use, to the Official Plan for the City of London.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 3313 - 3405 Wonderland Road South and 1789 Wharncliffe Road South in the City of London.

C. BASIS OF THE AMENDMENT

The recommended Official Plan Amendment will allow for the construction of a multi-building commercial complex including multi-unit and standalone buildings on the four properties which comprise the subject site.

The concept plan for the site illustrates a mixed use commercial centre with a total of approximately 55,162 m² of retail and service commercial floor space broken down into the following components:

- Approximately 14,214 m² of home improvement use;
- Approximately 12,542 m² of discount retail selling department store merchandise;
- Approximately 557 m² of office/clinic floor space; and
- Approximately 27,849 m² of commercial floor space in a number of single use or multipurpose buildings.

The site is located within the area encompassed by the Southwest Area Secondary Plan (SWAP), which was adopted by Council as Official Plan Amendment 541 on November 20, 2012. The Southwest Area Secondary Plan is not in force and effect as several appeals have been filed and the outcome of these appeals will ultimately be determined through decisions issued by the Ontario Municipal Board. The site is designated "Wonderland Road Community Enterprise Corridor" by the Council adopted Southwest Area Secondary Plan. The permitted commercial land uses within the "Wonderland Road Community Enterprise Corridor" are the same as those permitted in the "New Format Regional Commercial Node" designation.

The recommended amendment is consistent with the policies of the Provincial Policy Statement, 2005 and is consistent with the Commercial policies of the Official Plan.

D. THE AMENDMENT

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

1. Schedule "A", Land Use, to the Official Plan for the City of London Planning Area is amended by designating those lands located at 3313 - 3405 Wonderland Road South and 1789 Wharnccliffe Road South in the City of London, as indicated on "Schedule 1" attached hereto, from Urban Reserve - Community Growth to New Format Regional Commercial Node.

Appendix "B"

Bill No. (number to be inserted by Clerk's Office)
2013

By-law No. Z.-1-13_____

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3313 - 3405 Wonderland Road South and 1789 Wharncliffe Road South in the City of London.

WHEREAS 1279059 Ontario Inc. (York Developments), CLF 1 (Wonderland Road) Inc., 1699259 Ontario Inc. have applied to rezone an area of land located at 3313 - 3405 Wonderland Road South and 1789 Wharncliffe 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:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3313 - 3405 Wonderland Road South and 1789 Wharncliffe Road South, as shown on the attached map comprising part of Key Map No. 2, on the north part of the property from an Urban Reserve (UR4) Zone to an Associated Area Commercial (h-()*ASA3/ASA5/ASA6/ASA8()) Zone.
- 2) Section Number 24.4 of the Associated Shopping Area Commercial (ASA) Zone is amended by adding the following Special Provision:
 -) ASA8() 3313 - 3405 Wonderland Road South and 1789 Wharncliffe Road South
 - a) Additional Permitted Use:
 - i) Home Improvement Stores
3. Section Number 3.8(2) of the Holding Zone Provisions Section to By-law No. Z.-1 is amended by adding the following holding provision:
 -) h- *Purpose:* In order to ensure there are no conflicts between arterial roads and development on these lands within 19.5 metres of the centreline of Wonderland Road, the holding provision shall not be deleted until a Municipal Class EA has been completed for Wonderland Road and its recommendations approved by Council. Development on the balance of the property is not subject to this holding provision.

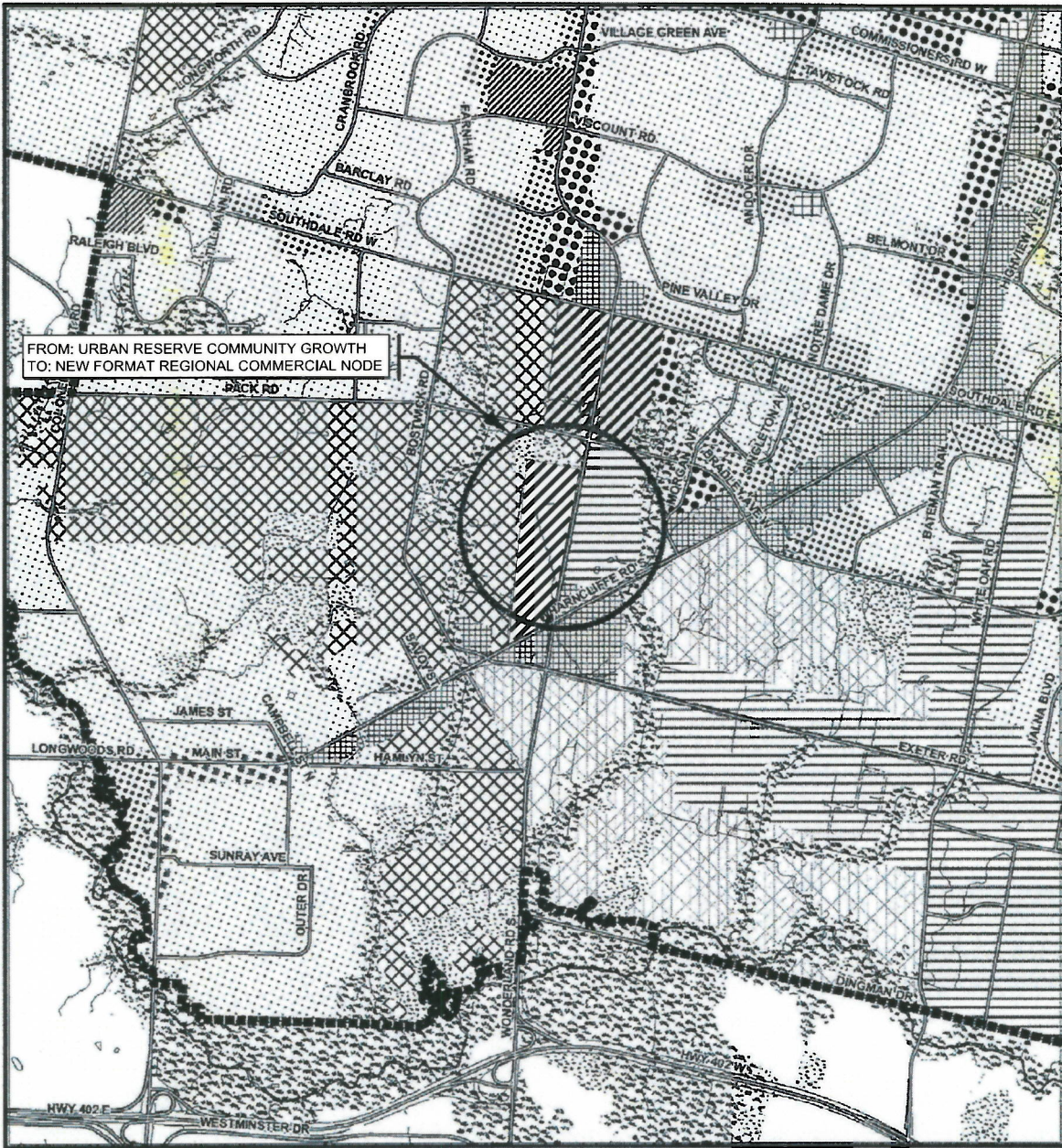
This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on June 25, 2013.

Joe Fontana
Mayor

Catharine Saunders
City Clerk

First Reading – June 25, 2013
Second Reading – June 25, 2013
Third Reading – June 25, 2013

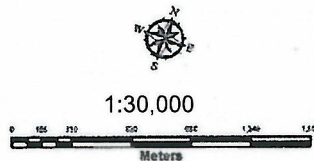


Legend

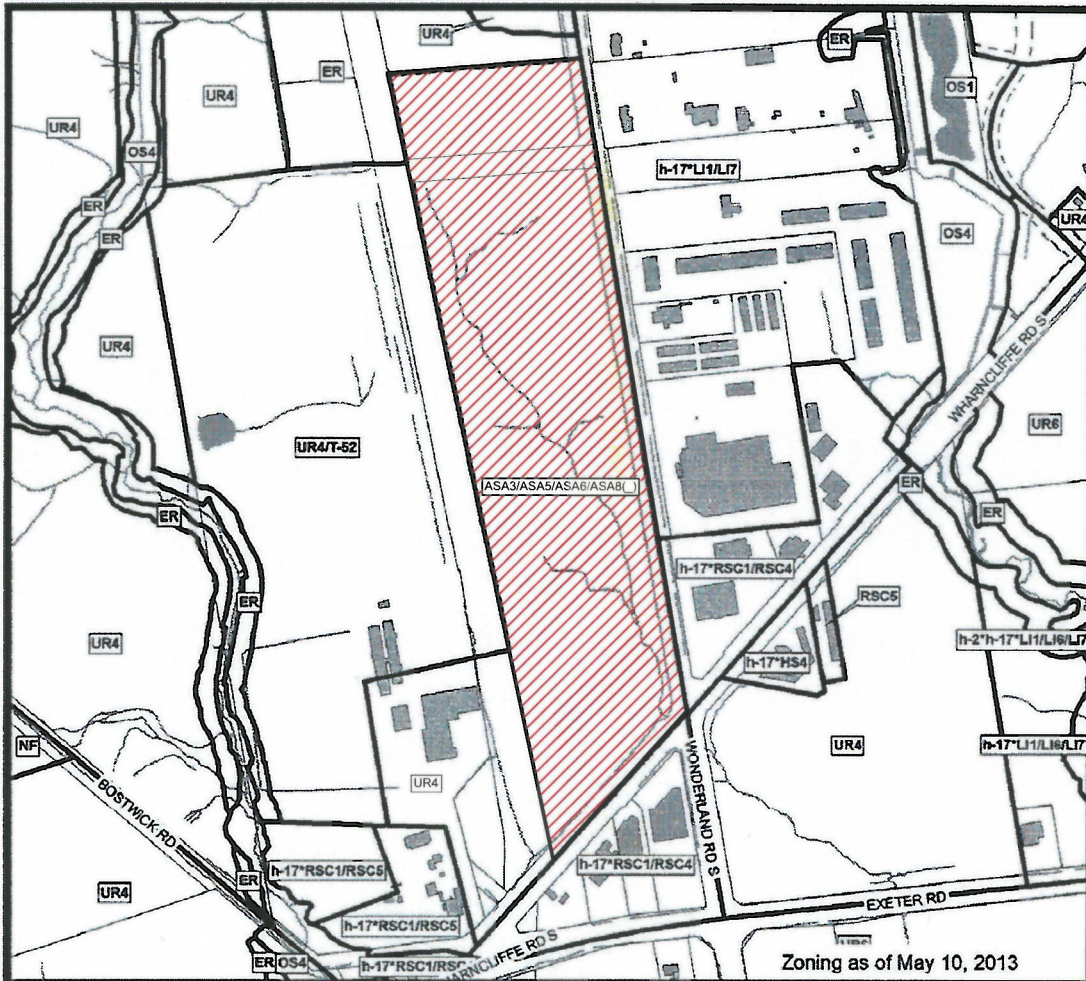
- | | |
|--|-----------------------------------|
| Downtown | Office Business Park |
| Enclosed Regional Commercial Node | General Industrial |
| New Format Regional Commercial Node | Light Industrial |
| Community Commercial Node | Regional Facility |
| Neighbourhood Commercial Node | Community Facility |
| 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
 - LAND USE -

PREPARED BY: MHBC



FILE NUMBER: OZ-702
 PLANNER:
 TECHNICIAN:
 DATE: 2013/06/13



 SUBJECT SITE

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

2)  ANNEXED AREA APEALED AREAS

- "h" - HOLDING SYMBOL
- "d" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

CITY OF LONDON
 PLANNING, ENVIRONMENTAL AND ENGINEERING SERVICES

**ZONING
 BY-LAW NO. Z.-1
 SCHEDULE A**



FILE NO:
OZ-7072

MAP PREPARED:
 2013/06/13 MHBC

1:7500
 0 37.575 150 225 300
 Meters