April 29, 2014



PL130020

Ontario Ontario Municipal Board Commission des affaires municipales de l'Ontario

IN THE MATTER OF subsection 17(24) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

APPEARANCES:

Parties

<u>Counsel</u>

The Corporation of the City of London ("City")	James Barber and Nicole Hall
Sifton Properties Limited ("Sifton")	Steven Zakem and Andrea Skinner
Greenhills SC Ltd. ("Greenhills")	Sharmini Mahadevan
York Developments Inc. 1279059 Ontario Inc., CLFI (Wonderland Road) Inc.,1699259 Ontario Inc., 731675 Ontario Limited, E. and E McLaughlin and Lloyd Courtney (collectively "York")	James Harbell and Maggie Chien
Southside Group of Companies ("Southside"), Molly Ann Johnstone ("Johnstone") and 761030 Ontario Ltd. ("761 Ltd.")	Alan Patton
1273999 Ontario Limited, Kevin Aarts, Ryan Aarts and Jonathon Aarts (collectively "Aarts")	Susan Rogers

London Land Developers Barry Card Association, Colonel Talbot Developments Inc., Crich Holdings & Buildings Limited and Auburn Developments (collectively "LTI")

Salvatore Latella

Jug Manocha ("Manocha")

Goal Ventures Inc. and PenEquity Realty Corporation ("Goal Ventures")

DECISION OF THE BOARD DELIVERED BY STEVEN STEFANKO

[1] In the fall of 2009, Council for the City ("City Council" or "Council") initiated the process of establishing a significant area plan for the southwest part of the City. It was the first such plan undertaken by the City in a considerable period of time.

[2] Over the next three years and nine months, a number of open houses, workshops and meetings were held to obtain input from affected and interested parties and a number of iterations of the plan itself were prepared.

[3] On November 20, 2012, following completion of this extensive consultative process, City Council approved the Southwest Area Secondary Plan ("SWAP" or "Plan") by adopting Official Plan Amendment 541 ("OPA 541"). Among other things, OPA 541 added SWAP to the list of Adopted Secondary Plans in s. 20.2 of the City's Official Plan ("City OP").

[4] SWAP comprises approximately 2,700 hectares ("ha") or 6.4 % of the City's entire land area. From a planning perspective, it provides a level of detail greater than the City OP. To the extent there is a conflict between SWAP and the City OP, the provisions of SWAP prevail with one exception. That exception is set out in s. 20.5.1.5 of the Plan. This section states that some areas of SWAP are also subject to existing Area Plans and, as a result, if a conflict arises between SWAP and the existing Area Plan, the Area Plan policies shall prevail.

[5] The purpose of SWAP is succinctly stated in the first paragraph of s. 20.5.1.2 of the Plan itself:

The purpose of the Secondary Plan is to establish a vision, principles and policies for the development of the Southwest Planning Area as a vibrant community in the city which incorporates a significant gateway into the city, elements of mixed-use development, an increased range and density of residential built form, sustainability, preservation of significant cultural heritage resources, walkability and high quality urban design.

[6] There were a number of appeals filed following SWAP's approval by City Council and those appeals, for purposes of determination, were dealt with in phases during this proceeding and were categorized as follows:

- i. General Policies and Servicing
- ii. Commercial Designations
- iii. Transportation
- iv. Natural Heritage and Open Space
- v. Site Specific Appeals
- vi. Mapping

In view of the phased nature of this proceeding, I will deal with each of these matters separately.

[7] It is also worth noting at this point that neither Jug Manocha, Salvatore Latella nor Goal Ventures attended this hearing. The appeal by Mr. Latella was withdrawn, the Goal Ventures appeal was adjourned *sine die* and the appeal of Mr. Manocha is dealt with later in this decision.

I GENERAL POLICIES AND SERVICING

[8] Although initially, York and Sifton had concerns with respect to certain general and servicing policies, after approximately two and one half weeks of hearing, York, Sifton, Greenhills, Aarts and the City reached agreement in relation to modifications ("Agreed Upon General Modifications") to be made to the Plan for this phase of the hearing. That agreement did not include Southside.

[9] The Agreed Upon General Modifications specifically relate to s.20.5.1.3, 20.5.3.7 and 20.5.16.3 of the Plan and comprise a portion of Attachment 1 ("Attachment 1") annexed hereto.

[10] The modifications initially suggested by Southside relate to s. 20.5.1.3, 20.5.1.5 and 20.5.16.3 as well as a number of density provisions in the Plan. These modifications ("Southside General Modifications") are more particularly set out on Attachment 2 ("Attachment 2") annexed hereto. They were opposed, in whole or in part, by the City, York, Greenhills, Aarts and Sifton.

Southside General Modifications

Analysis and Disposition

[11] Richard Zelinka, a planner with Zelinka Priamo Ltd. provided expert land use evidence on behalf of Southside.

[12] In relation to the "Vision" part of the Plan, he suggests that the word unique be removed from s. 20.5.1.3 when describing the rural settlement of Brockley and that the 40 metre setback between the settlement boundary and new industrial buildings also be removed. I do not believe either change should be made.

[13] I accept the evidence of Mark Dorfman, the planner who provided expert land use evidence on behalf of the City, that the Brockley area is indeed unique. As for the 40 metre deletion, the existing 40 metre requirement underscores the setback sensitivity required for industries adjacent to the Brockley Rural Settlement Area. In my view, such sensitivity is a significant consideration for purposes of the Plan's Vision. If I were to make the change proposed, it would, at the very least, fly in the face of s. 20.5.14.1(ii) which deals with the Brockley Industrial Neighbourhood. The existing language quite properly addresses potential land use conflicts and is necessary and appropriate.

[14] The other changes proposed to the Plan's Vision are in the eighth paragraph. It is suggested that the word "flexible" be deleted since it is unnecessary and that in relation to servicing and phasing, a decided emphasis be placed on the completion of communities and the facilitation of the logical outward expansion of development.

[15] The deletion of the word "flexible" suggests, by implication or otherwise, a rigidity to the notion of servicing and phasing which, according to the evidence, does not accord with the spirit and intent of other parts of the Plan.

[16] In terms of the other suggestion to this paragraph, I have a number of reservations. First, there is in my view, an inherent subjectivity to the language proposed which makes such language more problematic than beneficial. Second, unlike other parts of the City OP which enumerate factors to be considered when assessing the application of a particular phrase, there are no factors listed which could, or should be considered when assessing the proper meaning to be attributed to the phrase "the logical outward expansion". Third, it is possible to interpret the proposed language in a way that would have it apply to lands in the City but outside the Plan. This presumably is not the intention of the proposed modification.

[17] Section 20.5.1.5 of the Plan stipulates what is to occur in the event there is a conflict between its policies and those of an Area Plan. The changes proposed to this section, not only reflect a dissatisfaction with the current language, but suggest that such language is somehow ambiguous, confusing or both.

[18] In my opinion, the modifications suggested do not present any meaningful improvement to what currently exists. In fact, it is arguable that confusion, which does not exist, is created. For example, the use of the phrase "as they existed prior to the Southwest Area Plan and its associated Official Plan Amendment" is, in my estimation, highly problematic in that it does not reference any specific time-line or point in time. This degree of uncertainty impacts its efficacy. Furthermore, the proposed change does not adequately address the possibility of the Plan designations themselves being amended in the future.

[19] The Southside Modifications also include certain additions to the Development Phasing and Servicing provisions of s. 20.5.16.3. These changes do maintain some of the modifications suggested by Sifton to this section but also add verbiage to the section.

[20] The added language "will encourage completion of communities and facilitate the logical outward expansion of development from the existing built-up areas of London and Lambeth" mirrors the language of the Southside proposed modification in the eighth

paragraph of the Plan's Vision referred to above. For the reasons I have already expressed, I have reservations concerning this additional language.

[21] The last Southside modification to which I will refer focuses on a number of density provisions in the Plan.

[22] The words "minimum" and "maximum" in relation to density are replaced with the word "target" and the word "overall" has been added. One of the reasons given for the changes is that, as stated by Mr. Zelinka, in his Witness Statement, "the minimum residential density policies are not appropriate or justified."

[23] I am not persuaded that these changes are appropriate or justified because, in my view, they create more problems than they purport to solve. For example, what does "overall" mean from a density perspective? For another, how does the word "target" provide a clearer or more precise policy directive than "minimum" or "maximum"? The ambiguity created by these revisions reflects how difficult it is to make textual changes with unequivocal precision.

[24] Based on all of the foregoing therefore, I am not satisfied that the proposed revisions are sufficiently helpful or appropriate from a planning perspective. Accordingly, I reject the Southside Modifications and it is so ordered.

Agreed Upon General Modifications

Analysis and Disposition

[25] The expert testimony which I heard from, *inter alia*, Carol Wiebe, Jeffrey Paul, Eric Saulesleja, John Lucas, Robert Stratford and Elizabeth Howson, over the initial two and one half weeks of this hearing, in my view, easily validates the changes which are being put forward.

[26] In addition to this testimony, Mr. Dorfman was called by the City to provide testimony on the specific modifications agreed upon. In his professional opinion, these modifications maintain the intent of the Plan, conform to the City OP and represent good planning.

[27] Based on the testimony above mentioned, the agreement reached and the submissions of counsel, the Agreed Upon General Modifications, are hereby approved and the Plan and OPA 541 are amended accordingly.

II COMMERCIAL DESIGNATIONS

[28] This phase of the hearing addresses Commercial designations and, as a result, the Wonderland Road Community Enterprise Corridor ("EC"), which is part of the Wonderland Boulevard Neighbourhood, is the focal point of that analysis.

[29] The EC runs along Wonderland Road South (sometimes hereinafter referred to as "Wonderland") which, according to the Plan, is the "primary north/south arterial corridor functioning as a gateway into the City from Highways 401 and 402 and as a focal point which will create the identity for the broader Southwest Secondary Planning Area."

[30] The boundary of the EC to the north is Southdale Road and to the south is Hamlyn Street. As stated in s. 20.5.6 (i) of the Plan, the EC is a land use designation that creates "opportunities for a broad mix of commercial, office, residential and institutional uses." According to some of the evidence in this proceeding, the EC unifies the entire neighbourhood and is the hallmark of the entire Plan.

[31] Up until June 2012, the commercially designated space along Wonderland from Southdale Road to just south of Bradley Avenue was 120,000 square metres ("sq m"). This figure included 90,000 sq m of space owned by Southside which is currently developed or approved/under construction ("Southside Land"). Other than the Southside Land therefore, the Plan contemplated 30,000 sq m of commercial space.

[32] On June 26, 2012 however, City Council directed staff to include an "enterprise designation" along the Wonderland Road corridor extending from Bradley Avenue to Exeter Road. Pursuant to that direction, staff, in October 2012, in a report to the Planning and Environment Committee, introduced the separate land use designation which was called the Wonderland Road Enterprise Corridor.

[33] The square footage of commercial space in this new designation retained the Southside Land but the 30,000 sq m which previously was permitted, was increased to 100,000 sq m.

[34] Subsequently, on October 24, 2012, City Council changed the name of the designation to the Wonderland Road Community Enterprise Corridor and extended ("Extended Area") that corridor further south from Exeter Road (sometimes hereinafter referred to as "Exeter") to Hamlyn Street. This extension added approximately 40 ha of land but the commercially designated space of 100,000 sq m was not altered.

[35] The Extended Area includes two significant landowner interests. At 17 and 31 Exeter Road, on the west side of Wonderland, are 11 ha of land owned by Aarts and, on the east side of Wonderland, at the southeast corner of Wonderland and Exeter Road, are 63 ha owned by Greenhills.

[36] As I have previously mentioned in these reasons, an agreement has been reached among the City, Greenhills, York and Sifton ("Parties in Agreement") regarding certain provisions of the Plan. Attachment 1 includes the commercial changes ("Commercial Changes Agreed Upon") which reflects the understanding reached. The Commercial Changes Agreed Upon are specifically referred to in s. 4.8.1, 4.8.2, 4.8.3, 20.5.6, 20.5.6.1, 20.5.6.2 and 20.5.6.4. Aarts supports these modifications but Southside does not.

[37] Aarts has also proposed certain changes to the Plan. They are site specific in nature in that they relate to 17 and 31 Exeter Road. The modifications in question ("Aarts Changes") would be added to the Plan as s. 20.5.6.6 and are more particularly set out on Attachment 3 annexed hereto. The Parties in Agreement either support or, do not oppose, the Aarts Changes.

[38] For ease of reference, I will hereinafter refer to the Commercial Changes Agreed Upon and the Aarts Changes collectively as the "Commercial Modifications".

[39] Southside has also put forward a modification in this phase of the proceeding. In simple terms, Southside is proposing to add s. 20.5.6.1(xi) to s. 20.5.6.1 which would impact the extension of the EC from Exeter Road to Hamlyn Street. The Southside proposal ("Southside Commercial Changes") is annexed hereto and marked as Attachment 4. This final iteration of a proposed s. 20.5.6.1(xi) by Southside replaces its initial iteration of this subsection which is found on page 2 of Attachment 2.

Southside Commercial Changes

Analysis and Disposition

[40] According to Mr. Zelinka, the southerly extension of the EC to Hamlyn Street exacerbates the City's historical proclivity of over-designating commercial space, will result in scattered commercial nodes being created along Wonderland and will result in unintended consequences which are not in the public interest.

[41] The unintended consequences to which Mr. Zelinka referred included the following:

- (a) Existing commercial centres would be hard pressed or simply unable to revitalize or reformat;
- (b) There could be "leap frogging" of commercial development in the EC; and
- (c) It would be more difficult for the concrete batching plant located on the Spivak Industrial lands ("Spivak Lands") to relocate.

[42] I am not satisfied that the Southside Commercial Changes should be made for a number of reasons.

[43] First, I am not persuaded a case has been made out that there is any greater impact on existing commercial development if 100,000 sq m of commercial space is permitted between Bradley Avenue and Hamlyn Street as opposed to simply permitting the 100,000 sq m between Bradley Avenue and Exeter Road. To the contrary, the evidence demonstrated that by having 100,000 sq m of commercial space over a larger area, i.e. between Bradley Avenue and Hamlyn Street, the broader ranges of uses contemplated in the EC were more likely to be promoted.

[44] Second, Mr. Zelinka suggested that the Southside Commercial Changes better aligned with the concept of a "continuous commercial corridor" along Wonderland. It is difficult to embrace this argument since the Plan does not contain the phrase "continuous commercial corridor."

[45] Third, the establishment of the EC was the result of an extensive public consultative process which included resident groups, landowners and developers and

their professional advisors. In fact, as reflected by Exhibit 46 filed in this proceeding, at a public open house held in February 2012, City Council presented various options for the land use designations in SWAP including the extension of a commercial designation south of Exeter Road. In view of this process and in the absence of compelling evidence to the contrary, I cannot accede to the position advance by Southside. I also believe it is noteworthy that no other party has appealed the location of the EC.

[46] Fourth, the position advanced by Southside in this phase indicates, in my view, either directly or indirectly, that Southside is competing for commercial gross floor area with Greenhills and Aarts. Board jurisprudence suggests however, that it will not intervene in the market place nor will it permit the planning process to be used as a means to prevent commercial competition. In that regard, I believe the comments of Vice Chair Campbell in *LaSalle (Town) v. Windsor (City)* [2009] O.M.B.D. No. 673 are worth noting.

[47] In that case, the Town of LaSalle was competing with the City of Windsor for retail commercial development. At paragraph 31, Vice Chair Campbell stated that LaSalle:

cannot use the process afforded by the *Planning Act* to ensure that it reserves a certain portion of this type of development, or the market it serves for itself. The Board has repeatedly told commercial competitors that it will not intervene in the market place, and that it is not to be used as a means to prevent competition.

[48] Fifth, the withdrawal of the Southside modification with respect to s. 20.5.1.5 of the Plan, impacts the arguments made concerning the proposed s. 20.5.6.1. Such withdrawal was made near the completion of Mr. Zelinka's testimony on the basis that it was an "internal conflict." In my view, the unintended consequence argument relating to the Spivak Lands is severely weakened as a result.

[49] Sixth, since York and Greenhills have now agreed to allow the market to determine how the commercial cap will be allocated within the EC, Ms. Wiebe's initial concern with respect to the corridor extension has been justifiably allayed. York acknowledges that no single landowner within the EC will use the entire commercial cap and presumably therefore, there will be a fair distribution of resources based on market and not restrictions in planning instruments.

[50] And lastly, by having the EC extend to Hamlyn Street while maintaining the 100,000 sq m of gross floor area, mixed use development as contemplated by the Plan, will, in my view, be a logical consequence. Simply put, the permitted amount of commercial space will be spread over a wider area and, consequently, there will be room for as of right development of other complementary uses, thereby resulting in a mix of uses throughout the corridor.

[51] Based on all of the foregoing, I cannot approve the Southside Commercial Changes and it is so ordered.

Commercial Modifications

Analysis and Disposition

[52] Although the creation of the enterprise corridor along Wonderland and the extension of that corridor to Hamlyn Street were not ideal, from a timing point of view, and although staff did not recommend such designation, Council's decision did indeed manifest the positions and interests advanced by property owners over a considerable period of time. The position of a municipal planning staff in any planning decision is undoubtedly important, but that position must be balanced against and measured by the planning position(s) advanced by affected parties and, needless to say, by the decision itself of Council.

[53] The Commercial Changes Agreed Upon reflect, in my estimation, and quite properly so, the submissions made by property owners and their professional advisors and the decision of Council. Furthermore, they do not deviate, in any substantive way, from the existing document and, as stated by Mr. Dorfman, they reinforce and affirm the EC as a mixed use corridor. The changes proposed build on the current text of the Plan; they do not detract from it.

[54] In s. 2.1 of the *Planning Act* ("Act"), I am obligated to have regard to Council's decision in this matter. Accordingly, I have reviewed, not only the various recommendations made by staff throughout the evolution of the Plan, but also the various submissions made by affected parties, either directly or through their advisors, from time to time.

[55] As was stated by Aston J. in *Ottawa (City) v. Minto Communities Inc.* [2009] O.J. No. 4913 in paragraph 30:

Furthermore, it is important to keep in mind that the appeal process before the Ontario Municipal Board is not merely a *lis between* the parties, but a process requiring the OMB to exercise its public interest mandate. The decision to be made by the Board transcends the interests of the immediate parties because it is charged with the responsibility to determine whether a land planning proposal is in the public interest.

[56] In my opinion, Council's decision with respect to the EC is in the public interest. In the final analysis, I do not believe that that decision should be altered except to the extent the Commercial Changes Agreed Upon do so.

[57] In relation to the Aarts Changes, I would reiterate my comments above concerning the consultative process and s. 2.1 of the Act.

[58] I believe the Aarts Changes properly take into account the type of flexible approach to the mix of uses permitted within the EC and, as confirmed by Douglas Stewart, the planner who provided expert land use testimony on behalf of Aarts, such changes are consistent with the Provincial Policy Statement 2005 ("PPS"), are in conformity with the City OP and represent good planning.

[59] The modifications proposed by Aarts effectively limit the size of commercial development on the site and, as a result, will in my estimation, complement other commercial areas within the EC where the large retail use is permitted.

- [60] In summary therefore and for all the reasons above described, it is ordered that:
- (a) The Commercial Changes Agreed Upon and the Aarts Changes are hereby approved; and
- (b) The Plan and OPA 541 are amended accordingly.

III TRANSPORTATION

Agreement Reached

Disposition

[61] After spending a considerable amount of time discussing and negotiating the appeals filed with respect to the Transportation aspects of the Plan, agreement has been reached by the various parties involved, including the City, as to the modifications to be made. Those modifications ("Transportation Modifications") are more particularly set out in Attachment 5 ("Attachment 5") annexed hereto.

[62] In support of the agreement reached, the City called Mr. Dorfman to provide expert land use planning evidence and Maged Elmadhoon to provide expert testimony in relation to transportation engineering.

[63] Mr. Dorfman reviewed in detail the various revisions reflected by Attachment 5. He indicated, *inter alia*, that there is no intent to propose design changes to Wonderland, that he had no difficulty with the deletion of the reference to the conceptual local road network and that the level of detail being removed is no longer necessary. In Mr. Dorfman's opinion, the Transportation Modifications maintain the intent and purpose of the Plan and represent good planning.

[64] Mr. Elmadhoon also reviewed the changes set out in Attachment 5. In general terms, he had no concerns with the revisions proposed and was supportive of them from an engineering perspective. During his testimony, among other things, he responded to questions regarding the future realignment of Bostwick Road. Those questions and his responses led directly to the insertion of s. 2.5.16.10 to the Plan.

[65] Two members of the public also appeared during this phase of the hearing and were granted participant status.

[66] Brad McLellan, who resides at 4759 Wellington Road South, asked a number of questions of Mr. Elmadhoon. Those inquiries, for the most part, focused on the City's Master Transportation Plan and how the road network within the Plan might affect roads immediately adjacent to the Plan's boundaries.

[67] Al Mills, a resident of 3725 Bostwick Road, was also granted participant status. He was, for the most part, in attendance on behalf of the Forest City Community Church and he also asked questions of Mr. Elmadhoon. Those questions related to the future widening of Bostwick Road and the specific location of the Kilbourne Road extension.

[68] Based on the agreement reached, the evidence of, among others, Mr. Dorfman and Mr. Elmadhoon and the submissions of counsel, I am satisfied that the changes proposed in Attachment 5 are in the public interest and represent sound planning. Accordingly, it is ordered that the Transportation Modifications are hereby approved and the Plan and OPA 541 are amended accordingly.

IV NATURAL HERITAGE AND OPEN SPACE

Agreement Reached

Disposition

[69] Again, a great deal of time has been spent by the relevant parties, including the City, to arrive at a resolution of differences concerning the Natural Heritage and Open Space policies of the Plan.

[70] The modifications ("Natural Heritage Modifications") which have been arrived at are more particularly detailed in Attachment 6 ("Attachment 6") annexed hereto.

[71] York and the City each called two witnesses to provide evidence in support of Attachment 6. In the case of York, Ms. Wiebe provided expert land use planning testimony and Chris Powell of Stantec Consulting Ltd. provided expert testimony as an environmental planner. In the case of the City, Greg Barrett, the Manager of Planning Policy and Programs for the City provided expert land use planning testimony and Brent Tegler gave expert evidence as an ecologist.

[72] Mr. Powell raised the key issues to be considered in this phase of the proceeding and explained why, in his opinion, modifications to certain Natural Heritage and Open Space policies were needed. In general terms, he was supportive of SWAP but insofar as the revisions agreed upon were concerned, he believed they were necessary because they clarified or ameliorated the uncertainty which previously existed. [73] Ms. Wiebe discussed in detail the modifications made. During her testimony, she confirmed that the revisions were less prescriptive and created additional clarity. She also confirmed that, in her opinion, the Natural Heritage Modifications conformed to the City OP and were consistent with the PPS.

[74] Mr. Barrett also acknowledged that the revisions in question clarified certain policies. In his view, they maintained the Plan's intent to establish neighbourhoods and communities in the southwest area of the City slightly different than in other parts of the City. He was also of the opinion that the modifications conformed to the City OP, were consistent with the PPS and represented good planning.

[75] Mr. Tegler, an experienced ecologist, indicated that he supported the agreement reached and that he had no difficulty with any modifications which changed an open space designation to an environmental review designation. In simple terms an open space designation represents an area of natural features deemed significant through study whereas an environmental review designation is reserved for natural features known to exist but a full and complete evaluation for which has not yet been done.

[76] In summary, the modifications which have been arrived at, reduce the prescriptiveness of existing language, provide additional clarity to ensure that only relevant policies will be taken into account when necessary and will specifically, in certain sections, bring into play an Environmental Impact Study or incorporate, by reference, the Act.

[77] Based on all of the foregoing, I believe the changes agreed upon are in the public interest and represent good planning. It is therefore ordered that the Natural Heritage Modifications are approved and the Plan and OPA 541 are amended accordingly.

V SITE SPECIFIC APPEALS

[78] The matters to which I will refer in this section are the site specific appeals filed by Sifton, Manocha, Johnstone, 761 Ltd. and York. Again I will deal with each separately.

Sifton Appeal... 3614-3630 Colonel Talbot Road

Disposition

[79] Approximately four ha of this 20 ha parcel of land was initially designated Open Space in the Plan and the remaining 16 ha designated Low and Medium Density Residential.

[80] What has been agreed upon by Sifton and the City is to remove the Open Space designation and replace it with Low Density Residential. The previous Low and Medium Density Residential designations would remain the same except for a small strip of land which becomes Low Density Residential.

[81] The changes agreed upon are more particularly outlined in Attachment 7 ("Attachment 7") and Attachment 8 ("Attachment 8") annexed hereto.

[82] Jason McGuffin provided expert land use planning evidence in support of the agreement reached and pointed out, among other things, as follows:

- (a) The designation of the central portion of this site for open space is not founded on any study or justification and these lands contain no natural heritage features and serve no natural heritage function.
- (b) Since the Figure containing the Conceptual Local Road network has been removed from SWAP in an earlier phase of this hearing, on consent, and since the volume of lands to be designated Open Space is significantly less than that identified in the Council adopted SWAP, it is not appropriate to maintain the thin band of Medium Density Residential that was proposed to wrap around the open space feature. This Medium Density Residential band should be re-designated Low Density Residential to be consistent with abutting land uses.
- (c) The existing open space lands should be re-designated Low Density Residential to be consistent with the predominate surrounding land use.

[83] Based on the testimony of Mr. McGuffin, the agreement between Sifton and the City and the submissions of counsel, I believe the revisions proposed are appropriate. Accordingly, it is ordered that the modifications set out on Attachment 7 and on

Attachment 8, in relation to this property, are hereby approved and the Plan and OPA 541 are amended accordingly.

Sifton Appeal... Part Lot 69

Disposition

[84] The issues raised by Sifton in relation to this property have been addressed in the Natural Heritage phase of this proceeding; specifically, the agreed upon revisions are referenced in Attachment 6.

[85] The order approving Attachment 6 has already been made earlier in this decision and as a result, it is unnecessary for me to do so at this point.

Sifton Appeal...1311, 1363 and 1451 Wharncliffe Road South

Disposition

[86] This property, as a result of Official Plan Amendment 554 ("OPA 554") has been re-designated from Auto Oriented Commercial Corridor and Multi-Family, High Density residential to Community Commercial Node and By-law No. Z-1-132211 ("ZBA") has been passed by Council in relation thereto.

[87] Since all appeals with respect to OPA 554 and the ZBA have now been withdrawn, pursuant to s. 17 (30) and s. 34 (23.1) of the Act, OPA 554 and the ZBA are now in full force and effect. Therefore, the changes for this land referenced on Attachment 8 are hereby approved and the Plan and OPA 541 are amended accordingly.

Manocha Appeal

Disposition

[88] The property owned by Jug Manocha is in the southeast portion of SWAP and is more particularly detailed on Exhibit 31 filed in this proceeding.

[89] However, Mr. Manocha did not appear at this hearing either on his own behalf or by counsel or an agent. Mr. Patton advised that although he had expected to be

retained by Mr. Manocha in this case, he has not. The City therefore requested that Mr. Manocha's appeal in this matter be dismissed.

[90] In view of Mr. Manocha's failure to attend this proceeding and in the absence of any communication from him, I have no alternative but to accede to the request of the City. Accordingly, Mr. Manocha's appeal is hereby dismissed.

Johnstone Appeal

Disposition

[91] Molly Johnstone is the owner of land municipally known as 284 Exeter Road ("Johnstone Property"). Mr. Zelinka provided expert land use testimony in relation to her property.

[92] According to Mr. Zelinka, the Johnstone Property is currently designated Medium Density Residential, Environmental Review, Open Space and Light Industrial. He pointed out that in the Natural Heritage phase of this proceeding, agreement was reached with the City concerning these lands and that mapping changes are to be made. These mapping revisions will, among others, be detailed in the Mapping phase ("Mapping Phase") of this hearing and will be submitted for approval.

[93] According to Mr. Zelinka, no new designations will be inserted and only modest changes to the existing designations will be made. In his view, the mapping modifications for the Johnstone Property represent good planning.

[94] Based on the foregoing, the agreed upon change(s) to the Johnstone Property will be encompassed by the order I make in the Mapping Phase.

761 Ltd. Appeal

Background

[95] Jim Grewal is a principal of 761 Ltd., the owner of land municipally known as 4680 Wellington Road South ("Grewal Property").

[96] The Plan designates the Grewal Property as Light Industrial, Open Space and, for the portion of the site which is south of the Dingman Creek, Urban Reserve-Industrial. 761 Ltd. has appealed ("761 Ltd. Appeal") this designation.

[97] What is being proposed by 761 Ltd. is to re-designate the Urban Reserve land to Light Industrial and to make modifications to s. 20.5.14.1 (ii) of the Plan. These modifications ("Grewal Modifications") are more particularly outlined on Attachment 9 annexed hereto.

The Evidence

[98] Mr. Zelinka also provided expert land use planning evidence in support of the Grewal Modifications.

[99] He pointed out, *inter alia*, that since the Grewal Property is in close proximity to Highways 401 and 402, has frontage on Wellington Road and is near a rail line, it is ideally suited for the Light Industrial designation. According to Mr. Zelinka, the land in question is part of an existing industrial area and to retain an Urban Reserve designation is the equivalent of denying the existence of the land within the Urban Growth boundary.

[100] In relation to the current iteration of s.20.5.14.1 (ii), he was of the opinion that certain provisions were either unnecessary, unwarranted or unduly restrictive and therefore should be modified.

[101] From the City's perspective, no change should be made to the Urban Reserve designation and no change is required with respect to s. 20.5.14.1 (ii) except to delete the word "shall" in subparagraph (e) thereof and replace it with the word "may" ("Word Change").

[102] Mr. Barrett gave expert land use planning evidence on behalf of the City. In his view, the Light Industrial designation sought compromises the efficient development pattern of the site and the lands to the south of the site. Timing and opportunity were key considerations in his view and when those considerations were applied to the Grewal Property, the changes proposed were not justified.

[103] In relation to the current wording of s. 20.5.14.1 (ii), Mr. Barrett was of the opinion that it provided a level and degree of specificity which, in the circumstances is required. He testified that if the Grewal Modifications were approved, those modifications would undo the controls presently in place and would be completely contrary to what is in the Plan.

[104] David and Roma Lynn Gillis, Alan Tipping and Brad McLellan all live in close proximity to the Grewal Property and spoke, as participants, in opposition to the Grewal Modifications.

[105] A common theme running through their testimony is that a proper buffer should exist between a light industrial use and the Brockley residential area. They also expressed their concern and dissatisfaction for the industrial uses which have been built up around them in recent years.

Analysis and Disposition

[106] Although the land which is proposed to be designated Light Industrial is indeed near an accessible road and a rail line, and even though the lands to the west are used for industrial purposes, I agree with Mr. Barrett that "timing and opportunity" are essential considerations when assessing its designation.

[107] The portion of the site which is sought to be re-designated is large and the Dingman Creek represents a natural boundary between it and the northerly portion of the site. It is therefore by no means certain that it will develop on its own. As a result, it is important and, frankly prudent, in my view, to assess its development capability with the land to the south. This affords, in my estimation, maximum planning flexibility and does not compromise the development pattern of the site and the lands to the south.

[108] As for the changes to s. 20.5.14.1 (ii), I have a number of reservations.

[109] The addition of the word and phrases "extra care", "where necessary" and "appropriate" in subparagraphs (c), (d) and (f) give rise to a degree of ambiguity where, in my view, none currently exists. What constitutes "extra care"? When is it "necessary" to provide a 40 m setback? What is an appropriate side yard and rear yard setback? The word and phrases suggested are problematical and simply do not establish the degree of clarity which presumably, was intended.

[110] Section 20.5.14.1 (ii) currently stipulates that buildings and structures are to be located a "minimum of 40 metres from the Brockley Rural Settlement boundary." The suggestion is to take "extra care" in the location of buildings and structures.

[111] As was clearly evident from the testimony of the participants, they are extremely concerned with the potential intrusion a light industrial use may have on their residential community in the future. In my opinion, a 40 m buffer is essential when assessing future development in the Brockley Neighbourhood. Frankly, it provides a means to ensure that the existing and well established residential settlement area remains protected while, at the same time, allowing light industrial development to occur in an orderly fashion. The change which is proposed undermines this balance.

[112] One of the purposes of a Secondary Plan is to provide greater specificity than what might be contained in the parent official plan. The modifications put forward derogate from that fundamental purpose.

[113] I recognize that, when drafting, it is sometimes inherently difficult to achieve the degree of precision that a particular policy or policies may require. However, clarity and certainty should always be the intended consequence of any drafting exercise. In this case, the Grewal Modifications, in my estimation, fall short of that expectation and should not be embraced.

[114] In the final analysis, there are many compelling reasons why the Grewal Modifications are inappropriate. As a result, it is ordered that:

(a) The Word Change is approved and the Plan and OPA 541 are amended accordingly;

- (b) The Grewal Modifications are not approved; and
- (c) The 761 Appeal is dismissed.

York Appeal...Southdale and Bostwick

Disposition

[115] Agreement has been reached concerning the York appeal for 491 and 499 Southdale Road West and 3080 Bostwick Road. The changes agreed upon for this property are set out on the third page of Attachment 10 ("Attachment 10") annexed hereto. Ms. Wiebe spoke to the planning merits of these modifications along with the agreed upon modifications for the York appeals relating to Colonel Talbot Road and Wonderland and Wharncliffe Road South. She explained the nature of the changes on page 3 ("Page 3 Modifications") of Attachment 10 and testified that they represented good planning.

[116] Based on the evidence of Ms. Wiebe, the submissions of counsel and the agreement in place, it is ordered that the Page 3 Modifications are approved and that the Plan and OPA 541 are amended accordingly.

York Appeal...Colonel Talbot Road

Disposition

[117] The appeal relating to 3493 Colonel Talbot Road is another non-contentious matter. Again, an agreement has been reached with the City. This site is immediately across from property owned by Sifton which I have dealt with previously in this phase of the decision.

[118] Based on Ms. Wiebe's testimony, the submissions of counsel and the agreement in place, it is ordered that the modifications set out on page 2 of Attachment 10 are approved and the Plan and OPA 541 are therefore amended accordingly.

York Appeal...Wonderland and Wharncliffe Road South

Disposition

[119] Counsel and Ms. Wiebe explained that the changes for this property municipally known as 3313-3405 Wonderland Road South and 1789 Wharncliffe Road South have been captured in the Transportation Modifications which I have previously approved in this decision. As a result, it is unnecessary for me to deal with them any further at this time.

York Appeal...1959 Wharncliffe Road South

Positions of the Parties

[120] This property in the Plan is designated, for the most part, Medium Density Residential ("MDR"), with some Low Density Residential ("LDR") and some Open Space. Ms. Wiebe pointed out that even though mapping changes have been agreed upon and are incorporated in the Natural Heritage Modifications approved by me earlier in these reasons, York and the City are at an impasse with respect to the other changes sought.

[121] These other changes relate to York's desire to have High Density Residential ("HDR") on its site in place of MDR and to expand the LDR designation somewhat. The changes are more particularly detailed on page 1 ("Page 1") of Attachment 10. Save and except for the re-designation of the portion of the development site west of Savoy Street as LDR and the attendant amendment to Schedule A in Appendix 1 ("York LDR Modification"), the City is opposed to the balance of the changes ("York HDR Modifications") set out on Page 1.

The Evidence

[122] As I have already mentioned, Ms. Wiebe provided expert land use planning evidence in support of the modifications sought by York. In her view, among other things, these modifications provide for an appropriate range and mix of housing, are consistent with the PPS and represent good planning.

[123] Mr. Barrett, the City Planner who provided expert land use testimony on behalf of the City, disagrees with Ms. Wiebe. In his opinion, *inter alia*, the clear intent of the Plan is to have the most intense development within or along the EC. To have HDR, as proposed, would be entirely inconsistent with this intent.

Analysis and Discussion

[124] In order to properly assess the merits of the York HDR Modifications, I will address the intent of the plan including other HDR sites within the SWAP, the Plan's MDR designation, transitional considerations and the matter of economic viability. I will also touch upon, albeit briefly, the PPS.

[125] Although s. 20.5.2 (iv) states, in general terms, that arterial roads such as Bostwick Road and Wharncliffe Road South "shall generally experience a higher intensity of development than the interior portions of the Planning Area," this statement, in isolation, is far from determinative as to whether HDR should exist on this site. What one must focus on, in my view, is the extent of direction which may exist in the Plan concerning HDR development along and within the EC, as suggested by Mr. Barrett.

[126] When turning to the Plan in this regard, it is very clear as to what is intended.

[127] Section 20.5.6.1(i) deals with the "Intent" of the EC and states that it is "to provide for a wide range of large scale commercial uses, medium scale office development, *high density residential uses* and institutional uses." And on page 59 of the Plan, s. 20.5.6.1 (ii) reads in part that "High Density Residential uses are permitted at heights and scales greater than normally provided for in suburban locations" when referring to the EC. (Board emphasis added)

[128] Since the area within which the subject site is located has no similar prescriptive language, it is difficult to argue with Mr. Barrett's evidence concerning the Plan's intent with respect to HDR and the EC.

[129] Mr. Barrett's evidence is, in my view, further supported when one assesses the existent of other opportunities for HDR development in the Plan. These existing other opportunities are specifically set out, both textually and by mapping, in the Exhibits filed in this proceeding as 86a and 86b. These Exhibits reflect no fewer than 10 areas designated for HDR development and no fewer than nine such areas if one excludes the Sifton property at 1451 Wharncliffe Road South ("Sifton Site") which now no longer has an HDR designation on it.

[130] Although it is arguable that for a particular area, the number of units built may not correspond directly to the unit numbers on Exhibit 86a because of parkland dedication considerations, these two Exhibits collectively demonstrate, in my opinion, the Plan's clear intent insofar as HDR development is concerned within SWAP.

[131] To suggest that there are not an adequate variety of locations to provide for long term residential growth is to ignore or, at the very least, overlook the specific sites set out on Exhibits 86a and 86b. Furthermore to argue that the removal of the HDR

designation on the Sifton Site should be replaced with the requested HDR designation, runs counter to the clear locational requirements of the Plan.

[132] It is also argued by York that the effect of the York HDR Modifications is to simply allow for 12 storey development as opposed to nine storey development. Although, in the strictest sense this statement may be true, it does not however properly take into account the generous intensification increases the Plan confers on MDR designations.

[133] Subsections 20.5.4.1 (iv) (a)-(e) provide for MDR to occur at an intensity greater than is traditionally contemplated. Specifically, s. 20.5.4.1(iv)(e) states that "Development shall occur at a minimum density of 30 units per hectare and a maximum density of 100 units per hectare. Building heights shall be a minimum of two storeys and a maximum of nine storeys." The same subsection also goes on to provide that 'residential density exceeding 100 units per hectare (up to 120 units per hectare) may be permitted..." These provisions apply to the site in question.

[134] In my opinion, taking into account the intent of the Plan as mentioned above and the "high medium" provisions as stipulated in s. 20.5.4.1 (iv) (a)-(e), the site has been appropriately dealt with from a residential planning perspective.

[135] York further argues that since the EC can effectively accommodate 14 storey buildings, having 12 storeys on its remnant parcel would represent an appropriate transition. I am not persuaded.

[136] The transition argument advanced may have some merit when considering buildings along Bostwick Road; however, that argument has little, if any, bearing on an appropriate transition going from the EC along Wharncliffe Road South into the Lambeth Neighbourhood. Furthermore s. 20.5.4.1(i) of the Plan stipulates that residential intensity is to generally decrease "with greater distance from the Wonderland South corridor."

[137] Another reason advanced by York in support of its proposed HDR modifications relates to economic viability. It is submitted that, in practical terms, developers do not build nine storey buildings because it is not economically efficient to do so. According to Ms. Wiebe, in order to have a financially favourable building constructed, that building should be 11-12 storeys in height.

[138] The difficulty I have with this argument is twofold. For one thing, the nine storey policies are not under appeal and therefore, are not before me. For another, the cost of construction evidence was given by an expert in land use planning. There was no expert evidence given by anyone who was qualified to speak to the issues of financial feasibility and construction practices.

[139] When reviewing the subject site and its MDR designation, there is, in my view, ample evidence to support the proposition that such designation is consistent with the PPS. Compact form and the use of public transit are promoted as stated in s. 1.8.1 (a) and (b), there is an appropriate range of housing types and densities to meet projected requirements as mentioned in s. 1.4.3 and there is a range of uses and opportunities for *intensification* and redevelopment as prescribed by s. 1.1.3.2 (b). I am satisfied that the City's position with respect to this appeal is consistent with the PPS.

Disposition

[140] The fundamental issue related to the York HDR Modifications is whether its site is an appropriate location for high density residential development taking into account the various considerations to which I have alluded. The exercise is not simply an assessment of the locational criteria set out in s. 3.4.2 of the City OP. It is much more than that.

[141] In my view, the Plan's intent and its policies are abundantly clear, and there is no justifiable reason to deviate from that intent and those policies in the manner suggested by York. Based on all of the foregoing therefore, it is ordered that:

(a) As agreed between the City and York, the York LDR Modification is hereby approved and, as a result, the Plan and OPA 541 are amended accordingly; and

(b) The York HDR Modifications are not approved and the appeal, in that regard, is dismissed.

VI MAPPING

[142] This final phase dealt with the various changes to be made to the maps and Schedules of the Plan based upon the agreements reached during the course of this

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proceeding. Attachment 11 ("Attachment 11") annexed hereto details these modifications ("Attachment 11 Modifications").

[143] Mr. Barrett again came forward to speak to the changes which have been made. He explained the nature of the revisions and pointed out where the revised maps and Schedules would be inserted in the Plan itself.

Disposition

[144] Based on the testimony of Mr. Barrett, the submissions of counsel and the agreements reached, it is ordered that:

- (a) The Attachment 11 Modifications are hereby approved, save and except for those areas of mapping, if any, which may be inconsistent therewith and which are the subject matter of orders made by me earlier in this decision; and
- (b) The Plan and OPA 541 are amended accordingly.

[145] I shall remain seized of the Plan and OPA 541 should further input be required of the Board.

[146] Finally, I am grateful to counsel and all witnesses for their thoroughness in the preparation for and the conduct of this hearing.

"Steven Stefanko"

STEVEN STEFANKO VICE CHAIR

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Modifications Supported by Sifton, York and Greenhills

Proposed Revisions to City of London Official Plan

1

Additions shown as underlined. Deletions as struck out.

4.8 Wonderland Road Community Enterprise Corridor

4.8.1	The Wonderland Road Community Enterprise Corridor applies to
Description of Boundaries	those lands fronting on Wonderland Road South between
·	Southdale Road West and Hamlyn Street.
4.8.2	The centerpiece of the Wonderland Boulevard Neighbourhood as
Function of Corridor	described in the Southwest Area Secondary Plan is Wonderland
	Road South, which is the primary north-south arterial corridor into
	the City from Highways 401 and 402.
	Wonderland Road South <u>also</u> serves as a significant gateway to the
	City and <u>a focal area for the broader Southwest Secondary Planning</u>
	Area. The intent of the Wonderland Road Community Enterprise
	Corridor is to provide for a broad range and mix of uses, including
	commercial, office, residential and institutional uses. The policies of
	the Secondary Plan will describe the intensity and mix of these land
	uses. The intent is to ultimately develop a mixed-use corridor
	characterized by a high density built form to support transit service
	and active transportation modes. and establish a future A road
	pattern and potential road pattern that will facilitate the future
	redevelopment of the area will be established. In the short term, it
	is recognized that retail uses will be the predominant activity along
	the corridor. The Wonderland Road Community Enterprise Corridor
	will establish the identity of the broader Southwest Secondary
	Planning Area, and accommodate a range and mix of land uses to
	meet service, employment, residential and community activity
	needs. Development of the Corridor will provide an enhanced
	pedestrian environment, and be at the greatest densities and
	intensity in the Southwest Secondary Plan area.
4.8.3	Within the Wonderland Road Community Enterprise Corridor, a
Permitted Uses	broad range of commercial, residential, office and institutional uses
	are permitted subject to the policies of the Southwest Area
	Secondary Plan. Mixed use developments will be particularly
	encouraged to develop in this area.

20.5.1.3 Vision¹

The Southwest Area Secondary Plan provides a new frontier of opportunities for the southwest quadrant of the city. This Plan is innovative and progressive, and places an emphasis on promoting sustainable growth patterns, attractive urbanism, strong neighbourhoods, the protection of significant natural heritage features and built and cultural heritage, and the qualities that are unique to the southwest quadrant of the city.

Wonderland Road South is a significant gateway to London, and will serve as the primary north/south connection between the 400 series Highways and central London through the southwest of the city. It is intended through this Plan that this gateway will serve as a stunning approach to the city. The Plan proposes a design for Wonderland Road South what would be an alternative to a typical six lane arterial road. The design that introduces a high quality visual character for the corridor, provides the flexibility to support a wide range of adjacent land uses, and creates opportunities for redevelopment and future road connections over the life of the Secondary Plan. This Plan introduces a new commercial land use designation for the lands adjacent to in the Wonderland Corridor which allows for a complete and flexible mix of land uses, including commercial, residential, institutional and office uses. A high level of design for the adjacent built form and enhanced landscaping, tree planting and boulevard treatment along Wonderland Road South is intended to create a high quality visual presence for this vital gateway.

Lambeth, the cornerstone of the community, has a historical presence and quaint village main street core. The picturesque tree-lined streetscapes of Lambeth serve as a backdrop for new residential neighbourhoods in the southwest part of the city.

The Southwest Area Secondary Plan proposes the creation of new distinct neighbourhoods that promote:

- a mix of uses, and diverse mix of residential housing;
- emphasis on design parameters with placemaking features;
- walkability within and between neighbourhoods;
- the integration of the Natural Heritage System as an opportunity for residents to enjoy; and,
- Neighbourhood Central Activity Nodes as destination places in the neighbourhood.

This Plan recognizes the unique rural settlement of Brockley, located along Dingman Drive west of Wellington Road. The proposed policies of this Plan serve to protect the rural nature of the Brockley community by removing it from the Urban Growth Boundary and designating the lands as "Rural Settlement". Protective design and landscape enhancement measures have been incorporated in the Brockley Rural Settlement Neighbourhood to mitigate the impact of new industrial development on the existing residential neighbourhood, as well as establishing a minimum 40 metre setback requirement from the settlement boundary for the location of any new industrial buildings and structures.

The existing industrial areas along Wonderland Road South and Exeter Road are identified in this Secondary Plan as "Transitional Industrial". The intent is to build in the flexibility as part of this Plan that will allow for the shift in market demand from industrial to residential uses over the long term, yet still

¹ The proposed changes to this policy incorporate the proposed changes from Exhibit 29, filed by York.

allow the existing industrial uses and properties in the identified areas to continue to develop as light industrial uses over the short term.

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 30 metres on each side of identified natural areas, and 50 metres on each side of Dingman Creek also Subject to further natural heritage studies, enhanced corridors serve to protect, maintain, enhance and rehabilitate the corridors.

An flexible approach to servicing and phasing for the southwest is also proposed which recognizes growth already planned for urban uses within currently approved Area Plans. Servicing for the southwest will be consistent with the servicing strategy for the city as a whole. The review for of servicing will be completed as part of the 2014 Development Charges Study and staging of development will be determined through the City's review of the Growth Management Implementation Strategy (GMIS). The objective is to ensure that planned infrastructure is effectively utilized.

20.5.3.7 Community Facilities²

Community Facilities, such as schools and churches will be encouraged to be located in Neighbourhood Central Activity Nodes, and to serve as a focal point of the neighbourhood. Cooperation and negotiation will be required between affected land owners, the City of London, and the applicable School Board to facilitate the allocation, and possible integration, of lands proposed for school, park and community facility uses.

One school board, the Conseil Scolaire Viamonde, has identified a possible need for a school site within the planning area, specifically in the Bostwick, North Longwoods, or Central Longwoods Neighbourhood. This Board has identified a need to acquire a site with an area of two (2) hectares (5 acres), at the intersection of two collector roads, or at the intersection of an arterial road and collector road. As a requirement for submission of a complete In conjunction with the subdivision and/or site plan approval application review process, the Owner applicant shall demonstrate that contact each of the school boards have been contacted concerning the proposed residential application, and provide to the City either a sign off from each school board a communication confirming either that the Board does not have a need for a school site within the development plan, or alternatively, incorporate indicating a specific need for a possible school site on the plan based on the identified need by the applicable School Board within the development area with as much information supporting that need as reasonably possible. Churches and other institutional are a permitted use within the residential land use designations.

² Proposed changes from Exhibit 17, as filed by York.

20.5.6 Wonderland Boulevard Neighbourhood

The Land Use Designations for this neighbourhood are shown on Schedule 5.

i) Function and Purpose

The centrepiece of the Wonderland Boulevard Neighbourhood is Wonderland Road South, which is the primary north/south arterial corridor functioning as a gateway into the city from Highways 401 and 402, and as a focal area which will create the identity for the broader Southwest Secondary Planning Area. Wonderland Road South will be designed to allow for unique and convenient access between land uses that may be developed on the lands adjacent to Wonderland Road South to the adjacent neighbourhoods east and west of the corridor. The Wonderland Boulevard Neighbourhood is planned to be a diverse community that provides the highest degree of amenities and employment opportunities for its residents and those of the neighbouring areas. The Wonderland Road Community Enterprise Corridor land use designation and policies for the Wonderland Road South corridor between Southdale Road West and <u>Hamlyn Street</u> Exeter Road create opportunities for a broad mix of commercial, office, residential and institutional uses. The Plan also provides for a mix of medium and low density housing forms at a higher than usual level of intensity in this Neighbourhood Area. Together, the range and intensity of permitted uses support a higher order transportation corridor along Wonderland Road South, consistent with the Province of Ontario "Transit Supportive Guidelines". The corridor also emphasizes walking and bicycling as an alternative means of transportation.

ii) Character

No change proposed

20.5.6.1 Wonderland Road Community Enterprise Corridor

i) Intent

The Wonderland Road Community Enterprise Corridor designation is intended to provide for a wide range of large-scale commercial uses, medium scale office development, high density residential uses, and institutional uses. Both stand-alone and mixed-use developments are permitted.

It is anticipated that the area may redevelop over time, such that new mixed-use developments or reformatted commercial development may occur. In order to provide for these redevelopment opportunities, a grid pattern of development shall be <u>encouraged</u> established through the provision and dedication of local roads <u>and/or right</u> <u>of ways</u> aligned perpendicular to Wonderland Road South for the lands designated as Wonderland Road Community Enterprise Corridor. In advance of redevelopment, this grid pattern will establish an organizing structure for lands uses permitted within the designation.

Commercial uses within this designation are intended to complement the more traditional commercial uses and forms in the Lambeth Village Core, and serve local, neighbourhood and city needs. It is not not intended that the specific location of commercial uses be identified within this designation, however, such uses shall be encouraged to locate in mixed use developments over time with the opportunity to incorporate office and/or residential uses.

ii) Permitted Uses

Permitted commercial uses will include those uses outlined in the "New Format Retail Regional Commercial Node" designation in the Official Plan.

Office uses within the Wonderland Road Community Enterprise Corridor are not intended to compete with the Downtown; therefore, office uses that do not require access to the provincial highway system for work-related activities shall be encouraged to locate in the Downtown. In addition to the office uses that <u>are</u> permitted in accordance with the "Office Area" policies of the Official Plan, research, development and information processing establishments and businesses with a mobile sales-based workforce requiring access to the provincial highway system shall be permitted. Secondary uses permitted in Office Areas shall not be permitted.

High Density Residential uses are permitted at heights and scales greater than normally provided for in suburban locations.

Institutional and public uses such as libraries, community centres, and residential care facilities shall be permitted.

A mix of these permitted uses within a single building is also permitted and shall be encouraged.

iii) Development Pattern/Local Street Connections

No change proposed

iv) Compatibility between Land Uses

No change proposed

v) Built Form and Intensity-Commercial Development

No change proposed

a) Commercial Development for the entire Wonderland Road Community Enterprise Corridor designation shall not exceed 100,000 square metres gross floor area. For the purposes of this limit, this shall not include those lands generally located north of Bradley Avenue extension that are currently developed or are approved/under construction as of October, 2012.

- b) Commercial built form <u>may be shall</u> of a low to mid-rise height, <u>however minimum</u> <u>height and setbacks may be established in the zoning by-law to ensure that</u> <u>development will result in a strong, street-related built edge and achieve other</u> <u>design objectives for this area. In particular, commercial development will be</u> <u>encouraged in a "main street" format where commercial development is oriented to</u> <u>a public street. Commercial uses may be in stand-alone development or buildings or</u> <u>in mixed use developments or buildings</u>.
- c) Development shall be planned on the basis that future intensification will occur, either by intensification or redevelopment or through a combination of approaches. Nevertheless, except for minor buildings and structures, development will be viewed as permanent (i.e. potentially remaining for the long term). Accordingly, development shall be located at appropriate locations so that future phases of intensification are not inhibited. Over time, the redevelopment of lands within this designation will be encouraged to include residential or office uses in a mixed-use format.
- d) Development shall be designed to be pedestrian and transit friendly from the outset. In particular, development shall be generally oriented to the street where possible and designed to promote a vital and safe street life and to support early provision of transit. However, where large scale stores are permitted, given that they are often not conducive to a pedestrian oriented street setting, design alternatives to address this issue will be utilized. These may include locating these stores in the interior of a commercial or mixed use development block with small-scale stores and other buildings oriented to the surrounding major roads to create a strong street presence. Alternatively, the frontage of the building facing a major road could be lined with small-scale stores and/or have multiple entrances.
- vi) Built Form and Intensity- Office Development
- vii) Built Form and Intensity Residential Development
- viii) Built Form and Intensity –Institutional Development
- ix) Parking Office and Residential Development

No changes proposed

x) Allocation of Commercial and Office Development

No change proposed to the following section:

In order to ensure that the limits of commercial and office development are not allocated to development that is not imminent or near-term, applications for Zoning Bylaw amendments for commercial and/or office development on lands within the Wonderland Road Community Enterprise Corridor shall be considered to be premature if the required municipal infrastructure to support the development is not scheduled to be provided within three years of the date of application.

20.5.6.2 Medium Density Residential for Lands Between Exeter Road and Hamlyn Road Delete this section in its entirety

- 20.5.6.4 Medium Density Residential for Lands North of Exeter Road
- 20.5.6.5 High Density Residential for Lands North of Exeter Road No changes proposed

20.5.16.3 Development Phasing and Servicing

"An approach to servicing and phasing for the southwest is proposed which recognizes the servicing strategies that have been established and approved for lands in previously approved Area Plans. Servicing for the southwest will be consistent with the servicing strategy for the City as a whole.

i) Alternative wastewater servicing options to accommodate 15 years of growth include two possibilities:³

a) Peak flow control at the proposed Southland Pumping Station to allow development of current-designated lands in Lambeth.

b) a) An interim pumping station on Colonel Talbot Road that could direct wastewater to the Oxford Pollution Control Plan and allow development of North Lambeth and North Talbot neighbourhoods.

ii) The proposed servicing options may allow growth to proceed without triggering the ultimate wastewater treatment servicing solution; however, there are several important steps required to facilitate the proposed servicing strategy:

a)-Completion and MOE approval of the Southland Pollution Control Plan Municipal-Class Environmental Assessment.

³ Deletions to this section are as per the City's proposed revisions to 20.5.16.3, set out in Exhibit 37.

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b) a) Identify in the approved 2013 Growth Management Implementation Strategy (GMIS), as a capital budget item, for the engineering design/staging of possible servicing works and evaluation of the ultimate servicing implications.

e) b) Completion and approval of the 2014 DC Background Study to determine the required engineering works. The addition of projects will need to be considered within the context of growth City-wide within the 2014 DC Study.

d) c) Integration of the works identified in the 2014 DC Study into the future GMIS to establish the staging and timing of infrastructure investment."

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Modifications to 20.5.1.3 Vision

(page #, paragraph 2)

4.2

"This Plan recognizes the unique rural settlement of Brockley, located along Dingman Drive west of Wellington Road. The proposed policies of this Plan serve to protect the rural nature of the Brockley community by removing it from the Urban Growth Boundary and designating the lands as "Rural Settlement". Protective design and landscape enhancement measures have been incorporated in the Brockley Rural Settlement Neighbourhood to mitigate the impact of new industrial development on the existing residential neighbourhood as well as establishing a minimum 40 metre setback requirement from the settlement boundary for the location of any new industrial buildings and structures."

(page 4, paragraph 5)

"An flexible approach to servicing and phasing for the southwest is also proposed which encourages completion of communities and facilitates the logical outward expansion of development form the existing built-up areas of London and Lambeth. Servicing for the southwest will be consistent with the servicing strategy for the city as a whole. The review for of servicing will be completed as part of the 2014 Development Charges Study, and staging of development will be determined through the City's review of the Growth Management Implementation Strategy (GMIS)."

Modification to 20.5.1.5

"Existing Approved Area Plans

Some areas of this Secondary Plan are also subject to existing Area Plans. If a conflict arises between the policies and designations of this Secondary Plan and those which currently apply within the Area Plan, the Official Plan and Area Plan designations and policies as they existed prior to the Southwest Area Plan and its associated Official Plan Amendment the Secondary Plan policies and the existing Area Plan policies, the Area Plan policies of the Official Plan shall prevail. This policy applies to those lands that were included in the North Talbot Community (Section 3.5.11), the Bostwick East Area Plan (Sections 3.5.17 and 10.1.3 cxix), and the North Longwoods Community (Section 10.1.3 ci)."

Modification to 20.5.6.1

Add a new Subsection:

×

 $x = y_1$

"xi) Phasing of Commercial Development

The commercial component of development within the Wonderland Road Community Enterprise Corridor shall be phased to provide for the logical extension southerly from the area of existing commercial development located north of Bradley Avenue. Commercial development shall not occur south of Exeter Road within the first 20-year planning period or the substantial build-out of designated lands north of Exeter Road, whichever is first."

Modification to 20.5.16.3 to add introductory policy

"20.5.16.3 Development Phasing and Servicing

The approach to servicing and phasing for the southwest will encourage completion of communities and facilitate the logical outward expansion of development from the existing builtup areas of London and Lambeth. The City shall adopt a detailed servicing strategy and related financial and phasing plan for the Southwest Area Secondary Plan. Servicing for the southwest will be consistent with the servicing strategy for the City as a whole. As part of such servicing strategy and financial and phasing plan, in addition to consideration of the City's growth management objectives and responsibilities, the following will be considered:

i) Alternative wastewater servicing options to accommodate 15 years of growth ... [as per SWAP]"

[Below is same modification comparing to E. Howson modification – shown in blue]

"20.5.16.3 Development Phasing and Servicing

An The approach to servicing and phasing for the southwest is proposed which will give priority to lands in previously approved Area Plans where servicing strategies were established and approved with respect to the timing and staging of development. Development of lands outside these areas may commence once t will encourage completion of communities and facilitate the logical outward expansion of development from the existing built-up areas of London and Lambeth. The City has shall adopted a detailed servicing strategy and related financial and phasing plan for the Southwest Area Secondary Plan. Servicing for the southwest will be consistent with the servicing strategy for the City as a whole. As part of such servicing strategy and financial and phasing plan, in addition to consideration of the City's growth management objectives and responsibilities, the following will be considered:

 Alternative wastewater servicing options to accommodate 15 years of growth ... [as per SWAP]"

MODIFICATIONS RELATING TO MINIMUM DENSITIES IN SWAP

Replace existing references to "minimum" densities with "target" densities as follows:

, · · *

Residential Development Adjacent to Arterial Roads	*20.5.4.1(iv) (e)	"Within this policy area overall residential development shall target a density of between 30 and 100 units per hectare."
Wonderland Boulevard Neighbourhood	*20.5.6.1(vii) (a)	"Overall residential development shall target a density of between 150 and 175 units per hectare."
	20.5.6.2(iii) (a)	"Overall residential development shall target a density of between 75 and 150 units per hectare."
	*20.5.6.4(iii) (a)	"Overall residential development shall target a density of at least 35 units per hectare."
Lambeth Neighbourhood	*20.5.7.1(iii) (a)	"Overall residential development shall target a density of between 15 and 30 units per hectare."
	*20.5.7.2(iii) (a)	"Overall residential development shall target a density of between 30 and 75 units per hectare."
Bostwick	*20.5.9.1(iii) (a)	"Within the Low Density Residential designation, overall residential development shall target a density of between 25 and 40 units per hectare."
	(b)	"Within the Medium Density Residential designation, overall new residential development shall target a density of between 35 and 75 units per hectare."
North Lombeth, etc.	*20.5.10.1(iii) (a)	"Within the Low Density Residential designation, overall residential development shall target a density of between 20 and 35 units per hectare."
	(b)	"Within the Medium Density Residential designation, overall residential development shall target a density of between 30 and 75 units per hectare."

ATTACHMENT 3

Proposed modification for 17-31 Exeter Road – Site Specific Policies

20.5.6.6. 17 and 31 Exeter Road

The following policies will apply to the lands identified in Land Use Schedule 6A and municipally known as 17 and 31 Exeter Road.

i) Applicable Policies

All the policies of the Wonderland Road Community Enterprise Corridor apply except where modified by these site specific policies.

ii) Function and Purpose

The property known as 17 and 31 Exeter Road is located at the southwest corner of two major arterial roads (Exeter Road and Wonderland Road) within the South West Area Plan. The intersection of Exeter Road and Wonderland Road is identified as a Focal Node in the South West Area Plan. The land uses on these properties will contribute to the function of the Focal Node as a gateway to the Southwest Area of London and the Wonderland Road Community Enterprise Corridor, as well as provide a transition from other areas, such as the Lambeth Community, to the uses located within the Wonderland Road Community Enterprise Corridor while supporting the Wonderland Road Community Enterprise Corridor uses.

The lands will develop as a mixed use area through a comprehensive planned approach. Development on the lands may include a range of land uses including mixed use buildings with ground floor retail commercial, free standing high density residential buildings, free standing office buildings, free standing institutional buildings and some smaller scale free standing commercial buildings including automobile oriented commercial buildings.

Buildings are to be focused to the street with parking areas to be located predominantly in side or rear yards and/or within structured parking facility. New internal public and/or private streets may be created with a view to limiting direct access to arterial roads. Emphasis shall be placed on architectural quality and urban design to create an urban main street character.

iii) Character

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Development should provide for a walkable urban main street experience on a pedestrian scale. Buildings along Exeter and Wonderland Road should be street oriented, with the public right-of-way designed to support pedestrian activity and street oriented retail or other active uses. Boulevards may include wider

sidewalks and may include outdoor patio areas, and hard and soft surface landscaping treatments, including street trees and furniture; all to create a vibrant street context.

iv) Permitted Uses

- a. Commercial/institutional land uses including but not limited to retail commercial uses; service and repair establishments, food stores; convenience commercial uses; personal and business services; pharmacies; restaurants; financial institutions; professional and personal service offices; entertainment uses; galleries; studios; automobile oriented commercial uses; community facilities such as libraries and day care centres.
- b. Office Uses
- c. High Density Residential Uses
- d. Mixed Use Buildings that include two or more of the following uses: Office Uses, Residential Uses, Commercial Uses, Institutional Uses.
- v) Special Use Provisions
 - a. No individual commercial use on these lands is to exceed 2,800 square metres gross floor area. (30,139 square feet).
 - b. Mixed use commercial/office/residential buildings shall not exceed 75 residential units per hectare and a maximum height of 4 storeys.
 - c. High density residential buildings shall not exceed 150 residential units per hectare and 10 to 12 storeys in height.

Add a new Subsection to 20.5.6.1:

"xi) **Phasing of Commercial Development**

The commercial component of development within the Wonderland Road Community Enterprise Corridor shall be phased to provide for the logical extension southerly from the area of existing commercial development located north of Bradley Avenue, such that free-standing commercial development shall not occur south of Exeter Road within the first 20-year planning period or the substantial build-out of designated lands north of Exeter Road, whichever is first. Nevertheless, commercial uses may be located within the ground floor of permitted mixed-use buildings having office and/or apartments on their upper floors. A maximum of 10 per cent of the total gross floor area of mixed use buildings in a development may be devoted to commercial uses."

ATTACHMENT 5

Proposed Revisions (Phase 3 - Transportation)

Figure 1: Conceptual Road Network – [Delete in its entirety]

20.5.3.8 Transportation

The transportation network within this Plan consists of Arterial, Primary and Secondary Collector roads. Local Streets may connect to appropriately designed arterial roads to provide new connections to the community neighbourhoods. The local street pattern will provide an organizing structure for each of the Neighbourhood areas. A conceptual local road network is depicted in Figure 1. In addition to Section 11 of the Official Plan, the Transportation policies specific to the Neighbourhood areas, and the applicable urban design policies in Section 20.5.3.9 of this Plan, the following policies shall apply:

i) General Policies

- •••
- j) In order to establish an organizing structure for the present and future development for lands within the "Wonderland Road Community Enterprise Corridor" land use designation, local street connections shall <u>may</u> 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 Community Enterprise Corridor.

Local-street-right-of-way-dedications shall be consistent with the Conceptual Road Network-of-this-Plan. The City may enter into an encroachment agreement with the property owner for the use of the <u>a</u> local street right-of-way in advance of its development as a local street. <u>The property owner may enter into an agreement with the City to convey a future local street right-of-way when it is required for road development.</u>

- ii) Access to Bradley Avenue
- iii) On-Street Parking in the Lambeth Village Core
- iv) Design for Wonderland Road South
 - a) Intent

As the primary gateway to Central London from the 400 series Highways, Wonderland Road South will be developed with a 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 <u>may will</u> be provided within a widened road allowance. <u>A</u> <u>Municipal Class Environmental Assessment shall be conducted to determine the arterial road cross section for the Wonderland Road South corridor.</u> <u>Recommendations and design requirements arising out of the Municipal Class Environmental Assessment will be incorporated into road development.</u> <u>Building setbacks and design elements, as set out in Section 20.5.3.9 of this Plan, may relate to this design to provide an effective interface between the public and private realms.</u>

[Delete the remainder of policy 20.5.3.8 and Figures 2 through 10 in their entirety.]

20.5.6 Wonderland Boulevard Neighbourhood

i) Function and Purpose

ii) Character

The Wonderland Boulevard Neighbourhood will develop as a mixed-use community characterized by a high intensity of built form to support transit services. A-key defining element-will-be-a non-standard, 6 lane right of way cross section for most-of-Wonderland Road South, which-will may be designed to facilitate the efficient movement of through-traffic, while making use of frontage streets, provide enhanced landscaping, on-street parking, bicycle lanes and sidewalks to provide easy and safe access to the adjacent land uses and contribute to a high degree of pedestrian amenity. Detailed-policies and concept plans for the Wonderland Road South right of way are contained in-Section 20.5.3.8 of this Plan. Where appropriate, specific building setbacks and site design strategies adjacent to Wonderland Road South will be encouraged to facilitate will ensure the creation of a visually pleasing, tree lined gateway into the Forest City.

Portions of this Neighbourhood may develop with a very "urban" character within a suburban setting. The corridor design provides opportunities for pedestrian-scale, street oriented land use development along a suburban transit corridor.

A key element of this corridor is the Wonderland Road Community Enterprise Corridor land use designation. This designation is intended to provide for a mix of commercial, office, residential and institutional land uses within the corridor without allocating those uses to a specific location within the corridor.

20.5.6.1 Wonderland Road Community Enterprise Corridor

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 Community Enterprise Corridor"<u>. the policies</u> <u>in 20.5.3.8 i) j) shall apply.</u> 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 Community 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 <u>may</u> shall be dedicated for any development or redevelopment within the Wonderland Road Community 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 <u>may</u> shall be required.

20.5.16.10 Proposed Future Road Corridors

<u>Alignment of proposed future road corridors identified on Schedule "C" of the Official Plan</u> <u>shall be determined by one of the following: (1) completion of a Municipal Class</u> <u>Environmental Assessment; (2) a corridor study or functional planning study as described in</u> <u>Section 18.2.2(v) of the Official Plan; or (3) consideration of a draft plan of subdivision.</u> <u>Schedule "C" may be amended to reflect the determined alignment of a proposed future road</u> <u>corridor without the need for an Official Plan amendment.</u>

- 20.5.16.1011 Complete Applications
- 20.5.16.1112 Urban Design Guidelines
- 20.5.16.1213 Guideline Documents
- 20.5.16.1314 Interpretation

Schedule Modifications

4.1

- 1. Schedules 2 through 6 and 8 Amend to show only the current existing alignment of Bostwick Road and delete the proposed future alignment of Bostwick Road.
- Proposed Schedule 'A' and 'B1' Amendments, Appendix 1 Amend to show only the current existing alignment of Bostwick Road and delete the proposed future alignment of Bostwick Road.
- 3. **Proposed Schedule 'C' Amendments, Appendix 1 –** Amend to show the current existing alignment of Bostwick Road as a solid line and the proposed future alignment of Bostwick Road as a dashed line. All other proposed roads to be shown as a dashed line (eg. Kilbourne Road).
- 4. **Proposed Schedule 'C' Amendments, Appendix 1** Amend to maintain Savoy Street as a Secondary Collector.

Note to Draft:

5. Schedules 2 through 17 – conforming changes to be made.

Proposed Modifications to NHS/Open Space Policies

20.5.2 Community Structure Plan

The Community Structure Plan is illustrated in Schedule 1 of this Plan and sets out the overall structural elements that are the building blocks for the Southwest Planning Area. The elements identified in this Section of the Plan are intended to assist with implementing the vision for the built form, public realm and neighbourhood street pattern. Development proposed through planning applications for the Southwest Planning Area shall implement the following community structure objectives, where appropriate or applicable:

viii) open space areas such as woodlands, river and creek systems and utility corridors may shall be used to provide pedestrian and cycling linkages between places within and outside the community, that complement the transportation opportunities offered by the street network.

20.5.3.2(ii) - Sustainable/Green Development

ii) Policies

- y - - +

As part of a complete application for development within the Southwest Planning Area, a report shall-be submitted explaining may be required to identify how the applicant has endeavoured to incorporate any or all of the following. as deemed appropriate and applicable through the pre-consultation process:

• • •

20.5.3.3 Neighbourhood Central Activity Nodes

- iv) Built Form and Intensity
- e) Buildings and structures located adjacent to natural heritage features <u>may</u> shall incorporate architectural elements and massing that is compatible with the feature, and <u>may</u> shall be oriented to take advantage of their location adjacent to the natural heritage feature. <u>To minimize private</u> Private property interfaces with significant natural heritage features, are discouraged. Window window streets, public parkland and/or public access adjacent to natural heritage features are encouraged, where appropriate.

20.5.3.4 Community Parkland and Trail Network

The development of the Southwest Planning Area as a sustainable community that provides for enhanced open space, encourages recreation and the use of alternative modes of transportation is largely dependent on the provision, development and incorporation of different types of parkland and open space connections into newly developing and redeveloping areas. Five Four distinct types of open space described in Section 20.5.4.3 of this Plan will encompass or contribute to the provision of such uses as sports fields, playgrounds and other active recreational amenities, pathways and trails, and gathering and resting places. Schedule 2 of this Plan identifies the general locations of a combination of existing and new Neighbourhood and District Parks, and proposed planned pedestrian and bicycle pathways linkages.

Section 16 of the Official Plan contains the policies and provisions for parkland and recreational services in the City of London. Specifically, they identify the park hierarchy system and the various attributes of each park type. In addition to Section 16, the following policies apply:

(i) Pathways and Trails

c) The multi-use pathway network shown on Schedule 2 is intended to function as recreational pathways for pedestrians and cyclists, a pedestrian and bicycle corridor. Lands required for this recreational pathway network and shall may be acquired by dedicated to the City in accordance with the municipal land dedication requirements of Section 51.1 (25)b of the *Planning Act* or through purchase, donation, bequest and/or expropriation, or any other means authorized by law. Lands included in the pathway network that are in excess of 5 metres in width will be recognized as parkland dedication and credited accordingly. Lands described as pedestrian corridors in Section 20.5.4.3 - Open Space are considered to be part of the multi-use pathway network.

(iii) Parks

c) The locations of urban parks will be determined at the time of subdivision and/or site plan approval and will allow may include areas for passive recreation, pathways and extensive hardscaping with the inclusion of public art. These parks may be in the form of urban squares, parkettes and/or village greens. They will be acquired at the time of development through outstanding parkland dedication. Urban parks will generally have a minimum area of 2,500 square metres. The size of urban parks will be determined through the development review process and shall consider street frontage and integration with the neighbourhood, with-extensive and integrated street frontage. A minimum of one urban park shall be provided in each new residential neighbourhood.

20.5.3.5 Parkland Dedication

In addition to the provisions of the *Planning Act*, the The City of London Policy Manual provides Council direction regarding parkland dedication. In addition to the Parkland

1.4

Conveyance & Levy By-law, the parkland dedication policies of Section 16.3.2. of the Official Plan shall apply together with the following policies: and the following policies apply:

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 may be dedicated to the City for public park purposes <u>pursuant to the Methods of Acquisition</u> <u>prescribed in Chapter 16 of the Official Plan</u>. 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.

20.5.3.6 Natural Heritage

A <u>Draft</u> comprehensive Natural Heritage Study (NHS) was completed as part of the Secondary Plan process. The recommendations <u>natural heritage system components</u> of the <u>NHS</u> <u>Draft Natural Heritage Study</u> have been incorporated into the Official Plan Schedules A and B-1 and are also incorporated into the Schedules of the Southwest Area Plan, as wellas the Schedules in the Southwest Area Secondary Plan, and Features listed in Appendix 2.

In addition to the policies of Section 15 of the Official Plan, the following policies apply:

i) Components of the Natural Heritage System

a) Dingman Creek Significant River Corridor

The Dingman Creek is a significant river and ravine corridor which within the City of London. It-represents a continuous wildlife linkage and water resources system connecting significant eore natural heritage <u>features</u> areas that extend beyond the limits of the city. The corridor remains in a largely natural state, except as affected by existing agricultural practices, industrial development and the urban area of Lambeth. The area of the corridor withinthe Southwest Planning-Area contains-<u>There are areas of</u> distinctive and unique natural communities and species <u>along this system</u>, which include and has physical characteristics that are susceptible to erosion. The corridor is a visual amenity for the surrounding areas and provides a physical, ecological and cultural land use feature.

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. <u>An ecological buffer will be established along each side of Dingman Creek based upon the</u>

recommendations of an approved Environmental Impact Study (EIS) in accordance with Section 15 of the Official Plan. To further protect the corridor and provide opportunities for enhancement the minimum width of the Dingman Creek Corridor will be comprised of a minimum 50 metres on each side of the watercourse measured from the ordinary high watermark, as determined by a qualified hydrogeomorphologist or hydrogeologist.

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 be established on each side of the feature, measured from the edge of any other Natural Heritage Features other than the Dingman Creek, which are identified on Schedule B-1 of the Official Plan, will be confirmed and/or delineated through the recommendations of an approved Environmental Impact Study in accordance with Section 15 of the Official Plan.

Ecological buffers will be established for Natural Heritage Features based upon the recommendations of an approved Environmental Impact Study (EIS) in accordance with Section 15 of the Official Plan.

d) Development Limit

Where development is proposed adjacent to the 50 metre minimum width of the Dingman Greek 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 the 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.

Where development occurs within distances adjacent to natural heritage features that trigger the need for an Environmental Impact Studies (EIS) as set out in Table 15-1 of the Official Plan, an EIS will be scoped to confirm and delineate the natural feature, to determine the appropriate ecological buffer and to provide details on the Open Space system and naturalization opportunities to integrate the system with the adjacent features to be protected.

Where different natural heritage system components overlap, the limit of development will be established as the maximum corridor or ecological buffer width as determined by application of these policies.

Where the limits of Natural Hazards shown on Schedule B-2 exceed the identified corridor or buffer widths for natural heritage features, the development limit shall be established at the hazard limit, including any required setbacks.

e) Implementation/Acquisition of Ecological Buffers

For lands-adjacent to Dingman Creek, 20 metres of the corridor adjacent to the Creek Lands delineated as ecological buffers pursuant to Subsection 20.5.3.6 i) b) and c) may shall be dedicated to acquired by the City pursuant to Section 16 of the Official Plan. 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 GP-9. For the remaining 30 metres 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 30 metres.

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 shallbe 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 to be dedicated, developmentcredit equal to the land-area will be assigned to the adjacent land for the purposes ofdensity, 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 20-metres.

No additional setbacks to a buffer adjacent to the Dingman-Greek or a natural heritage feature acquired under this policy will be required other than as required by the regulations of the zone applied to the adjacent lands.

ii) Enhanced Open Space Corridors

In order to enhance open space opportunities within the Southwest Area, the City will seek to locate open space corridors adjacent to key natural heritage features. These corridors are intended to provide for uses such as trails, active and passive parkland and stewardship opportunities.

These enhanced open space corridors are intended to build upon the natural heritage system in the Southwest area, and will help to create unique communities and neighbourhoods linked by an integrated open space system. Where there are no natural features to build upon, these corridors may, over time, provide open space connections between natural features. It is intended that these corridors will provide both active and passive recreation opportunities, and will form a component of the Southwest area park system.

The City may acquire these enhanced open space corridor lands in accordance with the municipal land dedication requirements of the *Planning Act* or through purchase, donation, bequest, expropriation or other lawful means,

iii ii) Tree Planting Standards and Stewardship Practices

- a) All landscape plans for new development and the redevelopment of existing sites within the Southwest Area Secondary Plan shall comply with tree planting standards and other tree canopy cover targets established for each land use as identified in the Urban Forest Strategy.
- b) Wherever possible, enhanced tree planting will be encouraged in exterior side yards along local streets.
- c) Where the minimum Dingman Creek corridor width or the an_ecological buffer width overlaps with existing developed areas, stewardship programs should be introduced to educate property owners about the benefits of ecological management practices compatible with living or operating businesses adjacent to the <u>buffer. corridor.</u>
- d) Planting of native species, consistent with the Dingman Creek environment, is encouraged on both private and public lands where native riparian vegetation does not exist in identified buffer areas.
- e) Encourage the use of large stock tree-planting for development adjacent to arterial roads. The use planting technologies and standards to provide for long term and sustainable growth is encouraged.

iv_iii) Municipal Environmental Assessment - Stormwater Management

- a) Recommendations arising out of a Municipal Environmental Assessment Study for lands within the Secondary Plan shall be incorporated into development plans, and will be subject to more detailed review in compliance with the policies of Chapter 15 of the Official Plan if the facilities are proposed to be located within or adjacent to components of the natural heritage system. Development of the SWAP lands shall also be consistent with the policies of Section 17.6 of the Official Plan. The following site specific policies shall also apply for on-site design:
 - to reduce the extent of impervious cover, storm drainage and stormwater management techniques such as alternative roadside drainage techniques, pervious paving, enhanced use of vegetation cover, and/or the adoption of other practices to decrease the extent of impervious cover will be encouraged, wherever feasible and appropriate; and
 - stormwater management facilities shall not be permitted to be located within significant components of the natural heritage system or within environmental hazardlands;

 Any proposed channel or watercourse restoration, rehabilitation or enhancement work within the defined Dingman Creek corridor will be subject to Section 15.1 of the Official Plan to demonstrate no negative impact on ecosystem features and ecological functions, Sections 15.4.6 iii) and 15.3.7 (d) for management and rehabilitation priorities to achieve an environmental benefit, and the regulations of the Conservation Authority.

20.5.4.3 Open Space

. . .

i) Function and Purpose

The Open Space designation will apply to lands within the Southwest Planning Area that are intended for active and passive recreation, and that are components of the city's natural heritage system. Visible connections and linkages to the Open Space designation will serve as prominent features and amenities to residential neighbourhoods. Open space lands will also serve as a green-belt buffer for the residential neighbourhoods adjacent to the high intensity land uses of the Wonderland Boulevard Neighbourhood. Enhanced, visible connections to the open space areas will be incorporated into all Neighbourhood Areas, and will promote appropriate linkages within and between neighbourhoods.

The Open Space designation is made of five four sub-areas:

- Public Parkland Active Recreation;
- Public Parkland Urban Parks;
- Natural Heritage/Environmental; and
- Pedestrian-Gorridors; and
- Stormwater Management.

ii) Character

Five Four distinct types of open space are identified in this Plan:

- a) Public Parkland Active Recreation This area will have an active recreation character. The primary design focus will be to accommodate neighbourhood recreational needs such as <u>multi-use and recreational pathways</u>, play structures, basketball, skateboarding and playing fields. Opportunities for passive recreation are also to be integrated into active recreation park spaces.
- b) Public Parkland Urban Parks These smaller parks, with will generally have a minimum area of 2,500 square metres and will be situated at key neighbourhood locations and provide a higher standard of design and amenity than Active Recreation parks. Features such as sitting areas, arbours, plazas, pedestrian pathways and enhanced planting shall be encouraged provided. Urban parks will be designed as an integral and natural extension of the public right-of-way.

- c) Natural Heritage/Environmental This open space area is intended to protect the features and functions of the Natural Heritage System. In addition to providing opportunities to enhance the natural heritage system through naturalization and restoration of environmental <u>buffers and linkages</u>, it <u>will may</u> allow for pedestrian trails and other forms of passive recreation, <u>where appropriate</u>.
- d) Pedestrian Corridors These corridors are intended to link-key-Neighbourhood Areas to London's planned pathway-system. The pedestrian corridors shall have a minimum width of 15 metres, contain a 3 metre wide asphalt pathway and be landscaped with native species.
- e) Stormwater Management <u>Subject to Sections 15.3.3 and 17.6 of the Official Plan.</u> <u>stormwater</u> Stormwater management facilities may be located adjacent to, but not <u>or</u> within, significant the natural heritage <u>system</u> features, ecological buffers, or hazardlands and shall be integrated into their environment. Stormwater management facilities may also form part of an integrated trail system.

20.5.16.4 Official Plan Amendments

ii) Where lands are designated "Environmental Review" on Schedule "A" – Land Use, Schedule "A" shall prevail over the Open Space designation on Schedule <u>4</u> 3 of the Neighbourhood Southwest Area Land Use Designations of the Secondary Plan. Once an Environmental Impact Study (EIS) has been completed, amendments to Schedule "A" – Land Use, Schedule "B-1"- Natural Heritage Features and the Secondary Plan Schedule will be required, as applicable.

Schedules and Appendices

1) Appendix 2 Woodlot Table to be deleted (pages 122-144 inclusive) and all necessary conforming changes.

Note to Draft:

- 2) Schedule A to be modified to conform to Primary Official Plan including altering Open Space designations to Environmental Review as agreed upon or as needed.
- 3) Schedule B-1 to be modified to correspond to delineations shown on Schedule B-1 of the Official Plan. For example, this will ensure that woodlots have been fully evaluated as woodlots or be marked as unevaluated vegetation patches and will include the deletion of potential naturalization areas and potential upland corridors.

ATTACHMENT 7

Sifton Site Specific Matters - Proposed Revisions to Text of SWAP

* Proposed additions to SWAP are shown as underlined; deletions shown in strikethrough text.

1. Modify Section 20.5.10.1(iii) (a) as follows:

20.5.10.1 Low and Medium Density Residential

- (iii) Built Form and Intensity
- a) Within the Low Density Residential Designation, residential development shall have a minimum density of 20 18 units per hectare and a maximum density of 35 units per hectare. Where appropriate, densities lower than 18 units per hectare may be permitted without an amendment to this Plan where the proposed densities have been adequately justified. Building heights shall not exceed four storeys and shall be sensitive to the scale of development in the surrounding neighbourhood.

2. Add Section 20.5.16.4 v) as follows:

20.5.16.4 Official Plan Amendments

v) Where the minimum density described for a neighbourhood is not able to be achieved on an individual application, the City may consider a lower minimum density without amendment to this Plan. The consideration of a lower density than the minimum density described for a neighbourhood shall include the following matters:

a) the size of the parcel.

b) the amount of land not designated for low density residential development that could develop to meet the overall intensity of development contemplated for the neighbourhood.

c) the pattern of development, including roads and parks.

<u>d) opportunities to provide for a range and mix of housing types, and/or a range and mix of lot</u> sizes that meet the intent of the neighbourhood housing mix.

3. Modify Section 20.5.4.1(i) as follows:

20.5.4.1 Residential

i) Function and Purpose

It is intended that the Low, Medium and High Density Residential designations will support an urban housing stock, with residential intensity generally decreasing with greater distance from the Wonderland Road South corridor. Residential areas are to accommodate a diversity of dwelling types, building forms and heights, and densities in order to use land efficiently, provide for a variety of housing prices, and to allow for members of the community to "age-in-place". The maintenance and enhancement of existing residential areas, and the development of new residential areas at higher than current densities, will provide a population base to help to support neighbourhood community facilities, the stores and services offered in the Village Core and Wonderland Road South Commercial Area, and the provision of transit routes along the higher order roads serving the area. Planning applications to reduce the specified minimum residential density of these areas would-undermine-these-objectives- and should-not be supported- may be considered in accordance with policy 20.5.16.4 (v). General policies which follow apply to the Low, Medium and High Density Residential designations within the following Neighbourhood Areas of this Secondary Plan. Individual policies that apply to the residential designations within specific Neighbourhood Areas are detailed within the relevant Neighbourhood Area policies of this Plan:" [...]

ATTACHMENT 8

Sifton Site Specific Matters - Proposed Mapping Changes

3614-3630 Colonel Talbot Road

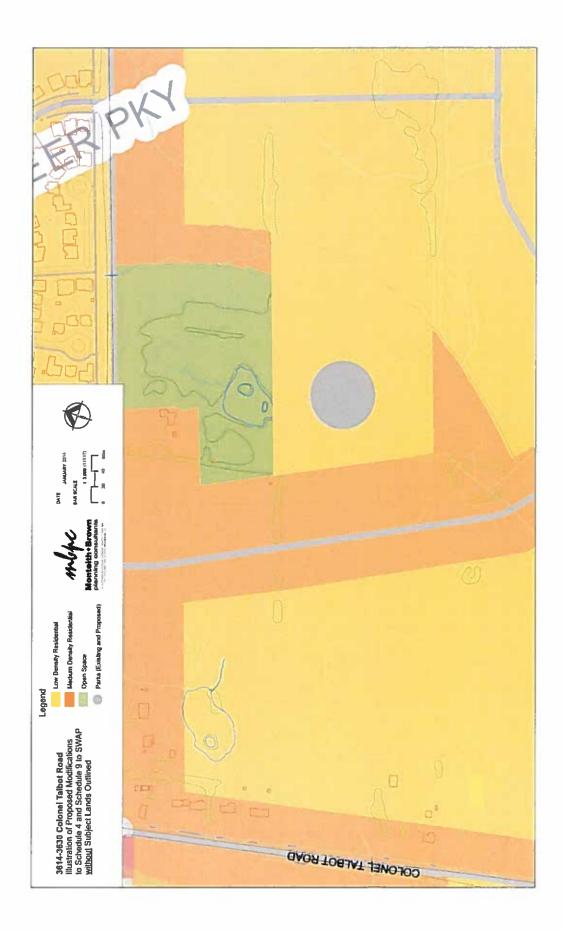
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- Modify Schedules 4 and 9 of SWAP to re-designate the Open Space lands, and a portion of the Medium Density Residential lands on the site, to Low Density Residential.
- Modify Schedule "A" in Appendix 1 of SWAP accordingly.

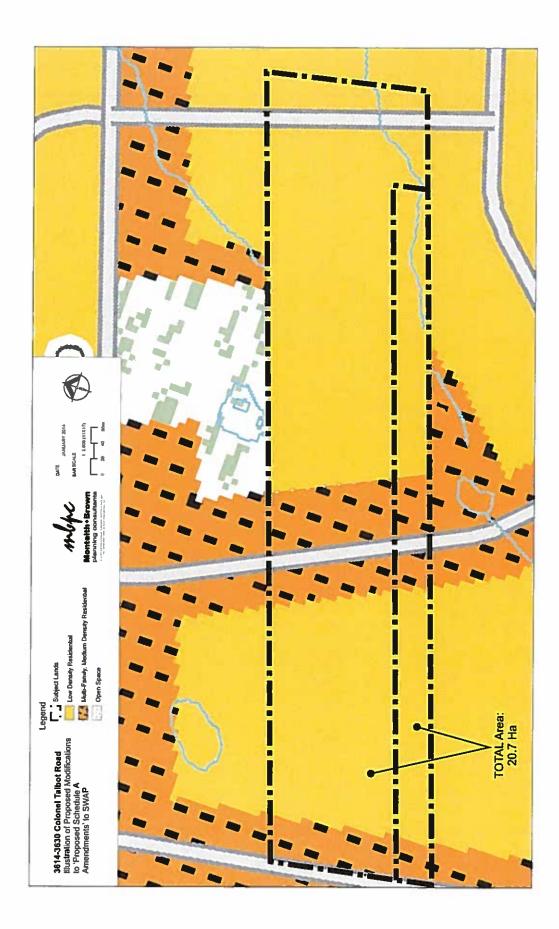
1311, 1363, & 1451 Wharncliffe Road South

In order to reflect Council's approval of OPA 554 in SWAP:

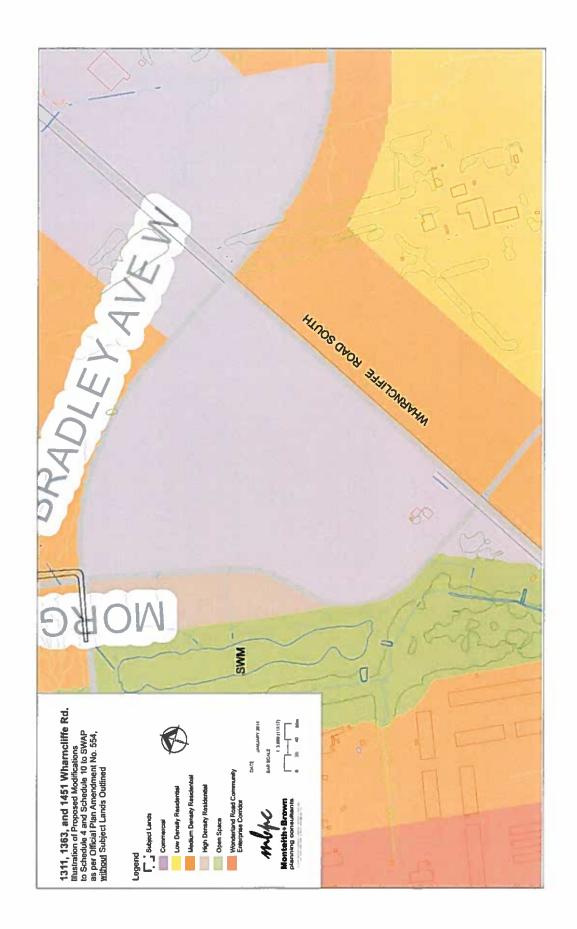
- Modify Schedules 4 and 10 of SWAP to show the lands as "Commercial".
- Modify Schedule "A" in Appendix 1 of SWAP to show the lands as "Community Commercial Node".



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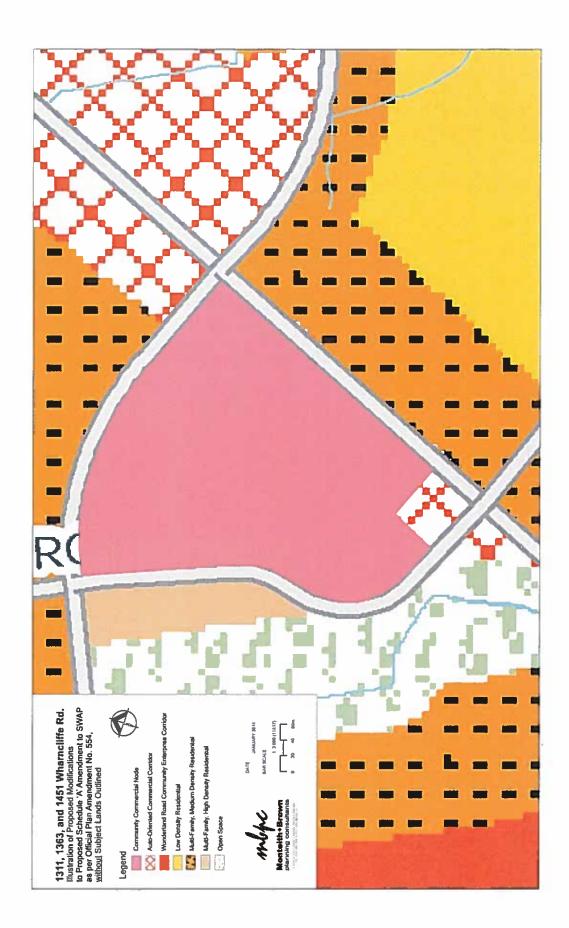


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761030 Ontario Ltd. (Jim Grewal) Proposed Modifications to SWAP

- Modify Schedule A Schedule 4 and Schedule 16 of SWAP to change the designation of lands south and east of the Dingman Creek from "Urban Reserve – Industrial Growth" to "Industrial".
- 2. Modify Schedule A of the Official Plan (Schedule 1-b of OPA 541) to change the designation of lands south and east of the Dingman Creek from "Urban Reserve Industrial Growth" to "Light Industrial".
- 3. Modify 20.5.14.1(ii) Built Form and Intensity, as follows:
 - b) Regulations in the Zoning By-law shall include provisions to minimize prohibit any open outside storage for industries located east of Wellington Road.
 - c) [Delete and replace with:] Within 40m of the Brockley Rural Settlement boundary extra care will be taken with respect to the location of buildings and structures, as well as parking, loading areas, lighting and signage. Loading bays will be prohibited between industrial buildings and the Rural Settlement.
 - d) Enhanced plantings shall be provided within the 40 metre setback where necessary to provide a visual screen between industrial and sensitive land uses.
 - e) [Delete]
 - f) Appropriate Greater side yard and rear yard setbacks for new development within this area shall be specified in the Zoning By-law, and both landscaping and fencing shall be required. Lighting shall be directed to the site. Lit signage and high intensity lighting shall be limited.

ATTACHMENT 10

York Developments - Site-Specific Modifications

1) 1959 Wharncliffe Road South

Policy/ Schedule	Proposed Revisions
Proposed Schedule 'A' Amendments, Appendix 1	Amend Schedule 'A' in Appendix 1 to redesignate the portion of the development site east of Savoy Street as 'Multi-Family, High Density Residential' and to redesignate the portion of the development site west of Savoy Street as 'Low Density Residential'.
Proposed Schedule 'A' Amendments, Appendix 1	Amend Schedule 'A' in Appendix 1 to delineate the area designated 'Environmental Review' on the property as currently shown in Schedule 'A' of the primary Official Plan.
Section 20.5.9.2	i) Intent The High Density Residential designation provides for transit- oriented, mid-to high-rise, residential development that <u>may be</u> is not mixed use in nature.
	ii) Permitted Uses Permitted uses in the High Density Residential designation shall include mid-rise to high-rise apartment buildings, apartment hotels, nursing homes, rest homes, and homes for the aged. Convenience commercial uses and secondary permitted uses, including <u>community centres</u> , allowed in the High Density Residential designation of the Official Plan <u>may be shall not be permitted within</u> these areas.
	 iii) Built Form and Intensity a) <u>New development may be permitted to a maximum density of</u> <u>150 units per hectare and a maximum building height of 12 storeys,</u> <u>subject to further urban design review at the site plan approval</u> <u>stage.</u> Development shall be subject to height limitations in the Zoning By law which are sensitive to the scale of development in the surrounding neighbourhood.
	b) The Urban Design policies of Section 20.5.3.9 and the General residential policies of Section 20.5.4.1 of this Plan shall apply.
	<u>c) Notwithstanding Section 20.5.9.2(iii)(a), Sections 3.4.3(ii) and (iv)</u> of the Official Plan shall apply.

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2) 3493 Colonel Talbot Road

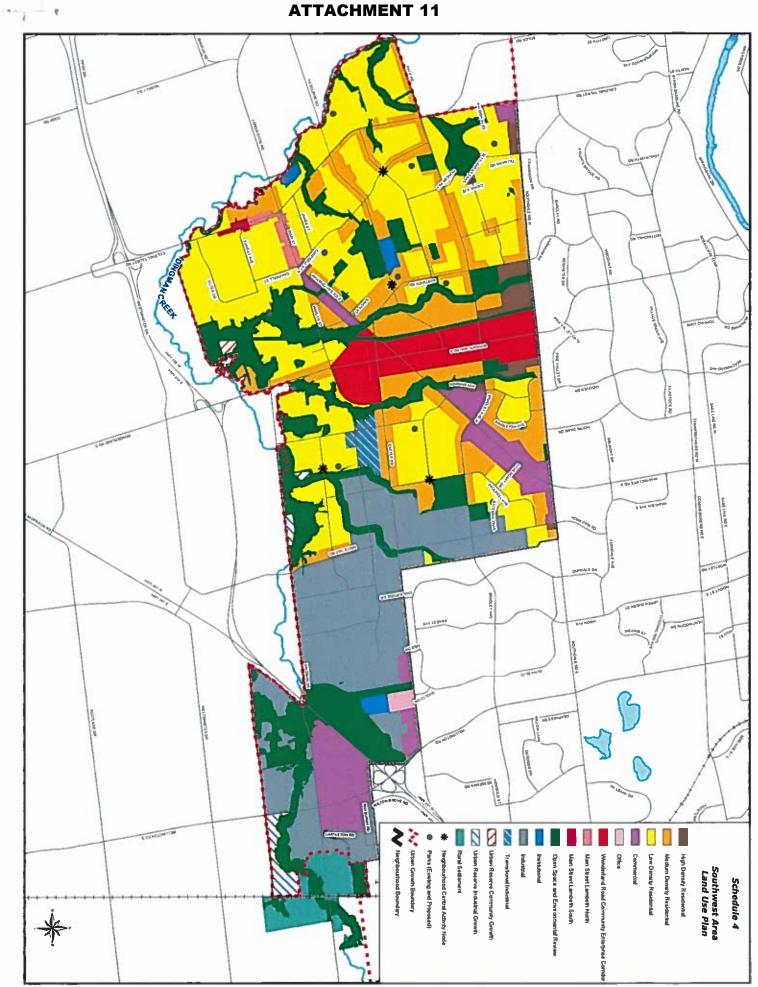
Policy/ Schedule	Proposed Revisions
Proposed Schedule 'A', Appendix 1	Amend Schedule 'A' in Appendix 1 to remove the 'Open Space' designation for the minor drainage tributary on the property to match the adjacent land use designations in SWAP (<i>ie</i> , 'Low Density Residential' and 'Multi-Family, Medium Density Residential').
Proposed 'B-1' Amendments, Appendix 1	Amend Schedule 'B-1' in Appendix 1 to delineate the minor drainage tributary on the property as currently shown on Schedule 'B-1' of the primary Official Plan.

Policy/ Schedule	Proposed Revisions
Section 20.5.9.2	i) Intent The High Density Residential designation provides for transit- oriented, mid-to high-rise, residential development that <u>may be</u> is not mixed use in nature.
	ii) Permitted Uses Permitted uses in the High Density Residential designation shall include mid-rise to high-rise apartment buildings, apartment hotels, nursing homes, rest homes, and homes for the aged. Convenience commercial uses and secondary permitted uses, including community <u>centres</u> , allowed in the High Density Residential designation of the Official Plan <u>may be shall-not-be</u> -permitted within these areas.
	 iii) Built Form and Intensity a) New development may be permitted to a maximum density of 150 units per hectare and a maximum building height of 12 storeys, subject to further urban design review at the site plan approval stage. Development shall-be subject to height limitations in the Zoning By law which are sensitive to the scale of development in the surrounding neighbourhood.
	b) The Urban Design policies of Section 20.5.3.9 and the General residential policies of Section 20.5.4.1 of this Plan shall apply.
	<u>c) Notwithstanding Section 20.5.9.2(iii)(a), Sections 3.4.3(ii) and (iv) of the Official Plan shall apply.</u>

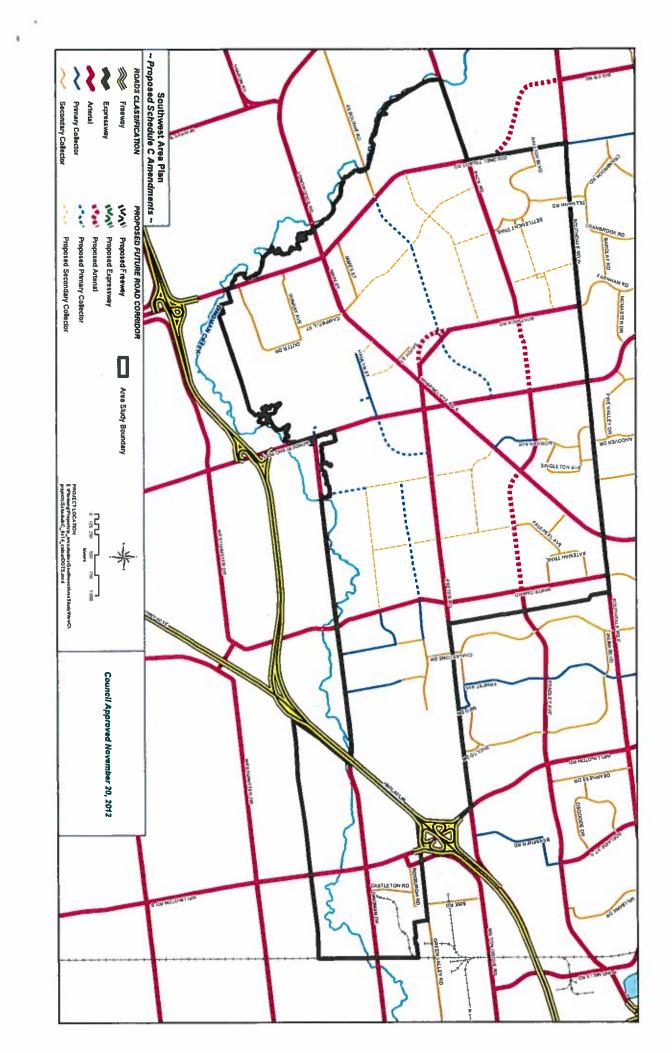
491 3) 481 & 499 Southdale Road West and 3080 Bostwick Road

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ATTACHMENT 11

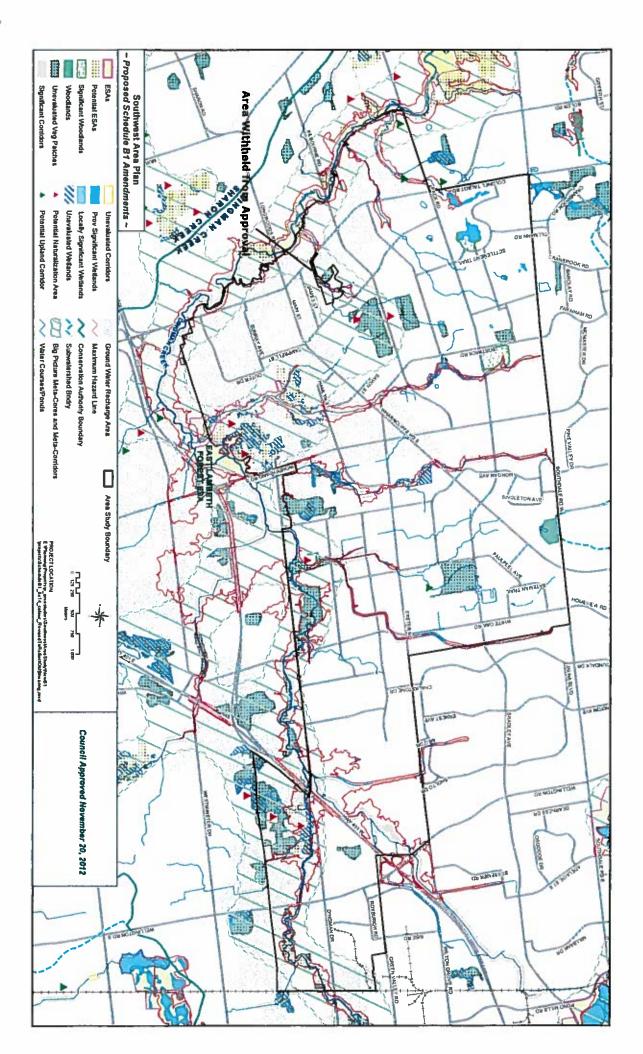


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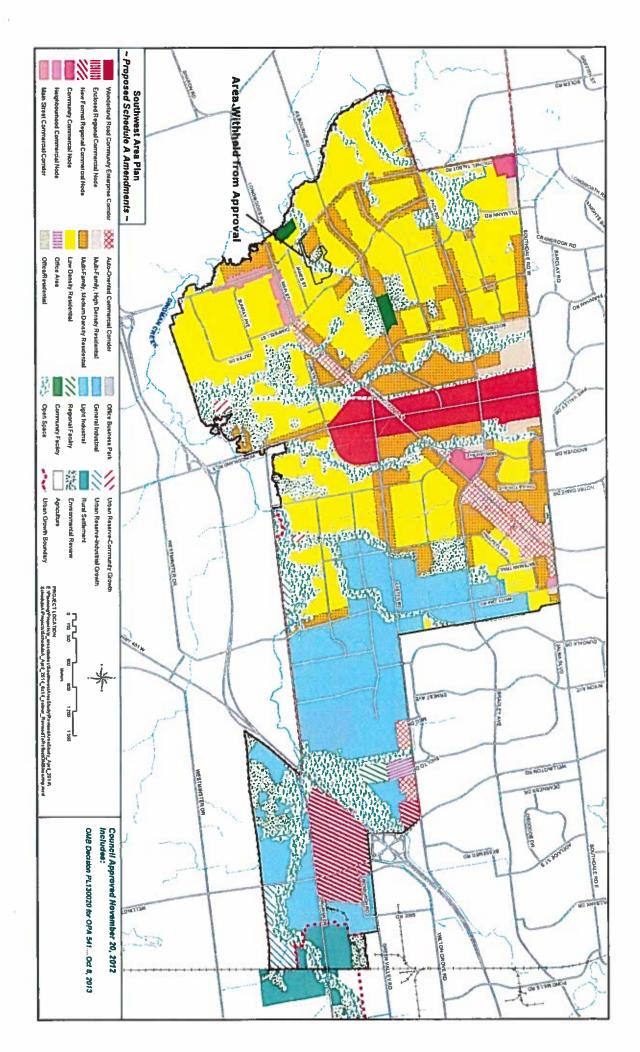


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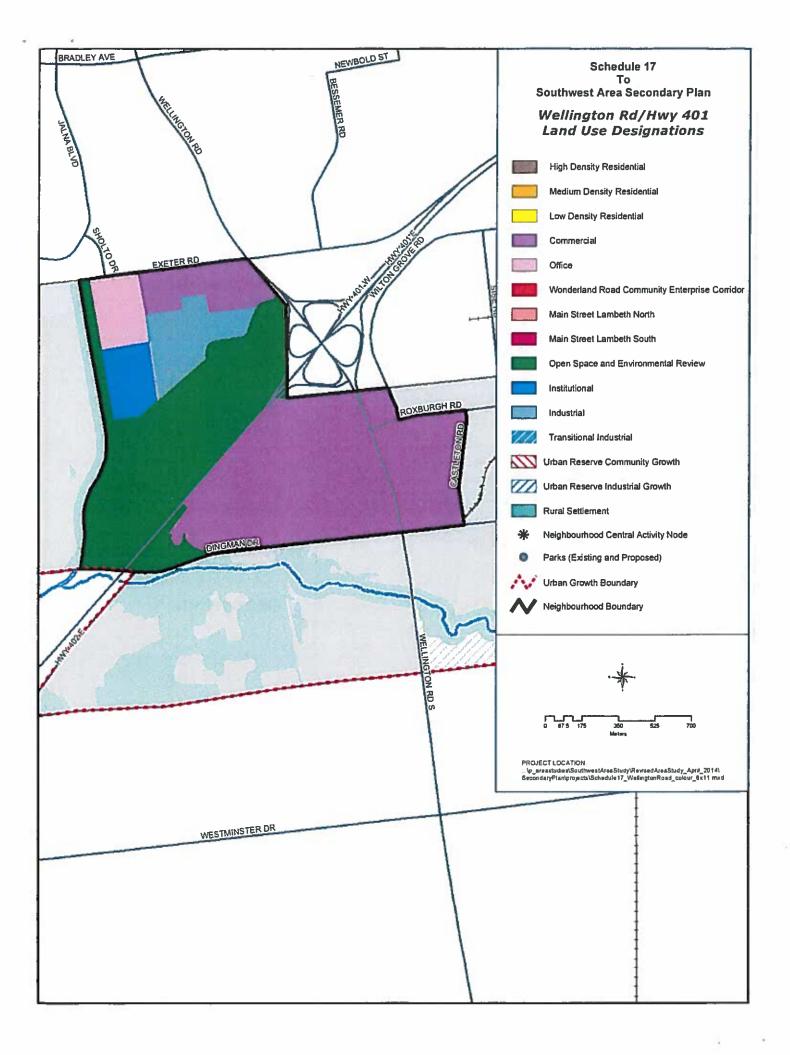


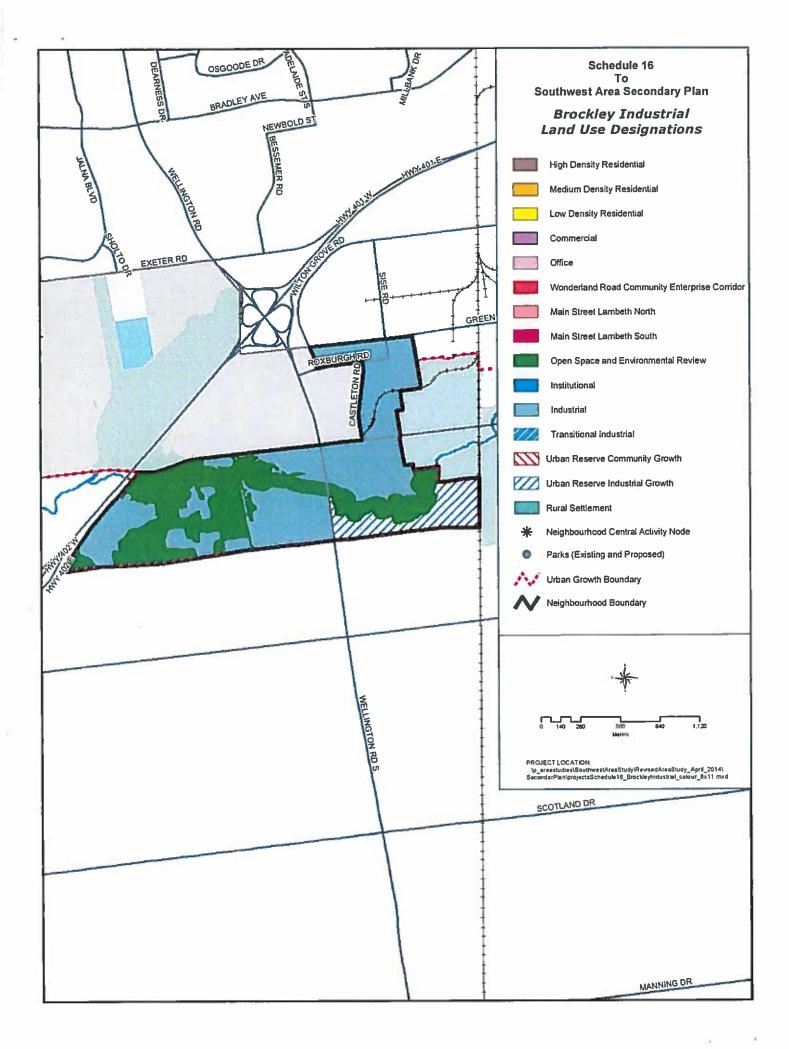
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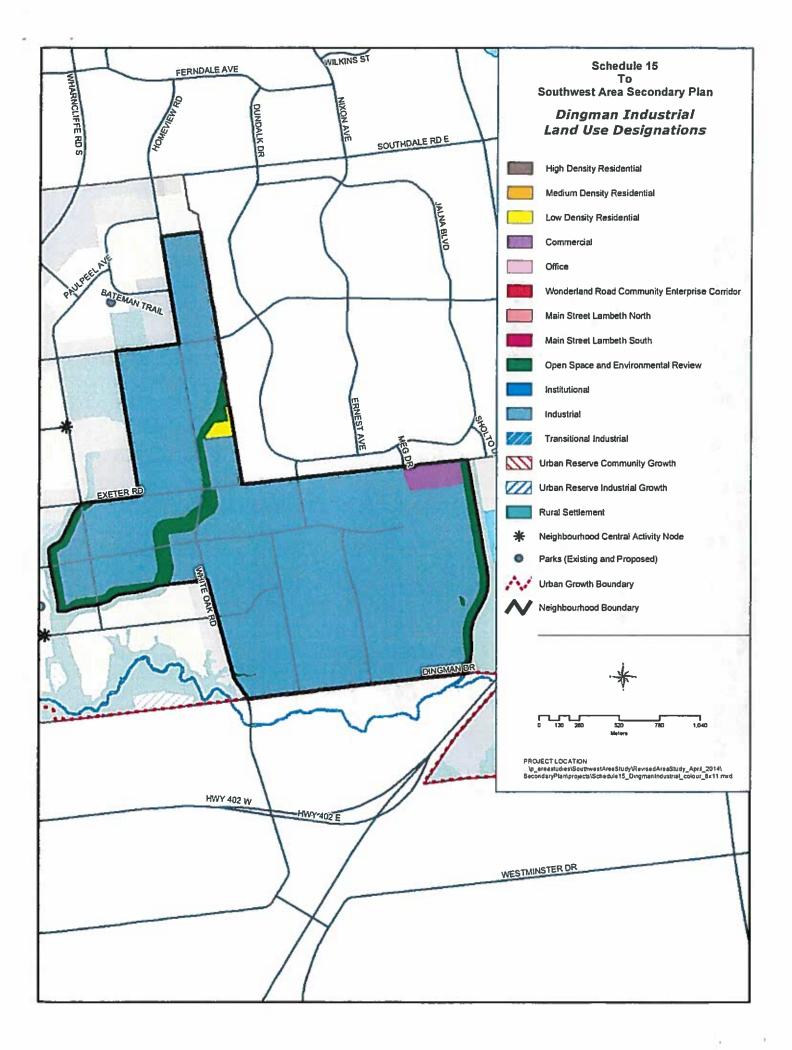
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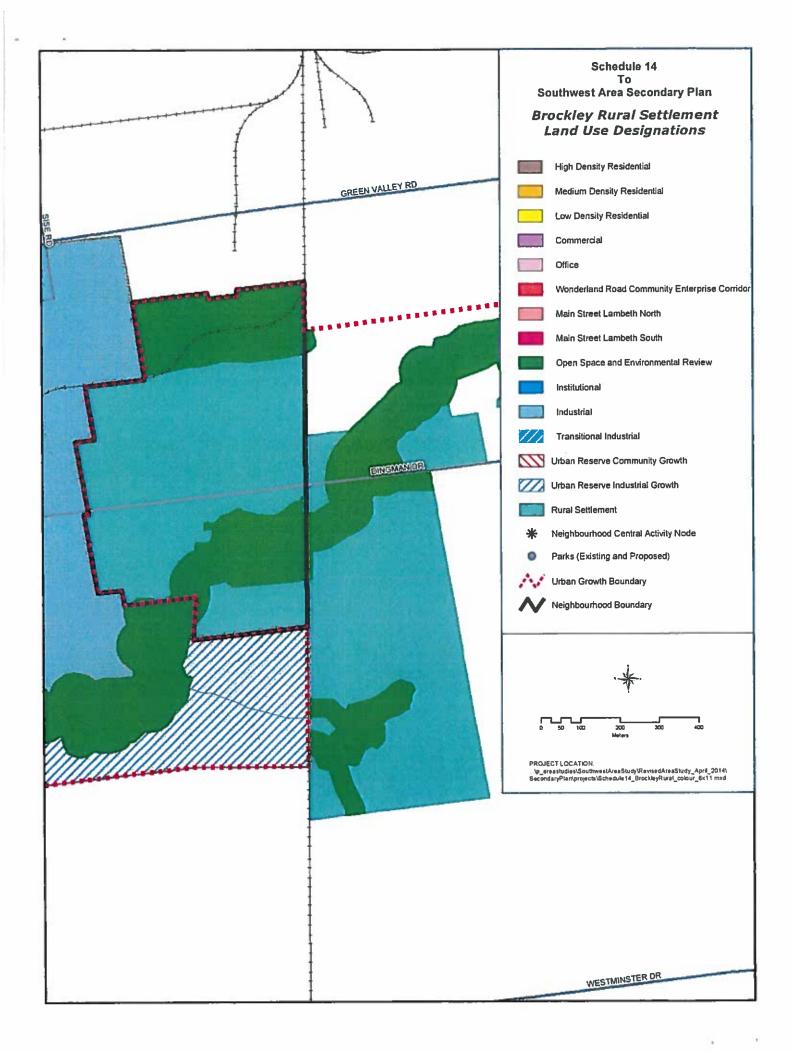


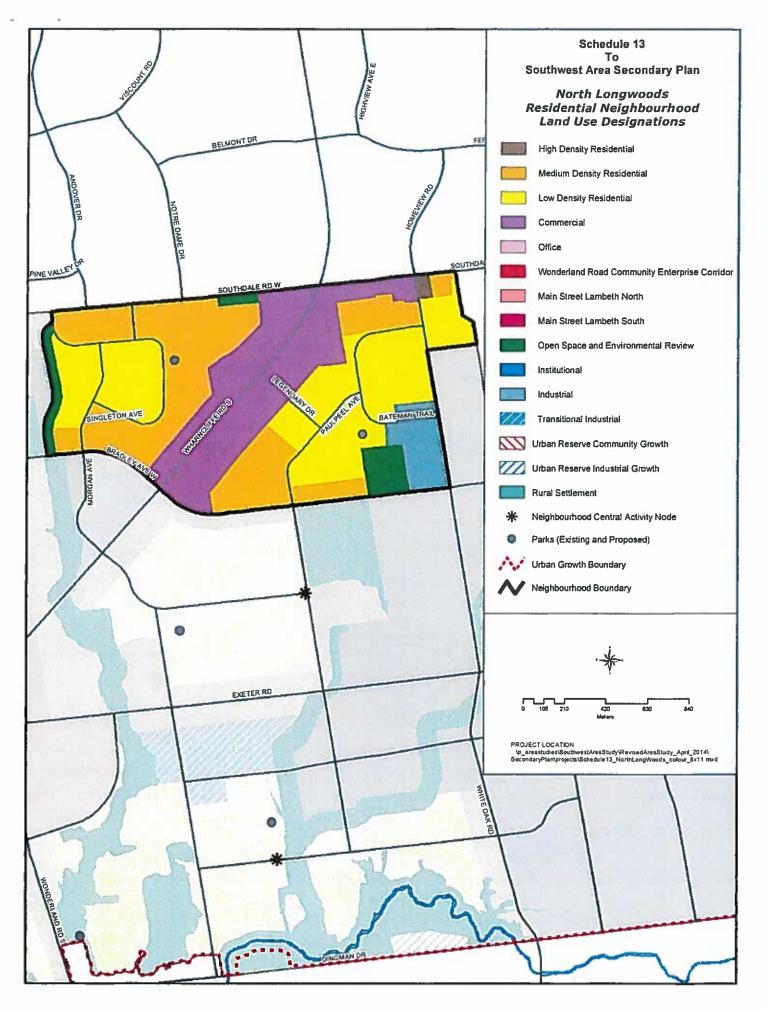
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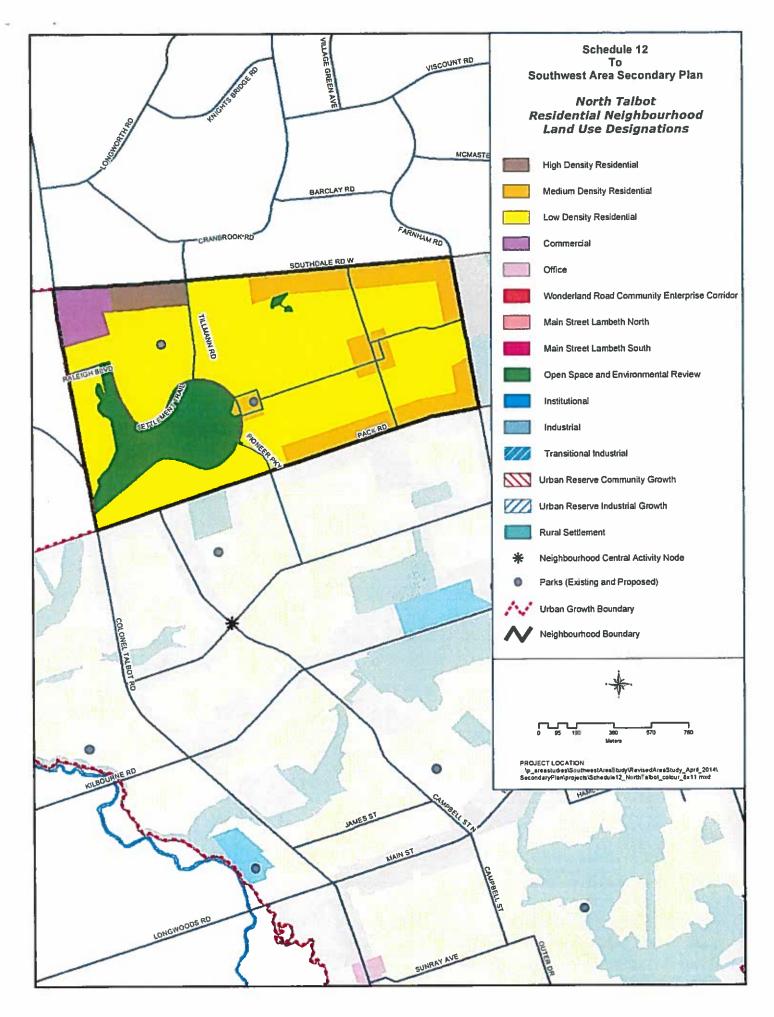


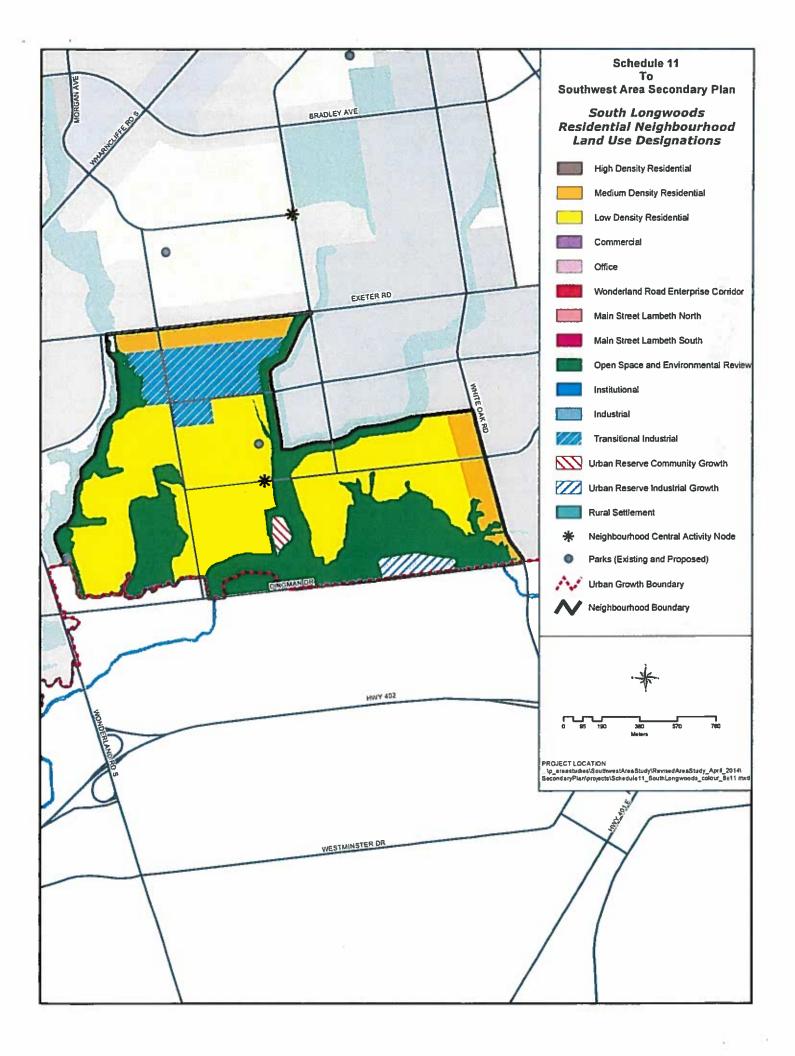


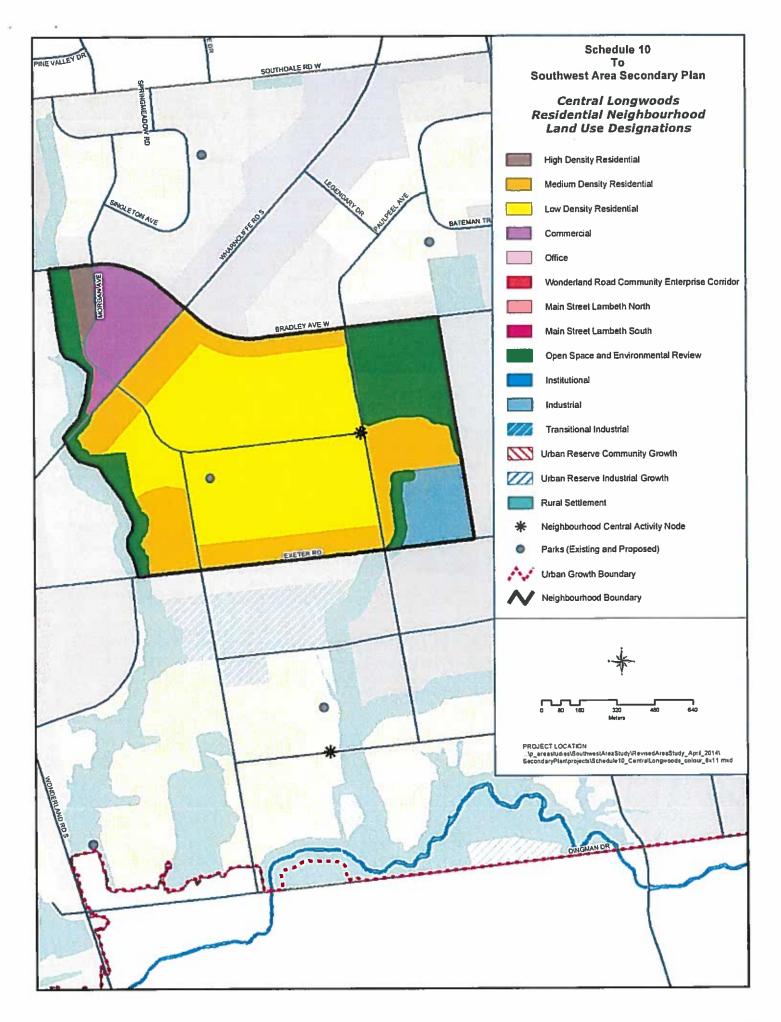


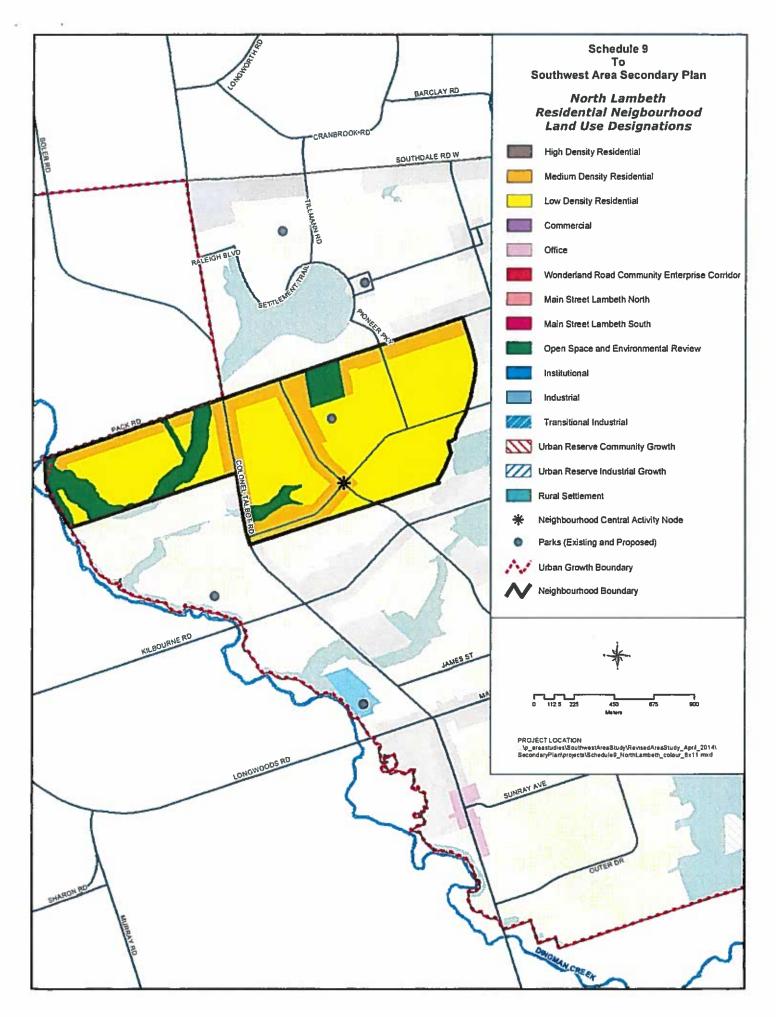


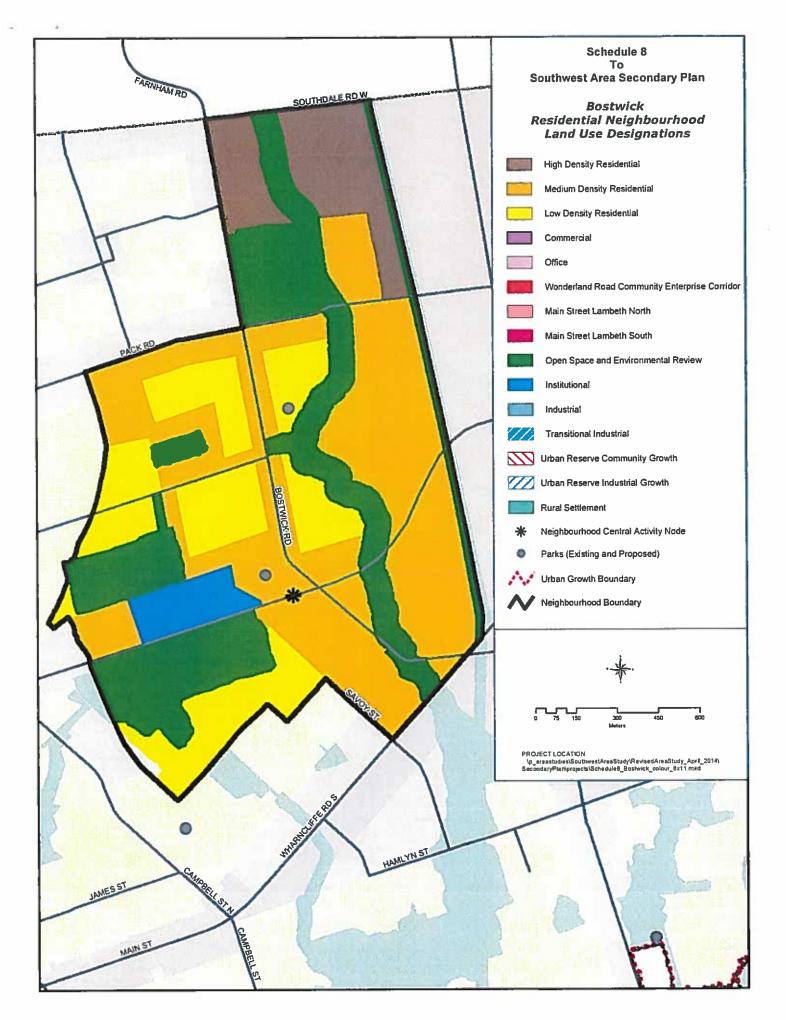


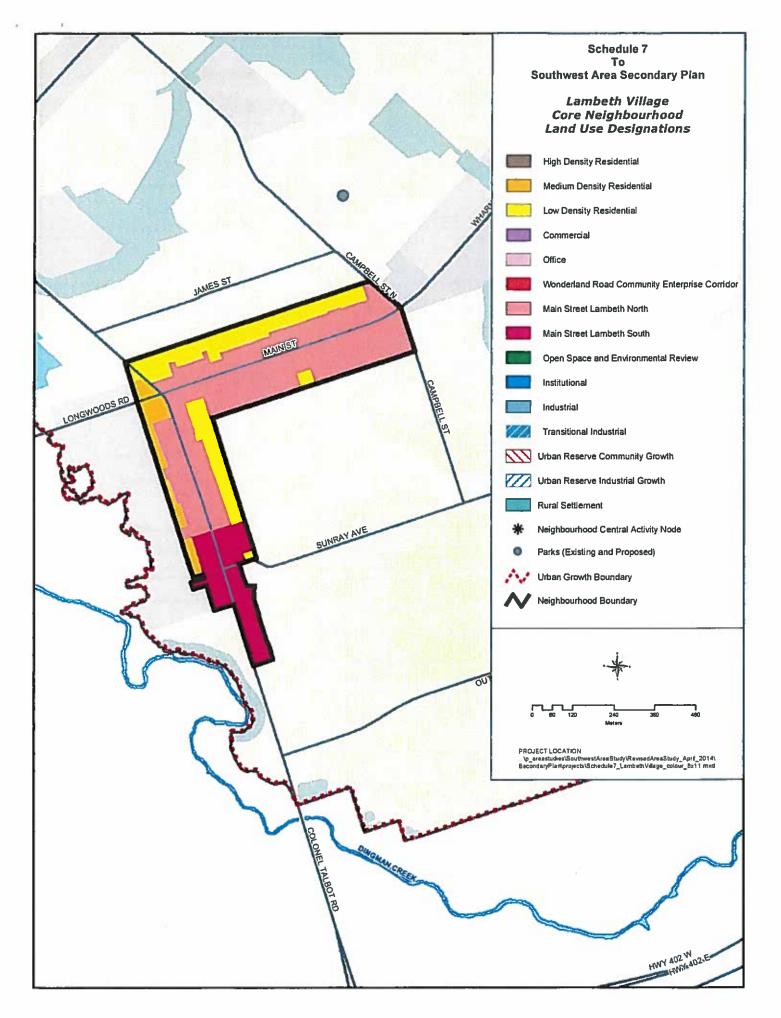


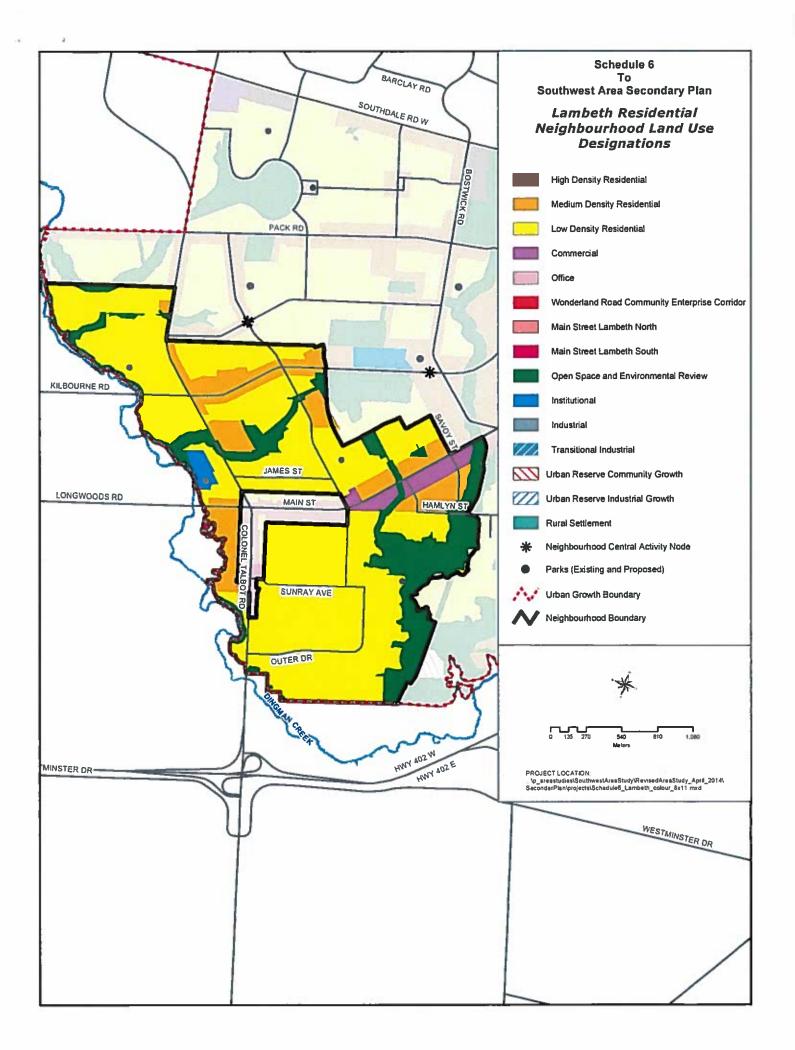


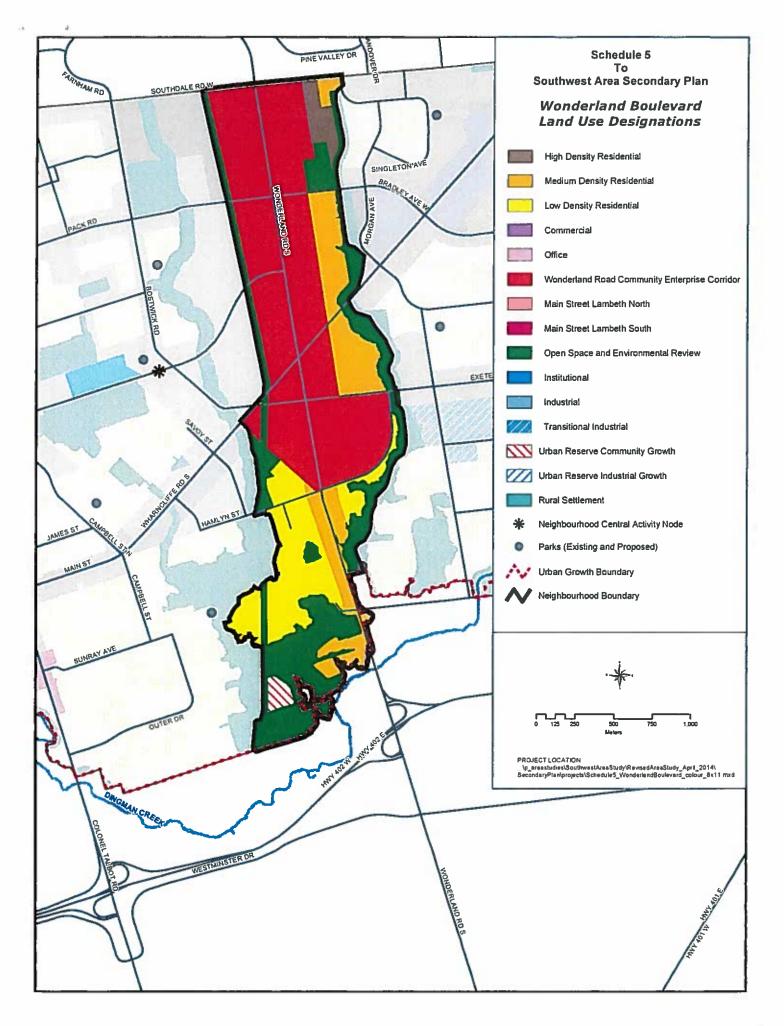


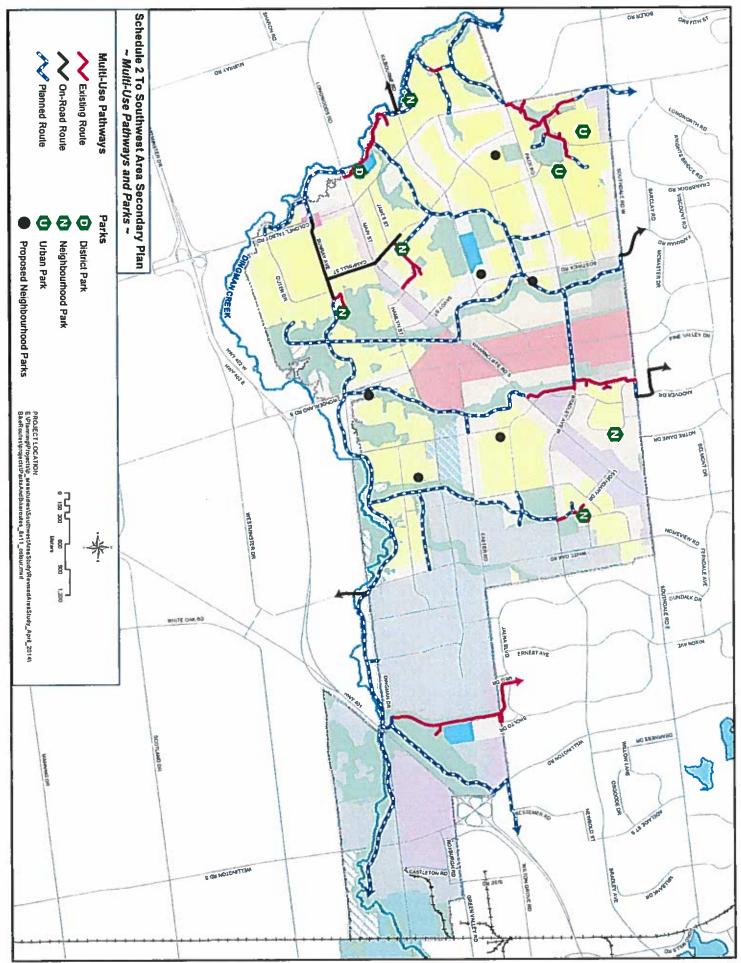












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