

Agenda Including Addeds

Planning and Environment Committee

16th Meeting of the Planning and Environment Committee

October 3, 2023

4:00 PM

Council Chambers - Please check the City website for additional meeting detail information. Meetings can be viewed via live-streaming on YouTube and the City Website.

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We honour and respect the history, languages and culture of the diverse Indigenous people who call this territory home. The City of London is currently home to many First Nations, Métis and Inuit today.

As representatives of the people of the City of London, we are grateful to have the opportunity to work and live in this territory.

Members

Councillors S. Lehman (Chair), S. Lewis, A. Hopkins, S. Franke, S. Hillier, Mayor J. Morgan

The City of London is committed to making every effort to provide alternate formats and communication supports for meetings upon request. To make a request specific to this meeting, please contact PEC@london.ca or 519-661-2489 ext. 2425.

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	A matter pertaining to advice that is subject to solicitor-client privilege, including communications necessary for that purpose from the solicitor and officers and employees of the Corporation; the subject matter pertains to litigation or potential litigation with respect to an appeal at the Ontario Land Tribunal ("OLT"), and for the purpose of providing instructions and directions to officers and employees of the Corporation.	
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Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Scott Mathers, MPA, P.Eng
Deputy City Manager, Planning and Economic Development
Subject: Delegation of Authority – Part Lot Control
Meeting on: October 3, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the report regarding Delegation of Authority – Part Lot Control:

- (a) the proposed by-law attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting to be held on October 17, 2023 to amend By-law CP-17 being “A by-law to delegate certain portions of Council’s assigned authority with respect to approvals for plans of subdivision and condominium pursuant to the *Planning Act*” to delegate the authority to pass by-laws to exempt all, or parts of, registered plans of subdivision from part-lot control.

Executive Summary

Summary of Request

This request is to amend By-law CP-17, being “A by-law to delegate certain portions of Council’s assigned authority with respect to approvals for plans of subdivision and condominium pursuant to the Planning Act” to delegate to Staff the authority to approve requests and pass by-laws to exempt all, or parts of, registered plans of subdivision from part-lot control. The proposed amendments will streamline the approval process by delegating an administrative step in the approvals process and allow for development to proceed in more a timely manner.

Linkage to the Corporate Strategic Plan

Council’s 2023 to 2027 Strategic Plan for the City of London identifies “Housing and Homelessness as a strategic area of focus. This includes increasing the efficiency and consistency of processes to support housing access and supply.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

December 2, 2019, Planning and Environment Committee, Agenda Item 2.4, Delegation Authority for Consent

May 25, 2020, Planning and Environment Committee, Agenda Item 2.2, Exception to Delegated Authority for Consent

February 15, 2022, Strategic Priorities and Policy Committee, Agenda Item 2.1, Streamline Development Approval Fund – Transfer Payment Agreement

April 25, 2022, Planning and Environment Committee, Agenda Item 2.4, Streamline Development Approval Fund: Continuous Improvement of Development Applications: Single Source Contract Award

January 30, 2023, Planning and Environment Committee, Agenda Item 2.4, Streamline Development Approval Fund: Streamlining Development Approvals (2022) – Final Report

May 1, 2023, Planning and Environment Committee, Agenda Item 3.4, Delegation of Authority – Subdivisions and Condominiums and Official Plan Amendment on policies for Public Meetings (O-9606)

1.2 Background and Purpose

As part of the streamlining development approvals process, Staff have been reviewing existing application processes and determining ways to improve the level of service for straightforward applications. Staff have been undertaking this review to support the housing target goal through the *More Homes Built Faster Act, 2022*.

Through the review of the development approvals process, staff identified several processes that could be delegated to allow Council to focus on strategic priorities rather than administrative functions involved in the planning process. On May 16, 2023, Council Passed By-Law No. CP-17-23007, to amend By-law CP-17 to delegate certain portions of Council's assigned authority with respect to approvals for plans of subdivision and condominium pursuant to the *Planning Act*. The amendments to By-law CP-17 delegated the Director, Planning and Development as the Approval Authority for three types of applications:

- (a) minor revisions of draft approved plans of subdivisions;
- (b) extensions of draft approved plans of subdivisions and condominiums; and
- (c) Subdivision Agreement Special Provisions.

As part of the continued review of the development approvals process, the part-lot control process has also been identified as a possible delegation to the Director, Planning and Development as the Approval Authority. This would allow developments to proceed in a timely manner, and allow Council to focus on strategic priorities rather than the administrative functions involved in the planning process.

2.0 Discussion and Considerations

2.1 Overview of the Existing Part-Lot Control Application Process

In Ontario, the subdivision of land is governed by the *Planning Act*. Under section 50 of this legislation, subdivision of land is permitted through the following means: approval of the Plan of Subdivision; the granting of a Consent, also known as a severance; and, through a by-law for an exemption from part-lot control for lots or blocks within a registered Plan of Subdivision. There are provisions within the *Planning Act* to ensure that part of a lot or block within a registered Plan of Subdivision cannot be transferred without approval from the municipality. These provisions allow a municipality to remove part-lot control from all, or part, of a registered Plan of Subdivision to legally divide a lot or block so that these parts can be conveyed.

In 2019 Council enacted By-law No. CPOL.-392-153 being "A by-law to enact a new Council policy entitled "Part-Lot Control Policy" to guide the consideration of request for exemption to Part-Lot Control" to guide the consideration of requests for exemption to Part-Lot Control. The by-law identifies the situations where consideration of an exemption from Part-Lot Control is appropriate including where:

- (a) the existing zoning on the block is appropriate for the proposed lots and where municipal services or agreements for extension of services are in place;
- (b) the exemption is used to implement the intended lotting of a portion of a registered plan where it was not practical to complete the division of land at the time of subdivision approval and registration;
- (c) the nature and character of the subdivision are not to be changed by part-lot control exemption;
- (d) the removal of part-lot control is appropriate when a series of land divisions is necessary;

- (e) reference will be made to guidelines in applicable policy, such as the London Plan, for land severances; and
- (f) all costs associated with the registration of by-laws to exempt lands from part-lot control will be borne by the applicant.

The current process for considering a request for exemption from part-lot control is shown in Figure 1 within the development of subdivisions. Requests for exemption from Part-Lot Control are part of the subdivision build out portion of the development process. The current process involves the applicant submitting a request for exemption. Staff then review the request to determine if an exemption from part-lot control is the appropriate mechanism to create the lots, and draft conditions that must be satisfied prior to Council granting the request. The conditions are a standard set of conditions that is used for all applications. Council then approves the conditions that must be satisfied prior to granting the exemption. The applicant then works to satisfy the conditions and submits documentation that this has been completed, before Council reviews the submission and approves the exemption from Part-Lot Control.

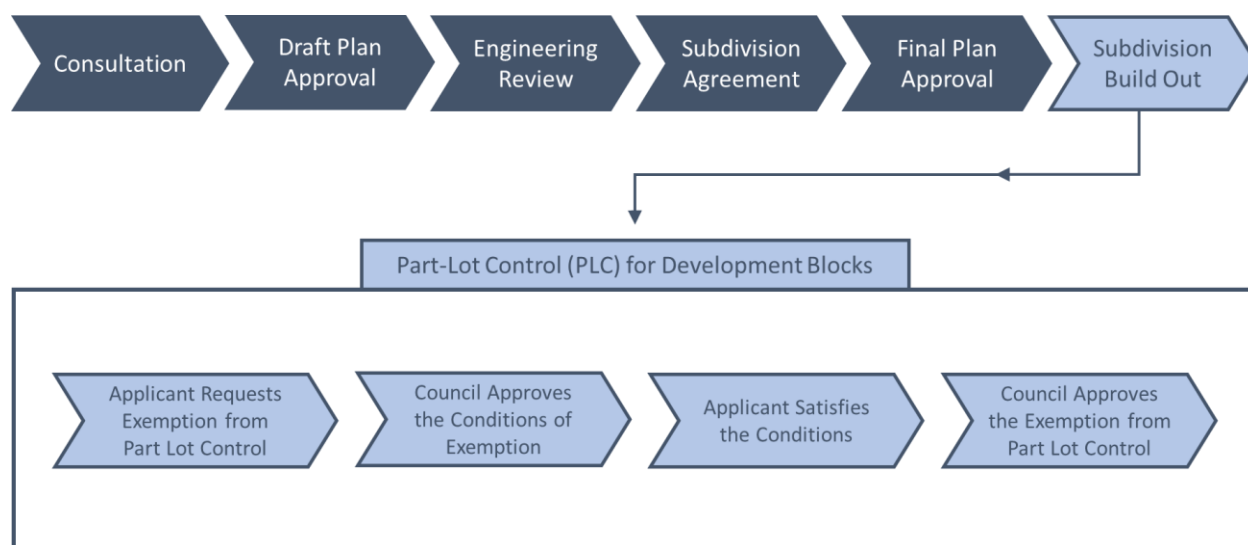


Figure 1 - Existing Process for Reviewing and Approving a Request for Exemption from Part-Lot Control

Exemption from part-lot control is often used to create freehold, street townhouse lots once the foundations and dividing walls of attached dwellings have been constructed. It is not practical to create these lots at the time of draft plan approval or registration of the subdivision as the exact location of the dividing walls cannot be known until after they are constructed. Exemptions from part-lot control are only applicable for lands within a registered Plan of Subdivision, and as such these lands have already undergone a public consultation process to determine the permitted land uses and layout. One of the considerations for using an exemption from part-lot control is that the nature and character of the subdivision is not changed.

It is standard practise for the City to specify a time period of not more than three (3) years after which time the exemption from part-lot control by-law will expire consistent with the policies of the *Planning Act*. Applicants can also request that Council extend the time period specified for the expiration of the by-law at any time before the time period elapses.

Due to the technical requirements within the *Planning Act* and the City's *Part-Lot Control Exemption Policy* (By-law No. CPOL.-392-153) exemptions from part-lot control are an administrative development approval process that is considered minor in nature.

2.2 Proposed Revisions to Delegation of Authority By-Law

Staff recommend that the following be delegated to the Director, Planning and Development as the approval authority with regard to exemptions from part-lot control:

- 1) to establish appropriate conditions of approval which are required to be completed prior to the passage of a by-law,
- 2) to approve requests for exemption from part-lot control,
- 3) to enact by-laws to give effect to such approvals as required under Section 50(7)

of the *Planning Act*, and

- 4) to approve an extension of the expiry period for an existing part-lot control by-law.

Since these applications are more administrative in nature, delegating this approval to Civic Administration will improve the customer service to development community by reducing the timeline for approval. The proposed process will also create further efficiencies for Council by delegating an administrative process and allowing Council to consider more pertinent matters.

The proposed process change would require an amendment to By-law CP-17, Delegation Authority – Subdivisions and Condominiums by adding the following regulation:

2.2 Approval Authority – Director, Planning and Development – Specific Powers

The Council hereby delegates to the Director, Planning and Development the authority: [...]

- (u) to approve requests for exemption from part-lot control or an extension of the expiry period for an existing part-lot control by-law, enact by-laws to give effect to such approvals as required under Section 50(7) of the *Planning Act*, and to establish appropriate conditions of approval which are required to be completed prior to the passage of a by-law, subject to the following:
 - i. Any by-law enacted to exempt lands from part-lot control shall indicate that the exemption will expire at the end of the time period specified in the by-law, which shall not exceed three (3) years; and
 - ii. Exemption requests shall be considered in accordance with the City of London's Part Lot Control Exemption Policy, as amended.

2.3 Proposed Revisions to Procedure for Processing Applications

The procedure for processing applications for exemption from part-lot control is proposed to be modified to streamline the approval (See Figure 2). The Approval Authority (the Director, Planning and Development) will receive and review applications, before issuing a notice to applicants with the conditions that must be satisfied prior to approval. Where previously this notice would have had to wait to be sent until after the Committee and Council meetings, the proposed process would allow the notice to be sent directly to the applicant. Once the applicant has satisfied the conditions and submitted the required documentation the approval authority will review and approve the exemption from part-lot control and sign the implementing by-law. The approval authority will then provide the by-law to the City Clerks Office for signature.

The applicant will be notified that the by-law has been passed (by delegated authority) and that payment must be submitted to the City Clerks Office for costs of the registration of the by-law. Planning and Development will maintain a record of all part-lot control by-laws passed by virtue of the delegated authority for accountability and transparency purposes. If Council approved this process improvement, Staff anticipate this will result in a time savings of 60 calendar days for part-lot control applications.

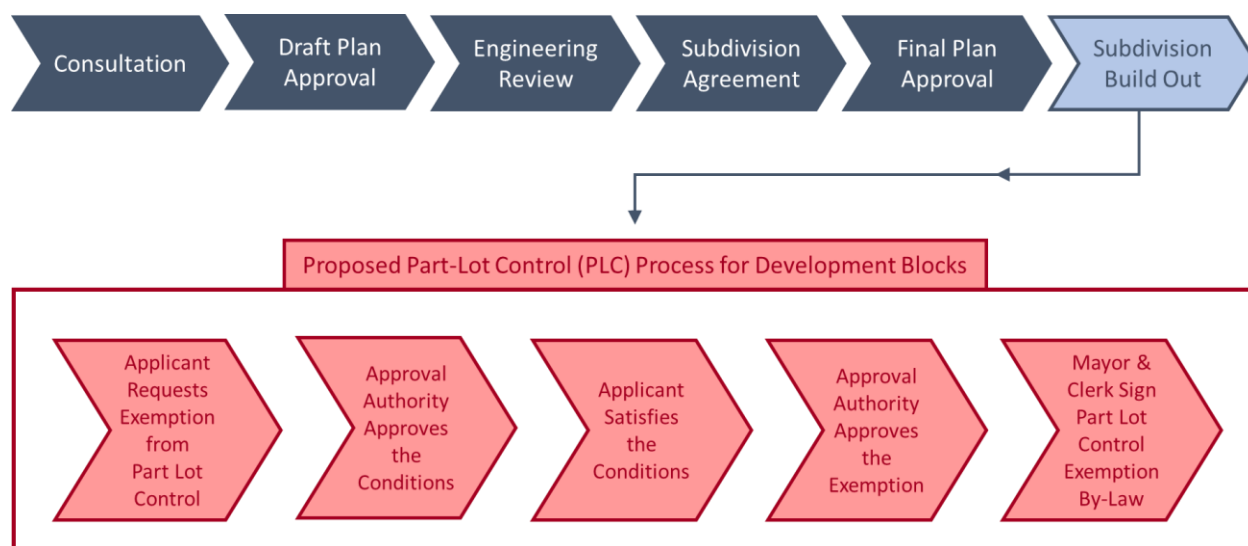


Figure 2 - Proposed Process for Reviewing and Approving a Request for Exemption from Part-Lot Control

2.4 Input from City Teams

The City Clerk's Office and City Solicitor's Office have assisted in the development of the proposed amendment to By-law CP-17 and the new procedure for processing exemptions from Part-Lot Control and are supportive of the report's recommendation.

3.0 Financial Impact/Considerations

There is no financial impact to the City of London with the delegation of these *Planning Act* processes. These processes will allow the Planning and Development team to streamline our development approvals as we strive to achieve our housing targets.

Conclusion

This report offers background information and context regarding process adjustments relevant to part-lot control procedures. It recommends delegating approval authority concerning exemptions from part-lot control to Civic Administration. These proposed process changes aim to simplify the development approval process, with the expectation of reducing the process timeline by 60 calendar days.

Prepared by: Michael Clark, MA
Planner, Subdivision Planning

Reviewed by: Peter Kavcic, P.Eng.
Manager, Subdivisions and Development Inspections

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng
Deputy City Manager,
Planning and Economic Development

cc: Sachit Tatavarti, Solicitor
cc: Heather Lysynski, Committee Clerk
cc: Bruce Page, Manager, Subdivision Planning
cc: Matt Davenport, Manager, Subdivision Engineering

PK/mc

Appendix A – By-Law Amendment

Bill No. (Number to be inserted by Clerk's Office)
2023

By-law No. C.P.-17- _____

A bylaw to amend By-law CP-17, as amended, being “A by-law to delegate certain portions of Council’s assigned authority with respect to approvals for plans of subdivision and condominium pursuant to the Planning Act” to delegate certain portions of Council’s assigned authority with respect to approvals for plans of subdivision and condominium pursuant to the *Planning Act*.

WHEREAS subsection 5(3) of the *Municipal Act, 2001, S.O. 2001 c. 25*, as amended, provides that a municipal power be exercised by by-law;

AND WHEREAS section 23.1 of the *Municipal Act, 2001, S.O. 2001, c. 25*, as amended, provides that Municipal Council is authorized to delegate its powers and duties under this or any other Act to a person or body subject to any restrictions set out;

AND WHEREAS subsection 51.2(1) of the *Planning Act*, as amended, provides that Municipal Council may by by-law delegate the authority of the council under section 51.2 of the Act or any part of that authority to a committee of council or to an appointed officer identified in the by-law by name or position occupied;

AND WHEREAS the Council deems it appropriate to amend By-law CP-17, as amended, being “A by-law to delegate certain portions of Council’s assigned authority with respect to approvals for plans of subdivision and condominium pursuant to the *Planning Act*;

THEREFORE The Municipal Council of The Corporation of the City of London enacts as follows:

1. By-law CP-17, as amended, is hereby amended by deleting section 2.2 in its entirety and replacing it with the following new section 2.2 as follows.

2.2 Approval Authority – Director, Planning and Development – Specific Powers

The Council hereby delegates to the Director, Planning and Development the authority:

- (a) to determine whether or not an Application made in respect of a draft Plan is complete; and if determined to be incomplete, to refuse to accept it and return it to the applicant, detailing the outstanding information required;
- (b) to determine whether or not a draft Plan is or is not required to be circulated for comments among administrative units of relevant government authorities and to circulate same pursuant to section 51 of the *Planning Act*;
- (c) to determine whether or not a draft Plan of Condominium is or is not required to be referred to Council for the purpose of holding a public meeting pursuant to section 51 of the *Planning Act*, with the understanding where a public meeting or *Planning Act* process has been completed, an additional public meeting for the draft Plan of Condominium isn’t required;
- (d) to extend time limits for the receipt of comments from the administrative units which received the draft Plan;
- (e) to settle and give Draft Plan Approval to any Plan of Subdivision the

approval of which has been recommended by the Council where there have been no written requests for referral received in accordance with the *Planning Act* prior to the time the Director, Planning and Development proceeds to settle and give Draft Plan Approval to the said Plan subject to the following;

- (i) on the understanding that when a dispute involves the approval or denial of the draft Plan contrary to the recommendations of a Ministry of the Provincial Government, the Director, Planning and Development shall consult with the Council, and Council shall make the decision; and
 - (ii) on the further understanding that the Director, Planning and Development may consult with the Council prior to making his/her decision to refuse approval of an application;
- (f) to sign a proposed Plan of Subdivision and issue letters of draft approval with conditions for the purpose of indicating draft approval of such Plan by the Director, Planning and Development by the Council pursuant to paragraph (e) above;
- (g) to exempt a proposed Plan of Condominium from approval in accordance with section 9 of the Condominium Act, S.O. 1998, c.19 or to settle and to give draft Approval to any proposed Plan of Condominium where there have been no written requests for referral received in accordance with the *Planning Act* prior to the time the Director, Planning and Development proceeds to settle and give draft Approval to the said Plan subject to the following;
- (i) on the understanding that when a dispute involves the approval or denial of the draft Plan contrary to the recommendations of a Ministry of the Provincial Government, the Director, Planning and Development shall consult with the Council, and Council shall make the decision;
- (h) to sign a proposed Plan of Condominium and issue letters of draft approval with conditions for the purpose of indicating draft approval of such Plans by the Director, Planning and Development or by the Council pursuant to paragraph (f) above;
- (i) to enter into negotiations/dispute resolution with those parties involved in a referral of a draft Plan or conditions thereof, which has been referred to the Ontario Municipal Board, in an attempt to resolve the issues and avoid an Ontario Municipal Board Hearing, if possible;
- (j) to resume and finalize consideration of the proposed Plan where a proposed Plan has been referred to the Ontario Municipal Board under section 51 of the *Planning Act*, and the Ontario Municipal Board notifies the Approval Authority that the Approval Authority may proceed to make a decision under Section 51 (31) of the *Planning Act*;
- (k) to refer the Plan and/or conditions of approval Plan of any draft to the Ontario Municipal Board pursuant to subsection 51(31) of the *Planning Act*;
- (l) to make any change in the conditions of approval imposed by the Director, Planning and Development;
- (m) to make any change to any conditions of approval imposed by the Council provided the request for the change is made by or endorsed by the Council;
- (n) to sign a final Plan for the purpose of indicating the final approval of the Director, Planning and Development or the Council, as the case may be, and the acceptability of the said Plan or Plans for tendering for registration;
- (o) to grant extensions of draft approval to a proposed Plan, where the applicant hasn't caused a delay at the discretion of the Director, Planning and Development;
- (p) to grant extensions of draft approval to a proposed Plan for not more than

six (6) months on an emergency basis without the approval of the Council, in order that a decision may be obtained from the Council, in respect of any requested extension unless the Director, Planning and Development has been given written notice of an objection to such emergency extension;

- (q) to refuse a draft Plan where the file has remained inactive for more than one (1) year, and only after the applicant has been given written notice that the draft plan will be refused, and given 60 days to respond;
- (r) to resume and finalize consideration of the proposed Plan where a proposed Plan has been referred to the Ontario Municipal Board under section 51 of the *Planning Act*, and the Ontario Land Tribunal by Order has assigned responsibilities back to the Approval Authority to make a decision under Section 51 (58) of the *Planning Act*;
- (s) to approve minor revisions to a draft Plan of Subdivision or Condominium, where minor revisions are considered that the revision doesn't require additional technical studies or revisions to existing technical studies, changes to lot or block lines which do not significantly affect the number of units or road network, changes to proposed road right of way width, proposed changes are consistent with Provincial Policy, and proposed changes do not conflict with The London Plan or Zoning By-law;
- (t) to approve and execute a subdivision agreement with special provisions as part of an approved draft plan of subdivision, where there are no financial impacts or required financing can be accommodated within an existing approved capital budget; and
- (u) to approve requests for exemption from part-lot control or an extension of the expiry period for an existing part-lot control by-law, enact by-laws to give effect to such approvals as required under Section 50(7) of the *Planning Act*, and to establish appropriate conditions of approval which are required to be completed prior to the passage of a by-law, subject to the following:
 - (i) Any by-law enacted to exempt lands from part-lot control shall indicate that the exemption will expire at the end of the time period specified in the by-law, which shall not exceed three (3) years; and
 - (ii) Exemption requests shall be considered in accordance with the City of London's Part Lot Control Exemption Policy, as amended.

2. This by-law comes into effect on the day it is passed subject to the provisions of PART VI.1 of the Municipal Act, 2001.

Passed in Open Council on October 17, 2023 subject to the provisions of PART VI.1 of the Municipal Act, 2001.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading - October 17, 2023
Second Reading - October 17, 2023
Third Reading - October 17, 2023

Ecological Community Advisory Committee

Report

The 10th Meeting of the Ecological Community Advisory Committee
September 21, 2023

Attendance S. Levin (Chair), S. Evans, T. Hain, S. Hall, B. Krichker, K. Moser, G. Sankar, S. Sivakumar and V. Tai and H. Lysynski (Committee Clerk)

ABSENT: P. Baker, E. Dusenge, K. Lee, M. Lima, R. McGarry S. Miklosi

ALSO PRESENT: S. Butnari, M. Sheply, B. Westlake-Power and E. Williamson

The meeting was called to order at 4:37 PM; it being noted that T. Hain, G. Sankar, S. Sivakumar and V. Tai were in remote attendance.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 8th Report of the Ecological Community Advisory Committee

That it BE NOTED that the 8th Report of the Ecological Community Advisory Committee, from its meeting held on July 20, 2023, was received.

3.2 9th Report of the Ecological Community Advisory Committee

That it BE NOTED that the 9th Report of the Ecological Community Advisory Committee, from its meeting held on August 17, 2023, was received.

3.3 Municipal Council resolution – 7th Report of the Ecological Community Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on July 25, 2023, with respect to the 7th Report of the Ecological Community Advisory Committee, was received.

3.4 Bird Friendly Brochure

That it BE NOTED that the "Preventing Window Collisions Saving Our Birds" brochure, was received.

4. Sub-Committees and Working Groups

4.1 Planning Application – 2473 Oxford Street West

That the Ecological Community Advisory Committee Working Group comments on the Environmental Impact Statement relating to the property located at 2473 Oxford Street West BE FORWARDED to the Civic Administration for review and consideration.

5. Items for Discussion

5.1 Planning Application – 764, 772, 774 Crumlin Sideroad

That it BE NOTED that the Notice of Planning Application for Official Plan and Zoning By-law Amendments dated August 1, 2023, relating to the properties located at 764, 772 and 774 Crumlin Sideroad, was received for information.

5.2 Adelaide Street North Environmental Assessment Study

That it BE NOTED that the City of London Municipal Class Environmental Assessment Study, Notice of Completion for the Adelaide Street North Improvements, was received.

5.3 Planning Application - 3849 Campbell Street North

That a Working Group consisting of S. Levin and S. Evans BE ESTABLISHED to review the Notice of Planning Application for Draft Plan of Subdivision and Zoning By-law Amendment relating to the property located at 3849 Campbell Street North.

5.4 465 Sunningdale Road West - Working Group Comments

That the Ecological Community Advisory Committee Working Group comments on the Environmental Impact Statement relating to the property located at 465 Sunningdale Road West BE FORWARDED to the Civic Administration for review and consideration.

5.5 Resignation - P. Baker

That it BE NOTED that the resignation of P. Baker was received with regret.

5.6 Upper Thames River Conservation Authority Environmentally Significant Areas Agreement Update Process

That it BE NOTED that the Ecological Community Advisory Committee held a general discussion with respect to the Upper Thames River Conservation Authority Environmentally Significant Areas Agreement update process.

5.7 Attendance Requirements

That the appointment of S. Miklosi BE RESCINDED from the Environmental and Ecological Community Advisory Committee due to lack of attendance.

6. (ADDED) Differed Matters / Additional Business

- 6.1 (ADDED) Planning Application - 1990 Commissioners Road East and 2767 Doyle Drive

That it BE NOTED that the Notice of Planning Application for a Zoning By-law Amendment dated September 20, 2023, relating to the properties located at 1990 Commissioners Road East and 2767 Doyle Drive, was received for information.

- 6.2 (ADDED) Planning Application - 2331 Kilally Road and 1588 Clarke Road

That it BE NOTED that the Notice of Planning Application dated August 18, 2020 for Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments relating to the properties located at 2331 Kilally Road and 1588 Clarke Road, was received for information.

- 6.3 (ADDED) Notice of Application - 323 Oxford Street West and 92 and 825 Proudfoot Lane

That it BE NOTED that the Notice of Planning Application for a Draft Plan of Subdivision and Zoning By-law Amendments dated August 30, 2023, relating to the properties located at 323 Oxford Street West, 92 and 825 Proudfoot Lane, was received for information.

- 6.4 (ADDED) Notice of Application - 1944 Bradley Avenue

That a Working Group consisting of S. Levin and B. Krichker BE ESTABLISHED to review the Notice of Draft Plan of Subdivision relating to the property located at 1944 Bradley Avenue.

- 6.5 (ADDED) Municipal Council resolution – 8th Report of the Ecological Community Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on August 29, 2023, with respect to the 8th Report of the Environmental and Ecological Community Advisory Committee, was received.

7. Adjournment

The meeting adjourned at 5:53 PM.

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Subject: Sifton Properties Limited
3480 Morgan Avenue
City File: 39T-22503/OZ-9100 Ward 10
Public Participation Meeting

Date: October 3, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Sifton Properties Limited relating to the property located at 3480 Morgan Avenue:

- (a) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Holding Community Shopping Area Special Provision (h*11*63*82*95*100*105*135(CSA5(3)) Zone and a Holding Community Shopping Area Special Provision Zone (h*11*63*82*95*100*105*138(CSA5(3)), **TO** a Holding Residential R9 Special Provision (h*R9-4()) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*54*198(R9-7()/CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*54*198(R9-7()-CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*54*198(R9-7()/CSA5(3)) Zone; and an Open Space (OS1) **BE REFUSED** for the following reason:
 - i) A couple of additional holding provisions are considered necessary to address a range of planning and servicing issues associated with the proposed development.
- (b) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting October 17th, 2023, to amend Zoning By-law No. Z.-1, in conformity with *The London Plan*, to change the zoning of the subject property **FROM** a Holding Community Shopping Area Special Provision (h*11*63*82*95*100*105*135(CSA5(3)) Zone and a Holding Community Shopping Area Special Provision Zone (h*11*63*82*95*100*105*138(CSA5(3)), **TO** a Holding Residential R9 Special Provision (h*11*100*105*198(R9-4()) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*11*54*100*105*198(R9-7()/CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*11*54*100*105*198(R9-7()/CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*11*54*100*105*198(R9-7()/CSA5(3)) Zone; and an Open Space (OS1).
- (c) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting;
- (d) The Site Plan Approval Authority **BE REQUESTED** to consider the provision of short-term public bicycle parking in the development of each block through the site plan process,
- (e) Council **SUPPORTS** the Approval Authority issuing draft approval of the proposed plan of residential subdivision, submitted by Sifton Properties Limited (File No. 39T-22503), prepared by Archibald, File No. 8-L-5709-A, March 17th 2022, which

shows a draft plan of subdivision consisting of one (1) Medium Density Residential Blocks, three (3) Mixed-Use Blocks and one (1) Park Block and two new streets (Street A and B) **SUBJECT TO** conditions.

Executive Summary

Summary of Request

Staff recommend a zone change from a Holding Community Shopping Area Special Provisions to a Holding Residential R9 Special Provision and Community Shopping Area Special Provision Zones to facilitate the development of a subdivision comprised of one (1) medium density residential block; three (3) medium density mixed-use blocks and one (1) open space block.

Staff are refusing the zoning amendment application, as submitted, and recommending that a couple of additional holding provisions be applied to the requested zones to address a range of planning and servicing issues associated with the proposed draft plan development. The Applicant, Sifton Properties Limited, has agreed to the additional holding provisions to advance their development.

This Zoning amendment and Draft Plan of Subdivision will add 738 new dwelling units in the City of London.

Purpose and Effect of the Recommended Action

The purpose and effect of the recommended action is for Municipal Council to approve the Staff recommended Zoning By-law Amendments, as well as recommend that the Approval Authority for the City of London issues Draft Approval of the proposed Plan of Subdivision, subject to conditions, to permit the development of a subdivision comprised of one (1) medium density residential block; three (3) medium density mixed-use blocks and one (1) open space block.

Rationale of Recommended Action

APPROVAL of the recommended Zoning By-law amendment because:

1. The recommended zoning by-law amendment is consistent with the Provincial Policy Statement.
2. The recommended zoning conforms to the in-force policies of *The London Plan*, including, but not limited to, the Shopping Area Place Type, City Building and Design, Our Tools, and all other applicable *The London Plan* policies.
3. The zoning will permit development that is considered appropriate and compatible with the existing and future land uses surrounding the subject lands.

REFUSAL of the requested Zoning By-law Amendment because:

1. The Application did not include Holding Provisions. A number of holding provisions are considered necessary to address a range of planning and servicing issues associated with the proposed development.

Linkage to the Corporate Strategic Plan

The recommendation supports to the following Strategic Areas of Focus:

- **Housing and Homelessness, by ensuring** London's growth and development is well-planned and considers use, intensity, and form; and,
- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.

Climate Emergency

On April 23, 2019, Municipal Council declared a Climate Emergency. Through this declaration the City, is committed to reducing and mitigating Climate Change. Please refer to Appendix “F” for further details on the characteristics of the proposed Application relates to the City’s climate action objectives.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

April 25, 2005 – Report to Planning Committee regarding the Bostwick East Area Plan (O-6872)

May 9, 2005 – Report to Planning Committee regarding the Bostwick East Area Plan (O-6872)

May 30, 2005 – Report to Planning Committee regarding the Bostwick East Area Plan (O-6872)

September 12, 2005 – Report to Planning Committee regarding the Bostwick East Area Plan (O-6872)

May 6, 2009 – Report to Planning Committee on application from Sifton Properties Limited for Draft Plan of Subdivision Approval, Official Plan Amendment and Zoning By-law Amendment (39T-07510/Z-7457/O-7466)

November 26, 2012 – Report to Planning and Environment Committee regarding special provisions for the Subdivision Agreement for Andover Phase 4 (39T-07510)

January 22, 2013 – Report to the Planning and Environment Committee regarding a one-year Draft Plan Extension (39T-07510)

July 22, 2016 – Report to London Consent Authority regarding a consent application (B.011/16)

November 24, 2022 - Report to London Committee of Adjustment regarding a consent application (B.026/22)

May 1, 2023 - Report to Planning and Environment Committee regarding Zoning By-law Amendment for adjacent lands (Z-9531)

1.2 Planning History

The subject lands comprise part of the Bostwick East Planning Area. In 2003, the City of London and Sifton Properties Limited initiated the Bostwick East Area Plan as a developer-led community plan to guide development for the lands bounded by Southdale Road West, Wharncliffe Road South and Wonderland Road South. City Council adopted Official Plan Amendments in 2005 to implement the Area Plan. The lands are now subject to the *Southwest Area Secondary Plan (SWAP)*, and more specifically the policies for the Central Longwoods Residential Neighbourhood. *SWAP* was approved by the Ontario Municipal Board on April 29, 2014, and is intended to provide a comprehensive land use plan, servicing requirements and servicing strategy for the lands south of Southdale Road, east of the Dingman Creek and north of the Highway 401/402 corridor. The subject lands are designated as Commercial under *SWAP*.

In October of 2007, Sifton Properties Limited submitted applications for a Draft Plan of Subdivision, Official Plan Amendments and Zoning By-law Amendments to facilitate the

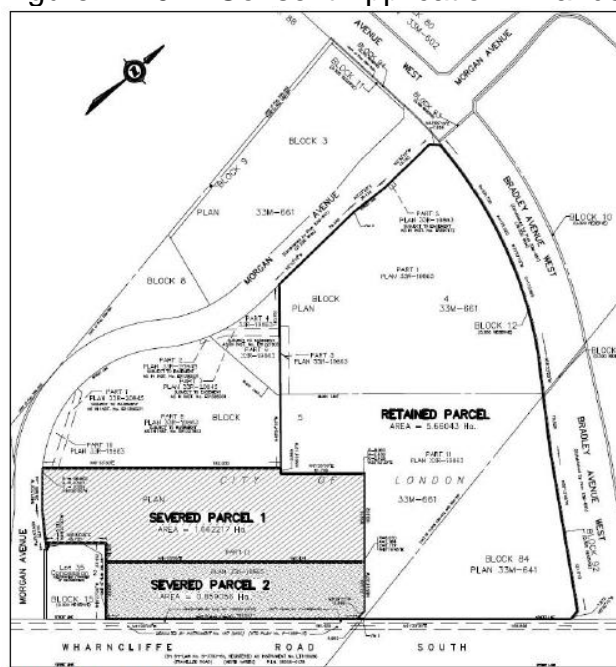
creation of: two multi-family, medium density residential blocks; two multi-family, high density residential blocks; two restricted service commercial blocks; two park blocks; and, a new secondary collector road on the subject lands. Staff recommended approval of the Official Plan Amendment, a revised Zoning By-law Amendment and a red-lined Draft Plan of Subdivision. The Zoning By-law Amendment and Draft Plan of Subdivisions initially submitted by the Applicant were recommended for refusal for the following reasons:

1. Additional road reserve blocks were required to restrict vehicular access to Bradley Avenue. A holding provision would have been necessary for the Applicant to submit an Access Management Plan to serve the commercial and office blocks on Wharncliffe Road South and Bradley avenue West.
2. The Applicant did not request any holding provisions, but a number would have been considered necessary to address a range of planning and servicing issues associated with the proposed development to implement servicing and urban design issues.
3. Special provisions of the Restricted Service Commercial Zone were necessary to prohibit certain industrial type uses from being in proximity to sensitive land uses.

Draft Approval was granted to the Plan of Subdivision on August 19, 2009, with a three-year draft approval period, and no appeals were received. On August 1, 2012, an emergency extension was granted with a lapse date of February 19, 2013. The Applicant also requested an amendment to a condition of Draft Approval, pursuant to Section 51(44) of the *Planning Act*, pertaining to parkland dedication to allow for the required cash-in-lieu payment at the time of issuance of the first permit for each block, as has been standard practice with most plans of subdivision. The Applicant and Parks Planning agreed on the revised wording, and approval was granted on November 14, 2012. An additional request for Draft Plan extension was granted in February of 2013, with a new lapse date of February 19, 2014, and Final Approval was granted in July of 2014.

In 2016, an application was made by Sifton Properties Limited to sever what is now 3400 Morgan Avenue from what is now 3480 Morgan Avenue. Provisional Consent, subject to conditions, was granted on July 28th, 2016, and the conditions were cleared by July 24, 2017. A long-term care facility is now located at 3400 Morgan Avenue. An additional consent application was submitted by Sifton Properties Limited in 2022 to sever two additional properties, one of which is the lands subject to this Application. Figure 1, seen below, shows the lands to be severed and the lands to be retained. Severed Parcel 1 are the lands subject to this Application. Provisional Consent, subject to conditions, was granted on November 24, 2022, with a lapse date of November 24, 2024.

Figure 1: 2022 Consent Application – Lands to be severed and retained.



1.3 Property Description

The subject property is generally located northwest of Wharncliffe Road South between Bradley Avenue West and Morgan Avenue. The site has a mix of built or proposed low and medium density residential to the north and south, Green Space is located to the west, and Urban Reserve and Commercial Industrial to the northeast. The requested Zoning By-law Amendment and Draft Plan of subdivision would permit the construction of four (4) medium density residential blocks and one open space block. This site is currently vacant and approximately 6.51 hectares (16.08 acres) in size. The site would have access to municipal services and is in an area planned for growth.

1.4 Current Planning Information

- *The London Plan Place Type – Shopping Area*
- *Southwest Area Secondary Plan - Commercial*
- Existing Zoning – h*h-11*h-63*h-82*h-95*h-100*h-105*h-135*CSA5(3) and h*h-11*h-63*h-82*h-95*h-100*h-105*h-138*CSA5(3)

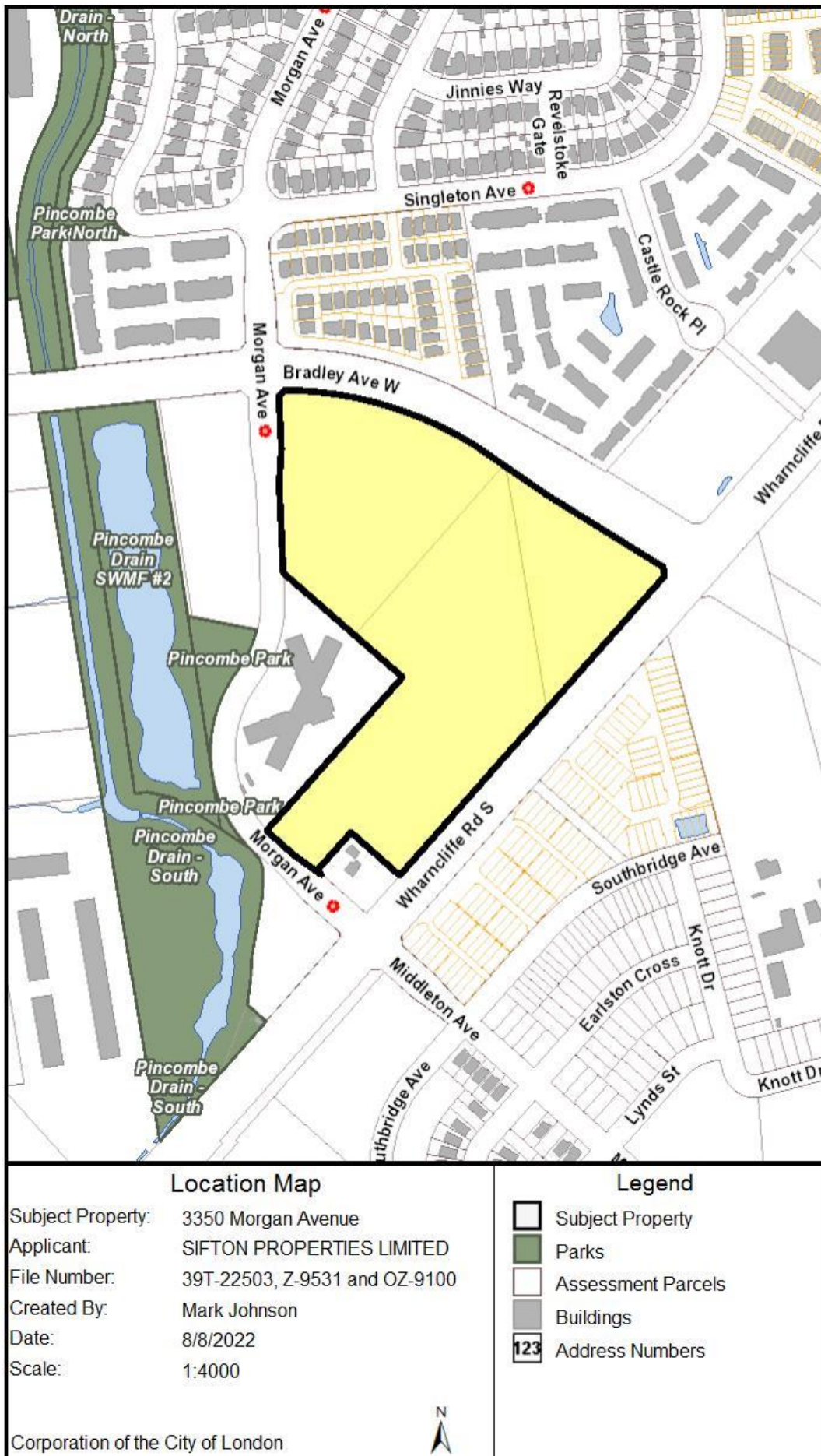
1.5 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 337.4 metres of Bradley Avenue and 355.3 metres on Wharncliffe Road South
- Depth – Varies
- Area – 6.51 Hectares
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Residential
- East – Residential and Commercial Industrial
- South – Residential
- West – Green Space and Residential

1.7 Location Map



2.0 Discussion and Considerations

2.1 Requested Amendments

The Applicant has requested Zoning By-law Amendments to facilitate the proposed subdivision to develop over 700 new residential units.

The subject lands are currently zoned Holding Community Shopping Area Special Provision (h*h-11*h-63*h-82*h-95*h-100*h-105*h-135*CSA5(3)) Zone and a Holding Community Shopping Area Special Provision Zone (h*h-11*h-63*h-82*h-95*h-100*h-105*h-138*CSA5(3)). Current permitted uses are a wide range of community-scale retail and personal services uses, as well as some office, commercial recreation, community facilities and commercial school uses, which serve the needs of the community, or a number of neighbourhoods located within convenient walking and/or driving distance.

The Applicant has requested the following zones: Holding Residential R9 Special Provision (h*h-11*h-100*h-198*R9-4(_)) Zone; Holding Residential R9 Special Provision (h*h-11*h-54*h-100*h*105*h-198(R9-7(_)/CSA5(3)) Zone; Holding Residential R9 Special Provision (h*h-11*h*54*h-100*h-105*h-198*R9-7(_)/CSA5(3)) Zone; Holding Residential R9 Special Provision (h*h-11*h*54*h-100*h-105*h-198*R9-7(_)/CSA5(3)) Zone; and an Open Space (OS1). These zones have been requested to facilitate the development of a mixed-use residential and commercial subdivision with a park block. The Residential R9 Zone provides and regulates a range of medium and higher density residential developments in the form of apartment buildings. Additional permitted uses have been requested as special provisions, to contribute to a mix of residential housing forms. The requested Special Provision Zones are listed as follows:

Block 1: (Phase 4 as per Figure 3)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 4.5 metres;
- Minimum rear yard setback of 4.5 metres;
- Minimum lot coverage of 40% for townhouses and stacked townhouses;
- Maximum height of 14 metres for townhouses and stacked townhouses; and,
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

Block 2: (Phase 5 as per Figure 3)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 4.5 metres;
- Minimum rear yard setback of 4.5 metres;
- Maximum landscape open space for townhouses and stacked townhouses of 25%;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses;
- Maximum height of 22.0 metres (6 Storeys) for all other uses; and,
- Maximum density of 200 units per hectare.

Block 5: (Phase 3 as per Figure 3)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum lot frontage of 20 metres;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses;
- Maximum height of 22.0 metres (6 Storeys) for all other uses; and,

- Maximum density of 200 units per hectare.

Block 6: (Phase 2 as per Figure 3)

- Additional permitted uses of stacked townhouses and townhouses;
- Minimum lot frontage of 20 metres;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 2.2 metres;
- Minimum rear yard setback of 4.5 metres;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses; and,
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

At the time the Application was submitted and accepted, the off-street parking requirements outlined in the Z.-1 Zoning By-law were under review and the Applicant requested a special provision for a parking reduction of 1 space per unit. Since then, the review has completed, and the parking requirements revised to 1 space per townhouse unit, 0.5 spaces per stacked townhouse unit and 0.5 spaces per apartment unit. The special provision is no longer required.

2.2 Development Proposal

The Draft Plan of Subdivision provides for one (1) medium density residential block; three (3) medium density mixed-use blocks and one (1) open space block. A mix of residential housing forms are proposed to be built in four (4) phases, and the subdivision would yield approximately 738 new units. Mixed-use residential and commercial uses are proposed for Blocks 1, 2 and 5, which front onto Wharnccliffe Road South and Bradley Avenue. The proposed Draft Plan will be served by two new roads, shown as Street A and Street B on the Draft Plan. Please note that the Draft Plan of Subdivision, seen below, may be further refined and reviewed prior to Draft Approval.

The Draft Plan incorporates the following key features:

- Medium density, multiple-attached residential dwellings that will provide a more intensive scale of development that supports a compact urban form, area commercial uses to the west, and transit services, as well as serving as a transition between low density residential to the south and east;
- A mix of land uses and new park space, providing for amenities within walking distance;
- Residential development on a vacant lot that is within the Urban Growth Boundary and adjacent to existing development within the Built Area Boundary; and,
- Two new Neighbourhood Streets, improving pedestrian and vehicle connectivity within the subdivision and to the adjacent lands.

Notices and Bidding Opportunities section of *The Londoner* on August 4, 2022. A “Planning Application” sign was also placed on the site.

There were two responses received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Setbacks being inconsistent with surrounding development;
- Reduction in parking;
- Capacity within existing schools to accommodate development;
- Building design appeal and sustainability, and
- Use of paper associated with letter mailed notices.

Detailed public comments are included in Appendix “C” of this report.

2.5 Policy Context

2.5.1 Provincial Legislation

Planning Act

The *Ontario Planning Act* delegates and assigns much of the authority and responsibility to municipalities to undertake land use planning within their jurisdiction, as well as establishing the rules and legislation that municipalities must conform to, or be consistent with, when making planning decisions. The *Act* identifies twenty (20) matters of Provincial Interest in Section 2, that all planning authorities shall have regard for when carrying out their responsibilities. Section 51, Subsections 24 and 25 set out further criteria and conditions when considering draft plans of subdivision. Planning and Development Staff have reviewed this criterion, and the proposed draft plan of subdivision has regard for the health, safety, convenience, and welfare of the present and future inhabitants of the Municipality.

Provincial Policy Statement (PPS), 2020

The *Provincial Policy Statement (PPS)* provides policy direction on matters of provincial interest as identified in Section 2 of the *Planning Act*. In accordance with Section 3 of the *Planning Act*, all planning decision shall be consistent with the *PPS* and the land use planning policies:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,
3. Protecting Public Health and Safety.

Important policy objectives to highlight are those within Sections 1.1, 1.4 and 1.6. These policies require land use within settlement areas to effectively use the land and resources through appropriate densities, range of uses and the efficient use of infrastructure. The requested amendment has been reviewed for consistency with the *PPS*. Staff are of the opinion that the zoning amendment and draft plan of subdivision are consistent with the *PPS*.

2.5.2 The London Plan

At the time this Application was submitted, *The London Plan* was subject to an appeal to the *Local Planning Appeals Tribunal (LPAT)* (PL170700). The *Plan* was Council adopted and approved by the Ministry with modifications, and the majority was in force and effect. Policies that were under appeal were indicated with an asterisk (*) throughout reports. Since that time, *The London Plan* has come into full force and

effect as of May 25, 2022, following a written decision from the *Ontario Land Tribunal* (OLT).

The London Plan includes criteria for evaluating plans of subdivision through policy 1688 and require consideration of the following sections:

- Our Strategy
- Our City
- City Building policies
- Applicable Place Type policies
- Our Tools
- Relevant Secondary Plans and Specific Policies.

The subject lands are located within the Shopping Area Place Type, which is intended to provide a wide range of retail, service, business, recreational, social, educational, and government uses within easy walking distance for neighbourhoods. An excerpt from *The London Plan* Map 1 – Place Types is found in Appendix E. Over the long-term these areas will become more pedestrian, cycling and, transit-oriented, and less automobile-dominated. The proposal to permit residential land uses on the subject lands is consistent with the permitted uses and the Applicant has incorporated building design and streetscape orientation to ensure there is a positive interface with adjacent lands in the Neighbourhoods Place Type.

The requested amendment has been reviewed with the applicable policies of *The London Plan*, including Our Strategy, City Building and Design, Neighbourhoods Place Type and the Our Tools part of the *Plan*. Staff are of the opinion that the zoning amendment and draft plan of subdivision are consistent with *The London Plan*.

2.5.3 Southwest Area Secondary Plan (SWAP)

This site forms part of the *Southwest Area Secondary Plan* and is subject to the development vision and detailed policies of the Secondary Plan. Additionally, the site forms part of the 'Central Longwoods Neighbourhood' within the greater *Plan*. This *Secondary Plan* sets out policy and guidance to create neighbourhoods that have the following features: a mix of uses and diverse mix of residential housing; an emphasis on design parameters with placemaking features; walkability within and between neighbourhoods; an integration of the Natural Heritage System as an opportunity for residents to enjoy; and, Neighbourhood Central Activity Nodes as destination places in the neighbourhood.

The proposal will contribute to a range of dwelling types in the area and could contribute to creating opportunities for affordable housing, as required in section 50.5.3.1 Housing, in a compact form of development, which could contribute to a reduction of land and energy, as set out in section 20.5.3.2 Sustainable/Green Development.

The requested amendment has been reviewed with the applicable policies contained in the *SWAP*. Staff are of the opinion that the zoning amendment and draft plan of subdivision are consistent with the *policies in SWAP*.

2.5.4 Z-1 Zoning By-law

The following provides a synopsis of the recommended zoning and permitted uses to be applied to the subject lands. Reference should be made to the Zoning Amendment Map found in Appendix A of this report.

The subject lands are currently zoned Holding Community Shopping Area Special Provision (h-h-11-h-63-h-82-h-95-h-100-h-105-h-135-CSA5(3)) Zone and a Holding Community Shopping Area Special Provision Zone (h-h-11-h-63-h-82-h-95-h-100-h-105-h-138-CSA5(3)). Current permitted uses are a wide range of community-scale retail and personal services uses, as well as some office, commercial recreation, community facilities and commercial school uses, which serve the needs of the

community, or a number of neighbourhoods located within convenient walking and/or driving distance.

Not all of the holding provisions included in the current zoning are applicable to the proposed development, and they are not included in Staff's recommended zoning. They include:

- h-63 - Ensure there are no land use conflicts between commercial and residential land uses through the implementation of all noise attenuation and design mitigation measures as recommended in a noise study, acceptable to the City. This Holding Provision was removed as the proposed zoning would no longer permit commercial development that would conflict with adjacent residential uses.
- h-82 - Ensure that there is a consistent lotting pattern in this area and the part block has been consolidated with the adjacent lands. This Holding Provision has been removed as consent applications have severed the lands and a Plan of Subdivision is being processed on the adjacent lands to ensure a consistent lot pattern.
- h-95 - ensure that the urban design concepts established through the Official Plan and/or Zoning amendment review process are implemented, a development agreement will be entered into which incorporates these concepts and addresses identified Urban design issues.
- h-135 - Ensure that commercial development does not exceed a maximum interim floor area threshold of 15, 243 metres squared in draft plan 39T-07510, the symbol shall not be removed until a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecast traffic volumes. This Holding Provision was removed because commercial land uses, as the primary use, are no longer proposed and would not be permitted under the recommended zoning.
- h-138 - Ensure that commercial development in draft plan 39T-05509 does not exceed a maximum interim floor area threshold of 12,868 m², the h-138 symbol shall not be deleted until a Traffic Impact Study is prepared, which demonstrates that the transportation infrastructure in Bostwick East is adequate to accommodate forecast traffic volumes. Permitted Interim Uses: Permitted uses up to a maximum total floor area of 12,868 m² on the commercial & office lands in draft plan 39T-05509. This Holding Provision was removed because commercial land uses, as the primary use, are no longer proposed and would not be permitted under the recommended zoning.

3.0 Financial Impact

Through the completion of the works associated with this application, fees, development charges and taxes will be collected. There will be increased operating and maintenance costs for works being assumed by the City.

4.0 Key Issues and Considerations

Zoning Amendment applications to the City of London Zoning By-law are subject to the applicable policies in *The London Plan*. *The London Plan* requires the applications demonstrate that the proposal is sensitive to, and compatible with, its context and consider the Use, Intensity and Form of proposed amendments.

4.1 Use

The Applicant has requested the Zoning By-law Amendment to facilitate the development of a mixed-use residential and commercial subdivision with a park block. The Residential R9 Zone provides and regulates a range of medium and higher density residential developments in the form of apartment buildings. Additional permitted uses of townhouses, stacked townhouses and hotels/motels have been requested as special provisions to contribute to a mix of residential housing forms. Community Shopping

Area permits a wide range of community-scale retail and personal services uses, as well as some office, commercial recreation, community facilities and commercial school uses, which serve the needs of the community, or a number of neighbourhoods located within convenient walking and/or driving distance. The Open Space OS1 Zone applies to City or privately owned parks with no or few structures.

The recommended zoning would permit medium density residential development in the form of townhouses and apartment buildings, which is a permitted use. Residential land uses are permitted in the Shopping Area Place Type of *The London Plan* to encourage mixed-use development and allow for more efficient use of these lands. The proposed development would provide a mix of housing choices in compact form that is street oriented, which contributes to a safe pedestrian environment that promotes connectivity to adjacent lands within the Shopping Area and Commercial Industrial Place Types. Lands within the Neighbourhoods Place Type are located directly to the north, south and west, and there are additional lands further east within the Neighbourhoods Place Type. The recommended zoning and holding provisions are considered an appropriate use that is generally consistent with the policies of *The London Plan*, the Z.-1 Zoning By-law and surrounding existing and planned residential and commercial development.

4.2 Intensity

The subject lands are sufficient in size and configuration to accommodate the development of four (4) mixed-use, medium density residential blocks and one (1) park block. The Residential R9-4 and R9-7 Zone Variations requires a minimum lot area of 1000 square metres, and the proposed Blocks 1, 2, 5 and 6 all exceed this minimum requirement. Blocks 1 and 2 also meet the minimum requirements for lot frontage on an Arterial Street (100 metres) and lot depth (60 metres) required under the Community Shopping Area CSA5(3) Zone.

Building heights within the Shopping Area Place Type shall not exceed the standard maximum four (4) storeys. Heights above this, to an upper maximum of six (6) storeys, may be permitted in conformity with the Our Tools policies part of *The London Plan* that relates to Zoning to the Upper Maximum Height (878). The Applicant has requested special provisions that would permit heights of five (5) storeys (17 metres) and six (6) storeys (22 metres), which is the upper maximum height. The Residential R9 Zone sets no maximum for height and heights will be included in zones and identified on the Zone Map. *The London Plan* requires applications that exceed the standard maximum height will be reviewed on a site-specific basis and will not require an amendment to the *Plan* (1638). These requests will be reviewed through a site-specific zoning by-law amendment (1640), and will be permitted where the resulting intensity and form represent good planning within its context (1641). Residential development south of Wharncliffe Road South and north of Bradley Avenue consists of townhouses and single-detached dwelling units at a maximum height of two (2) storeys. The lands at the southwest corner of Bradley Avenue and Morgan Avenue are currently being developed for a twelve (12) storey apartment building, a fourteen (14) storey apartment building, and two (2) storey townhouse dwellings. The requested heights are considered an appropriate form that is generally consistent with the existing and proposed future development.

To allow for more intense and efficient use of the land with the Shopping Area Place Type, the redevelopment, expansion and introduction of residential development is considered (878). Appropriate scale, massing, material variation, landscaping and street orientation have all been considered to provide sufficient buffers and ensure compatibility with the adjacent uses (878). A maximum density of 115 units per hectare is permitted under the R9-4 Zone, and the R9-7 Zone Variation permits 150 units per hectare. *The London Plan* does not identify a maximum limit for residential density. It is anticipated that the overall density of the site would be approximately 110 to 120 units per hectare, and special provisions have been requested for Blocks 2 and 5 to permit a maximum density of 200 units per hectare. Lands on the opposite, south side of Wharncliffe Road South permit a maximum density of 75 units per hectare and lands to the northwest permit a maximum density of 100 units per hectare through a density provision. Blocks 1 and 6 align with the regulations of their respective zoning. The

recommended zoning and density are considered appropriate for the lands and in keeping with densities permitted on adjacent lands.

The street and cluster townhomes proposed for Blocks 1 and 6 will serve as a transition in densities, buffering the existing townhouses and single-detached dwellings to the north and northeast.

4.3 Form

As previously noted, the recommended zoning would permit medium density residential development in the form of stacked townhouses, townhouses and apartment buildings. This is a permitted building form under the R9 Zone, and it can be accommodated on the identified lands. Residential land uses are permitted in the Shopping Area Place Type of *The London Plan* to encourage mixed-use development and allow for more efficient use of these lands. Policy 876_5, notes that mid-rise residential development should be introduced into the Shopping Area Place Type to intensify their use, promote activity on these sites outside of shopping hours, and strengthen their role as neighbourhood centers. The recommended zoning would facilitate the development of mid-rise development, which aligns with the form identified as appropriate in *The London Plan* and is designed with street and pedestrian orientation in mind to promote connectivity. This connectivity could contribute to walkability to support adjacent lands comprising of the Shopping Area and Commercial Industrial Place Types. Residential development south of Wharnccliffe Road South and north of Bradley Avenue consists of townhouses and single-detached dwelling units at a maximum height of two (2) storeys. The lands at the southwest corner of Bradley Avenue and Morgan Avenue are currently being development for a twelve (12) storey apartment building, a fourteen (14) storey apartment building, and two (2) storey townhouse dwellings. The recommended zoning, special provisions and holding provisions are considered an appropriate form that is generally consistent with the existing and proposed future development surrounding.

4.4 Zoning

Staff are recommending the following zones: Holding Residential R9 Special Provision (h*11*h-100*h-198*R-4()) Zone; Holding Residential R9 Special Provision (h*11*h-54*h-100*h*105*h-198(R9-7()/CSA5(3)) Zone; Holding Residential R9 Special Provision (h*11*h*54*h-100*h-105*h-198*R9-7()/CSA5(3)) Zone; Holding Residential R9 Special Provision (h*11*h*54*h-100*h-105*h-198*R9-7()/CSA5(3)) Zone; and an Open Space (OS1). These zones have been requested to facilitate the development of a mixed-use residential and commercial subdivision with a park block. The Residential R9 Zone provides and regulates a range of medium and higher density residential developments in the form of apartment buildings. Additional permitted uses have been requested as special provisions, to contribute to a mix of residential housing forms.

The Holding Provisions that are proposed to form part of the zone are to ensure the following:

- orderly development and adequate provision of municipal services through an approved Development Agreement (h);
- orderly development and adequate provision of municipal services through a development agreement associated with a site plan which provides for appropriate access arrangements to the satisfaction of Council (h-11);
- the owner agrees to implement all noise attenuation measures recommended in noise assessment reports acceptable to the City of London to ensure there are no land use conflicts between arterial roads and the proposal residential uses (h-54);
- there is adequate water services and appropriate access, a looped watermain system must be constructed and a second public access must be available to the satisfaction of the City Engineer (h-100);
- a comprehensive storm drainage and stormwater management report is completed to address the stormwater management strategy for all lands within

the subject plan and external lands where a private permanent on-site drainage facility is proposed for any block or blocks not serviced by a constructed regional stormwater management facility (h-105); and,

- street-oriented development and discouragement of noise attenuation walls along arterial roads, a development agreement shall be entered into to ensure that new development is designed and approved consistent with the Southwest Area Secondary Plan (h-198).

Not all of the holding provisions included in the current zoning are applicable to the proposed development, and they are not included in Staff's recommended zoning. The holding provisions that have been removed include h-63, h-82, h-95, h-135, and h-138 as outlined above.

A number of Special Provision Zone has been requested; they are as follows:

Additional Permitted Uses

The Applicant has requested additional permitted uses for Block 1 (stacked townhouses, townhouses and hotels/motels), Block 2 (stacked townhouses, townhouses and hotels/motels), Block 5 (stacked townhouses, townhouses and hotels/motels, and Block 6 (stacked townhouses and townhouses). These requests have been made to simplify future interpretation of the permitted uses and special provisions, while providing the needed flexibility for development of individual phases in the future to allow adaptation to market demands.

Residential land uses are permitted in the Shopping Area Place Type of *The London Plan* to encourage mixed-use development and allow for more efficient use of these lands. The proposed development would provide a mix of housing choices in compact form that is street oriented, which contributes to a safe pedestrian environment that promotes connectivity to adjacent lands within the Shopping Area and Commercial Industrial Place Types.

Reduced Lot Frontage 20 metres (Minimum) – Blocks 5 and 6

Lot frontage is defined in the Z.-1 Zoning By-law as the horizontal distance between the side lot lines measured along the front lot line but where the front lot line is not a straight line, or where the side lot lines are not parallel, the frontage is to be measured by a line 6 m (19.7 ft.) back from and parallel to the chord of the frontage and for the purpose of this paragraph, the chord of the frontage is a straight line joining the two points where the side lot lines intersect the front lot line. The requested reduction is minor and there is still sufficient frontage for these blocks.

Reduced Front Yard Setback of 4.5 metres (Minimum) – Blocks 1, 2, 5 and 6

Front yard setbacks are intended to ensure adequate space between buildings and lot lines to ensure there are adequate sight lines, landscaping, and space to accommodate future road-widening, should it be required. The requested reduced front yard setback helps to facilitate development that is street and pedestrian oriented by helping to establish a strong street edge and an active street front, while still allowing sufficient space for sight lines and landscaping.

Reduced Exterior Side Yard Setback of 4.5 metres (Minimum) – Blocks 1, 2, 5 and 6

Exterior Side Yard Setbacks are intended to ensure there is sufficient separation between new and existing development to potentially mitigate negative impacts, while also providing adequate space between buildings and lot lines to ensure there are adequate sight lines, landscaping, and space to accommodate future road-widening, should it be required. The requested reduced exterior side yard setback helps to facilitate development that is street and pedestrian oriented by helping to establish a strong street edge and an active street front, while still allowing sufficient space for sight lines and landscaping.

Reduced Interior Side Yard Setback of 2.2 metres (Minimum) for Block 6 and 4.5 Metres (Minimum) for Blocks 1 and 2

Interior Side Yard Setbacks are intended to ensure there is sufficient separation between new and existing development to potentially mitigate negative impacts, while also provided access to the interior yard space. The proposed development locates the buildings on the edges of the blocks to contribute to a street-oriented development with parking on the interior, which would provide sufficient distance between the proposed and any existing development and there is sufficient access to the interior side yard.

Reduced Rear Side Yard Setback of 4.5 metres (Minimum) – Blocks 1, 2 and 6

Rear Yard Setbacks are intended to ensure there is sufficient separation between new and existing development, to potentially mitigate negative impacts while also provided access to the interior yard space. The requested reduced rear yard setback helps to facilitate development that is street and pedestrian oriented by helping to establish a strong street edge and an active street front, while still allowing sufficient space for sight lines and landscaping, along the future street.

Landscaped Open Space of 25 per cent (Minimum) – Block 2

The Z.-1 Zoning By-law defines Landscaped Open Space as open space which is used for the growth and maintenance of grass, flowers, shrubbery, and other landscaping and includes any surfaced walk, patio, swimming pool or similar area, but does not include any access driveway or ramp, parking area, bus parking area, roof-top area or any open space beneath or within any building or structure. A minimum of 30 per cent is required under the Residential R9-7 Zone Variation. The requested special provision is minor in nature and a similar amount of Landscaped Open Space must be provided on the subject lands.

Minimum Lot Coverage 40 per cent – Blocks 1, 2, 5, and 6

Lot coverage is defined in the Z.-1 zoning By-law as the percentage of a lot covered by the first storey of all buildings and structures on the lot including the principal building or structure, all accessory buildings or structures and all buildings or structures attached to the principal building or structure, excluding balconies, canopies and overhanging eaves which are 2.0 metres (6.6 ft.) or more in height above finished grade. The Applicant has requested an increased minimum lot coverage of 40 per cent, which is a minor change from the 30 per cent required.

Maximum Height

The Applicant has requested the following special provisions for maximum heights:

Block 1: (Phase 4 as per Figure 3)

- Maximum height of 14 metres for townhouses and stacked townhouses.
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

Block 2: (Phase 5 as per Figure 3)

- Maximum height of 14 metres for townhouses and stacked townhouses.
- Maximum height of 22.0 metres (6 Storeys) for all other uses.

Block 5: (Phase 3 as per Figure 3)

- Maximum height of 14 metres for townhouses and stacked townhouses.
- Maximum height of 22.0 metres (6 Storeys) for all other uses.

Block 6: (Phase 2 as per Figure 3)

- Maximum height of 14 metres for townhouses and stacked townhouses.
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

As previously noted, building heights within the Shopping Area Place Type shall not

exceed the standard maximum four (4) storeys. Heights above this, to an upper maximum of six (6) storeys, may be permitted in conformity with the Our Tools policies of this plan relating to Zoning to the Upper Maximum Height (878). *The London Plan* requires applications to exceed the standard maximum height will be reviewed on a site-specific basis and will not require an amendment to the *Plan* (1638). These requests will be reviewed through a site-specific zoning by-law amendment (1640), and will be permitted where the resulting intensity and form represent good planning within its context (1641).

Residential development south of Wharncliffe Road South and north of Bradley Avenue consists of townhouses and single-detached dwelling units at a maximum height of two (2) storeys. The lands at the southwest corner of Bradley Avenue and Morgan Avenue are currently being developed for a twelve (12) storey apartment building, a fourteen (14) storey apartment building, and two (2) storey townhouse dwellings. The requested heights are considered an appropriate form that is generally consistent with the existing and proposed future development.

Maximum Density of 200 Units Per Hectare – Blocks 2 and 5

As noted in Section 5.2 Intensity, Residential R9-4 and R9-7 Zone Variations requires a minimum lot area of 1000 square metres, and the proposed Blocks 1, 2, 5 and 6 all exceed this minimum requirement. Blocks 1 and 2 also meet the minimum requirements for lot frontage on an Arterial Street (100 metres) and lot depth (60 metres) required under the Community Shopping Area CSA5(3) Zone.

To allow for more intense and efficient use of the land with the Shopping Area Place Type, the redevelopment, expansion and introduction of residential development is considered (878). Appropriate scale, massing, material variation, landscaping and street orientation have all been considered to provide sufficient buffers and ensure compatibility with the adjacent uses (878). A maximum density of 115 units per hectare is permitted under the R9-4 Zone, and the R9-7 Zone Variation permits 150 units per hectare. *The London Plan* does not identify a maximum limit for residential density. It is anticipated that the overall density of the site would be approximately 110 to 120 units per hectare. Lands on the opposite, south side of Wharncliffe Road South permit a maximum density of 75 units per hectare and lands to the northwest permit a maximum density of 100 units per hectare through a density provision. Blocks 1 and 6 align with the regulations of their respective zoning. The recommended zoning and density are considered appropriate for the lands and in keeping with densities permitted on adjacent lands.

4.5 Public Concerns

Setbacks are inconsistent with surrounding development

As noted in the previous section, setbacks are required to ensure there is adequate space between buildings; sight lines; landscaping; space to accommodate future road-widening; and, access to side yards to help mitigate potential negative impacts on new development. The requested reduced front and rear yard setbacks help to facilitate development that is street and pedestrian oriented by helping to establish a strong street edge and an active street front, while still allowing sufficient space for sight lines and landscaping.

Reduction in parking

As previously noted, at the time the Application was submitted and accepted, the off-street parking requirements outlined in the Z.-1 Zoning By-law were under review and the Applicant requested a special provision for a parking reduction of 1 space per unit. Since then, the review has completed, and the parking requirements revised to 1 space per townhouse unit, 0.5 spaces per stacked townhouse unit and 0.5 spaces per apartment units. The special provision is no longer required.

Capacity within existing schools to accommodate development

School Blocks have been incorporated and appropriately zoned as part of Plans of Subdivision west of Bostwick Road to accommodate new schools in southwest London. Local School Boards are circulated on Planning and Development Applications and Pre-Application Consultations to provide comments based on their mandate. No comments were received from the School Board for this Zoning By-law Amendment.

Building design and sustainability

Holding provisions are included in the zoning to ensure that new development is designed and approved consistent with the *Southwest Area Secondary Plan* (h-198). The proposed development blocks are also subject to a Site Plan Approval Applications.

Conclusion

The development proposal, as recommended by Staff, provides for a mix of housing affordability that will meet the projected requirements of current and future residents. The application is consistent with *The London Plan*, *the Southwest Area Secondary Plan*, and the *Z.-1 Zoning By-law* to redevelop a vacant and underutilized site with a range of housing options. The recommended zoning and special provisions of the zoning amendment will permit townhouse units and an apartment building that are considered appropriate and compatible with existing and future land uses in the surrounding area. Therefore, staff are satisfied that the proposal represents good planning in the broad public interest and recommends approval.

Staff are recommending refusal of the requested Zoning By-law Amendment, submitted by Sifton Properties Limited, because the application did not include a number of holding provisions that are considered necessary to address a range of planning and servicing issues associated with the proposed development. Noting, the Staff recommended zoning amendment will facilitate the Applicant's proposed development while ensuring there is orderly development, adequate provision of municipal services and adequate access.

Prepared by: Alison Curtis, MA
Planner, Subdivision Planning

Reviewed by: Bruce Page
Manager, Subdivision Planning

Recommended by: Heather McNeely, MICP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

CC: Peter Kavcic, Manager, Subdivision and Development Inspections
Michael Pease, Manager, Site Plans
Ismail Abushehada, Manager, Subdivision Engineering

HM//BP/AC/ac

\\FILE1\users-x\pdda\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2022\Z-9531 - 3350, 3460, 3480 Morgan Ave, 1363 Wharnclyffe Rd S (MJ)

Appendix A: Amendment Schedule

Appendix “A”

Bill No. (number to be inserted by
Clerk's Office)
(2023)

By-law No. Z.-1-23_____

A bylaw to amend By-law No. Z.-1 to
rezone lands located at 3480 Morgan
Avenue.

WHEREAS Sifton Properties has applied to rezone lands located at 3480 Morgan Avenue, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule “A” to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 3480 Morgan Avenue as shown on the attached map comprising part of Key Map No. A111, **FROM** a Holding Community Shopping Area Special Provision (h*h-11*h-63*h-82*h-95*h-100*h-105*h-135(CSA5(3)) Zone and a Holding Community Shopping Area Special Provision Zone (h*h-11*h-63*h-82*h-95*h-100*h-105*h-138(CSA5(3))), **TO** a Holding Residential R9 Special Provision (h*h-11*h-100*h-105*h-198*R9-4(_)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h-11*h-54*h-100*h*105*h-198(R9-7(_)/CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h-11*h-54*h-100*h-105*h-198(R9-7(_)/CSA5(3)) Zone; Holding Residential R9 Special Provision/Community Shopping Area Special Provision (h*h-11*h-54*h-100*h-105*h-198(R9-7(_)/CSA5(3)) Zone; and an Open Space (OS1).
- 2) Section Number 13.4 of the Residential R9 Zone is amended by adding the following Special Provisions:
 -) R9-4(_)
 - a) Additional Permitted Uses:
 - i) Stacked Townhouses
 - ii) Townhouses
 - b) Regulations:
 - i) Lot Frontage 20m
(Minimum)
 - ii) Front Yard Depth 4.5m (14.76ft)
(Minimum)
 - iii) Exterior Side Yard Depth 4.5m (14.76ft)
(Minimum)
 - iv) Interior Side Yard Depth 2.2m (7.2ft)
To Northwest property line

- (Minimum)
 - v) Rear Yard Depth 4.5m (14.8ft)
 - (Minimum)
 - vi) Height 14m (45.9ft)
 - For Townhouses and Stacked Townhouses
 - (Maximum)
 - vii) Height 17m (55.77ft) (5 Storeys)
 - All other uses
 - (Maximum)
 - viii) Lot Coverage 40%
 - (Minimum)
-) R9-7(*)
 - a) Additional Permitted Uses:
 - i) Stacked Townhouses
 - ii) Townhouses
 - iii) Hotels/Motels
 - b) Regulations:
 - i) Front Yard Depth 4.5m (14.76ft)
 - (Minimum)
 - ii) Exterior Side Yard Depth 4.5m (14.76ft)
 - (Minimum)
 - iii) Height 14m (45.9ft)
 - For Townhouses and Stacked Townhouses
 - (Maximum)
 - iv) Height 22m (72.17ft) (6 Storeys)
 - All other uses
 - (Maximum)
 - v) Lot Coverage 40%
 - (Minimum)
 - vi) Density 200 unit per hectare
 - (Maximum)
-) R9-7(**)
 - a) Additional Permitted Uses:
 - i) Stacked Townhouses
 - ii) Townhouses

iii) Hotels/Motels

b) Regulations:

- i) Front Yard Depth 4.5m (14.76ft)
(Minimum)
- ii) Exterior Side Yard Depth 4.5m (14.76ft)
(Minimum)
- iii) Interior Side Yard Depth 4.5m (14.76ft)
To Northwest property line
(Minimum)
- iv) Rear Yard Depth 4.5m (14.8ft)
(Minimum)
- v) Height 14m (45.9ft)
For Townhouses and Stacked Townhouses
(Maximum)
- vi) Height 17m (55.77ft) (5 Storeys)
All other uses
(Maximum)
- vii) Lot Coverage 40%
(Minimum)

) R9-7(***)

a) Additional Permitted Uses:

- i) Stacked Townhouses
- ii) Townhouses
- iii) Hotels/Motels

b) Regulations:

- i) Front Yard Depth 4.5m (14.76ft)
(Minimum)
- ii) Exterior Side Yard Depth 4.5m (14.76ft)
(Minimum)
- iii) Interior Side Yard Depth 4.5m (14.76ft)
(Minimum)
- iv) Rear Yard Depth 4.5m (14.8ft)
(Minimum)
- v) Landscape Open Space 25%
For Townhouses and Stacked Townhouses

	(Minimum)	
vi)	Height	14m (45.9ft)
	For Townhouses and Stacked Townhouses	
	(Maximum)	
vii)	Height	22m (72.17ft) (6 Storeys)
	All other uses	
	(Maximum)	
viii)	Lot Coverage	40%
	(Minimum)	
ix)	Density	200 unit per hectare
	(Maximum)	

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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

PASSED in Open Council on October 17th, 2023

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – October 17th, 2023
Second Reading – October 17th, 2023
Third Reading – October 17th, 2023

Appendix B: Internal and Agency Comments

Parks Planning and Design

- Required parkland dedication shall be calculated pursuant to section 51 of the *Planning Act* at 5% of the lands within the application or 1 hectare per 300 units, whichever is greater for residential uses. Parkland dedication calculations for the proposed development are listed in the table below.
- It is the expectation of PP&D that the required parkland dedication will be satisfied through the combination of land dedication and payment of cash-in-lieu of parkland.
- Staff are satisfied with the configuration of Block 3 as an Urban Park Block. As previously noted, an urban park in this growth area is currently not included in the current DC Study but is expected to be incorporated into the next study forecasted for 2026 +/- (DC19-PR05013).
- *The London Plan* requires parks to be flat and well drained to accommodate recreational activities.
- The table below summarizes the parkland information as per the concept plan submitted in the FPR. Parkland dedication is required for Blocks 1 and 2 within the draft plan of subdivision. The additional phases shown west of street A are outside of the draft plan of subdivision and parkland dedication will be taken through future site plan processes. The unit counts are based on the number of residential and commercial units proposed on the face of the concept plan. Block 1 is wholly within Block 4 Plan 33M-661 the registered subdivision agreement required Cash in Lieu to satisfy parkland dedication for this block. Block 2 is located partially in Block 5 Plan 33M-661 and 2% table land dedication was dedicated (0.031ha) to be added to total table land dedicated).

Land Use	Area (ha)	Units		Expected Dedication (ha)
Block 1	1.737	239	1/300	0.796
Block 2	1.561	320	1/300	1.066
Total Dedication required				1.862
Provided Parkland Dedication				
Parks (Block 3)				-0.496
2% dedicated lands (33M-661) for Block 2				-0.031
Parkland Provided				-0.527
Outstanding Balance				+1.335

Proposed Conditions

- As part of Focused Design Studies submission, the Owner's Landscape Architect shall prepare and submit a conceptual plan for Block 3, to the satisfaction of the City.
- Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall grade, service and seed all Park Blocks and Open Space Blocks, transferred to the City as part of the parkland dedication requirements, pursuant to current City Park development standards, to the satisfaction of City, and at no cost to the City. Park Blocks and Open Space, shall not be used for stockpiling of any

kind.

- Within one (1) year of registration of this Plan or otherwise approved by the City, the Owner shall install a 1.5 metre chain link fence, without gates, along the property limit interface of all private Lots and Blocks adjacent to any park and/or open space Blocks, in accordance with the approved engineering drawings and City Standard S.P.O.-4.8, to the satisfaction of the City, and at no cost to the City. Any alternative fencing arrangements shall be to the approval and the satisfaction of the City.
- Where Lots or Blocks abut parkland, all grading of the developing Lots or Blocks at the interface with the parkland are to match grades to maintain existing slopes, topography and vegetation. In instances where this is not practical or desirable, any grading into the open space shall be to the satisfaction of the City.

Urban Design

As some of the concepts provided in the Final Proposal Report included several sub-concepts, comments have been provided for each, as well as general comments for the subdivision which apply to all blocks and concepts.

General Comments

- The applicant is commended for providing a design with the following elements: a modified grid network of streets and pedestrian linkages; a well-located and adequately-sized park space with adjacent on-street parking spaces; and for providing detailed concepts for each of the blocks.
- Reduce the number of dead-end drive aisles in favour of through aisles to improve the overall connectivity throughout the site.
- Reduce the amount of surface parking across the site in favour of underground parking;
- Provide a minimum 5.0m² per unit of accessible shared outdoor amenity space for all blocks.
- Explore new apartment building forms that are designed in less of a slab-like format.
- Any proposed below-grade units in stacked townhouses shall be designed as through units with one side having finished floor at or above the grade, or as two-storey units. Redesign the proposed sunken units to address this issue.
- Include a zoning provision with a **maximum** of 4.5m and a minimum of 1.0m for the front and exterior side yard setbacks.
- Surface parking lots should be located away from public street frontages, behind the proposed building(s). Screen any surface parking areas exposed to the public street(s) or park space with enhanced landscaping.
- Provide variety in the design and heights of the buildings throughout the development so they appear as unique while still being complimentary to one another in architectural detail and materials to avoid a 'cookie-cutter' style of architecture in like housing forms throughout the subdivision.

Phase Specific Comments:

Phase 1

- Comments for this block have been provided through the SPC process. In conjunction with the comments provided through the SPC process, please address the following:
 - The current layout of the site includes a mass amount of surface parking, resulting in a majority of the buildings being surrounded by impermeable asphalt paved area. Reduce the mass amount of surface parking areas on

the site in favour of more permeable green space. It is suggested the applicant explore the following to reduce the amount of surface parking:

- Explore alternate building forms, such as low-rise apartment buildings with underground parking or street townhouses with rear lane garages.
- Reduce the number of parking spaces provided for each unit.
- Consolidate the parking areas to allow for larger green spaces and to have fewer buildings surrounded by asphalt paving.
- Provide a larger common amenity area that is centrally located and easily accessible from all units.
- Remove the stunted drive aisle between 'Block E' and 'Block F' in favour of a through aisle connecting to the main drive aisle off 'Street A'.
- The edge of the parking area should be located behind the front face of 'Block A' along Morgan Avenue.
- Provide enhanced landscaping to screen where the parking areas are exposed to 'Street A' and Morgan Avenue.

Phase 2

- Urban design staff are more so in favour of an apartment building form on this site as shown in 'Concept B'. Please see below for urban design comments for each concept. Once a final concept is chosen, further urban design comments may apply at the site plan stage:
 - Concept A:
 - Rotate the three buildings (Blocks I, J, K) along 'Street A' 90 degrees so they are front-facing toward the street with direct access to the sidewalk to be in line with 'Block F' in Phase 1.
 - As 'Block L' is located at the corner of two public streets, design the building to have regard for its corner location. Massing and articulation should address the intersection of 'Street A' and Morgan Avenue.
 - Surface parking areas should be located behind a building, not exposed to 'Street A' as currently shown. If a small amount of surface parking is to remain exposed to the street, it must be heavily screened with enhanced landscaping.
 - The side of any unit flanking a public street shall include enhanced architectural features with the same amount of detail as the front face of the building. This includes, but is not limited to, wrap-around porches, doors and windows, canopies, materials, etc. with direct walkway access to the public sidewalk.
 - Concept B:
 - The corner of 'Street A' and Morgan Avenue is not an appropriate location for a surface parking lot. Include built form at the corner with architectural details that addresses the intersection of these two streets with the parking located behind the building.
 - The proposed apartment building must be located along the highest order street (Morgan Avenue). Move the building close to the intersection of Morgan Avenue and 'Street A' and consider designing the building with a modified 'V-shape' that has a wider angle to better address the shape of the block and create a consistent street wall along 'Street A'.
 - Built form should also be located along the portion of 'Street A' along the proposed park space with unit

- entrances facing the park to create an 'eyes on the park' condition.
 - Include individual unit entrances for ground floor units facing the street with direct access walkway access to the public sidewalk along 'Street A' and Morgan Avenue. The ground floor units should appear as individual units with lockable 'front doors'.
 - Include a principal building entrance on Morgan Avenue and/or 'Street A' and differentiate this entrance from the unit entrances through the use of architectural detailing, such as windows, canopies, signage, materials, etc.
 - Provide active building uses such as the lobby, offices, indoor amenity areas (leisure rooms, lounges), laundry rooms, etc. on the ground floor along the street frontages. Any electrical, mechanical, garbage or loading areas should be located at the back of the building away from street frontages.
 - Reduce the amount of surface parking in lieu of amenity area/additional landscaping.
 - Concept C:
 - This concept design is commended for providing units directly facing the street and toward the proposed park space, as well as providing the majority of the surface parking area hidden from the public streets.
 - Units must front the highest order street (Morgan Avenue). Similar to Concept 'A', include a building along Morgan Avenue with units fronting the street and direct walkway access from unit entrances to the sidewalk on Morgan Avenue.
 - Include a centrally-located and adequately-sized common outdoor amenity area.
 - The side of any unit flanking a public street shall include enhanced architectural features with the same amount of detail as the front face of the building. This includes, but is not limited to, wrap-around porches, doors and windows, canopies, materials, etc. with direct walkway access to the public sidewalk.

Phase 3

- Urban design staff are generally supportive of the building form and height of the proposed buildings in this phase. Ahead of a site plan application, please address the following. Further urban design comments may follow during the site plan process:
 - The buildings in this phase should be oriented to front Wharncliffe Road S, not the internal drive aisle as currently shown.
 - Ensure the building located close to the intersection of 'Street A' and Wharncliffe Road S is designed to have regard for its corner location. The massing and articulation should address and emphasize the intersection.
 - Include individual unit entrances for ground floor units facing the street with direct access walkway access to the public sidewalk along Wharncliffe Road S. The ground floor units should appear as individual units with lockable 'front doors'.
 - Include a principal building entrance for both buildings on Wharncliffe Road S and differentiate this entrance from the unit entrances through the use of architectural detailing, such as windows, canopies, signage, materials, etc..
 - Provide active building uses such as the lobby, offices, indoor amenity areas (leisure rooms, lounges), laundry rooms, etc. on the ground floor along the street frontages. Any electrical, mechanical, garbage or loading

areas should be located at the back of the building away from street frontages.

- Locate the garbage & recycling pick-up area away from the Wharncliffe Road S frontage.
- For longer slab buildings, propose architectural detailing such as projections/recesses and similar techniques to break the elongated massing into smaller elements.

Phase 4

- This phase is bounded by public streets on all sides. This phase should be designed in a way that addresses the frontage of each of the streets with emphasis on the higher-order streets (Bradley Avenue W & Morgan Avenue). Urban design staff suggest that the applicant explore apartment building forms that are more compatible with the shape of the site, especially the curvature along Bradley Avenue, to ensure large unusable areas are not created between the building and the street, and to ensure the front yard setbacks are not greater than 4.5m in depth.
- Please see below for urban design comments for each concept. Once a final concept is chosen, further urban design comments may apply at the site plan stage:
 - Concept A:
 - Reduce the amount of surface parking area and locate more of the required parking underground.
 - Locate the taller 5-storey buildings closer to the higher-order streets (Bradley Avenue and Morgan Avenue), with the shorter 4-storey buildings located closer to the local streets, 'Street A' and 'Street B'.
 - Buildings should be designed to address the various public street intersections through the use of architectural treatments to emphasize the corners.
 - Create an 'eyes on the park' condition by rotating one of the proposed 'Type D' apartment buildings 90 degrees so it is parallel to 'Street B'.
 - Include individual unit entrances for ground floor units facing the streets with direct access walkway access to the public sidewalk along all four street frontages. The ground floor units should appear as individual units with lockable 'front doors'.
 - Include a principal building entrance for the buildings along their respective street frontages and differentiate this entrance from the unit entrances through the use of architectural detailing, such as windows, canopies, signage, materials, etc.
 - Provide active building uses such as the lobby, offices, indoor amenity areas (leisure rooms, lounges), laundry rooms, etc. on the ground floor along the street frontages. Any electrical, mechanical, garbage or loading areas should be located at the back of the building away from street frontages.
 - Remove the stunted parking aisle located below the building parallel to Morgan Avenue in favour of a through aisle that connects to 'Street A'.
 - Locate any garbage & recycling pick-up areas away from the public street frontages.
 - Concept B:
 - Reduce the amount of surface parking area and locate more of the required parking underground.
 - Any surface parking areas should be located behind buildings, not along the fronts of the public streets as currently shown in this concept.

- The siting of the L-shaped building should change depending on its height. If it is shorter (4 storeys), locate it closer to the internal streets ('Street A' and 'Street B').
- Buildings should be designed to address the various public street intersections through the use of architectural treatments to emphasize the corners.
- Create an 'eyes on the park' condition by rotating one of the proposed 'Type D' apartment buildings 90 degrees so it is parallel to 'Street B'.
- Include individual unit entrances for ground floor units facing the streets with direct access walkway access to the public sidewalk along all four street frontages. The ground floor units should appear as individual units with lockable 'front doors'.
- Include a principal building entrance for the buildings along their respective street frontages and differentiate this entrance from the unit entrances through the use of architectural detailing, such as windows, canopies, signage, materials, etc.
- Provide active building uses such as the lobby, offices, indoor amenity areas (leisure rooms, lounges), laundry rooms, etc. on the ground floor along the street frontages. Any electrical, mechanical, garbage or loading areas should be located at the back of the building away from street frontages.
- Locate any garbage & recycling pick-up areas away from the public street frontages.

○ Concept C:

- Urban design staff are not supportive of the level of density and housing form proposed in this concept, especially the form of stacked townhouses proposed at the corner of Bradley Avenue W and Morgan Avenue. Housing forms such as mid-rise apartment buildings (as shown in other concepts) are more desirable in this location.
- The current layout of this concept includes a mass amount of surface parking, resulting in many of the buildings being surrounded by impermeable asphalt paved area. Reduce the mass amount of surface parking areas on the site in favour of more permeable green space. It is suggested the applicant explore the following to reduce the amount of surface parking:
 - Explore alternate building forms, such as low-rise apartment buildings with underground parking or street townhouses with rear lane garages.
 - Reduce the number of parking spaces provided for each unit.
 - Consolidate the parking areas to allow for larger green spaces and to have fewer buildings surrounded by asphalt paving.
- Rotate the building side-lotting toward the bend in 'Street A' so its front is facing the street.
- The side of any unit flanking a public street shall include enhanced architectural features with the same amount of detail as the front face of the building. This includes, but is not limited to, wrap-around porches, doors and windows, canopies, materials, etc. with direct walkway access to the public sidewalk.

- Buildings should be designed to address the various public street intersections through the use of architectural treatments to emphasize the corners.
- Reduce the amount of stunted drive aisles in favour of through aisles to provide better connectivity throughout the site.

Phase 5

- This phase is bounded by public streets on all sides. This phase should be designed in a way that addresses the frontage of each of the streets with emphasis on the higher-order streets (Bradley Avenue W & Wharnccliffe Road S) as well as the park space. Urban design staff suggest the applicant explore apartment building forms that are more compatible with the shape of the site, especially the diagonal nature of Bradley Avenue, to ensure large unusable areas are not created between the building and the street, and to ensure the front yard setbacks are not greater than 4.5m in depth.
- The applicant is commended for providing a concept which incorporates a minimal amount of surface parking and locates a majority of the parking behind the proposed buildings and/or underground, as well as the size and location of the proposed park space. Ahead of a site plan application, please address the following. Further urban design comments may follow during the site plan process:
 - Buildings should be designed to address the various public street intersections through the use of architectural treatments to emphasize the corners.
 - Include individual unit entrances for ground floor units facing the streets and park space with direct access walkway access to the public sidewalk along all four street frontages. The ground floor units should appear as individual units with lockable 'front doors'.
 - Include a principal building entrance for the buildings along their respective street frontages and differentiate this entrance from the unit entrances through the use of architectural detailing, such as windows, canopies, signage, materials, etc.
 - Provide active building uses such as the lobby, offices, indoor amenity areas (leisure rooms, lounges), laundry rooms, etc. on the ground floor along the street frontages. Any electrical, mechanical, garbage or loading areas should be located at the back of the building away from street frontages.
 - Ensure the buildings are designed to orient their fronts toward the public park space; the rear of the building(s) should not be oriented to the park or any of the street frontages.
 - Locate any garbage & recycling pick-up areas away from the public street frontages.

Zoning Comments

- Ensure the proposed zoning for each block implements the policies of the Southwest Area Secondary Plan (SWASP). This may include, but is not limited to: setbacks, orientation, garage maximum widths, minimum and maximum densities, etc.
 - Garages shall not project beyond the front face of dwelling or the façade of any porch, and not occupy more than 50% of the lot frontage **[SWASP 20.5.3.9 iii, e]**. Ensure the lots are large enough to accommodate this policy.
 - Ensure that the proposed building/built form is oriented to street frontages and establishes a pedestrian-oriented built edge with street oriented units. **[SWASP 20.5.3.9 i a]**.
- Include either a holding provision or special provision in the zoning for all medium and high-density blocks to ensure orientation to the street, park, or open-space frontages.

- If any blocks are proposing zoning for buildings taller than 4-storeys, they are required to attend the Urban Design Peer Review Panel (UDPRP):
 - UDPRP meetings take place on the third Wednesday of every month. Once an Urban Design Brief is submitted as part of a complete application the application will be scheduled for an upcoming meeting and the assigned planner as well as the applicant's agent will be notified. If you have any questions relating to the UDPRP or the Urban Design Briefs, please contact Ryan Nemis at 519.661.2500 x7901 or by email at rnemis@london.ca.

Heritage

- The lands were reviewed as part of the approval process for the plan of subdivision Plan 33M-661), and no heritage or archaeological concerns were previously identified. As such, Heritage does not have any further comments or concerns with the file.

Ecology

- We have reviewed the draft Environmental Impact Study (EIS) and request that the following items be addressed in the subsequent submission in support of final approval. Please note that there are no comments that impact the OPA/ZBA as all features are proposed for removal.
 - Table of Contents and Section 1 – Appear to be missing, please include.
 - Section 2.4 – Please address the remainder of the Special Concern species noted in Table 1 as they relate to Special Concern and Rare Wildlife Species Habitat candidate Significant Wildlife Habitat (particularly Monarch as candidate habitat and Milkweed is present on the Subject Lands). Currently, only Snapping Turtle is addressed. Include any mitigation and/or compensation to address any potential impacts (ex. Overseeding of milkweed and native pollinator species in proposed tree compensation area for Monarch).
 - Table 5 – Please provide further justification for (+) NET POSITIVE EFFECT for 2.1 Loss of Vegetation and habitat or potentially revise assessment. While it is understood that appropriate tree compensation is proposed relating to relevant policy requirements, the planting of 110 trees likely does not provide a “net increase of native vegetation and provide additional habitat for wildlife species present within the vicinity of the Subject Lands” when a permanent loss of 1.43 Ha of cultural meadow and 1 Ha of cultural woodland that contains native vegetation in addition to trees as well as wildlife habitat is occurring.
 - Table 5 – Include any additional potential impacts to SWH that have been included resulting from Comment #2, if any.
 - Section 5 – Recommendation 6 – Include recommendation for a monitoring plan to ensure compensation plantings are successful including monitoring timelines and % survival rate.
 - Section 6 – “Protection of the adjacent vegetation communities associated with the Pincombe Drain” – Not impacting adjacent Natural Heritage Features located outside of the Subject Lands is not justification for a net environmental benefit. These features are already currently “protected” as part of the City’s Natural Heritage System. Similar to Comment #3, further justification would be required to show a net environmental benefit with the permanent loss of 1.43 Ha of cultural meadow and 1 Ha of cultural woodland.

Tree Preservation

Z-9531: 3480 Morgan Avenue

- 11 Distinctive trees identified are protected by City’s Tree Protection Bylaw until removal is to satisfy a condition to the approval of a site plan, a plan of

subdivision or a consent under section 41, 51 or 53, respectively, of the *Planning Act*, or as a requirement of a site plan agreement or subdivision agreement entered into under those sections

- 1 potential Species at Risk was identified as dead and therefore not protected by ESA regulation. No further action is required;
- One correction to the Arborist Report is required as it pertains to the timing of tree removals. The following text needs to be included and followed with development:
 - All **tree removals** must take place between September 1 and April 1st to avoid disturbing nesting migratory birds. Tree may be removed outside this window only if a qualified bird specialist has been determined there are not nesting birds in the trees. This requirement is in accordance with the Migratory Birds Convention Act, 1994.
- Confirm ownership of all trees proposed for removal on or near the mutual property line shared with 1467 Wharncliffe and provide explicit permission from the abutting land owner to remove off-site and boundary trees with Site Plan Application Documents. A professional survey must determine trunk growth in relation to the property line. Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21, and can't be removed without written consent from co-owner. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes.
-

OZ-9100: 1363 Wharncliffe Rd South & 3350 Morgan Avenue

- 33 Distinctive trees identified are protected by City's Tree Protection Bylaw until removal is to satisfy a condition to the approval of a site plan, a plan of subdivision or a consent under section 41, 51 or 53, respectively, of the *Planning Act*, or as a requirement of a site plan agreement or subdivision agreement entered into under those sections.
- 1 potential Species at Risk was identified. Assessed By BHA and DNA analysis and determined to be hybrid species and not subject to ESA regulation. No further action is required.
- 3 CoL trees are proposed for removal. The applicant is required to contact Forestry Operations at tree@london.ca to coordinate removal. Proof of payment to be forwarded to Development and Planning.
- Confirm ownership of all trees proposed for removal on or near the mutual property line shared with 1467 Wharncliffe and provide explicit permission from the abutting land owner to remove off-site and boundary trees with Site Plan Application Documents. A professional survey must determine trunk growth in relation to the property line. Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21, and can't be removed without written consent from co-owner. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes.

Upper Thames River Conservation Authority

- Comments to follow.

London Hydro

Z-9531

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.
- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

39T-22503 & OZ-9100

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Engineering and Infrastructure

Z-9531

- There are no servicing comments. The TIA was reviewed as part of the Subdivision & OZ application (File: 39T-22503 & OZ-9100), that included 3480 Morgan Ave, and there are no further comments and recommendations are to be implemented.

39T-22503 & OZ-9100

Zoning By-law Amendment

Transportation and Planning Division, Wastewater and Drainage Engineering Division, Water Engineering Division and Stormwater Engineering Division have no objection to the proposed Zoning By-law Amendment for the proposed revised draft plan of subdivision subject to the following:

1. 'h' holding provision is implemented with respect to servicing, including sanitary, stormwater and water and to ensure the orderly development of lands and the adequate provision of municipal services (i.e. to ensure the detailed design and agreement to construct the required watermain has been satisfied), to the satisfaction of the Deputy City Manager, Environment and Infrastructure and the entering of a subdivision agreement.
2. 'h-100' holding provision is implemented with respect to water services to ensure the looped watermain discussed above is constructed, commissioned, and put into service and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access is available, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

Official Plan Amendment

Transportation and Planning Division, Wastewater and Drainage Engineering Division, Water Engineering Division and Stormwater Engineering Division have no objection to the proposed Official Plan Amendment for the proposed revised draft plan of subdivision.

Required Revisions to the Draft Plan

Note: Revisions are required to the draft plan as follows:

- i) Provide additional road widening on Wharncliffe to dedicate sufficient land to widen Wharncliffe Rd S to 24.0 metres from the centreline of the existing road within 150m of Bradley Ave W.
- ii) Street A from Wharncliffe Road North to 30 metres west has a minimum road allowance of 21.5 metres. The widened road on Street 'A' shall be equally aligned from the centreline of the road and tapered back to the 20.0 metres of road allowance width for this street with 30 metre long tapers on both street lines.
- iii) Street B from Bradley Avenue to 30 metres south has a minimum road allowance of 21.5 metres. The widened road on Street B shall be equally aligned from the centreline of the road and tapered back to the 20.0 metres of road allowance width for this street with 30 metre long tapers on both street lines.
- iv) Add 0.3 metre reserve on Wharncliffe Road.
- v) Add 0.3 metre reserve along entire limit of Bradley Avenue.
- vi) Add 0.3 metre reserve along entire southern limit of Street A.
- vii) Add 0.3 metre reserve on both sides of Street A 60 metres northerly from the centreline of Wharncliffe Road South.

- viii) Add 0.3 metre reserve on both sides of Street B 60 metres southerly from the centreline of Bradley Avenue.
- ix) Red-line plan to include remainder of Block 4 in Plan 33M-661.
- x) Ensure all geotechnical issues and all required (structural, maintenance and erosion) setbacks related to slope stability for lands within this plan, to the satisfaction and specifications of the City. Revise right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots, if necessary.
- xi) The Owner shall ensure all streets with bends of approximately 90 degrees shall have a minimum inside street line radius with the following standard:

•	<u>Road Allowance</u>	<u>S/L Radius</u>
•	20.0 m	9.0 m

Appendix C – Public Engagement

Community Engagement

Public Liaison: Information regarding the requested Zoning By-law Amendment application and opportunities to provide comments were provided to the public as follows:

- Notice of Public Participation Meeting was sent to property owners within 120 metres of the subject property and on published in the Public Notices and Bidding Opportunities section of The Londoner April 13th, 2021.
- Notice of Application was sent to property owners within 120 metres of the subject property on August 4th, 2022.
- Information about the Application were posted on the website on April 13th, 2022.

Comments from external agencies are included in Appendix B. Two comments were received from the public. Comments/concerns received are summarized as follows:

- Paper use associated with mail-out notices;
- Setbacks being inconsistent with surrounding development;
- Reduction in parking;
- Capacity within existing schools to accommodate development; and,
- Building design appeal and sustainability.

Londoner Notice: 3480 Morgan Avenue, north side of Wharncliffe Road South, south of Bradley Avenue; approx. 1.67 hectares (4.12 acres) - The purpose and effect of this application is to consider a proposed Zoning By-law Amendment to allow residential uses, and to remove existing permitted commercial uses from the lands. Possible change to Zoning By-law Z.-1 FROM a Holding Community Shopping Area Special Provision (h•h-11•h-63•h-82•h-95•h-100•h-105•h-135•CSA5(3)) Zone; TO a Residential R8 Special Provision (R8-4(*)) Zone; to add apartment buildings, handicapped person's apartment buildings, lodging house class 2, stacked townhousing; senior citizen apartment buildings, emergency care establishments, and continuum-of-care facilities uses, and to remove commercial uses from the lands. Special Provisions are requested to permit: a minimum front yard setback of 3.3 metres; a minimum interior side yard setback of 2.2 metres; a minimum rear yard setback of 4.5 metres; a minimum landscaped open space of 27 percent; a maximum height of 14 metres; and, a maximum density of 87 units per hectare. The City may consider the use of holding provisions.

Public Comments

City of London
Development Services
PO Box 5035
300 Dufferin Avenue
London ON N6A 4L9

September 8, 2022

Attention: Mark Johnson

Re: File no. OZ-9100 and Z-9531

I am writing in response to the Notice of Planning Application that we received in August for planning amendments proposed by Sifton Properties Ltd. pertaining to lands bordered by Morgan Avenue, Bradley Avenue and Wharncliffe Road South. Much of this commentary is taken from my letter of September 3, 2019, in response to Sifton's first application. While the addition of green space and two new roads is encouraging, the basic plan for a ring of apartment buildings for the site remains unchanged. With no new concept drawing of the apartment buildings, I must assume that the plan is to erect the same properties that I addressed in general comment number 2 in my original letter (attached).

Should this zoning application go ahead I would like to see that the following specific changes are not permitted:

1. That the setbacks not be reduced to 3.3 metres for both proposed Zones. This is inconsistent with the setbacks required for other development in the area,

2. That the number of parking spaces not be reduced to 1.25 per unit for the R5-7 Zone,
3. That the number of parking spaces not be reduced to 1 per unit for the R9-4 Zone.
4. That the number of stories for the stacked townhouses be limited to 4.

I believe that the thrust of the three general comments in my original submission remain much the same today. Please review the original letter. The request for a maximum number of stories to be increased to 5 seems to me to essentially building more apartment blocks. Any set of connected structures that is 5 stories high could only be seen as an apartment building from a distance.

I would appreciate the opportunity to attend a public participation meeting.

Thank you for your attention to this matter and for the provision of the legible site plan.

Yours truly,

Stephen Firth

c.c. Coun. Paul Van Meerbergen

Hello gents,

Is it possible to transition from paper to email re the Subject line? What % of people even respond? Less than 1%?!

What a waste of paper, postage and time.

Thanks,

John

Appendix D - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Vacant
Frontage	337.4 metres of Bradley Avenue and 355.3 metres on Wharncliffe Road South
Depth	Varies
Area	6.51 Hectares (16 acres)
Shape	Irregular
Within Built Area Boundary	No
Within Primary Transit Area	No

Surrounding Land Uses

North	Residential
East	Residential and Commercial Industrial
South	Residential
West	Greenspace and Residential

Proximity to Nearest Amenities

Major Intersection	11 metres (Bradley Avenue and Wharncliffe Road South)
Dedicated cycling infrastructure	722 metres (Southdale Road West)
London Transit stop	186 metres (Wharncliffe Road South)
Public open space	New park space to be provided on site
Commercial area/use	700 metres (Wonderland Road South)
Food store	700 metres (Loblaws on Wonderland Road South)
Primary school	1400 Metres, (Sir Isaac Brock Public School)
Community/recreation amenity	1400 metres (Bostwick Community Center)

B. Planning Information and Request

Current Planning Information

Current Place Type	Shopping Area
Current Special Policies	n/a
Current Zoning	h*h-11*h-63*h-82*h-95*h-100*h-105*h-135*CSA5(3) and h*h-11*h-63*h-82*h-95*h-100*h-105*h-138*CSA5(3)

Requested Designation and Zone

Requested Place Type	n/a
Requested Special Policies	n/a
Requested Zoning	R9-4(), R9-7(*), R9-7(**), R9-7(***)

Requested Special Provisions

Block 1: (Phase 4)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 4.5 metres;
- Minimum rear yard setback of 4.5 metres;
- Minimum lot coverage of 40% for townhouses and stacked townhouses;
- Maximum height of 14 metres for townhouses and stacked townhouses; and,
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

Block 2: (Phase 5)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 4.5 metres;
- Minimum rear yard setback of 4.5 metres;
- Maximum landscape open space for townhouses and stacked townhouses of 25%;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses;
- Maximum height of 22.0 metres (6 Storeys) for all other uses; and,
- Maximum density of 200 units per hectare.

Block 5: (Phase 3)

- Additional permitted uses of stacked townhouses, townhouses, and hotels/motels;
- Minimum lot frontage of 20 metres;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses;
- Maximum height of 22.0 metres (6 Storeys) for all other uses; and,
- Maximum density of 200 units per hectare.

Block 6: (Phase 2)

- Additional permitted uses of stacked townhouses and townhouses;
- Minimum lot frontage of 20 metres;
- Minimum front yard and exterior side yard setback of 4.5 metres;
- Minimum interior side yard setback of 2.2 metres;
- Minimum rear yard setback of 4.5 metres;
- Minimum lot coverage of 40%;
- Maximum height of 14 metres for townhouses and stacked townhouses; and,
- Maximum height of 17.0 metres (5 Storeys) for all other uses.

C. Development Proposal Summary

Development Overview

The Draft Plan of Subdivision provides for one(1) medium density residential block; three (3) medium density mixed-use blocks and one (1) open space block. A mix of residential housing forms are proposed to be built in four (4) phases, and the subdivision would yield approximately 738 new units. Mixed-use residential and commercial uses are proposed for Blocks 1, 2 and 5, which front onto Wharncliffe Road South and Bradley Avenue. The proposed Draft Plan will be served by two new roads, shown as Street A and Street B on the Draft Plan.

Proposal Statistics

Land use	Mixed-Use Residential and Commercial
Form	Medium Density (Townhouses, Stacked Townhouses and Apartments)
Height	Maximum 6
Residential units	Approximately 738
Density	Approximately 120
Gross floor area	TBD during future Site Plan Applications
Building coverage	TBD during future Site Plan Applications

Landscape open space	TBD during future Site Plan Applications
Functional amenity space	TBD during future Site Plan Applications
New use being added to the local community	Yes – new Park Space

Mobility

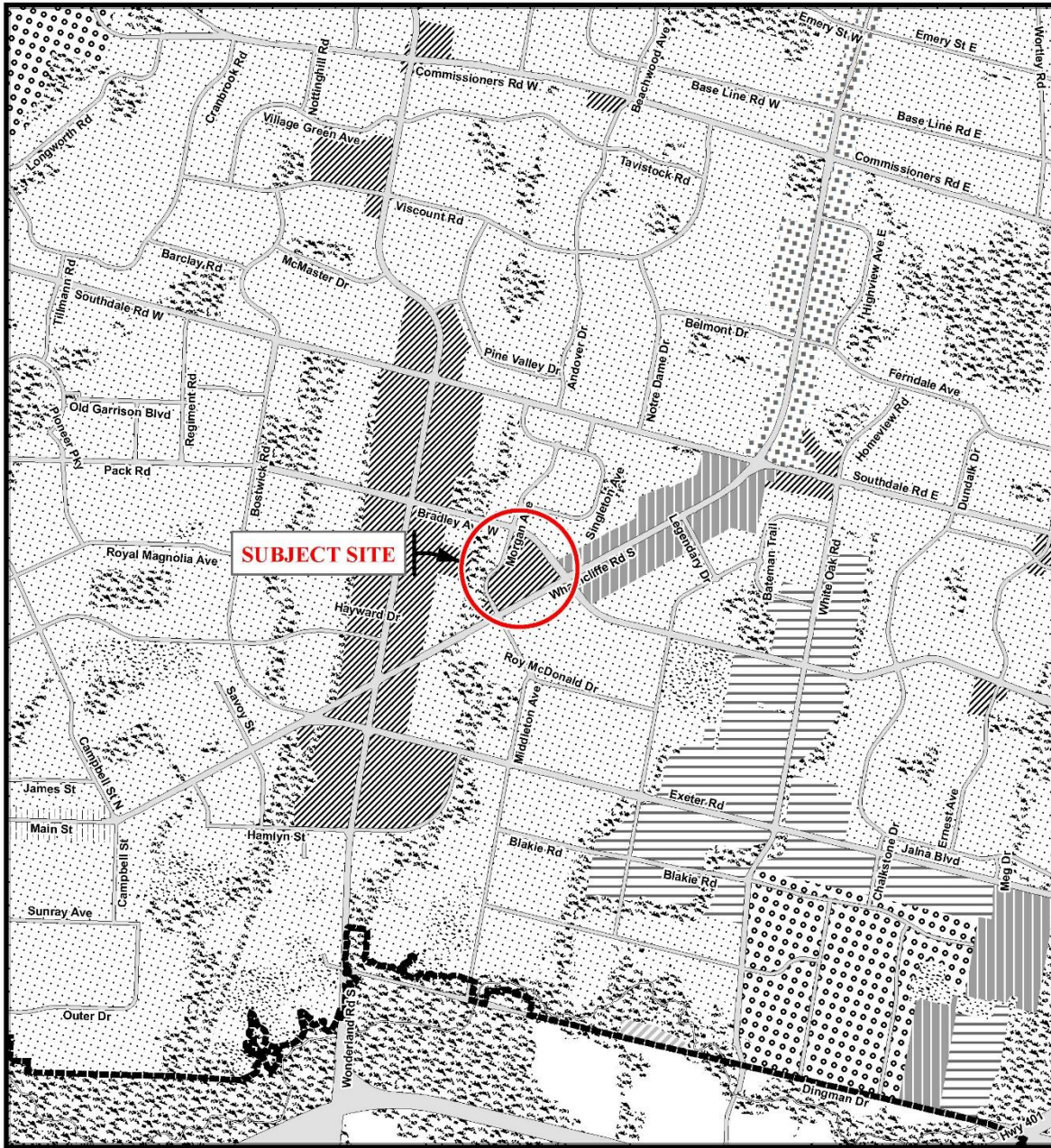
Parking spaces	TBD during future Site Plan Application
Vehicle parking ratio	TBD during future Site Plan Application
New electric vehicles charging stations	TBD during future Site Plan Application
Secured bike parking spaces	TBD during future Site Plan Application
Secured bike parking ratio	TBD during future Site Plan Application
Completes gaps in the public sidewalk	NA
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	Yes

Environmental Impact

Tree removals	Yes
Tree plantings	Unknown, further study required
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	NA
Existing structures repurposed or reused	No
Green building features	Unknown

Appendix E – Additional Plans and Drawings

London Plan Excerpt



Legend

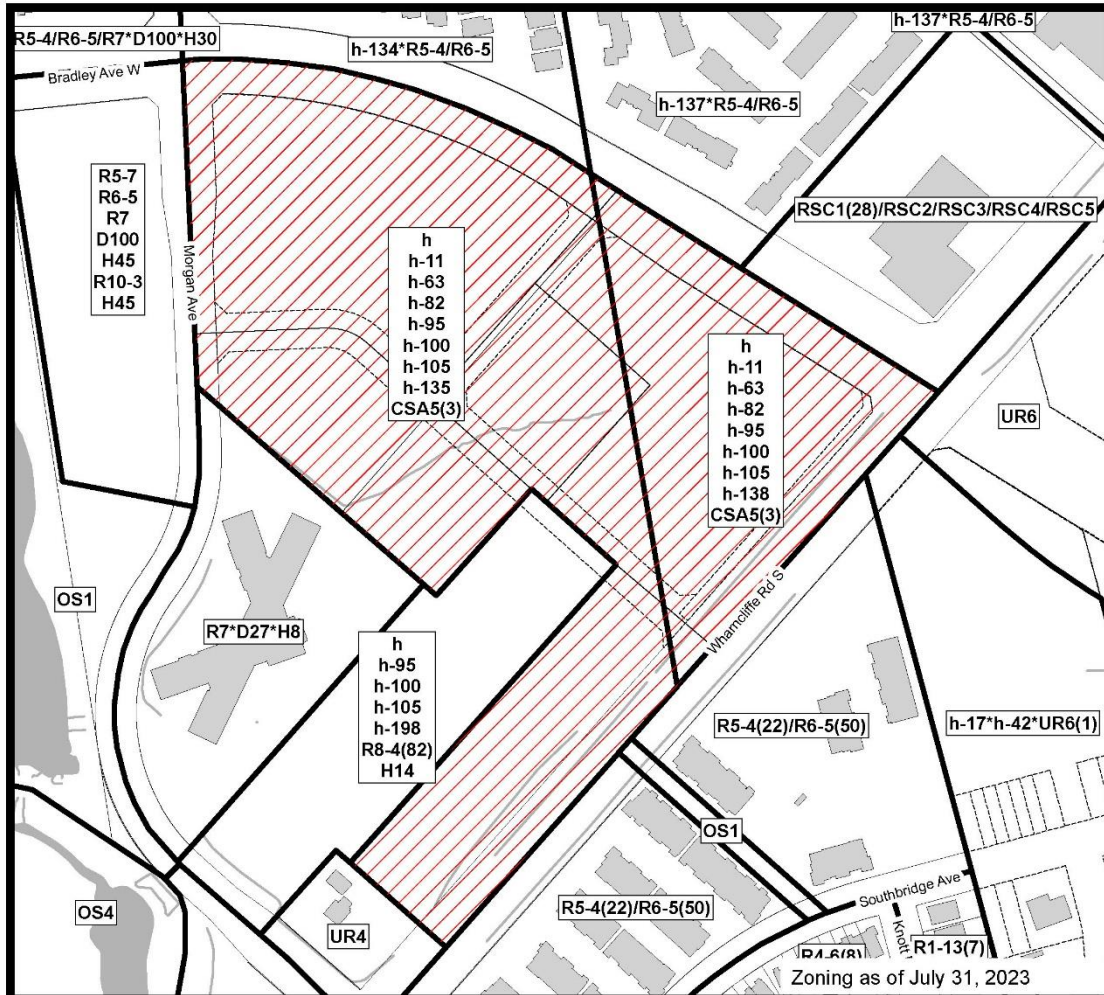
Downtown	Future Community Growth	Environmental Review
Transit Village	Heavy Industrial	Farmland
Shopping Area	Light Industrial	Rural Neighbourhood
Rapid Transit Corridor	Future Industrial Growth	Waste Management Resource Recovery Area
Urban Corridor	Commercial Industrial	Urban Growth Boundary
Main Street	Institutional	
Neighbourhood	Green Space	

This is an excerpt from Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

<p>CITY OF LONDON Official Plan LONDON PLAN MAP 1 - PLACE TYPES -</p> <p>PREPARED BY: Planning & Development</p>	<p>Scale 1:30,000</p> <p>0 150 300 450 600 750 900 1050 1200 1350</p> <p>Meters</p>	<p>File Number: OZ-9100</p> <p>Planner: AC</p> <p>Technician: RC</p> <p>Date: 2023/8/30</p>
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Project Location: E:\Planning\Projects\p_officialplan\workconsolid\00\excerpts_LondonPlan\mxd\Z-9100_Map1_PlaceTypes.mxd

Zoning By-law Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-17*LI1

1) **LEGEND FOR ZONING BY-LAW Z-1**

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| DA - DOWNTOWN AREA | LI - LIGHT INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | GI - GENERAL INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| NSA - NEIGHBOURHOOD SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | UR - URBAN RESERVE |
| AC - ARTERIAL COMMERCIAL | |
| HS - HIGHWAY SERVICE COMMERCIAL | AG - AGRICULTURAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| SS - AUTOMOBILE SERVICE STATION | TGS - TEMPORARY GARDEN SUITE |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | RT - RAIL TRANSPORTATION |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



FILE NO:

OZ-9100

AC

MAP PREPARED:

2023/8/30

RC

1:3,000

0 15 30 60 90 120 Meters

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

Appendix F: Climate Emergency

On April 23, 2019, Municipal Council declared a Climate Emergency. Through this declaration the City, is committed to reducing and mitigating Climate Change. The following are characteristics of the proposed Application that are related to the City's climate action objectives.

Infill and Intensification

Located within the Built Area Boundary: **No**
Located within the Primary Transit Area: **No**
Net density change: **N/A**
Net change in affordable housing units: **N/A**

Reduce Auto-dependence

Proximity to the nearest London Transit stop: **186 metres (Wharncliffe Road South)**
Completes gaps in the public sidewalk network: **No**
Connection from the site to a public sidewalk: **Yes**
Connection from the site to a multi-use pathway: **Yes**
Site layout contributes to a walkable environment: **Yes**
Proximity to nearest dedicated cycling infrastructure: **722 metres (Southdale Road West)**
Secured bike parking spaces: **Unknown**
Secured bike parking ratio: **Unknown**
New electric vehicles charging stations: **Unknown**
Vehicle parking ratio: **Consideration through a future Site Plan Control Application**

Environmental Impacts

Net change in permeable surfaces: **Yes**
Net change in the number of trees: **Unknown**
Tree Protection Area: **No**
Landscape Plan considers and includes native and pollinator species: **Consideration through a future Site Plan Control Application**
Loss of natural heritage features: **No**
Species at Risk Habitat loss: **No**
Minimum Environmental Management Guideline buffer met (Table 5-2 EMG, 2021): **N/A**

Construction

Existing structures on site: **Yes**
Existing structures repurposed/adaptively reused: **No**
Green building features: **Unknown**
District energy system connection: **No**

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: Aun Holdings Inc.
1236 Southdale Road East
File Number: Z-9634, Ward 14
Date: October 3, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Aun Holdings Inc. relating to the property located at 1236 Southdale Road East:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting October 17, 2023 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Residential R1 (R1-10) Zone, **TO** a Holding Residential R5 Special Provision (h-17*R5-7(_)) Zone and Open Space (OS5) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) Design the side elevation of the corner units that are facing the driveway and the amenity space with enhanced detail, such as wrap-around porches and a similar number of windows as is found on the front elevation to offer reasonable level of passive surveillance throughout the site;
 - ii) Consider moving the garbage bins away from the view of the public street. If garbage bins cannot be moved to another location, provide all-season landscaping to screen the bins from the street and to provide a visual interest;
 - iii) Provide details for the patio wall/enclosure. Ensure the patio walls/enclosures are of minimum required heights and provide all-season landscape buffers with clear sight lines to delineate the public and private realm along the street frontages and around the internal parking area;
 - iv) A 1.5 metre access aisle is required with the barrier-free parking stall in accordance with the Site Plan Control By-law.
 - v) the provision of short-term public bicycle parking in the development;

IT BEING NOTED, that the above noted amendments are being recommended for the following reasons:

- i) The recommended amendment is consistent with the PPS 2020;
- ii) The recommended amendment conforms to The London Plan, including, but not limited to the Neighbourhoods Place Type and Key Directions; and
- iii) The recommended amendment facilitates the development of an underutilized site within the Built Area Boundary and Primary Transit Area with an appropriate form of infill development that provides choice and diversity in housing options.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R1 (R1-10) Zone to a holding Residential R5 Special Provision (h-17*R5-7(_)) Zone and Open Space (OS5) Zone.

Staff are recommending approval with special provisions that will facilitate reduced front, interior side, and rear yards, as well as an increase maximum height and density

Staff are recommending approval with holding provisions that will ensure the development will not occur until such time as adequate sanitary sewage connection is provided to the site.

Purpose and the Effect of Recommended Action

The recommended action will permit a development containing two 3.5 storey, 8-unit stacked townhouse buildings.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- **Housing and Homelessness**, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Planning History

The property has not been subject to any planning applications in the past.

1.3 Property Description and Location

The subject lands are located on the north side of Southdale Road East, between Pond Mills Road to the east and Millbank Drive to the west, in the Westminster Planning District located in Ward 14. The site currently contains a single detached dwelling and associated accessory structures, all being built in the late 1940s. The lands are directly adjacent to the Westminster Ponds East area of the Pond Mills Environmentally Significant Area (“ESA”).

The surrounding lands consists of primarily low-density residential uses, mainly in the form of single detached dwellings, as well as institutional uses (a nursing home at 1210 Southdale Road East, and a place of worship directly east of the site at 1214 Southdale Road East). Further to the west, are townhouses and commercial uses, such as fast food and retail at the corner of Adelaide Street South and Southdale Road East, and schools (Sir Wilfrid Laurier Secondary School and Wilton Grove Public School). Other sections of the Pond Mills ESA are located to the north, east, and southeast of the lands.

Site Statistics:

- Current Land Use: Single detached dwelling
- Frontage: 39.6 metres
- Area: 2406 square metres
- Shape: regular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: Yes

Surrounding Land Uses:

- North: Open Space (Pond Mills Environmentally Significant Area)
- East: Low-density residential

- South: Low-density residential
- West: Place of worship (Southdale Bible Chapel)

Existing Planning Information:

- Existing London Plan Place Type: Neighbourhoods, along a Civic Boulevard
- Existing Zoning: Residential R1 (R1-10)

Additional site information and context is provided in Appendix B.



Figure 1- Aerial Photo of 1236 Southdale Road East and surrounding lands



Figure 2 - Streetview of 1236 Southdale Road East (view looking north, October 2022)

2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing two 3.5 storey, 8-unit stacked townhouse buildings, one fronting directly on Southdale Road East, and one behind this first building. Vehicular access to the site is provided by a laneway to the west of the buildings, which leads to a parking area in between the two buildings. An amenity area is proposed to the west of the rear building. The rear portion of the site is proposed to be re-naturalized and zoned to an Open Space Zone. The re-naturalized area would be separated from the residential area by a fence.

The site will be going through the Site Plan Application process, at which time details of the site such as solid waste and snow storage, plantings, and other aspects would be finalized.

The proposed development includes the following features:

- Land use: Residential
- Form: Stacked Townhouses
- Height: 3.5 Storeys (max 14 metres)
- Residential units: 16
- Density: 67 units / hectare
- Building coverage: 25%
- Parking spaces: 18 (surface parking)
- Landscape open space: 35%

Additional information on the development proposal is provided in Appendix B.

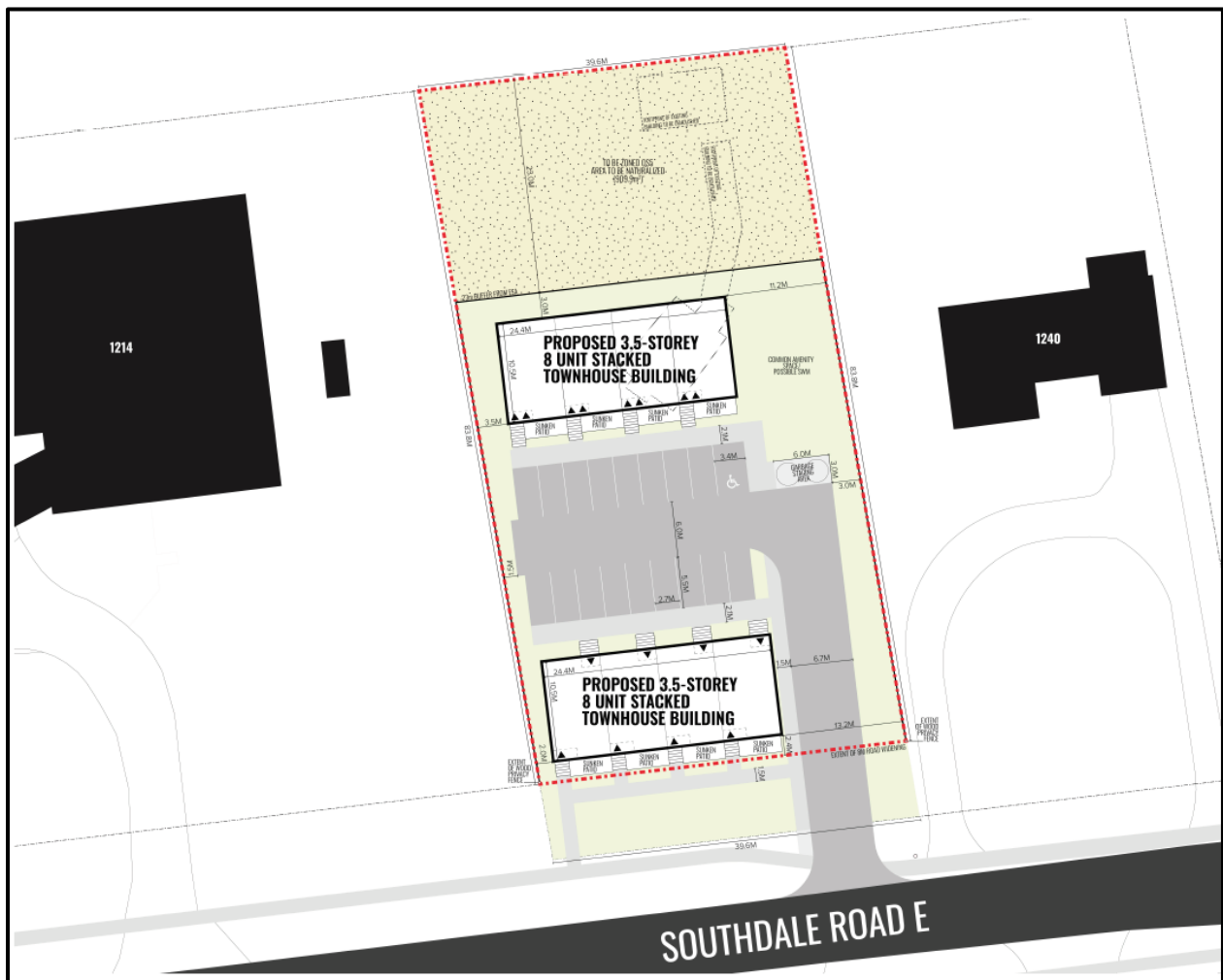


Figure 3 - Conceptual Site Plan (May 2023)



Figure 4 – Massing model, top view looking northeast (May 2023)

Additional plans and drawings of the development proposal are provided in Appendix C.

2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from a Residential R1 (R1-10) Zone to a holding Residential R5 Special Provision (h-17*R5-7(_)) Zone and Open Space (OS5) Zone.

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Regulation (R5-7(_))	Required	Proposed
Minimum front yard setback	8.0m	1.5m
Maximum front yard encroachment	1.2m	0.4m
Minimum interior side yard setback	6.0m	2.0m
Minimum rear yard setback	6.0m	3.0m
Maximum height	12.0m	14.0m
Maximum density	60 units per hectare	67 units per hectare

2.3 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Setbacks and building location;
- Servicing.

Detailed internal and agency comments are included in Appendix D of this report.

2.4 Public Engagement

On August 10, 2023, Notice of Application was sent to 18 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 24, 2023. A “Planning Application” sign was also placed on the site.

There was 1 response received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Density
- Height and privacy
- Ground disturbance for construction
- Lack of parking

Detailed public comments are included in Appendix E of this report.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, *The London Plan*. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of *The London Plan*, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in *The London Plan* analysis below.

As the application for a Zoning By-law amendment complies with *The London Plan*, it is staff's opinion that the application is consistent with the *Planning Act* and the *PPS*.

The London Plan, 2016

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Neighbourhood Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Land Use

The proposed residential use is supported by the policies of the Provincial Policy Statement and contemplated in the Neighbourhoods Place Type in *The London Plan* (TLP 921_). The site is located on a Civic Boulevard (Southdale Road East) which would permit a range of low-rise residential uses including single detached, semi-detached, duplex, triplex, and fourplex dwellings, townhouses, stacked townhouses, and low-rise apartments (Table 10 – Range of Permitted Uses in Neighbourhoods Place Type).

Consistent with *The London Plan*, the recommended stacked townhouse buildings will contribute to the existing range and mix of housing types in the area, currently comprised of single detached dwellings adjacent to the lot and to the south, as well as

the townhouse developments further west along Southdale Road East. The proposed 3.5-storey buildings containing 16 units will provide choice and diversity in housing options for both current and future residents. No new roads are required to service the site. The property has suitable access to open space, community facilities and shopping areas as further detailed in Appendix B of this report. In Staff's opinion the proposed use is considered appropriate given its location on a higher order road and proximity to other similar (townhouse) residential developments.

4.2 Intensity

The proposed intensity is consistent with the policies of the PPS that encourage residential intensification (PPS 1.1.3.3 and 1.4.3), an efficient use of land (PPS 1.1.3.2) and a range and mix of housing options (PPS 1.4.3).

Consistent with the PPS, the recommended amendment facilitates the redevelopment of an underutilized site within a settlement area. The increased intensity of development on the site will make use of existing and planned transit services, nearby recreational opportunities, local and regional institutional uses, and shopping, entertainment and service uses.

The London Plan contemplates residential intensification where appropriately located and provided in a way that is sensitive to and a good fit with existing neighbourhoods (83_, 937_, 939_ 2. and 5., and 953_ 1.). The London Plan directs that intensification may occur in all place types that allow for residential uses (84_). Subject to the City Structure Plan and Residential Intensification policies in the Neighbourhoods Place Type, infill and intensification in a variety of forms will be supported to increase the supply of housing in areas where infrastructure, transit, and other public services are available and accessible (506_). The Plan identifies appropriate locations and promotes opportunities for intensification and redevelopment, to specific areas such as higher order streets.

The London Plan uses height as a measure of intensity in the Neighbourhoods Place Type. A minimum height of 2 storeys and a maximum height of 4 storeys, with an upper maximum height up to 6 storeys, is contemplated within the Neighbourhoods Place Type where a property has frontage on a Civic Boulevard. (Table 11 – Range of Permitted Heights in the Neighbourhoods Place Type). The intensity of development must be appropriate for the size of the lot (953_3.).

The subject lands have frontage on Southdale Road East, a Civic Boulevard, which is a higher-order street, to which higher-intensity uses are directed. The subject site is considered underutilized as it currently contains a single detached dwelling but is of a size and configuration capable of accommodating the proposed development which represents a form of intensification through infill redevelopment. The proposed 3.5 storeys is in keeping with the permissions of The London Plan and is located appropriately on the site limiting potential impacts on the single detached dwelling to the east.

4.3 Form

The proposed built form is street oriented and in conformity with the City Design policies of The London Plan. The front building helps defines the street edge and encourages a street-oriented design with entrances facing the streets. Exact design details will be provided through the Site Plan Approval process.

The parking area is screened from the street, being located between the two buildings on site, and does not extend beyond the building façade. Similar to building form and design details, parking will be further detailed during the Site Plan Approval process.

The following form-based comments raised through the review of the Zoning By-law Amendment application (by the public and internal agencies) can be addressed as part of the subsequent Site Plan Application and are included as recommended considerations to the Site Plan Approval Authority:

- Parking configuration and number of spaces;
- Distancing of sunken amenity space along Southdale Road East and general layout of sunken amenity space;
- Fencing, landscaping, boundary trees.

4.4 Servicing

The main concern relating to the application is the lack of sewage infrastructure accessible to the subject site. While the site has access to municipal water services, it does not have a sanitary sewer fronting it.

For this reason, staff are recommending a holding provision (h-17) to ensure a sanitary sewer is provided before the development of the site occurs.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Residential R1 (R1-10) Zone to a holding Residential R5 Special Provision (h-17*R5-7(_)) Zone and Open Space (OS5) Zone. Staff are recommending approval of the requested Zoning Bylaw amendment with special provisions.

The recommended action is consistent with the PPS 2020, conforms to The London Plan and will permit two, 3.5 storey, 8-unit stacked townhouse buildings.

Prepared by: Noe O'Brien
Planner, Planning Implementation

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

Copy:
Britt O'Hagan, Manager, Current Development
Michael Pease, Manager, Site Plans
Brent Lambert, Manager, Development Engineering

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 1236 Southdale Road East

WHEREAS this rezoning conforms to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 1236 Southdale Road East, as shown on the attached map comprising part of Key Map No. A112 **FROM** a Residential R1 (R1-10) Zone **TO** a holding Residential R5 Special Provision (h-17*R5-7(_)) Zone and Open Space (OS5) Zone.
2. Section Number 9.4 of the R5 Zone is amended by adding the following Special Provisions:

R5-7(_) 1236 Southdale Road East

a. Regulations

i)	Minimum front yard setback	1.5 metres
ii)	Maximum front yard encroachment	Up to 0.4 metres
iii)	Minimum interior side yard setback	2.0 metres
iv)	Minimum rear yard setback	3.0 metres
v)	Maximum height	14.0 metres
vi)	Maximum density	67 units per hectare

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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

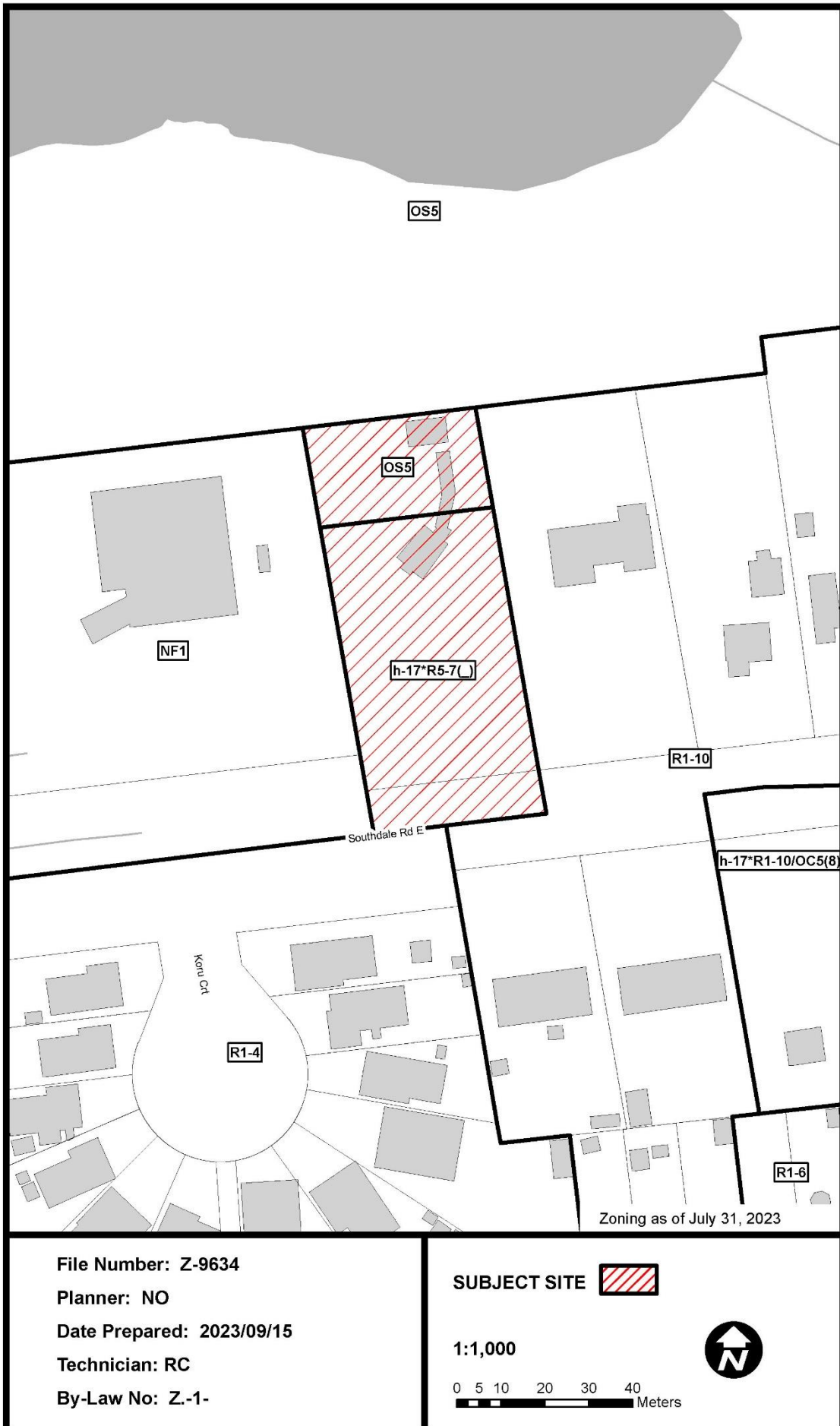
PASSED in Open Council on October 17, 2023

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2023
Second Reading – October 17, 2023
Third Reading – October 17, 2023

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



File Number: Z-9634
Planner: NO
Date Prepared: 2023/09/15
Technician: RC
By-Law No: Z.-1-

SUBJECT SITE 

1:1,000

0 5 10 20 30 40 Meters



Geodatabase

Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Single detached dwelling
Frontage	39.6 m
Area	2406 m ²
Shape	Regular (rectangle)
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

Surrounding Land Uses

North	Open space
East	Low density residential
South	Low density residential
West	Place of worship

Proximity to Nearest Amenities

Major Intersection	Southdale Road East & Pond Mills Road, 120m
Dedicated cycling infrastructure	Southdale Road East, Adjacent
London Transit stop	Southdale Road East & Pond Mills Road, 120m, Route 10
Public open space	Heritage Park, 1.1km
Commercial area/use	Southdale Road East and Adelaide Street South, 1.2km
Food store	Southdale Food Market, 1.2km
Primary school	Wilton Grove Public School, 1.1km
Community/recreation amenity	Heritage Park, 1.1km

B. Planning Information and Request

Current Planning Information

Current Place Type	Neighbourhoods Place Type on a Civic Boulevard
Current Zoning	R1-10

Requested Designation and Zone

Requested Place Type	No change requested
Requested Zoning	R5-7()/OS5

Requested Special Provisions

Regulation (R5-7())	Required	Proposed
Minimum front yard setback	8.0m	1.5m
Maximum front yard encroachment	1.2m	0.4m
Minimum interior side yard setback	6.0m	2.0m
Minimum rear yard setback	6.0m	3.0m
Maximum height	12.0m	14.0m
Maximum density	60 units per hectare	67 units per hectare

C. Development Proposal Summary

Development Overview

The development consists of two 8-unit stacked townhouse buildings. The buildings are proposed to be 3.5 storeys in height, and contain parking to be between the two buildings.

Proposal Statistics

Land use	Residential
Form	Stacked Townhouses
Height	3.5 Storeys (max 14 metres)
Residential units	16
Density	67 units per hectare
Building coverage	25%
Landscape open space	35%
New use being added to the local community	No

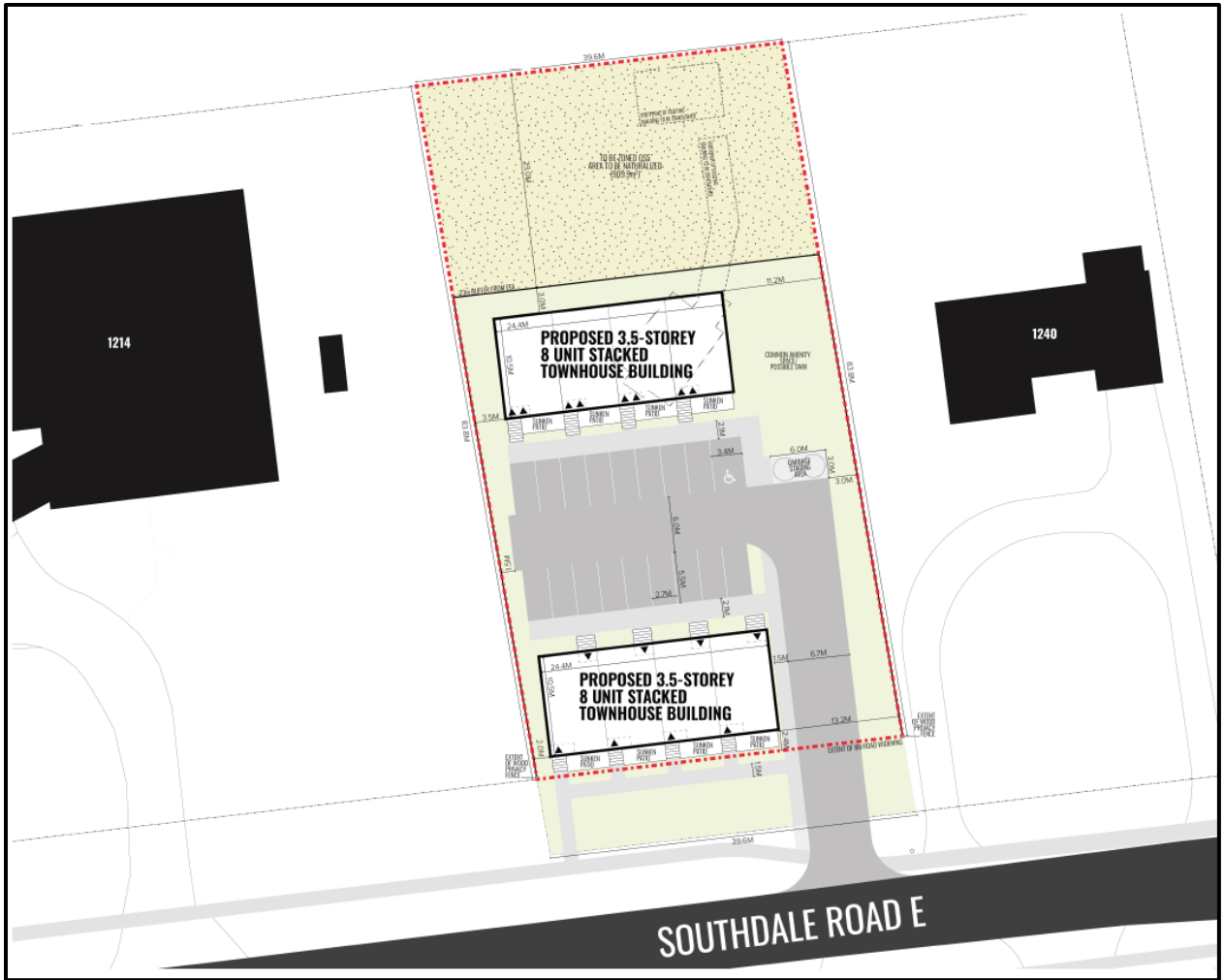
Mobility

Parking spaces	18 surface
Vehicle parking ratio	1.12 spaces per unit
New electric vehicles charging stations	Unknown
Secured bike parking spaces	0
Secured bike parking ratio	N/A
Completes gaps in the public sidewalk	Yes
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	N/A

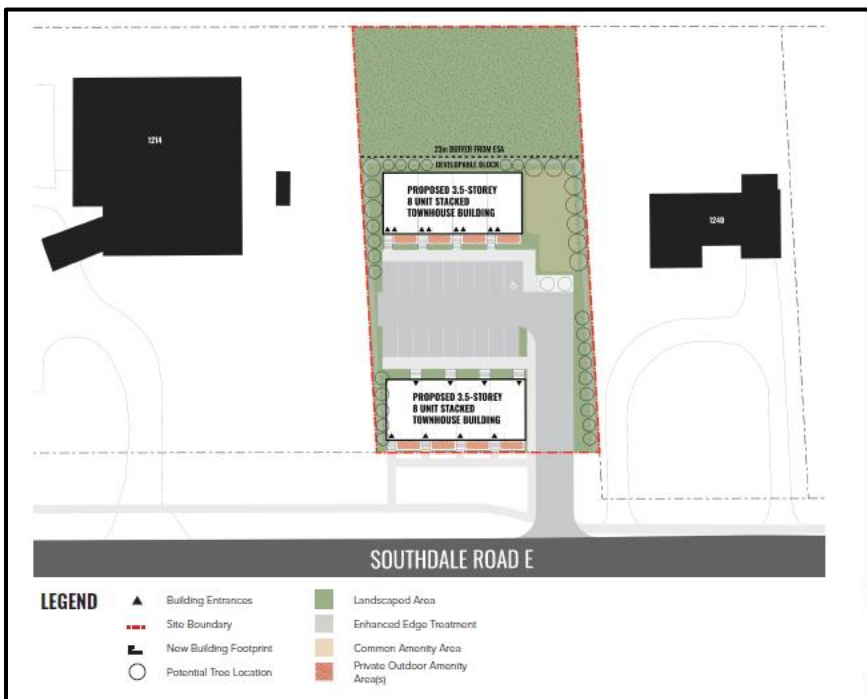
Environmental Impact

Tree removals	12
Tree plantings	N/A (to be determined at Site Plan)
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	Yes
Existing structures repurposed or reused	No
Green building features	Unknown

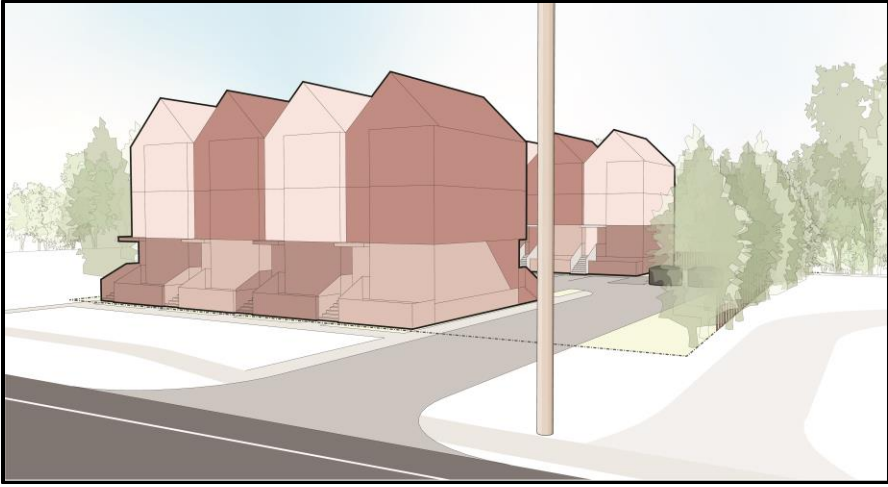
Appendix C – Additional Plans and Drawings



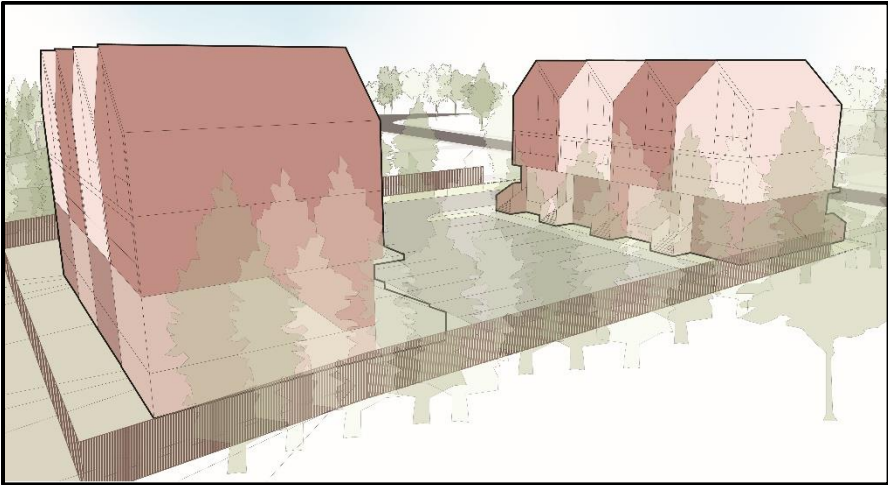
Site Concept Plan



Conceptual Landscape Plan



Massing model looking northwest



Massing model looking southeast

Appendix D – Internal and Agency Comments

Urban Design:

Urban Design is generally supportive of the proposed development, however, would recommend considering the design of the townhouse units fronting Southdale Road East without sunken amenities to avoid safety, privacy and noise issues.

If the Applicant moves forward with the proposed concept, Urban Design has the following comments.

The applicant is commended for providing street-oriented units with shared access to the sidewalk along Southdale Road East and locating parking away from the street. These building and site design features should be carried forward to the site plan application stage

Matters for Zoning

1. Zoning provisions should address the following setbacks along the boundaries of the subject site:
 - **A minimum south (front yard) setback** to allow adequate landscape buffer for the sunken amenity spaces, avoid encroachment of footings and canopies while encouraging street-orientation
 - **A minimum west (interior side yard) setback** to accommodate access and maintenance and allow for a privacy buffer. Refer to The London Plan, Policy 253
 - **A minimum north (rear side yard) setback** to allow for adequate separation and buffer between the development and the OS zone
2. **Below-grade units and sunken amenity areas adjacent to a Civic Boulevard** should ensure that the **Property Standard By-Law Section 4.8.8** is met for minimum natural light transmission requirements for the lower-level units

Matters for Site Plan

3. Urban Design acknowledges the additional walkway connection from the public sidewalk to the west side of the property for providing a direct route for pedestrians leaving and arriving to the west
4. Design the side elevation of the corner units that are facing the driveway and the amenity space with enhanced detail, such as wrap-around porches and a similar number of windows as is found on the front elevation to offer reasonable level of passive surveillance throughout the site. Refer to The London Plan, Policy 228
5. Consider moving the garbage bins away from the view of the public street. Refer to The London Plan, Policy 257
 - If garbage bins cannot be moved to another location, provide all-season landscaping to screen the bins from the street and to provide a visual interest. Refer to The London Plan, Policy 266
6. Provide details for the patio wall/enclosure. Ensure the patio walls/enclosures are of minimum required heights and provide all-season landscape buffers with clear sight lines to delineate the public and private realm along the street frontages and around the internal parking area. This would screen noise and dust while providing a more active frontage.

Site Plan

1. **Matters for OPA/ZBA**
 - If any decks/balconies are proposed at the rear block, these are to be shown on the site plan to determine if any special provisions are required.
 - A special provision is required for the sunken patios as they extend beyond the main building wall. The applicant is to verify this setback.

-

2. Matters for Site Plan

- A 1.5 metre access aisle is required with the barrier-free parking stall in accordance with the Site Plan Control By-law.

CN Rail

CN encourages the municipality to pursue the implementation of the following criteria as conditions of an eventual project approval:

1. The Owner shall engage a consultant to undertake an analysis of noise. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
2. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way:
 - “Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way.”
3. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the noise isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
4. The Owner shall enter into an Agreement with CN stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
5. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

CN anticipates the opportunity to review a Noise study taking into consideration CN development guidelines.

Engineering

Comments to the Re Zoning:

- The future municipal sanitary sewer extension of the 300mm sewer on Southdale Road East will be at no cost to the City.
- An h 17 holding provision is required since there is no sanitary sewer along the frontage of the site.

The following items are to be considered during a future site plan application stage:

Transportation:

- Presently the width from centerline of Southdale Road East at this location is 10.058m as shown on Plan 33R-6353. Therefore an additional widening of 7.942m is required to attain 18m from centerline.
- Detailed comments regarding access design and location will be made through the site plan process.

Sewers:

- There is no municipal sanitary sewer fronting the subject lands.
- As part of a complete application, the applicant will be required to have their consulting engineer submit a sanitary servicing report, which will include how sanitary servicing would be provided.
- Based on City drainage area plans, the ultimate outlet for the site is to the 300mm diameter sewer on Southdale Road East by way of a developer driven extension at no cost to the City.

Water:

- Water is available to the site via municipal 300mm high-level watermain on Southdale Rd E.
- The site is in the City's Pond Mills High Level Area, which has a hydraulic grade line of 335m.
- A water servicing report addressing domestic demands, fire flows, and water quality is required.
- Water servicing for the stacked townhomes shall be in accordance with City Standards.
- Any existing water service is to be abandoned to City Standards.

Stormwater:

Comments for the submitted SWM report:

- Although the site does not contain 29 or more at grade parking spaces, per Case 4 of the PPS (CofL DSRM 6.9) the on-site private stormwater system is required to provide "normal" level water quality (70% TSS removal) as per the MECP guidelines, as there are no downstream quality controls in place.
- SWED recognizes the site conditions may impose constraints on opportunities to achieve the infiltration target as part of water balance objectives. However, SWED would implore the consultant to review and explore opportunities to achieve this requirement, that are in accordance with DSRM 6.2.1.2. (ie. provide perforated subdrain under swales, increase topsoil thickness, etc.) and as recommended in the water balance section of the submitted Stormwater Management Report.
- The consultant is requested to ensure the southeast downspout of the southern proposed building is directed such that it crosses the private sidewalk within the property boundary.
- Given the existing topography of north portion of the site and surrounding area, SWED would recommend robust erosion controls at northern limit of the site, the outfall of the headwall, and major overland flow route, to ensure protection of the ESA. The consultant is encouraged to consider rip rap protection, or other energy dissipation practices, at the outfall(s).
- Construction ESC measures should include but not be limited to robust silt fence, rock check dams, filter socks, etc. These measures shall be identified in the Storm/Drainage Servicing Report. Please see Section 10 of the Design Specifications & Requirements Guideline and the 2019 TRCA ESC Guide for Urban Construction for further detail.

Additional comments for the SPA:

- The site is located within the UTRCA regulated area and therefore the applicant is to engage as early as possible with UTRCA to confirm any requirements, including, but not limited to, approvals, permits, or setbacks required for this site.
- The proposed land use of commercial will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
- As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4), therefore the following design criteria should be implemented:
 - the flow from the site must be discharged at a rate equal to or less than the existing condition flows from the 2 through 100 year return period storms;
 - the discharge flow from the site must not exceed the capacity of the stormwater conveyance system;
 - the design must account the sites unique discharge conditions (velocities and fluvial geomorphological requirements);
 - "normal" level water quality is required (70% TSS removal) as per the MECP guidelines and/or as per the EIS field information; and
 - shall comply with riparian right (common) law.
- The consultant shall provide a servicing report and drawings to present calculations, recommendations and details to address these requirements.
- There are no storm sewers currently established for the proposed site on Southdale Road. As per the Drainage By-Law, section 5.2, where no storm sewer is accessible the applicant shall provide a dry well or storm water retention system which is certified by a Professional Engineer to the satisfaction of the City Engineer.
- Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high groundwater elevation. Please note that the installation of monitoring wells and data loggers may be required to properly evaluate seasonal groundwater fluctuations. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions up to and including 100-year storm events.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site, ensuring that stormwater flows are self-contained and that grading can safely convey up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP (formerly MOECC) standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

Parks

- Parkland dedication for this development is required and will be taken in form of cash-in-lieu in accordance with By-law CP-25.

Heritage

- The archaeological assessment was previously submitted and approved. Archaeological matters on this property have been addressed.

Ecology

Matters for ZBA

1. Include a recommendation to provide all future submission requirements at Site Plan approval stage identified in the EIS. This is including, but not limited to, updated Water Balance, Landscape Plan, updated EMP to include any additional detailed design information, updated Monitoring Plan as discussed below, salt management plan and educational brochure as identified in the EIS.
2. Because proposed buffer is not a consistent width, provide measurements in multiple locations on figure and calculate the average for a more accurate indication of overall buffer width.
3. Identify what the black line labelled as “Development Plan” inside of the buffer is referring to on Map 5 in the EIS.
4. Include a figure with current and proposed zoning.

Matters for Site Plan

5. Include a more detailed EMP and monitoring plan for EIS update submission at site plan approval stage once additional detailed design information is provided. The monitoring plan specifically needs additional details including, but not limited to, % survival of vegetation to trigger adaptive management, specific monitoring protocols to provide quantitative and qualitative data that can be compared (vegetation monitoring plots, photo monitoring stations, etc.), monitoring of encroachment activities and adaptive management recommendations.
6. As noted above, include updated Water Balance, Landscape Plan, EMP, Monitoring Plan, salt management plan and educational brochure.
7. An educational brochure produced by EEPAC (Living with Natural Areas, 2014) has been attached to include in EIS.

Appendix E – Public Engagement

Comment 1:

From: Juanita Drennan < >
Sent: Monday, September 4, 2023 9:52 PM
To: O'Brien, Noe <nobrien@london.ca>
Subject: 1236 Southdale Road E., London

The proposed project for 1236 Southdale Road East. I live [...], and the neighbours that I talked to have similar feelings. These condos do not go with the setting that surround us. Too many units in one place, these properties are all large single family lots.

the destruction of nature, water table, not to mention the full grown trees, is insurmountable.

With 16 units, that's approx, 30 to 50 people living next door. this is a lot of unwanted traffic in my laneway. We all ready get people "speeding around" our circular laneway.

3.5 stories is way too large and awkward and will probably be level or higher than the trees which takes away from privacy and the wild life in those trees.

The ground disturbance worries me due to possible damage to my property and house.

The lowest site on the side where the laneway proposed drains into my property, and would need to be raised and new pavement. This is a lot expense that should not be on me.

2 spare parking spots are not enough and guests will think they can park on my laneway. (They will only be a minute) This is not an uncommon practice. This is a lot of stress and inconvenience to my family and dangerous to my grandchildren who play all over my property.

My pool will be compromised by condo occupiers hopping the fence, again more expense for me and I can not afford your project.

This went from a 4 unit proposal to a 16 unit, this sounds like a greedy concept.

The meeting did not answer enough questions.

Owners or rentals

Septic tanks being disturbed on my side, who fixes that.

tree roots disturbance

time table for neighbourhood disturbance

ravine in the back is regulate (they already cut down 8 trees that needed permits. these are some of the few and tallest trees, full of blue jays, owls, hawks. etc.)

It also lowers mine and all of the property values on this street. It takes what is a quiet street (yes it is busy with car traffic but essentially very quiet) and bring in so much disturbance to not only us humans but also wildlife.

When bringing these concerns to the builders all they can say is, we can go higher, and they do not want to address any of the real concerns. It is also disturbing with how much they really care and just going through the formality. Like already stated they have already disturbed trees without permits.

We understand the city of London feels the need to build homes quickly but compromising neighbourhoods and sticking building where they look out of place does nothing for anyone but the developers and not your residents.

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: Amendment to Increase Additional Residential Unit
Permissions (OZ-9651)
Date: October 3, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the Official Plan and Zoning By-law requirements for additional residential units, the following actions be taken:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 17, 2023 **TO AMEND** the Official Plan, *The London Plan*, to change the maximum permitted Additional Residential Units within single detached dwellings, semi-detached dwellings or street townhouse dwellings **FROM** a maximum of two additional residential units permitted, **TO** a maximum of three additional residential units permitted;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 17, 2023 **TO AMEND** Zoning By-law No. Z.-1, in conformity with the Official Plan, *The London Plan*, as amended in part (a) above.

Executive Summary

Summary of Request

On August 29, 2023 City Council directed Civic Administration to “prepare a zoning by-law amendment that would permit as of right building permits for up to 4 residential units wherever a zone permits singles, semis, or street townhomes.” The direction also included that the amendment be brought to City Council “as soon as permitted by the statutory requirements of the *Planning Act*.” Staff have reviewed Council’s direction and are recommending approval of the requested Official Plan amendment and Zoning By-law amendment to increase the maximum permitted Additional Residential Units from two additional residential units to three additional residential units.

Purpose and the Effect of Recommended Action

The recommended action will increase the total number of residential units permitted as-of-right within a single detached, semi-detached, or street townhouse dwelling from three to four, including the primary dwelling unit and three additional residential units.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020.
2. The recommended amendment conforms to the general intent of *The London Plan*, including but not limited to the Neighbourhoods Place Type, Policy 942; and
3. The recommended amendment support’s Council’s commitment to increase housing supply and affordability.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Housing and Homelessness**, by ensuring London’s growth and development is well-planned and considers use, intensity, and form.

- **Housing and Homelessness**, by supporting faster/streamlined approvals and increasing the supply of housing with a focus on achieving intensification targets.
- **Housing and Homelessness**, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.

Analysis

1.0 Background Information

The recommended Official Plan and Zoning By-law amendments are being presented in support of the City of London’s objectives relating to housing supply and affordability. The recommended amendments follow the August 29, 2023 motion from Council that said:

the Civic Administration BE DIRECTED to prepare a zoning by-law amendment that would permit as of right building permits for up to 4 residential units wherever a zone permits singles, semis, or street townhomes for consideration by Council as soon as permitted by the statutory requirements of The Planning Act

Approval of the amendments would further support the City’s planning approach for residential intensification and more specifically, additional residential units in urban residential areas.

1.1 Previous Reports Related to this Matter

On December 8, 2020 Council approved proposed amendments to *The London Plan* and Zoning By-law Z.-1 regulations (OZ-9176/Additional Residential Unit Review). The amended regulations removed “Secondary Dwelling Units”, introduced “Additional Residential Units”, and permitted up to two additional units on a property containing a single detached, semi-detached, or street townhouse residential dwelling with a maximum of one additional unit in the main dwelling and a maximum of one additional unit in an accessory structure. This amendment was prepared in response to Bill 108, the *More Homes, More Choice Act, 2019*.

On June 6, 2023 Council approved further amendments to *The London Plan* and Zoning By-law Z.-1 regulations (OZ-9581/ Additional Residential Unit Amendments as a Result of More Homes Built Faster Act, 2022 (Bill 23)). The amendments brought the Official Plan and Zoning By-law in compliance with new requirements for additional residential units under the *Planning Act* and reduced some other regulations that limited additional unit development including the maximum floor area, number of units permitted in the main building, and minimum unit size. The maximum number of additional residential units permitted per lot remained at two additional units, permitting a total for three units in association with a single detached, semi-detached, or street townhouse dwelling.

1.2 Planning History

In reaction to the housing supply and affordability crisis in Ontario, the Province has enacted several changes to the *Planning Act* in recent years. New legislation has supported residential development with a goal of increasing the housing supply thereby increasing affordability. In action, the approach has resulted in zoning changes that have increased the number of units permitted as-of-right on individual lots in urban areas.

Bill 108, the *More Homes, More Choice Act, 2019* introduced “Additional Residential Units” replacing the former concept of a “Secondary Dwelling Unit”. Under the new legislation, three residential units were permitted to be built as-of-right on properties containing single detached, semi-detached, or street townhouse residential dwellings, replacing the former allowance of one Secondary Dwelling unit. A maximum of one additional residential unit was permitted within the primary dwelling and a maximum of additional unit in an accessory structure.

Bill 23, the *More Homes Built Faster Act*, 2022 revised requirements for additional residential units and expanded as-of-right permissions for residential lots permitting detached, semi-detached, or street townhouse residential dwellings. In its present state, the *Planning Act* now allows up to three residential units on lots permitting the above-noted housing forms. Three residential units are permitted and may include one residential unit within an accessory structure.

Currently the Official Plan and Zoning By-law Z.-1 conform with the minimum requirements outlined in the *Planning Act* policies relating to as-of-right permissions and additional residential units. *London Plan* Policy 942 indicates:

Additional residential units are permitted as-of-right within single detached dwellings, semi-detached dwellings or street townhouse dwellings where all of the following criteria are met:

1. A maximum of two additional residential units are permitted, which may include a maximum of one additional unit in an accessory structure.

Zoning by-law Z.-1 section 4.37 implements this policy and indicates:

The provisions of this section shall apply to all additional residential units, unless specified by type directly herein.

1) Permitted Zones

Additional residential units shall be permitted within any zone in association with the following uses:

- a. Single detached dwellings
- b. Semi-detached dwellings
- c. Street townhouse dwellings

2) Number of Additional Residential Units per Lot

A maximum of two (2) additional residential units shall be permitted per lot; including a maximum of one (1) additional residential unit in an accessory or ancillary structure.

However, the August 29, 2023 motion from Council and a request from the Minister of Housing, Infrastructure, and Communities of Canada have targeted an increase beyond the as-of-right allowances defined within the *Planning Act*. Increased as-of-right permissions meet the *Planning Act* as the requirements are established as minimum requirements. Section 35.1 says that a zoning by-law may not prohibit three residential units in association with a single detached house, semi-detached house, or rowhouse. It does not include any limits on how many units may be permitted above the minimum.

In addition to amendments outlined within this report, it should be noted that City Staff are currently reviewing policies and regulations related to additional units in duplex, triplex, and fourplex housing forms, which will be addressed in a future report.

2.0 Discussion and Considerations

2.1 Requested Amendments

The recommended amendment would increase the maximum number of additional residential units within single detached dwellings, semi-detached dwellings or street townhouse dwellings from two additional residential units to three additional residential units in *The London Plan*.

The recommended amendment to the Zoning By-law Z.-1, Section 4.37 would conform with the above-noted amendment to *The London Plan* and permit three additional residential units within single detached dwellings, semi-detached dwellings or street townhouse dwellings.

2.2 Internal and Agency Comments and Public Engagement

No comments have been received in response to the amendment at the time of writing this report; however, this is likely due to the compressed timeline related to this

amendment and Council's direction to advance the report for Council's consideration as soon as permitted by the statutory requirements of the *Planning Act*. Should any issues be raised, they will be provided ahead of or at the Planning & Environment Committee meeting.

2.3 Policy Context

Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*. The *PPS* provides for and supports intensification under Part IV:

Planning authorities are encouraged to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs.

Policies in Sections 1.1 (Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns) and 1.4 (Housing) state that a significant supply and mix of residential housing types shall be accommodated, and residential intensification (e.g., additional residential units) shall be supported, where appropriate.

Supportive statements relating to additional residential units and intensification targets are included in the following policies:

Healthy, liveable and safe communities are sustained by accommodating an appropriate range and mix of residential types (including additional residential units) (Policy 1.1.1.b)

Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. (Policy 1.1.3.4)

Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas. (Policy 1.1.3.5)

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by permitting and facilitating all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3. (Policy 1.4.3b)

Based on the above noted policies, the amendments are consistent with the *Provincial Policy Statement (2020)*.

The Planning Act

Section 2 of the *Planning Act* defines matters of provincial interests that all approval authorities shall have regard to in carrying out their planning responsibilities. Of relevant note is "the adequate provision of a full range of housing, including affordable housing" (Subsection 2(j)). Given that the recommended amendments would support the creation of additional residential units, which is the specifically outlined within Council's August 29, 2023 motion related to addressing the housing crisis, the amendments align with this provision.

The London Plan, 2016

Policies 937 and 938 underscore residential intensification as fundamentally important to key directions within the *London Plan* and provide rationale for intensification throughout neighbourhoods. Policy 939 identifies additional residential units as an important planning opportunity for “purposeful, sensitive and compatible intensification” and defines additional residential units as a “very light and discreet form of intensification”. Policies 941-942 include the current requirements for additional residential unit policies. The current policies were most recently revised based on changes made by Bill 23, the *More Homes Built Faster Act, 2022*. As noted in the recommended amendment, Policy 942 will be revised to increase the allowable number of additional units on a property.

The purpose of the recommended amendment is further support for planning policy which creates affordable housing and increases housing mix and supply. The recommended amendment to *The London Plan* is consistent with provincial policy and direction provided by Council.

Zoning By-law No. Z-1

Section 4.37 of the Zoning By-law outlines current provisions for additional residential units. The current regulations include the following:

- 1) Additional residential units shall be permitted within any zone in association with the following uses:
 - a. Single detached dwellings
 - b. Semi-detached dwellings
 - c. Street townhouse dwellings
- 2) A maximum of two (2) additional residential units shall be permitted per lot; including a maximum of one (1) additional residential unit in an accessory or ancillary structure.
- 3) An additional residential unit shall not be permitted on a separate lot from the primary dwelling unit that it is accessory to.

The purpose of the recommended amendment is to conform with the recommended Official Plan amendment. As such, the amendment is consistent with the *London Plan* and the City of London’s affordable housing policies.

Conclusion

Amendments to the Official Plan and Zoning By-law Z.-1 are required to fulfill the August 29, 2023 Council motion which directed City Staff to amend City planning policies to permit as-of-right building permits for up to 4 residential units wherever a zone permits singles, semis, or street townhomes. The recommended amendments will update the City of London’s Additional Residential Unit policies and regulations to permit 3 additional residential units in addition to a primary residential unit in order to meet the intent the abovementioned motion. Approval of the recommendations will ensure further support for the City of London’s housing and affordability objectives.

Prepared by: Brandon Coveney
Planner, Long Range Planning

Reviewed by: Justin Adema, MCIP, RPP
Manager, Long Range Planning

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

Appendix A – Official Plan Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. C.P.-XXXX-

A by-law to amend The London Plan, the
Official Plan for the City of London, 2016
relating to Policy 942

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan, the Official Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) or 17(27.1) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on October 17, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2023
Second Reading – October 17, 2023
Third Reading – October 17, 2023

AMENDMENT NO.
to the
OFFICIAL PLAN, THE LONDON PLAN, FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to update The London Plan, the Official Plan for the City of London to revise additional residential unit policies to increase the maximum number of additional residential units permitted.

B. LOCATION OF THIS AMENDMENT

This Amendment is a text amendment, which applies to all lands within the City of London.

C. BASIS OF THE AMENDMENT

The amendment would permit a maximum of three additional residential units within single detached dwellings, semi-detached dwellings or street townhouse dwellings.

D. THE AMENDMENT

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

- 1) Criteria 1 of Policy 942 with regard to maximum permitted additional residential units is revised and replaced with the policy below:
 1. A maximum of three additional residential units are permitted, which may include a maximum of one additional unit in an accessory structure.

Appendix B – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to
adjust Section 4.37, Provision 2

WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Section 4.37.2 (Additional Residential Units) is amended by revising the existing regulation and replacing it with the following:

2. Number of Additional Residential Units per Lot

- A maximum of three (3) additional residential units shall be permitted per lot; including a maximum of one (1) additional residential units in an accessory or ancillary structure.

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

PASSED in Open Council on October 17, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2023
Second Reading – October 17, 2023
Third Reading – October 17, 2023

Appendix C – Recommended London Plan and Zoning By-law Amendments with Tracked Changes

Within this appendix underlined text indicates new wording to be added and strikethrough text indicates existing wording to be deleted. Bold text indicates an existing heading.

Official Plan (The London Plan) Amendments

ADDITIONAL RESIDENTIAL UNITS

942_ Additional residential units are permitted as-of-right within single detached dwellings, semi-detached dwellings or street townhouse dwellings where all of the following criteria are met:

1. A maximum of ~~two~~ three additional residential units are permitted, which may include a maximum of one additional unit in an accessory structure.

Zoning By-law Amendment

4.37 ADDITIONAL RESIDENTIAL UNITS

The provisions of this section shall apply to all additional residential units, unless specified by type directly herein.

1) Permitted Zones

Additional residential units shall be permitted within any zone in association with the following uses:

- a. Single detached dwellings
- b. Semi-detached dwellings
- c. Street townhouse dwelling

2) Number of Additional Residential Units per Lot

A maximum of ~~two (2)~~ three (3) additional residential units shall be permitted per lot; including a maximum of one (1) additional residential unit in an accessory or ancillary structure.



Reply Sheet for City of London Applications to be Reviewed by London Hydro Engineering

Date: September 6, 2023
 To: City of London Planning Division – Room 609
 Attn: Brandon Coveney

RE: **Address:** City-Wide
 Applicant: Corporation of the City of London
 File/Ref #: OZ-9651

London Hydro Response:

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.	<input type="checkbox"/>
This site is presently serviced by London Hydro. Contact the Engineering Dept. if a service upgrade is required to facilitate the new building. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory. Note: Transformation lead times are minimum 16 weeks. Contact the Engineering Dept. to confirm requirements & availability.	<input type="checkbox"/>
Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.	<input type="checkbox"/>
London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.	<input checked="" type="checkbox"/>
London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.	<input type="checkbox"/>

Signed: 
 Hans Schreff
 Manager - Developer & Operations Support,
 Engineering & Operations Administration Dept.
 519-661-5800 ext. 5014

Committee of Adjustment Notice of Application Site Plan Consultation Site Plan Application



"Inspiring a Healthy Environment"

September 15, 2023

City of London – Planning Services
P.O. Box 5035
London, Ontario N6A 4L9

Attention: Brandon Coveney (via e-mail)

**Re: Application to Amend the Official Plan and Zoning By-law File No. OZ-9651
Increasing the Number of Additional Residential Units
Applicant: The Corporation of the City of London**

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies within the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006), Section 28 of the Conservation Authorities Act, the Planning Act, the Provincial Policy Statement (2020), and the Upper Thames River Source Protection Area Assessment Report.

BACKGROUND AND PROPOSAL

As a result of changes to the *Planning Act* in 2020, the City of London was required to previously update both its' Official Plan and Zoning By-law to be consistent with the Additional Residential Unit (ARU) policies of the Province. The UTRCA was consulted on the proposed changes and provided comments at that time (OZ-9176). Upon approval of the previous application, the City currently has policy in place which permits a maximum of two (2) additional residential units per lot; including a maximum of one (1) additional residential unit in an accessory/ancillary structure.

As a result of recently modified Provincial policy, the City is proposing another Municipal-wide amendment to further support objectives related to housing supply and affordability. Council has directed City Staff to prepare these amendments to permit up to four (4) residential units wherever a zone permits single detached, semi-detached, or street townhouse dwelling. This Council directive requires that the Official Plan and Zoning By-law permit three (3) additional residential units on a property containing any of the abovementioned housing types, with one (1) of those units permitted within an accessory/ancillary structure.

The proposed amendments include:

- Amending policy 942 #1 of *The London Plan* to:
 - Modify language to increase the number of additional residential units permitted to three (3) units per lot.
- Amending Section 4.37.2 of *Zoning By-law Z.-1* to:
 - Modify language to increase the number of additional residential units permitted to three (3) units per lot, including a maximum of (1) additional residential unit within an accessory or ancillary structure.

CONSERVATION AUTHORITIES ACT - Section 28 Regulations - Ontario Regulation 157/06

Numerous properties within the City of London **are** regulated by the UTRCA in accordance with Ontario Regulation 157/06 made pursuant to Section 28 of the *Conservation Authorities Act*.

The UTRCA has jurisdiction over lands within the regulated area and may require that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland. Further, the *Conservation Authorities Act* provides a definition of “*development*” which means:

- (a) *the construction, reconstruction, erection or placing of a building or structure of any kind,*
- (b) *any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or **increasing the number of dwelling units** in the building or structure,*
- (c) *site grading, or*
- (d) *the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere;*

DRINKING WATER SOURCE PROTECTION – Clean Water Act

For policies, mapping and further information pertaining to drinking water source protection; please refer to the approved Source Protection Plan at:

<https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

COMMENTS AND RECOMMENDATION

The UTRCA has reviewed the City of London’s proposed amendments in comparison to the existing policies of the London Plan and provisions of the Zoning By-law Z.-1. While we have **no objections** to the amendments as proposed, we offer the following comments/recommendations:

1. Policy 942 #4 provides a value for maximum gross floor area of an additional residential unit. Please clarify how the proposed changes will be implemented into this policy for accessory dwelling units.
2. Policy 942 #12 states the new additional residential units shall not be located in a floodplain as regulated by the conservation area having jurisdiction for that area, unless permitted through a special policy area as described in the Natural and Human Made Hazards policies. Please ensure the policy addresses no additional dwelling units within the flood plain or other natural hazard lands. This should include the conversion of an existing accessory structure into a dwelling unit.
3. Policy 949 advises that site plan approval is not required for additional residential units within existing structures and converted dwellings. Please refer to comment #2 and clarify how this policy will be changed to address existing accessory structure conversions. Furthermore, please ensure that UTRCA regulatory requirements are met through the building permit review for property located within natural hazard lands.
4. Section 4.37 of Z.-1 outlines regulations for Additional Residential Units. Please ensure this section does not permit additional residential units within natural hazard lands of existing and new buildings/structures as this is not currently specified.
5. It is important to note that properties affected by natural hazards may not necessarily be zoned to reflect the natural hazard and it is therefore not sufficient to rely on the residential zoning as a test for allowing additional residential units as-of-right.

The UTRCA and the City of London have policies in place to limit intensification in specific areas and it will be necessary to incorporate appropriate provisions in the Additional Residential Units policies to ensure that

these policies are not contrary to existing policies and that they are consistent with Provincial, UTRCA and City natural hazards policies.

Once available, the UTRCA would appreciate an opportunity to review the wording of the proposed changes.

Thank you for the opportunity to comment.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY

A handwritten signature in black ink, reading "Aisling Laverty". The signature is written in a cursive, flowing style.

Aisling Laverty
Land Use Planner I

c.c.: Mike Corby, City of London
 Christine Creighton, UTRCA
 Stefanie Pratt, UTRCA

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Subject: 50 King Street London Limited (c/o York Developments)
50 King Street & 399 Ridout Street North
OZ-9622: Ward 13

Date: October 3, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 50 King Street London Limited relating to the property located at 50 King Street & 399 Ridout Street North:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on October 17, 2023 to amend the Official Plan, The London Plan, to create a specific area policy in the Downtown Place Type at 50 King Street & 399 Ridout Street to permit increased height of fifty three (53) storeys and by **ADDING** the subject lands to Map 7 – Specific Policy Areas – of The London Plan;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on October 17, 2023 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, as amended in part (a) above, to change the zoning of the subject property **FROM** a Community Facility/Downtown Area (CF1/DA2*D350*H15) Zone; and a holding Downtown Area Bonus (h-3*h-5*h-18*h-149*h-207*DA1*D350*H15*B-36) Zone, **TO** a holding Downtown Area Special Provision (h-5*h-18*h-103*h-149*h-207*h-(_) *DA2() *D1250*H186) Zone; an Open Space (OS4) Zone and an Open Space Special Provision (OS2()) Zone;
- (c) The Site Plan Approval Authority **BE REQUESTED** to consider the following matters through the site plan process:
 - i) Provide a publicly-accessible, barrier-free path of travel from Ridout Street North to the Thames Valley Parkway and Ivey Park;
 - ii) Provide building entrances from the residential lobbies to King Street;
 - iii) Provide a minimum transparent glazing on the ground floor of 25% on abutting King Street for Tower 2, a minimum of 40% abutting King Street for Tower 1, and a minimum of 60% abutting Ridout Street North for Tower 1;
 - iv) Utilize visual markers, etched or stained glass to provide bird-friendly glazing;
 - v) Implement mitigation measures recommended from the wind study to minimize the impacts of wind on outdoor amenity areas and pedestrian areas;
 - vi) Provide a minimum 1.0m setback of the podium above the third floor for Tower 1: adjacent to the existing courthouse, along Ridout Street North, and

- along King Street;
- vii) Provide a Building Condition Assessment and Strategic Conservation Plan;
- viii) Implement construction monitoring for archaeological resources;
- ix) Provide and implement a Temporary Protection Plan prior to and during construction, to evaluate impacts on the existing heritage buildings;
- x) Provide a Commemoration Plan to recognize the historic significance of the site through cultural heritage interpretative signage, features, and other design elements.
- xi) Provide parking underground and ensure there are no blank walls associated with the parking structure;
- xii) Provide landscaped terracing towards and along Ivey Park that addresses the change in grade and provides for active uses;

IT BEING NOTED, that the above noted amendment is being recommended for the following reasons:

- i) The recommended amendment is consistent with the PPS 2020;
- ii) The recommended amendment conforms to The London Plan, including, but not limited to the Key Direction, Downtown Place Type and Criteria for Specific Policies; and
- iii) The recommended amendment facilitates the development of a prominent site within the Downtown, Built Area Boundary and Primary Transit Area

(d) Pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the recommended by-law.

Executive Summary

Summary of Request

The applicant has requested an amendment to The London Plan to add a Specific Policy Area to the Downtown Place Type. The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Community Facility/Downtown Area (CF1/DA2*D350*H15) Zone; and a holding Downtown Area Bonus (h-3*h-5*h-18*h-149*h-207*DA1*D350*H15*B-36) Zone to a holding Downtown Area Special Provision (h-5*h-18*h-103*h-149*h-207*h-()*DA2()*D1250*H186) Zone; an Open Space (OS4) Zone and an Open Space Special Provision (OS2()) Zone.

Staff are recommending approval of the requested London Plan amendment and Zoning Bylaw amendment with special provisions which will facilitate the development of a mixed-use building with two towers. Holding provisions are recommended that will ensure the development will not occur until such time as matters are satisfied relating to: a public site plan meeting, archaeological potential, the implementation of site plan direction, servicing, and heritage. A portion of the City-owned lands to the west are currently within the Downtown Area zone and are proposed to be zoned as Open Space to reflect the use and municipal ownership.

Purpose and the Effect of Recommended Action

The recommended action will permit a mixed-use development with two apartment towers of 43 storeys and 53 storeys, with 13,875 square metres of gross floor area of

commercial, office and retail space.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

All Development:

- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
- **Wellbeing and Safety**, by improving wayfinding and walkability
- **Economic Growth, Culture, and Prosperity** by increasing residential occupancy and livability in the Core Area; increasing commercial occupancy in the Core Area; increasing and diversifying economic activity in London's Core Area.
- **Climate Action and Sustainable Growth** by ensuring infrastructure is built, maintained, and secured to support future growth and protect the environment.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Z-8372: Zoning By-law Amendment to redevelop the subject site at 50 King Street with a 28-storey mixed-use development.

1.2 Planning History

The subject site was previously owned by the County of Middlesex (the County) and known historically as the 'Courthouse Block'. The site is comprised of the existing historic Courthouse and Gaol which were used for administrative offices and surface parking near Ivey Park. The Middlesex London Health unit building was previously located at 50 King and was demolished in 2022. A consent to sever the parcel at 50 King Street was approved through application B.012/14.

An application was received in June of 2014 as Z-8372 to allow for a maximum density of 900 units per hectare and a maximum building height of 110 metres. On October 14, 2014, Council considered a report from Planning Staff that recommended approval of a Zoning By-law amendment which would provide for a maximum density of 750 units per hectare and a maximum height of 95 metres and referred the matter back to staff for additional consideration. An additional report and public participation meeting was held on December 14, 2015 to permit a 28 storey building with 750 units per hectare. Municipal Council approved the amendment in December, 2015 which included a bonus zone. An appeal was made to the Ontario Municipal Board (now Ontario Land Tribunal) followed, which was subsequently withdrawn before a hearing took place.

1.3 Property Description and Location

The subject lands are located at the northwest corner of King Street and Ridout Street North, bounded by Dundas Street to the north and the Thames River to the west. The extent of the proposed amendment is comprised of the entirety of 50 King Street and the southwestern portion of 399 Ridout Street North. There are a mix of uses within the surrounding area including: residential, commercial, office, retail, service, government, recreational, parks, entertainment and cultural facilities. The lands slope downward toward the Thames River along the western boundary of the proposed development site.

The subject lands are designated under Part V of the Ontario Heritage Act as part of the Downtown Heritage Conservation District. The Middlesex County Courthouse and Gaol located along Dundas Street are a National Historic Site, individually designated under Part IV of the Ontario Heritage Act and have a heritage easement.

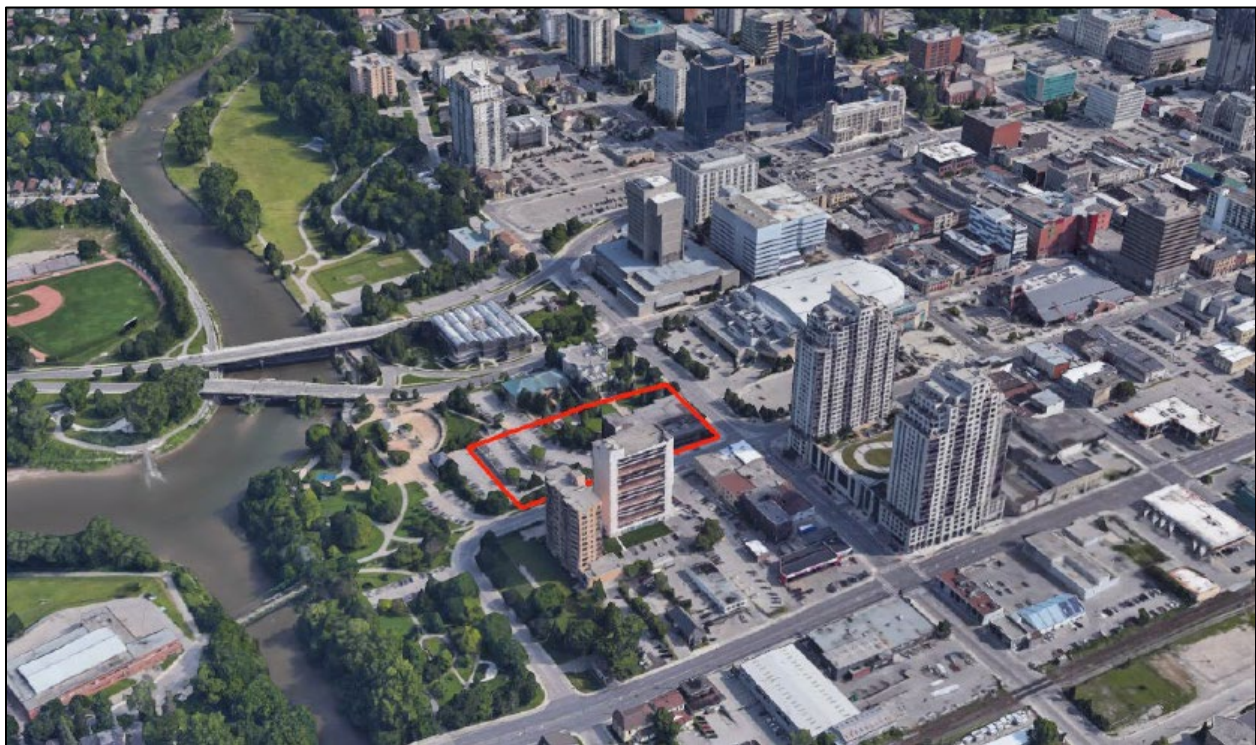


Image 3: Subject Site and Surrounding Area

Site Statistics:

- Current Land Use: Public Use & Offices
- Frontage: 61.8m (202 ft) Ridout Street North
- Depth: 132.6m (435 ft)
- Area: 8,015 square metres (0.8ha)
- Shape: Rectangular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: Yes

Surrounding Land Uses:

- North: Middlesex County Courthouse and Gaol
- East: Arena – Budweiser Gardens
- South: Office and high-rise residential
- West: Ivey Park and the Thames Valley Park

Existing Planning Information:

- Existing London Plan Place Type: Downtown
- Existing Special Policies: None
- Existing Zoning: Community Facility/Downtown Area (CF1/DA2*D350*H15) Zone; and a holding Downtown Area Bonus (h-3*h-5*h-18*h-149*h-207*DA1*D350*H15*B-36) Zone

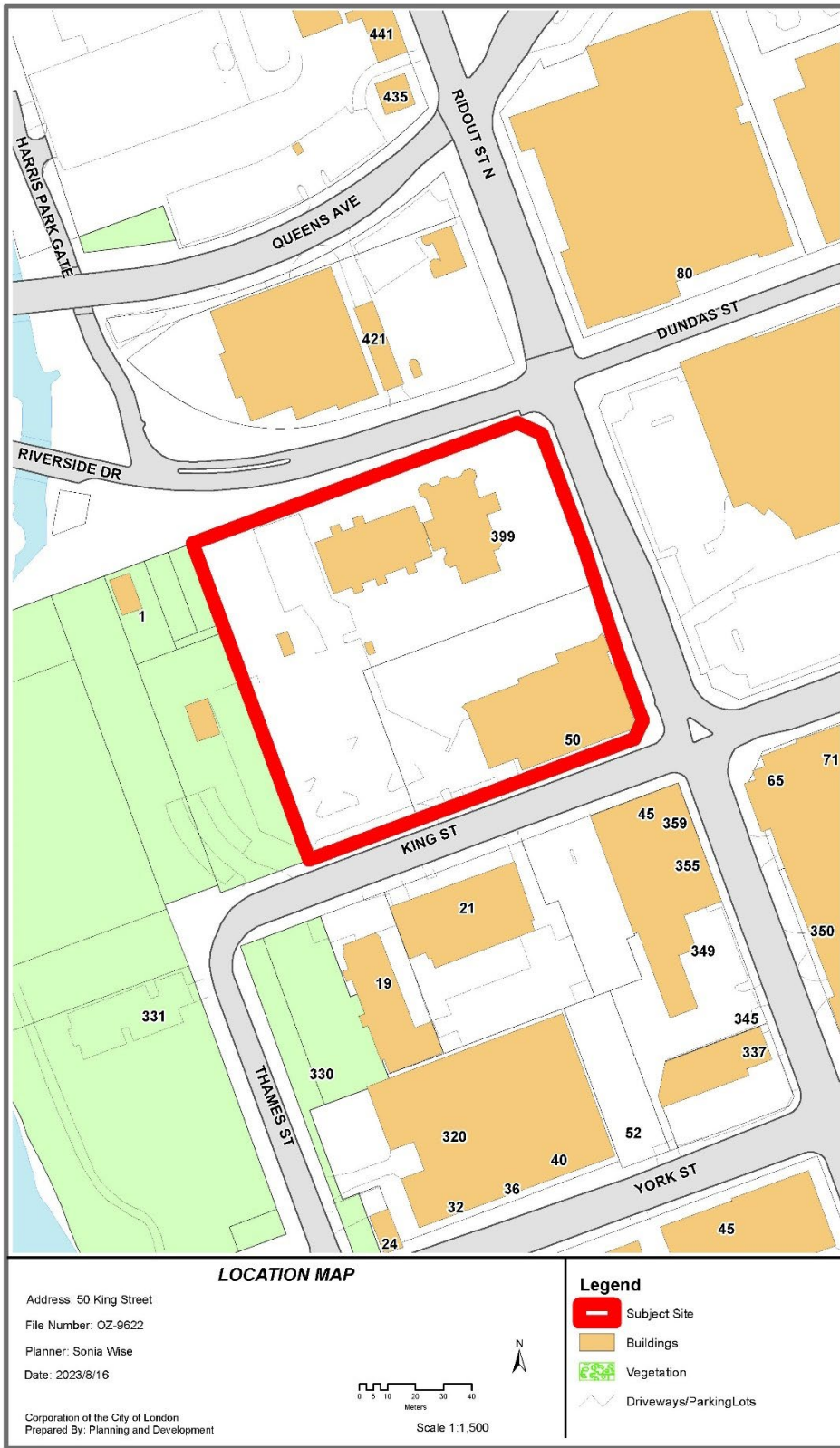


Image 4: Left: View from Dundas & Ridout; Right: View from King and Ridout



Image 5: Left: View from Dundas Ivey Park; Right: View from Ivey Park

Location Map:



Additional site information and context is provided in Appendix “C”.

2.0 Discussion and Considerations

2.1 Development Proposal

The proposal is for a mixed-use building with residential and commercial uses, while retaining the existing courthouse and gaol. Two high-rise towers containing 800 units include heights of 53 storeys (Tower 1) located at King Street and Ridout Street North and 43 storeys (Tower 2) located along King Street towards Ivey Park. A shared podium connects the two towers which is 3-4 storeys in height and contains 2,865 square metres of retail space at grade, and 10,920 square metres of office space on levels 2-4.

Structured parking containing 550 vehicle stalls is proposed beneath the podium and plaza area and accessed from King Street. A loading area and paratransit vehicle drop-off area is proposed from Ridout Street North exiting to King Street.

Outdoor amenity space includes a plaza with landscape areas and a lookout feature to the north of the building, and rooftop terraces proposed for both towers. Indoor amenity space would also be provided within the building for the residents.

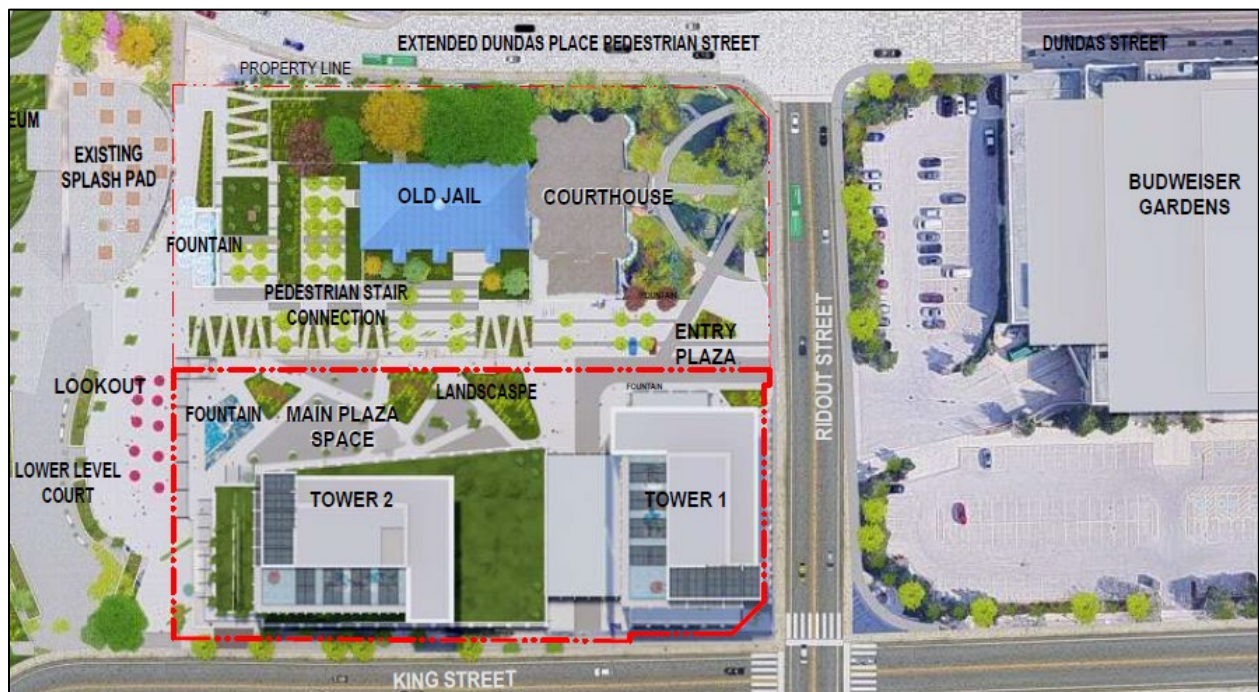


Image 6: Conceptual Site Plan

The proposed development includes the following features:

- Land use: residential, retail, office, commercial
- Form: Mixed-use
- Height: 53 storeys (186m)
- Residential units: 800
- Density: 1250 units / hectare
- Gross floor area: 13,785 square metres of commercial, retail and office gross floor area
- Building coverage: 39%
- Parking spaces: 550 parking spaces
- Bicycle parking spaces: 300 long-term spaces, 50 short-term spaces

- Landscape open space: 48%
- Functional amenity space: 7,600m²



Image 7: Conceptual Rendering

2.2 Requested Amendments

The applicant has requested to add a Specific Policy to the Downtown Place Type in The London Plan, and to Map 7: Specific Policy Areas, to facilitate the increased height in the above noted development proposal.

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from a Community Facility/Downtown Area (CF1/DA2*D350*H15) Zone; and a holding Downtown Area Bonus (h-3*h-5*h-18*h-149*h-207*DA1*D350*H15*B-36) Zone to a holding Downtown Area Special Provision (h-5*h-18*h-103*h-149*h-207*h-()*DA2()*D1250*H186) Zone.

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Regulation (DA2) Zone	Required	Proposed
Height	90m	53 storeys (186m)
Density	Determined through a ZBA	1250 units per hectare
Retail GFA	Lesser of 20% GFA or 5,000sqm	5,000 sqm
Tower Floorplate GFA	NA	1,000sqm maximum
Setback for Residential Component	1.2m per 3m of main building height or a fraction thereof above 15m	0m

Regulation (DA2) Zone	Required	Proposed
Front and Exterior Yard Depth for Ground Floor	0m	1.0m
Ground Floor Height	NA	4.5m minimum for tower 1
Podium Height	NA	20.5m maximum for tower 1
Stepback for Tower from Podium	NA	5m minimum for 75% of tower along King, Ridout and for tower 1 adjacent to courthouse
Distance between towers	NA	25.0m minimum
Distance from existing buildings	NA	12.0m minimum
Location of Vehicle Parking	NA	Prohibited on ground floor or above
Location of retail space	Restricted to 1 st or 2 nd floor	No restriction on location

2.3 Internal and Agency Comments

The application and associated materials were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Urban Design: Holding provision to implement desirable design outcomes as identified in the direction to the Site Plan Approval Authority. Various zoning regulations will implement the development as proposed.
- Heritage: Holding provisions will address archaeological, heritage and design matters. Additional details will be provided through the site plan review and Heritage Alteration Permit review processes.
- Parks: Interface with Ivey Park supported in principle subject to detailed design, agreements and plans at a future development review phase
- Engineering: Holding provisions to address servicing constraints in the downtown and ensure the Core Area Servicing Strategy is complete.
- Ecology: No further comments
- Landscape Architect: No further comments for OPA/ZBA, additional review will occur at the time of site plan
- UTRCA: rezone floodplain lands as OS4 to reflect hazard lands.

Detailed internal and agency comments are included in Appendix “D” of this report.

2.4 Public Engagement

On June 14, 2023, Notice of Application was sent to 654 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 15, 2023. Three ‘Planning Application’ signs were also placed on the site. There were 37 responses received during the public consultation period in response to the circulation.

A Neighbourhood Open House was held by the applicant on July 31, 2023 at the subject site to provide information and receive comments from the public. Approximately 13 comments cards were provided from members of the public that attended.

Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

A Summary of comments that were received throughout the application review from the public relate to:

Concerns for:

Affordable Housing: Provide affordable housing x3

Heritage: Negative impacts on heritage buildings x3, does not conform to heritage district x1, violates designation x1, heritage site is crown jewel of London x1, consider reconciliation for indigenous communities x1,

Intensity, Height and Form: No more than 42 storeys x1; Locate tower elsewhere x1; Loss of views x5; Loss of sunlight/impact of shadows x8; Wind Shear x2; Provide greater than 0m setback x1; Insufficient Market Demand for units x2; Development proposal could change x1, not aligned with architectural character x1, out of proportion x2, density is too great x1, increase housing styles x1, provide family-sized units x1,

Land Use: Should be a public park instead x1; Not enough demand for existing retail x2; Need a grocery store downtown x4; What will be open to the public x1, develop on parking lots instead x1, preference for retail in lower levels x1,

Policy: Does not conform to current policies x5; Build what was approved in 2015 x3

Servicing: Stormwater and high groundwater x3; Inadequate sewage x2; Negative impacts on servicing x4

Thames River: Impacts to achieving Back to the River x3; Reduced access to river x5, development should vitalize the Forks x1, too close to the river x2,

Transportation and Parking: Provide minimum bicycle parking x2; Increased traffic congestion x7; Insufficient vehicle parking x5; Provide wider sidewalks x1

Other: Construction nuisance x2; Build on vacant lots instead x2, negative impacts on wildlife x1, impacts views of bud gardens x1, fire fighting in tall buildings x1, landscape style of triangles is not favourable x1, design with walkability, x1,

Support For:

Investment in the downtown x2, economic opportunity for London x1

Detailed public comments are included in Appendix "E" of this report.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*. The proposed development is consistent with the *PPS, 2020* as it enhances the vitality and viability of the downtown for long-term economic prosperity (1.7.1). The proposed development will contribute to revitalization efforts in the downtown by introducing new residents and employees on an under-utilized site.

The *PPS* promotes well-designed built form and cultural planning by conserving built heritage resources (1.7.1.e). The proposed development has a refined design that responds to the site context and conserves the important heritage resources of the gaol and courthouse. Integrating land use planning, growth management and transit-supportive development is supported to optimize transit investments and provide cost-effective development patterns (1.1.1.e). The site is located within the Downtown Area which has the highest service of transit as well as being located directly on the rapid transit route along Ridout Street and King Street.

The London Plan, 2016

The London Plan contains key directions to provide a foundation of the plan and a clear path forward. The development achieves a number of key directions including *#1-Plan Strategically for a Prosperous City* by improving the Downtown, *#3 – Celebrate London as a Culturally Rich, Creative and Diverse City* by protecting built and cultural heritage; *#5 Build a Mixed-use Compact City* by looking inward and upward to achieve a compact pattern of growth; and *#6 Place a New Emphasis on Creating Attractive Mobility Choices* by linking land use and transportation planning.

The site is within the Downtown Area Place Type which is envisioned as the highest-order, mixed-use centre for the City. A broad range of uses are permitted with heights contemplated up to 35 storeys. A specific policy is requested to permit greater heights up to 53 storeys.

Additional Applicable Documents

The following applicable documents have been reviewed in their entirety and it is staff's opinion that the proposed Official Plan and Zoning Bylaw amendments are consistent with them. The following are key policies that relate to this proposal.

Core Area Action Plan, 2019: Includes the Business Improvement Areas (BIAs) of the Downtown, Richmond Row and Old East Village. The Core Area Action Plan was developed to address challenges common in the inner core.

Our Move Forward – London's Downtown Plan, 2015: Establishes a vision for the Downtown and charts a path forward to continue revitalization through strategic projects.

Draft Downtown Design Manual, 2015: guides development of both public and private development projects in the Downtown. The manual provides design guidance to implements Our Move Forward: London's Downtown Plan.

Downtown Community Improvement Plan (CIP): Provides the context for coordinated municipal efforts to improve the physical, economic and social climates of the Downtown.

Downtown London Heritage Conservation District: recognizes and supports the strong desire to protect and manage the historical and heritage resources within the Downtown. The site is within the Institutional and Public Realm Landscape that recognizes the Middlesex County Courthouse as the most historic open space in the Downtown.

Thames Valley Corridor Plan: The Thames Valley Corridor Plan serves as a guideline document to inform the Official Plan and other regulatory documents in the management of the valley lands. Key strategies for Urban Nodes include: create a positive relationship with the Thames River; promote design excellence and promote visual and physical access to the Thames River.

3.0 Financial Impact/Considerations

None

4.0 Key Issues and Considerations

4.1 Land Use

The Downtown Place Type is intended to be the most diverse part of the City, with the widest variety of residential, commercial, retail, office, recreational and institutional uses. The proposed development provides a range of residential, office, commercial and retail uses that increases the downtown housing stock, provides employment space and creates vibrancy.

The DA2 zone variation allows for flexibility of the ground floor for either residential or commercial uses which will minimize vacancies and promote efficient use of land that can be converted from one land use to another. The proposed land use conforms to the policies of The London Plan that encourage the downtown to be the highest-order, mixed-use activity centre in the City (800).

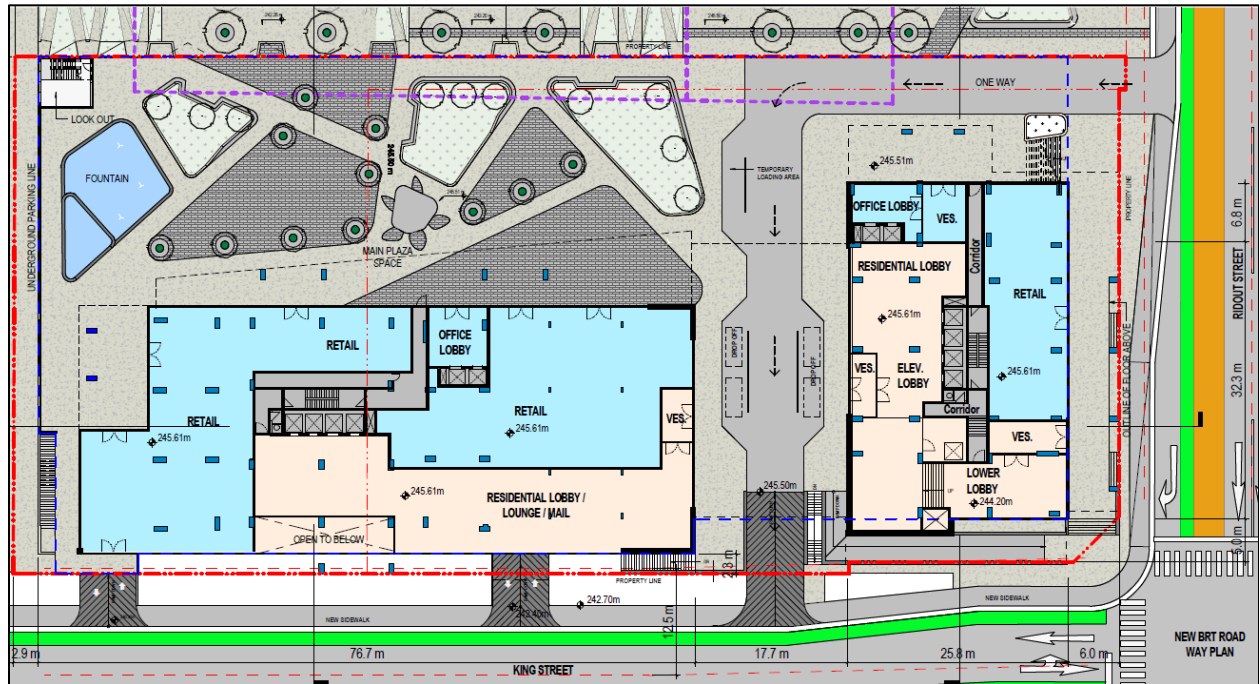


Image 8: Ground floor uses

4.2 Intensity

The Downtown Place Type is where the tallest buildings and the highest densities are permitted in the City. The Downtown is a Protected Major Transit Station Area which has a minimum target of 280 residents and jobs combined per hectare (803B). The proposed development locates intensity within an area of the City where there is the best connection to transit, a high concentration of employment opportunities, direct access to recreation and open spaces, and is in a highly walkable environment to services and shopping. The initial request was for a density of 1,175 units per hectare for 800 residential units and heights of 53 storeys and 43 storeys. The details of the proposal have not changed, though it was noted that there was a change in the overall lot area due to previous road widening dedication that increased the density to 1,250 units per hectare. This change is considered to be a minor technical adjustment that does not impact any elements of the proposed development.

The evaluation of height and built form will consider access to sunlight by adjacent properties, wind impacts, view corridors, visual impacts on the Thames valley Corridor, and potential impacts on public spaces and heritage properties located in close proximity to the proposed development (802_3).

Shadows and Sunlight

Providing a balance of sunlight and shade is an important consideration for sidewalks, parks and other public spaces. Tall buildings that cast shadows can have the greatest impacts on sunlight penetration. Shadow impacts are considered during the spring and fall equinoxes (March 21 & September 21), and the summer and winter solstices (June 21 & December 21). Shadows from the proposed development migrate throughout the day, and will be cast towards the north, east and west of the site. The analysis below focuses on the impacts of shadows on the adjacent heritage Courthouse Building.

During the equinoxes, there will be shadows cast on the courthouse building in the

morning (9:00am) with intermittent shadows in the afternoon (12:00pm) and then no shadows after 3:00pm.



Image 9: Shadowing during Spring and Fall Equinoxes

At the summer solstice, there will be no shadows cast on the courthouse in the morning (9:00am) and minimal intermittent shadows cast in the afternoon (12:00pm) with no shadows cast after 3:00pm. Shadows cast during the summer solstice are the least impactful in a year.



Image 10: Shadowing during Summer Solstice

In the winter solstice, there will be shadows cast on the courthouse in the morning (9:00am) and afternoon (12:00pm) with no shadows cast after 3:00pm. It is noted that during the winter solstice, the courthouse building is currently shadowed by existing development in the morning (9:00am) under current conditions. The winter solstice is when the greatest shadows will be cast, and the proposed development introduces new shadowing during the noon hour at the winter solstice.



Image 11: Shadowing during Winter Solstice

The proposed building will cast shadows on the surrounding area, though mitigates the impacts to the greatest extent possible through building placement and design. The proposed building is oriented to Ridout and King Street away from the courthouse building and setback 12m from the heritage building to create separation distance. The provision

of a podium feature and splitting the massing up between two slim towers also increases the amount of daylight experienced by the surrounding area and the existing heritage buildings on site and minimizes shadowing. Larger scale shadow plans are found in Appendix F of this report.

Views

The Downtown is a dynamic part of the City that encourages intensification and a compact development form. The skyline has changed significantly over the past few decades with the construction of new buildings and will continue to evolve as new development and infill occurs. Views and vistas are similarly not static, and are subject to change and evolution as new building and development occurs.

Tall buildings that are well-designed with smaller tower floorplates visually reduce the overall scale of the building and minimize loss of views. The proposed development will enhance views of the Downtown with a landmark building and entry feature when accessing the core from the west, and contribute positively to the Downtown skyline. The existing heritage buildings on site are being retained in situ, and the important view of the Middlesex County Courthouse from Dundas Street and Ridout Street North will be protected as identified in the Draft Downtown Design Manual, 2015 (1.9).

Servicing

There are existing capacity constraints within the downtown area related to sanitary servicing, though it is acknowledged that engineering is engaged to find ways to enhance the capacity of the downtown through development of a comprehensive Downtown Growth Management Strategy to address Downtown London's growing needs. A holding provision is recommended until sufficient sanitary capacity can be demonstrated. Similarly, based on the outcome of the Core Area Water Servicing Study, water engineering recommends a holding provision until adequate water servicing capacity can be demonstrated. A stormwater functional report will be required at the time of Site Plan Approval to indicate how the stormwater will be managed, which could include on-site controls and Low Impact Development.

The preliminary review of servicing requirements at the Zoning Amendment stage is satisfactory for the orderly development of lands. Further studies and more detailed engineering review will occur at the time of Site Plan Approval to confirm there is sufficient capacity.

Parking, Traffic and Mobility

The subject site's location within the downtown enjoys a very high level of connectivity and mode choice. There are transit options along Ridout Street North, King Street and Dundas Street, including direct access to a Rapid Transit station and the downtown loop. Regional connections at the via train station are available within a 10 minute (600m) pedestrian trip.

There are separated cycle lanes along Dundas Street and King Street, as well as the off-road cycling infrastructure along the Thames Valley Parkway to the west of the site which provides a variety of active transportation options. The central courtyard generally aligns with the existing pedestrian access from the Covent Garden market and the Golden Jubilee Square through the Bud Gardens arena, and provides a linear continuation of the

mid-block connections shown in London's Downtown Plan, down to the river. Pedestrians are well-served on the site and off through municipal sidewalks, the Dundas Place flex street and recreational trails along the river.



Image 12: Map 7 from Our Move Forward: London's Downtown Plan

A Transportation Impact Assessment was prepared to analyze existing traffic conditions and assess the anticipated impacts of the proposed development. The report concluded that under the existing traffic conditions, the study area intersections are generally operating with acceptable levels of service with the exception of a few critical movements, and that the forecast with the addition of the new development will operate with similar levels of service and critical movements. The traffic generated by the development can be accommodated by the study area roads and intersections, with potential for traffic distribution between intersections to avoid potential peak hour delays. Additionally, the access arrangement is the same as at present and is compatible with the BRT network changes. Transportation staff have reviewed and accepted the TIA with no concerns.

4.3 Built Form and Design

The Downtown will permit the tallest buildings and the highest densities in the City (802). Tall buildings will be permitted only where they achieve a high level of design excellence in conformity with the City Design policies (802_2). The proposed development requires an Official Plan amendment to allow the greater height of 53 storeys and conforms to the new Specific Area Policies criteria in policy 1729 as it is a unique proposal that does not have an adverse impact on the place type and meets all other policies of the Plan.

The proposed development was reviewed by the Urban Design Peer Review Panel in February of 2023 prior to the submission of the planning application. The panel commented that they were excited to see the vibrant development and that the applicant should continue to refine, study and develop the public realm on all four sides of the development.

Base

The base of the building consists of the podium which includes the ground floor and at grade and lower floors. The podium at the corner of King Street and Ridout is four storeys in height, which steps down to a three-storey podium toward the river. There is a floating two-level bridge above the ground floor which breaks up the podium, fragments the massing, and allows views and movements through the site. The Downtown Place Type policies require that the design of new development will provide for continuity and harmony in architectural style with adjacent uses that are of historical significance (803_6). The podium along King Street and Ridout Street is in keeping with the massing of the heritage Courthouse building and relates to the podium of the residential development diagonally opposite the site (Renaissance).



Image 13: Relationship of proposed podium to adjacent heritage building

The ground floor is setback with the podium cantilevered above to provide overhang for weather protection. The ground floor is proposed to have active commercial and retail uses, as well as the lobby access for the residential towers. The upper floors of the podium include office space.

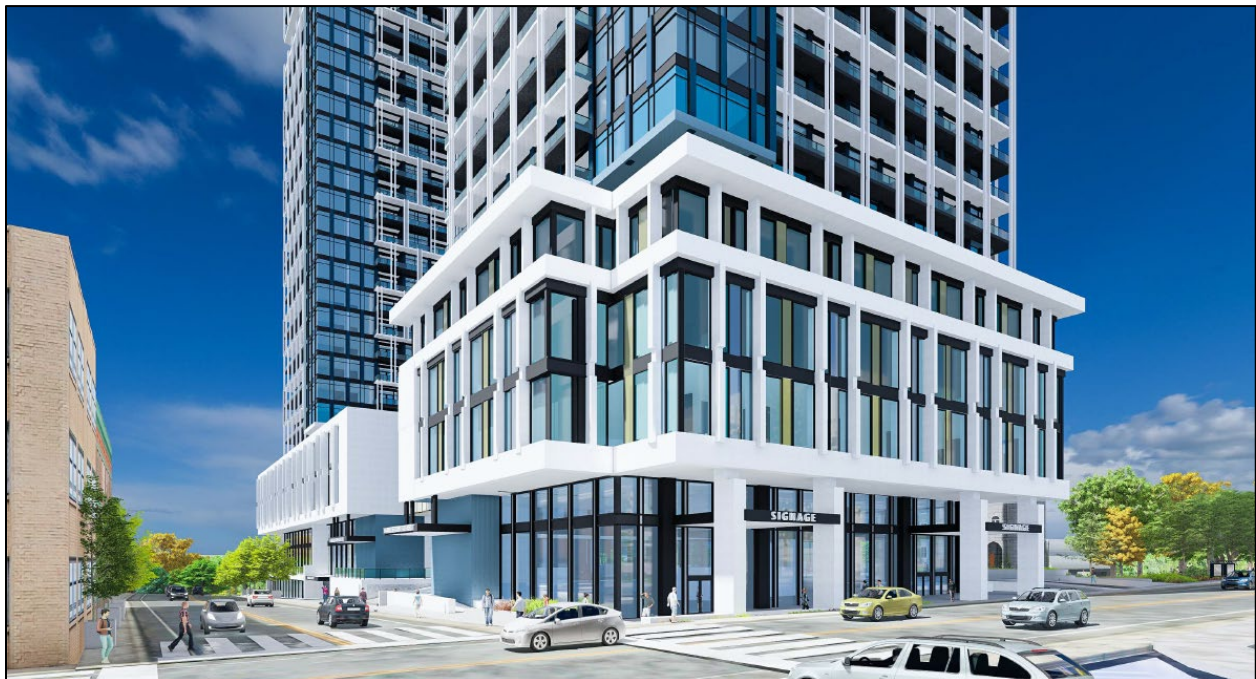


Image 14: Podium Base at intersection of King Street and Ridout Street North

Structured parking is proposed below the ground floor as underground parking built into the slope to the west. There is a publicly accessible plaza on top of the structure along the river and has partially visible north and west elevations of approximately one storey which is glazed to create an engaging pedestrian environment.



Image 15: Podium Base along King St showing parking access and change in grade

Middle

The residential towers above the podium form the middle of the building. There are a total of 800 residential units proposed within the two towers. The towers are rectangular in shape with the 53 storey tower aligned to the north-south and the 43 storey tower aligned east-west to minimize overlook and create interest. Residential units incorporate individual balconies for private amenity areas. The towers incorporate a contemporary design with a high degree of glazing.



Image 16: View showing the middle of the towers

As per the direction in the Downtown Design Guidelines, there should be sufficient separation between towers to ensure adequate sunlight, breezes and privacy. The minimum recommended distance is 25m and there is 38m provided.

Top

The two towers have a difference in height of 10 storeys which creates variation and contributes positively to the City's skyline. The top of the buildings integrate mechanical equipment into the architecture and also provide outdoor amenity space for residents. The treatment of the top of the towers provides an attractive and distinctive architectural style from the rest of the building and utilizes setbacks to create interest and break up massing.

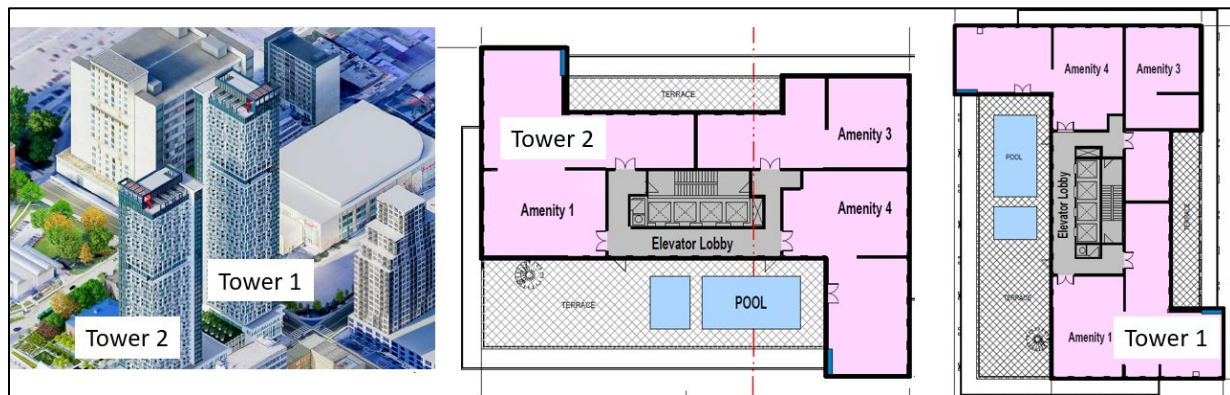


Image 17: Tower 1 & Tower 2 Rooftop Design

Amenity area

A number of indoor and outdoor amenity areas are proposed that will cater to the future residents of the buildings as well as the public. Private amenity spaces for units will be provided through individual unit balconies. Indoor common amenity spaces are proposed along the 27th floor for Tower 2 and 33rd floor for Tower 1. Outdoor common amenity areas, including pools and terraces are proposed on the rooftops of both the towers. An outdoor amenity area is also proposed on the rooftop of the connected podium roof. At grade there are amenity areas provided between the proposed and existing buildings that meander down to the river and connect to Ivey Park. The west of the site provides an uninterrupted integration from the privately owned spaces to the public realm along Ivey Park.

Additional public open spaces are located within convenient walking distance from the site, including Harris Park and Victoria Park. Bridges across the Thames River provide easy access to a number of nearby open spaces such as: Blackfriars Park, Cavendish Park, River Forks Park, and Springbank Park via the Thames Valley Parkway.

Wind

A wind Study was undertaken by RWDI to evaluate the potential wind impacts on the surrounding area as buildings that are taller than their surroundings tend to intercept and redirect wind around them. The study considered the long-term wind data that depicts the directional distributions of wind frequencies and speeds. The target conditions for wind speeds for pedestrian areas are wind speeds that are comfortable for walking or strolling,

and lower wind speeds for entrances or areas where people would be standing. Calm wind speeds are desired for areas where there are outdoor amenity areas and seating where there would be prolonged periods of passive activities. The proposed project is not expected to significantly alter wind conditions due to the stepped podium massing at the base and the orientation of the towers which moderate the impact of downwashing.

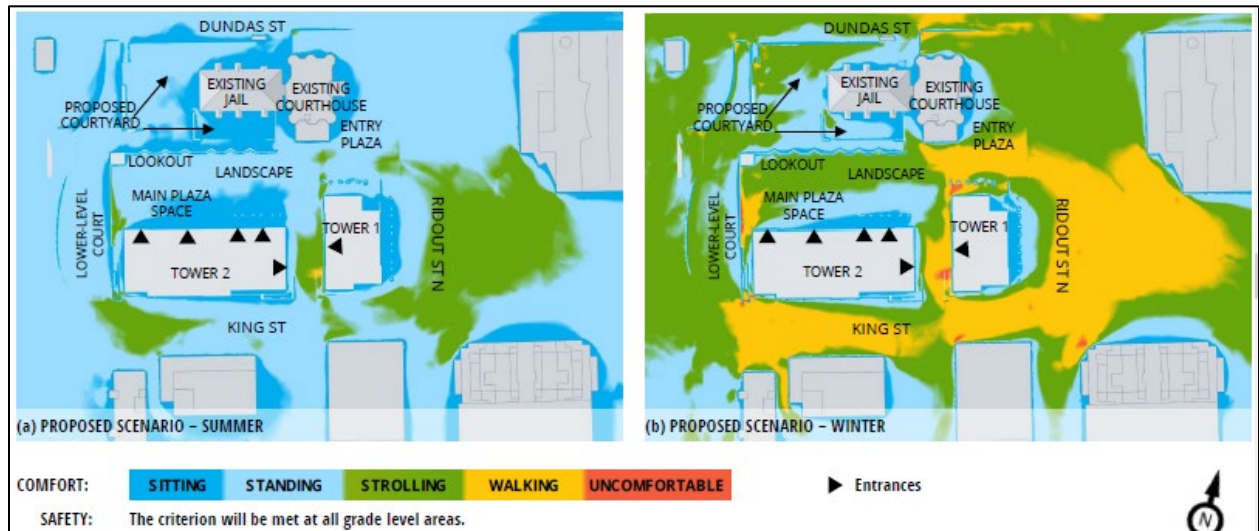


Image 18: Predicted Wind Conditions at Ground Level

The wind-responsive design features moderate the impacts and the resulting conditions in the parks and public grounds to the north and west are not expected to be impacted negatively as wind speeds will continue to be similar to existing conditions. Wind speeds on most sidewalks and off-site areas are expected to be comfortable for standing or strolling in the summer, and for strolling or walking in the winter. Potentially uncomfortable wind speeds are expected: around the northwest corner of Tower 1; in a localized area under the building undercut along the western façade of Tower 1; the level 4 podium terrace; and the pool deck terraces at the top of Towers 1 & 2. Wind control strategies and design modifications such as tall planters, vertical screens or overhead trellises will be explored further to mitigate wind impacts through the future site plan approval process.

Interface with the River

The building design provides a direct interface to Ivey Park and is oriented towards the river. The proposed site design removes much of the existing surface parking between the downtown and the Forks of the Thames and introduces active uses and amenity areas to capitalize on the importance of the feature.

The site incorporates enhanced indoor and outdoor amenity space for residents and improved pedestrian connectivity to local streets, adjacent parkland and nearby pathway systems. A plaza with landscaped areas and a lookout feature is proposed to the north of the building. Staff will be seeking a public access easement over the connection from Ridout Street North to Ivey Park to ensure there is uninterrupted access over the site. The pathway between the proposed new building and the existing courthouse also provides a separation distance to mitigate construction and vibration impacts on the heritage buildings and reduce overshadowing and loss of views.

One of the strategic directions from the Downtown Plan was to 'Reconnect with the Thames River'. A design competition arranged by the London Community Foundation

(LCF) was to redevelop London's riverfront at the Forks of the Thames known as 'Back to the River'. The winning design was the 'Ribbon of the Thames' and included a boomerang-shaped bridge, an amphitheater and terraced landscaping to improve access to the river. The project is currently unfunded though provides direction for future investment opportunities to reconnect with the Thames. The proposed development will create a landscaped terracing feature from Ridout Street North to Ivey Park along the river and provide for commercial uses with direct river access to provide for integration on private lands in addition to the existing access from the public parkland on the river.



Image 19: Interface with River Corridor

4.4 Heritage

The subject property at 50 King Street is designated pursuant to Part V of the *Ontario Heritage Act* as it is included within the Downtown Heritage Conservation District. The adjacent property at 399 Ridout Street North includes the Court House and Gaol, designated pursuant to Part IV of the *Ontario Heritage Act* and Part V of the *Ontario Heritage Act* as a part of the Downtown Heritage Conservation District. The Court House is also subject to provincial and federal heritage status and recognition, as the Ontario Heritage Trust holds a Heritage Easement on the property, and the property is recognized as a National Historic Site of Canada. Lastly, the property at 399 Ridout Street North includes the HER Zone, which should remain on the property.

A Heritage Impact Assessment was submitted with the application and the Community Advisory Committee on Planning (CACP) formed a working group to review the application and provide comments. One of the comments provided related to a commemoration plan will be implemented through the future site plan approval process.

The podium base along Ridout Street North is a consistent height to the historic Courthouse building and provides further stepbacks above the third storey for a sympathetic interface (see image 13 above). The majority of the tower provides the

minimum 5m stepback from the edge of the podium to minimize the massing. Special provisions in the zoning regulations will ensure there is a maximum podium height and tower stepback to ensure a sensitive interface with the adjacent heritage buildings.



Image 20: Heritage Courthouse Building

Through the site plan review process, construction monitoring will be required for any archaeological significance, a building condition assessment and strategic conservation plan will also be required. Commemoration of the historic significance of the site will also be developed at that time through heritage interpretive signage, features and other design elements. Holding provisions for archaeological assessments and for an accepted Heritage Impact Assessment will be required at future planning application review.

Further, a separate heritage review through the Heritage Alteration Permit will be required for future site works and alteration. A portion of the site is also within a heritage easement which will require review and approval through the Ontario Heritage Trust for any proposed works.

4.5 Holding Provisions

A number of holding provisions are proposed to apply to the site as follows:

h-5: Purpose: To ensure that development takes a form compatible with adjacent land uses, agreements shall be entered into following public site plan review specifying the issues allowed for under Section 41 of the Planning Act, R.S.O. 1990, c. P.13, prior to the

removal of the "h-5" symbol. Notwithstanding this, residential developments of 10 or fewer units are exempt from Public Site Plan Meetings, as per Bill 23, More Homes Built Faster Act, 2022. Permitted Interim Uses: Residential Developments of 10 units or fewer.

h-18: Purpose: The proponent shall retain a consultant archaeologist, licensed by the Ministry of Tourism, Culture and Sport (MTCS) under the provisions of the Ontario Heritage Act (R.S.O. 1990 as amended) to carry out a Stage 1 (or Stage 1-2) archaeological assessment of the entire property. Development or property alteration shall only be permitted on the subject property containing archaeological resources or areas of archaeological potential if the archaeological resources have been conserved by removal and documentation, or by site preservation (Stages 3 and 4). The archaeological assessment must be completed in accordance with the most current Standards and Guidelines for Consulting Archaeologists. Engagement with the appropriate First Nations shall be completed consistent with the policies of the London Plan.

All archaeological assessment reports, in both hard copy format and digitally in Portable Document Format (PDF), will be submitted to the City of London once MTCS has accepted them into the Public Registry.

Significant archaeological resources will be incorporated into the proposed development through either in situ preservation or interpretation where feasible, or may be commemorated and interpreted on site.

No demolition, new exterior construction, grading, or any other activity where soil disturbance will occur or might be reasonably anticipated shall take place on the subject property prior to the City of London receiving the MTCS compliance letter indicating that all archaeological licensing and reporting requirements have been satisfied.

h-103: Purpose: To ensure that urban design is addressed at site plan, a site plan will be approved and a development agreement will be entered into which, to the satisfaction of the General Manager of Planning and Development, incorporates the design objectives as identified in the Council resolution. A requirement of the site plan submission will include an urban design brief and building elevations which detail how the objectives have been achieved.

h-149: Purpose: To ensure the orderly development of the lands the symbol shall not be deleted until sanitary and stormwater servicing reports have been prepared and confirmation that sanitary and stormwater management systems are implemented to the satisfaction of the City Engineer.

h-207: Purpose: To ensure that no development occurs on lands adjacent to a protected heritage property except where the proposed development has been evaluated and it is demonstrated that the heritage attributes of the protected property will be conserved, the removal of the h-207 shall not occur until such time as a Heritage Impact Assessment has been prepared and accepted to the satisfaction of the Managing Director, Planning and City Planner. Permitted Interim Uses: existing uses.

h-(): Purpose: To ensure the adequate provision of municipal services, the holding provision shall not be removed until such time as there is an accepted water strategy and adequate capacity available.

Staff are of the opinion that the proposed holding provisions, and zoning regulations

sufficiently mitigate the impacts of the proposed development, that will be addressed through the review of the Site Plan application process.

Conclusion

The applicant has requested an amendment to the Official Plan and Zoning By-law Z.-1 to permit a greater height of 53 storeys and rezone the property from a Community Facility/Downtown Area (CF1/DA2*D350*H15) Zone; and a holding Downtown Area Bonus (h-3*h-5*h-18*h-149*h-207*DA1*D350*H15*B-36) Zone to a holding Community Facility/Downtown Area (h-18*CF1/DA2*D350*H15) Zone; a holding Downtown Area Special Provision (h-5*h-18*h-103*h-149*h-207*h-()*DA2()*D1250*H186) Zone; an Open Space (OS4) Zone and an Open Space Special Provision (OS2()) Zone. Staff are recommending approval of the requested Zoning Bylaw amendment with special provisions to implement the design, and holding provisions for public participation, servicing, archaeological, heritage and urban design.

The proposal is consistent with the PPS 2020, conforms with the policies of The London Plan and will contribute to revitalization efforts within the core area. The recommended amendment will facilitate a mixed-use building on a prime development site within the Downtown. The proposal retains the existing onsite heritage buildings, achieves positive urban design objectives, enhances the interface with the Thames River and has direct access to future rapid transit.

Prepared by: Sonia Wise, MCIP, RPP
Senior Planner, Site Plans

Reviewed by: Michael Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

Appendix A – Official Plan Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. C.P.-XXXX-

A by-law to amend the Official Plan, The London Plan for the City of London, 2016 relating to 50 King Street & 399 Ridout Street North

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan, The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on October 17, 2023

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2023
Second Reading – October 17, 2023
Third Reading – October 17, 2023

AMENDMENT NO.
to the
OFFICIAL PLAN, THE LONDON PLAN, FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to add a policy to the Specific Policies for the Downtown Place Type and add the subject lands to Map 7 – Specific Policy Areas - of the City of London to permit an increased building height.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 50 King Street & 399 Ridout Street North in the City of London.

C. BASIS OF THE AMENDMENT

The site-specific amendment would allow for an increase to the building height of 53 storeys.

D. THE AMENDMENT

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

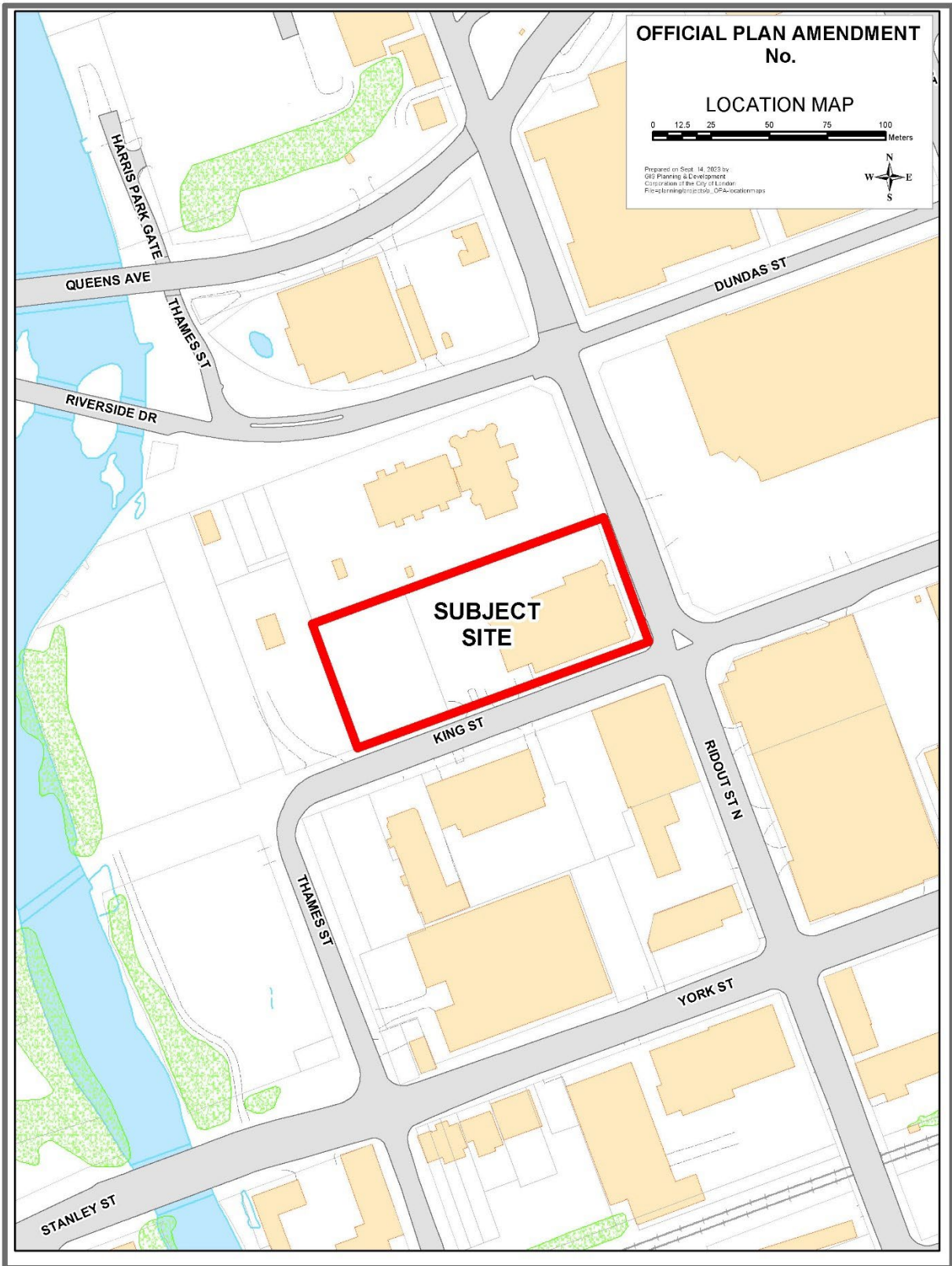
1. Specific Policies for the Downtown Place Type of Official Plan, The London Plan, for the City of London is amended by adding the following:

() 50 King Street & 399 Ridout Street North

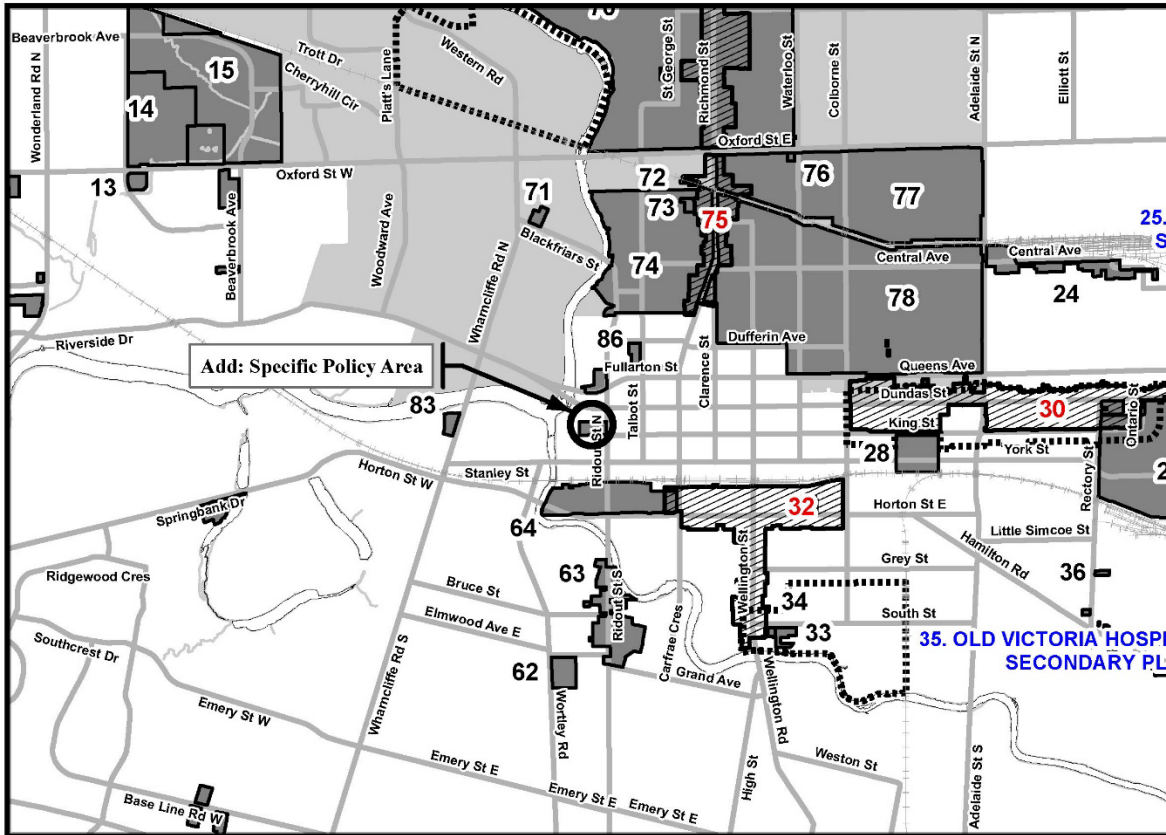
In the Downtown Place Type at 50 King Street & 399 Ridout Street North a maximum height of 186 metres or up to 53 storeys may be permitted.

2. Map 7 - Specific Policy Areas, to the Official Plan, The London Plan, for the City of London Planning Area is amended by adding a Specific Policy Area for the lands located at 50 King Street & 399 Ridout Street North in the City of London, as indicated on “Schedule 1” attached hereto.





“Schedule 1”







AMENDMENT NO:



LEGEND

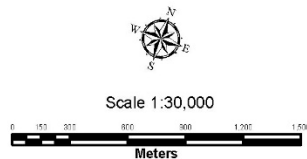
-  Specific Policies
-  Rapid Transit and Urban Corridor Specific-Segment Policies
-  Near Campus Neighbourhood
-  Secondary Plans

BASE MAP FEATURES

-  Streets (See Map 3)
-  Railways
-  Urban Growth Boundary
-  Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

SCHEDULE #
TO
OFFICIAL AMENDMENT NO. _____
PREPARED BY: Planning & Development



FILE NUMBER: OZ-9622
PLANNER: SW
TECHNICIAN: RC
DATE: 8/31/2023

Appendix B – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 50 King Street & 399 Ridout Street North

WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

1. Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to lands located at 50 King Street & 399 Ridout Street North, as shown on the attached map comprising part of Key Map No. A107, **FROM** a Community Facility/Downtown Area (CF1/DA2*D350*H15) Zone; and a holding Downtown Area Bonus (h-3*h-5*h-18*h-149*h-207*DA1*D350*H15*B-36) Zone **TO** a holding Community Facility/Downtown Area (h-18*CF1/DA2*D350*H15) Zone; a holding Downtown Area Special Provision (h-5*h-18*h-103*h-149*h-207*h-()*DA2()*D1250*H186) Zone; an Open Space (OS4) Zone and an Open Space Special Provision (OS2()) Zone.

2. Section Number 3.8 2) of the Holding "h" Zones is amended by adding the following new holding zone:

h-() Purpose: To ensure the adequate provision of municipal services, the holding provision shall not be removed until such time as there is an accepted water strategy and adequate capacity available.

3. Section Number 20.4 of the Downtown Area (DA) Zone is amended by adding the following Special Provisions:

DA2() 50 King Street & 399 Ridout Street North

a) Regulations

- | | |
|---|--------------------------|
| i) Height
(Maximum) | 53 storeys 186m (610 ft) |
| ii) Density
(Maximum) | 1,250 Units Per Hectare |
| iii) Retail Gross Floor Area
(Maximum) | 5,000 square metres |
| iv) Tower Floorplate
Gross Floor Area | 1,000 square metres |

	(Maximum)	
v)	Setback for residential component (Minimum)	0m
vi)	Front and exterior yard depth for ground floor (Minimum)	1.0m
vii)	Ground Floor Height Tower 1 (Minimum)	4.5m
viii)	Podium Height for Tower 1 (Maximum)	20.5m
ix)	Stepback for 75% of Tower 1 east façade along Ridout Street North (Minimum)	5.0m
x)	Stepback for 75% of Tower 1 north façade along interior courtyard (Minimum)	5.0m
xi)	Stepback for 75% of Tower 1 south façade along King Street (Minimum)	5.0m
xii)	Stepback for 75% of Tower 2 south façade along King Street (Minimum)	5.0m
xiii)	Distance between Tower 1 and Tower 2 (Minimum)	25.0m
xiv)	Main building, accessory structure and underground parking setback from courthouse building and gaol (Minimum)	12.0m
xv)	Vehicle parking prohibited on ground floor or above	
xvi)	Retail space permitted on all floors	

4. Section Number 36.4 of the Open Space (OS) Zone is amended by adding the following Special Provisions:

OS2()

a) Additional Permitted Uses:

i) All permitted uses in the DA2() zone variation

b) Regulations

- i) No minimum lot frontage, lot area, lot coverage, landscaped open space or setback requirements

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

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

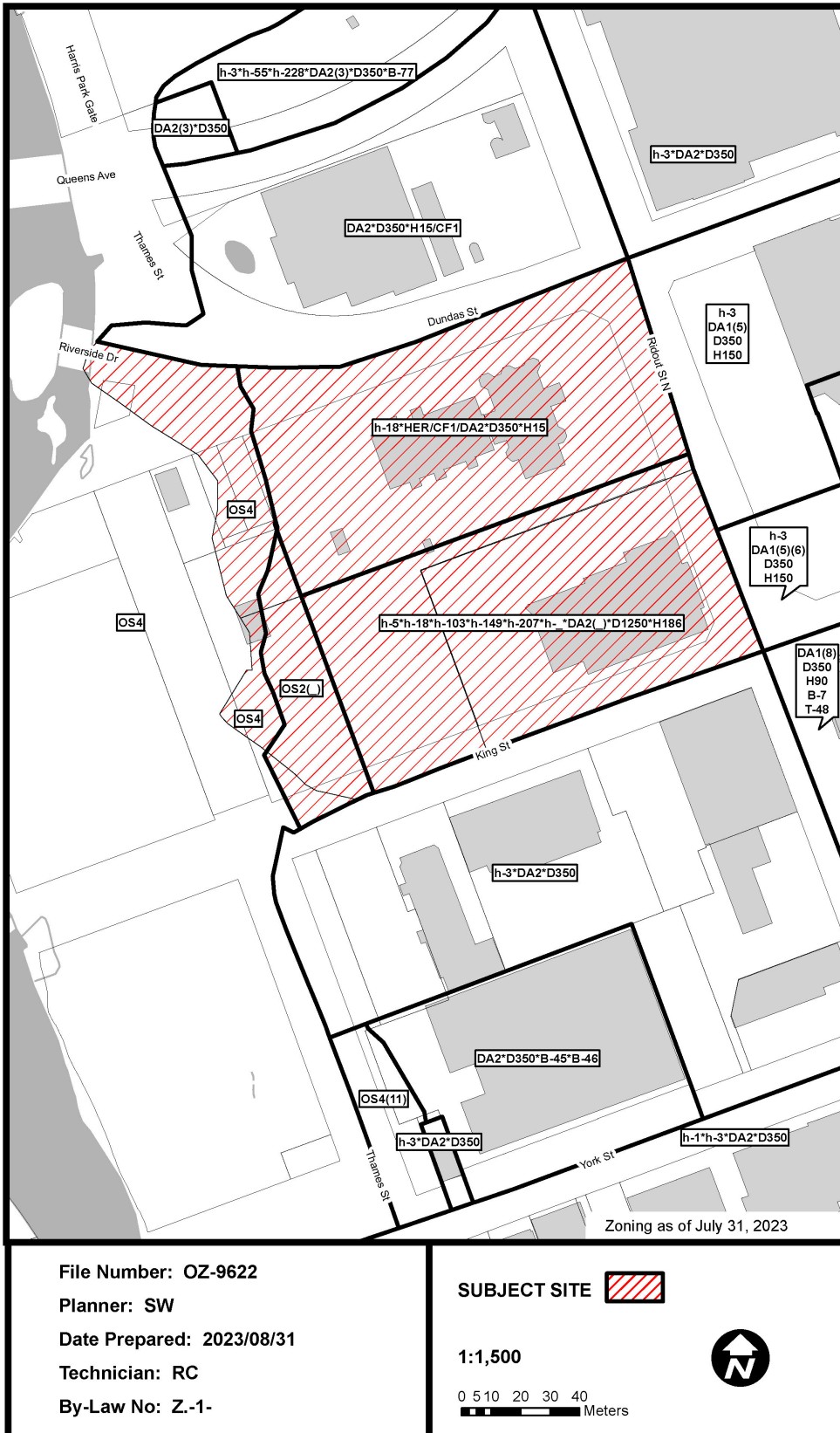
PASSED in Open Council on October 17, 2023

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – October 17, 2023
Second Reading – October 17, 2023
Third Reading – October 17, 2023

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Geodatabase

Appendix C - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Public Use & Offices
Frontage	61.8m (202 ft) Ridout Street North
Depth	132.6m (435 ft)
Area	8,015 square metres (0.8ha)
Shape	Rectangular
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

Surrounding Land Uses

North	Middlesex County Courthouse and Gaol
East	Budweiser Gardens
South	Office and high-rise residential
West	Ivey Park and the Thames Valley Park

Proximity to Nearest Amenities

Major Intersection	King St & Ridout St N and Dundas St & Ridout St N
Dedicated cycling infrastructure	King Street & Dundas Street – direct
London Transit stop	Dundas Street (existing) Ridout St N (future) (50m)
Public open space	Ivey Park – direct to west
Commercial area/use	Downtown – direct
Food store	Vallu Mart 650m
Primary school	Victoria Public School (1,100m)
Community/recreation amenity	Kiwanis Seniors Centre (600m); Downtown Library (800m)

B. Planning Information and Request

Current Planning Information

Current Place Type	Downtown
Current Special Policies	NA
Current Zoning	CF1/DA2*D350*H15; h-3*h-5*h-18*h-149*h-207*DA1*D350*H15*B-36

Requested Designation and Zone

Requested Place Type	NA
Requested Special Policies	To allow for increased height of 53 storeys
Requested Zoning	h-18*CF1/DA2*D350*H15; h-5*h-18*h-103*h-149*h-207*h-()*DA2()*D1250*H186

Requested Special Provisions

Regulation (DA2(_))	Required	Proposed
Height	90m	53 storeys (186m)
Density	Determined through a ZBA	1250 units per hectare
Retail GFA	Lesser of 20% GFA or 5,000sqm	5,000 sqm
Tower Floorplate GFA	NA	1,000sqm maximum
Setback for Residential Component	1.2m per 3m of main building height or a fraction thereof above 15m	0m
Front and Exterior Yard Depth for Ground Floor	0m	1.0m
Ground Floor Height	NA	4.5m minimum for tower 1
Podium Height	NA	20.5m maximum for tower 1
Stepback for Tower from Podium	NA	5m minimum for 75% of tower along King, Ridout and for tower 1 adjacent to courthouse
Distance between towers	NA	25.0m minimum
Distance from existing buildings	NA	12.0m minimum
Location of Vehicle Parking	NA	Prohibited on ground floor or above
Location of retail space	Restricted to 1 st or 2 nd floor	No restriction on location

C. Development Proposal Summary

Development Overview

A mixed-use building with two high-rise towers containing 800 units include heights of 53 storeys (Tower 1) located at King Street and Ridout Street North and 43 storeys (Tower 2) located along King Street towards Ivey Park. A shared podium connects the two towers which is 3-4 storeys in height and contains 2,865 square metres of retail space at grade, and 10,920 square metres of office space on levels 2-4. There are 550 vehicle stalls is proposed beneath the podium and plaza area and accessed from King Street.

Proposal Statistics

Land use	residential, retail, office, commercial
Form	Mixed-use
Height	53 storeys (186m)
Residential units	800

Density	1250 units per hectare
Gross floor area	13,875m ²
Building coverage	39%
Landscape open space	48%
Functional amenity space	7,600m ²
New use being added to the local community	Yes

Mobility

Parking spaces	550 underground
Vehicle parking ratio	0.68 : 1
New electric vehicles charging stations	TBD
Secured bike parking spaces	800f for residential units
Secured bike parking ratio	1 space per unit
Completes gaps in the public sidewalk	Sidewalk exists
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	Yes

Environmental Impact

Tree removals	62 total including 3 City trees on King St boulevard and 4 City trees along Ivey Park)
Tree plantings	76 proposed on Landscape Plan
Tree Protection Area	Yes
Loss of natural heritage features	NA
Species at Risk Habitat loss	NA
Minimum Environmental Management Guideline buffer met	NA
Existing structures repurposed or reused	Yes – heritage buildings
Green building features	TBD

Appendix D – Internal and Agency Comments

Upper Thames River Conservation Authority – September 19, 2023

Re: UTRCA

Comments

Application to Amend the Official Plan and Zoning By-law - File No. OZ-9622 Applicant: 50 King Street Limited c/o York Developments Agent: MHBC Planning Ltd. c/o Scott Allen 50 King Street and 399 Ridout Street North, London, ON

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies within the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006), Section 28 of the *Conservation Authorities Act*, the *Planning Act*, the Provincial Policy Statement (PPS, 2020), and the Upper Thames River Source Protection Area Assessment Report.

BACKGROUND AND PROPOSAL

The subject lands are approximately 1.55 ha (3.83 ac) in size and are located on the west side of Ridout Street North and north of King Street. The lands are currently occupied by the Middlesex County Courthouse and Jail and existing surface parking. The south east portion of the subject lands previously housed the Middlesex London Health Unit, which has recently been demolished. The subject lands are located within the *Downtown Place Type* of the London Plan, and are zoned for an extensive range of uses.

The applicant is proposing to construct two (2) high-rise towers, containing 800 units, on the southern portion of the subject lands, retaining the existing historic structures associated with the courthouse and the jail. Tower 1 would be positioned adjacent to the Ridout Street North/King Street intersection and would have a maximum height of 53 storeys. Tower 2 would be positioned adjacent to King Street, near the southern limit of the lands and would have a maximum height of 43 storeys. The podium would contain retail space at grade, office space on levels two through four with lobby/amenity areas provided on the main floor. The proposal includes an underground parking structure for 550 spaces. The structured parking facility would be serviced by two (2) accesses via King Street.

The application seeks to amend the Official Plan to permit high-rise buildings having a maximum height of 53 storeys and to amend the Zoning By-law to permit high-rise buildings with a maximum height of 176 m and a maximum residential density of 1,175 units per hectare.

The UTRCA has participated in pre-consultation with the applicant since 2021. The UTRCA has also been involved in previous discussions with the applicant related to development requirements on these lands through Site Plan Consultation (SPC22-217). Comments were provided to both the applicant and the municipality through this process in January 2023.

DELEGATED RESPONSIBILITY AND STATUTORY ROLE

Provincial Policy Statement 2020

The UTRCA has the provincially delegated responsibility for the natural hazard policies of the PPS, as established under the “Provincial One Window Planning System for Natural Hazards” Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry (MNR) and the Ministry of Municipal Affairs and Housing. Accordingly, the Conservation Authority represents the provincial interest in commenting on development applications with respect to natural hazards and ensures that applications are consistent with the PPS.

The UTRCA’s role in the development process is comprehensive and coordinates our planning and permitting interests. Through the plan review process, we ensure that development applications meet the tests of the *Planning Act*, are consistent with the PPS, conform to municipal planning documents, and with the policies in the UTRCA’s Environmental Planning Policy Manual (2006). Permit applications must meet the requirements of Section 28 of the *Conservation Authorities Act* and the policies of the UTRCA’s Environmental Planning Policy Manual (2006). This approach ensures that the principle of development is established through the *Planning Act* approval process and that a permit application can be issued under Section 28 of the *Conservation Authorities Act* once all of the planning matters have been addressed.

CONSERVATION AUTHORITIES ACT – SECTION 28 REGULATIONS

The subject lands **are** regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the *Conservation Authorities Act*. The regulation limit is comprised of:

- A riverine flooding hazard associated with the North Thames River.

Please refer to the attached mapping for the location of the regulated features. In cases where a discrepancy in the mapping occurs, the text of the regulation prevails and a feature determined to be present on the landscape may be regulated by the UTRCA.

The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)

The UTRCA’s Environmental Planning Policy Manual is available online at: <http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>

NATURAL HAZARDS

As indicated, the UTRCA represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards. The PPS directs new development to locate and avoid natural hazards. In Ontario, prevention is the preferred approach for managing hazards in order to reduce or minimize the risk to life and property. This is achieved through land use planning and the Conservation Authority’s regulations with respect to site alteration and development activities.

The UTRCA’s natural hazard policies are consistent with the PPS and those which are applicable to the subject lands include:

3.2.2 General Natural Hazard Policies

These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The

Authority also does not support the fragmentation of hazard lands through lot creation which is consistent with the PPS.

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed flood plain mapping, flood plain planning approach and uses that may be allowed in the flood plain subject to satisfying the UTRCA's Section 28 permit requirements.

The UTRCA has undertaken revised modeling along the Thames River. The findings of this modeling has resulted in a revised floodline for this area, which has been enclosed.

DRINKING WATER SOURCE PROTECTION: Clean Water Act

For policies, mapping and further information pertaining to drinking water source protection; please refer to the approved Source Protection Plan at:

<https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

MUNICIPAL PLAN REVIEW FEES

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of *Planning Act* applications and the peer review of technical studies. The applicant will be invoiced, under separate cover, as follows:

Official Plan Amendment (minor)	\$580
Zoning By-law Amendment (minor)	\$580
TOTAL:	\$1,160

The aforementioned fees are based on our 2023 fee schedule. Additional *Planning Act* application submissions will be subject to additional review fees.

We remind the applicant that an additional Section 28 permit application will be required for any development within the regulation limit. The fee associated with the required Section 28 Permit application will be determined upon review of the submissions.

SUMMARY AND RECOMMENDATIONS

As indicated, the subject lands **are** regulated by the UTRCA due to the presence of a riverine flooding hazard associated with the North Thames River. UTRCA staff has had previous discussions with the applicant to review the requirements for development on these lands including a pre-consultation discussion and Site Plan Consultation.

At the time of Site Plan Consultation (January 2023), the UTRCA requested that through the zoning amendment process, the applicant ensure that the Open Space OS4 zone is revised to reflect the updated floodplain of the North Thames River. The updated floodplain information was provided at this time. The applicant was advised to undertake a site specific topographic survey to delineate the extent of the floodplain (237.6 masl) and implement the appropriate Open Space zoning to reflect this. Further to the above, the UTRCA also requested the applicant ensure the regulatory flood elevation was delineated on all future plans/drawings. The above items are outstanding and have not been provided in the documentation submitted alongside this application.

Prior to providing a recommendation on this application, the UTRCA will require the applicant to provide the outstanding information to the satisfaction of the UTRCA, to ensure the Open Space OS4 zone accurately reflects the topography of the lands and the site specific hazard.

We remind the applicant that as the proposed development is located adjacent to the North Thames River, further information may be required to support the proposed underground parking garage. This information may include site specific structural

engineering to confirm that the underground parking garage can withstand the lateral hydrostatic pressures of the floodplain to an elevation of 237.6 masl.

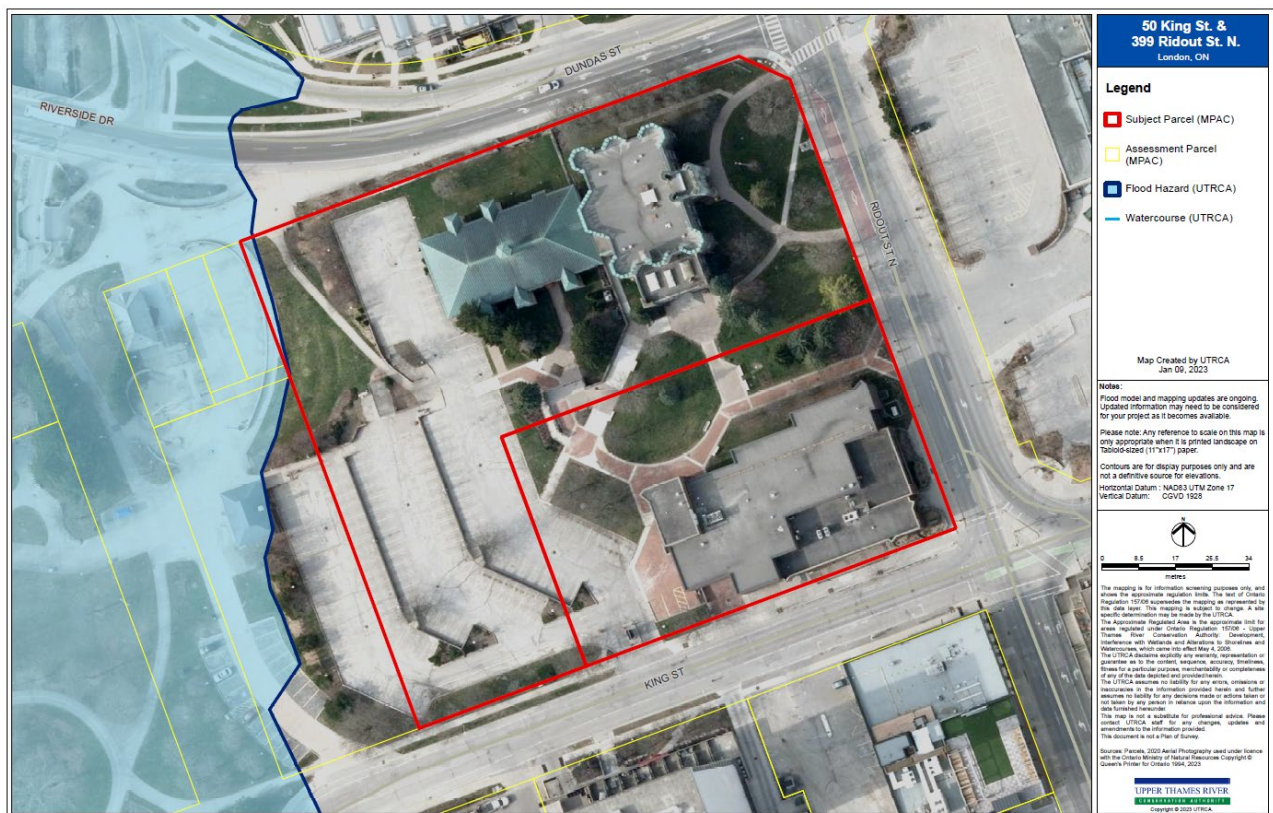
Please refer to the Site Plan Consultation comments provided in January 2023 for UTRCA’s requirements for a formal Site Plan Application package.

We would like to remind the applicant that written approval from the UTRCA is required prior to undertaking any works within the regulated area, including but not limited to site alteration, grading or development.

Thank you for the opportunity to comment.

Yours truly,

UPPER THAMES RIVER CONSERVATION AUTHORITY



Ecology – September 13, 2023

No further comments from Ecology on this file.

Urban Design – August 30, 2023

Urban Design staff are generally supportive of the proposal, but have concerns regarding the interface with King Street. Urban Design staff also note that there were several inconsistencies between the materials provided (the elevations, renderings, landscape plan and site plan do not match) as well as missing information on several of the drawings which caused some difficulty and confusion in our review of the proposal. If the proposed height and intensity are deemed appropriate, Urban Design staff recommend the following comments be addressed before approval of the OPA/ZBA and/or before the submission of a Site Plan Application:

Matters for OPA/ZBA:

- This application is located within the Downtown Place Type in The London Plan [TLP] and is within the Our Move Forward: London's Downtown Plan [OMF] as well as the Downtown Heritage Conservation District Plan [DHCDP], and as such, the policies and guidelines set out in these documents apply.
- The applicant is commended for providing a site and building design that incorporates all of the parking underground, well-articulated massing on all sides of the tower portions of the proposed buildings, built form along both street frontages, plaza spaces connecting between the buildings and public areas, a mixed-use form with commercial at-grade and for incorporating the rooftop mechanical equipment into the design of the top of the buildings. Urban Design staff encourage the applicant to continue to incorporate these design features as the proposal moves through the development process.
- The following Special Provisions are recommended to be applied to the zoning for this proposal:
 - Maximum height;
 - Maximum podium height;
 - Minimum 5.0m step-back above the podium;
 - Minimum building setback of 1.0m along the street frontages;
 - Minimum separation distance between the two towers of 25.0m;
 - Minimum ground floor height of 4.5m;
 - Maximum tower floorplate size of 1000m² for each of the towers (portion of the building above the podium).
- Urban Design staff acknowledge the tower floor plate size, the separation distance between the two towers, the step-back above the podium and the ground floor height are all within the recommended minimums and maximums with the current building and site design. The applicant is recommended to continue to implement these attributes as the proposal moves forward.
- Urban Design staff are concerned with the proposed interface with the built form along a majority of the King Street frontage. A large portion of the at-grade use for this frontage appears to be dedicated to parking facilities and servicing, which may result in an automobile-oriented public realm with blank walls and an overall uninviting and inactive streetscape. The applicant is requested to revisit the at-grade façade along King Street and incorporate pedestrian-scaled site and building design elements such as active uses (commercial, lobby, amenity rooms, etc.), a high degree of transparent glazing, human-scale building elements and principal building entrances along this façade [OMF 5.9, 5.12 / TLP 285, 289.1, 291]:
 - Urban Design staff recognize the applicant has provided an at-grade commercial unit along the west façade, which wraps this portion of the parking garage in active uses. We encourage the applicant to continue to incorporate this as the proposal moves through the development process.
 - It is recommended that the applicant also wrap the at-grade structured parking areas in active uses along King Street, similar to what is provided on the west façade;
 - Transparent glazing should be provided along the entirety of the street-facing façade at-grade;
 - Unit entrances for commercial and residential uses should be provided on the King Street façade;

- Pedestrian, cyclist and transit-oriented building and site elements should be provided such as canopies, signage, landscaping, trees, human-scale lighting, etc. along this façade.

Matters for Site Plan:

- Principal building entrances to the residential lobbies are shown facing internal to the site, with no entrances facing the public streets. Provide a through-lobby to allow for residential access along Ridout Street N and/or King Street [TLP 291];
- Provide a minimum of 80% transparent glazing at-grade along the public street frontages and 50% transparent glazing for the portion of the podium above the first storey to provide for a safe and active public realm along the street frontages [DHCDP 6.1.4.1 / TLP 289.1, 291];
 - Urban Design staff encourage the applicant to provide a high degree of transparent glazing along the frontage onto the proposed plaza space as well.
- The site and building design should consider its location along the future Downtown Loop Rapid Transit route and provide a high-degree of pedestrian and transit-oriented amenities:
 - Provide pedestrian, cyclist and transit-oriented amenities and human-scale building design features along the Ridout Street and King Street frontages such as benches, planters, landscaping, temporary bicycle parking, canopies, signage, human-scale lighting, public art, etc. [OMF 4.13, 5.9 / TLP 286].
- Ensure the main vehicular access into the site, through the site and between the two buildings (under the overpass), is designed to reduce any potential vehicular-pedestrian conflicts by prioritizing the pedestrian. As this space is likely to become frequented by pedestrians accessing the retail units and residential lobby accesses from the street and between the two buildings, consider using alternate paving materials (such as brick pavers, stamped concrete, etc.), decorative bollards, signage, street furniture/landscaping, and other methods of traffic-calming to delineate this area as a shared pedestrian/vehicle access [TLP 255];
- Consider reducing the amount of vehicular access points along King Street to prioritize pedestrian and cyclist movements along the street [OMF 5.16 / TLP 255];
- Confirm the location(s) of any outdoor storage of garbage/recycling facilities, if applicable. Ensure these areas as located away from view from public street frontages and do not detract from pedestrian walkways [TLP 266];
- Confirm the location(s) of any storage, loading and servicing areas and ensure these are screened from view and are located away from the public street frontages [TLP 266];
- Consider incorporating patio or forecourt spaces between the building and the public right-of-way to further activate the streetscape and to provide an amenity for the commercial spaces [OMF 5.9];
- Urban Design staff highly encourage the applicant to explore opportunities to incorporate spaces for public art as a part of this proposal [OMF 6.4];
- Confirm whether street trees / landscaped areas are being provided along Ridout Street N and/or King Street. Trees are shown in the Landscape Plan along Ridout

Street N, but not on the Main Floor Plan where they are shown on King Street instead;

- Provide a full-set of dimensioned elevations for all sides of the proposed buildings with materials labelled as well as a fully dimensioned and labelled site plan. Further urban design comments may follow upon receipt of the updated drawings.

The elevations provided did not include any labels or dimensions. Ensure these are provided at the site plan stage.

Engineering – August 2, 2023

The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned re-zoning application:

1. In general, Engineering is supportive of the proposed re-zoning however, please note the following:

Sanitary Servicing

- I. The applicant is advised that the downtown area is currently experiencing significant sanitary capacity issues. Despite this, Sewer Engineering recognizes the importance of higher densities that align with the City's growth and housing requirements and is actively engaged in discussions on ways to enhance the density of the downtown area and improve the existing sewer system. The Sewer Engineering Division will be exploring opportunities to develop a comprehensive Downtown growth management strategy to identify capacity improvements to address Downtown London's growth needs.
- II. Sewer engineering supports the proposed re-zoning request however a holding provision shall be put in place until sufficient sanitary capacity can be demonstrated.

Water Servicing:

- III. Based on the outcome of the Core Area Water Servicing Study, Water Engineering recommends a holding provision until adequate water servicing capacity can be demonstrated.

2. Items to be addressed as a part of a complete site plan application:

Storm Servicing:

- As per City of London drawing 1153 and 16772, the site is not tributary to the existing storm sewers on King St or Ridout St North. Therefore, the consultant is to provide a SWM functional report indicating how the site is proposed to be serviced (e.g. on-site controls, LID, etc.).
- Should the consultant consider the use of any possible surplus capacity in the existing storm sewers near the site, hydraulic calculations (e.g. storm sewer capacity analysis based on upstream/downstream tributary areas and run-off coefficients) must be provided to demonstrate the expected surplus capacity along with any proposed on-site SWM controls design and calculations (e.g. on-site runoff storage calculations, flow restrictors calculations, etc.). In addition, If the consultant engineer is to connect the storm PDCs to the existing 900X1350 Storm BRICK ELLIPTICAL , the construction methodology details of the connection and all other specifics shall be provided as part of the SWM report.
- The number of proposed/existing parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirming how the water quality

will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 70% TSS removal to the satisfaction of the City Engineer. Applicable options could include, but not be limited to the use of oil/grit separators or any LID filtration/infiltration devices.

- To manage stormwater runoff quantity and quality, the applicant's consulting engineer may consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design.
- The proposed land use of a high density residential will trigger(s) the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
- As per the City of London's Design Requirements for Permanent Private Systems, the proposed application falls within the Central Subwatershed (case 4), therefore the following design criteria should be implemented:
 - the flow from the site must be discharged at a rate equal to or less than the existing condition flow;
 - the discharge flow from the site must not exceed the capacity of the stormwater conveyance system;
 - the design must account the sites unique discharge conditions (velocities and fluvial geomorphological requirements);
 - "normal" level water quality is required as per the MOE guidelines and/or as per the EIS field information; and
 - shall comply with riparian right (common) law.
- The consultant shall submit a servicing report and drawings which should include calculations, recommendations, and details to address these requirements.
- The subject lands are located within a subwatershed without established targets. City of London Standards require the Owner to provide a Storm/Drainage Servicing Report demonstrating compliance with SWM criteria and environmental targets identified in the Design Specifications & Requirements Manual. This may include but not be limited to, quantity control, quality control (70% TSS), erosion, stream morphology, etc.
- The Developer shall be required to provide a Storm/drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure the maximum permissible storm run-off discharge from the subject site will not exceed the peak discharge of storm run-off under pre-development conditions up to and including 100-year storm events.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer. It shall include water balance.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP (formerly MOECC) standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

- The Core Area Water Servicing Study identified that an intensified development at this location would require the existing 150mm watermain on Thames St (south of King St, north of York St) to be upsized to a 200mm. As part of the site plan the owner will be required to upgrade the watermain on Thames St to a 200mm watermain as identified in the Core Area Servicing Study.
- As part of the site plan application, engineering drawings for the watermain upgrade on Thames St are to be prepared by the owner.
- Water is available to the subject site via the municipal 300mm PVC watermain on Ridout Street North or the municipal 200mm PVCO watermain on King Street.
- Looped water service shall be installed as per City Standard 7.9.5. For capacity reasons one service must connect to the 200mm watermain on King Street and the other to the 300mm watermain on Ridout Street.
- The servicing strategy for the site shall not create a regulated drinking water system.
- The site is in the City's low-level service area, which has a hydraulic grade line of 301.8m.

Transportation / Bus Rapid Transit

- Road widening dedication of 10.0m from centre line required on King Street and 13m from centre line for Ridout Street as per the Zoning By-law Transportation should review as this is by the intersection and 24m may be applicable.
- Ridout Street has been identified as a Rapid Transit corridor and will be restricted to right in/right out.
- The East curb lane on Ridout Street is a RT/bus-only lane just North of the proposed access; all other vehicles will be prohibited from using this lane, with the exception of ingress and egress turning movements at driveways. Any vehicular stopping, loading or pick-up/drop-offs will be strictly prohibited in this RT lane in the area of this property. SBR at Ridout at King Street is prohibited.
- The Applicant should consider installing a right turn lane on Ridout, reviewed, and supported through a TIA.
- The Applicant should ensure that there will be no vehicle queuing accessing the parking garage off King Street at any time, as blocking the RT lane would compromise the operation of the RT and Local Transit.

Landscape Architect – July 4, 2023

1. Major Issues

- No potential grounds for refusal, or issues that could require significant changes to the proposal.

2. Matters for OPA/ZBA

- No matters that will influence the OP/ZBL mapping, designation/zone, regulations, special provisions, holding provisions, etc.

3. Matters for Site Plan

- Three City of London trees are proposed for removal from the King St boulevard. These trees are protected by the City's Tree Protection Bylaw. To request the removal of a city tree or to request consent to damage the root system of a City tree, contact Forestry Dispatcher at trees@london.ca. Proof of payment issued by Forestry Operations requirement of Site Plan approval. A recommendation for proof of payment will be forwarded for Site Plan review.
- Four City of London trees, growing in Ivey Park are proposed for removal. City of London's Park Department to provide consent to remove. A recommendation for proof of consent will be forwarded for Site Plan review.

- One thousand, eight hundred and one cm dbh proposed for removal. In accordance with LP Policy 399.4, 180 replacement trees are required within site. Seventy-six are proposed on the LP. Replacement trees to be recommendation to Site Plan Review

4. Complete Application Requirements

- No further reports required.

Parks – July 6, 2023

Parks Long Range Planning and Design staff have reviewed the submitted notice of application and offer the following comments:

1. Major Issues

- a) Parks is concerned with the proposal as presented because of how the integration into adjacent parkland is presented. The previous “Back to the River” design for the Ivey Park area is not expected to progress and needs to be removed from the proposal. Further, discussions are required with the applicant to better understand plans for the detailed design, construction, maintenance, and programming of the public plaza proposed on City parkland. This should all be determined prior to the ZBA moving forward in order to accurately present the project expectations to Council and the public. It would also help to avoid possible future issues with budgets, approvals, and construction coordination.

2. Matters for OPA/ZBA

- b) Clearly delineate City owned parkland from privately owned land and identify if any agreements (easements) to maintain and operate are required.
- c) Design to integrate with existing park infrastructure. Costs and responsibilities associated with any proposed infrastructure on City owned lands needs to be established.
- d) Please confirm setbacks from City owned parkland for all structures including parking structures, retaining walls, lookout feature, etc. Table 4.0 in the Planning Justification Report notes a provided rear yard setback of 6.9m, however based on the drawings it appears to be 2.8m. Parks is supportive of a minimum of 2.8m.
- e) The reduced number of required long-term and short-term bicycle parking space is not supported by Parks. The site’s proximity to downtown London, parkland, and the broader recreational pathway network should encourage cycling.

3. Matters for Site Plan

- f) Parkland dedication for this development is required and will be taken in form of cash-in-lieu in accordance with By-law CP-25. Easements are to be determined and may also be required.
- g) Considerations of the final park plaza design will include, but not be limited to: CPTED / safety considerations, use / maintenance / operations, building setbacks, retaining walls, pedestrian connections, views, grading / servicing, drainage, tree protection, surface materials, facades, and plantings.

Heritage – July 7, 2023

Heritage staff are generally supportive of a redevelopment at 50 King Street, but have concerns related to the design of the proposed development, including the podium and two towers, and its relation to the Court House and Gaol (399 Ridout Street North) and the Downtown Heritage Conservation District. The importance of the context for this application cannot be understated as the Forks of the Thames and the Court House and Gaol are some of the most significant cultural heritage resources within the City of London.

The subject property at 50 King Street is designated pursuant to Part V of the *Ontario Heritage Act* as it is included within the Downtown Heritage Conservation District. The adjacent property at 399 Ridout Street North includes the Court House and Gaol, designated pursuant to Part IV of the *Ontario Heritage Act* and Part V of the *Ontario Heritage Act* as a part of the Downtown Heritage Conservation District. The Court House is also subject to provincial and federal heritage status and recognition, as the Ontario Heritage Trust holds a Heritage Easement on the property, and the property is recognized as a National Historic Site of Canada. Lastly, the property at 399 Ridout Street North includes the HER Zone, which should remain on the property.

The proposed development limits related to the Court House and Gaol are unclear. Additional clarity on what the proposed development limits are and which properties are being proposed for development is required. Several of the drawings show development within City-owned lands (Ivey Park) and the riverfront. The applicant and/or Parks Planning & Design should confirm if development is to occur on City-owned parkland, and if so, provide details on what development is to occur in which location(s). Further, the applicant should confirm if development is to occur on the adjacent property at 399 Ridout Street North. Heritage staff may have further comments once these details are received.

As a part of the review of this application, Heritage staff have reviewed the application submission as well as the following report: MHBC Planning Limited, *Heritage Impact Assessment Phase II, 50 King Street, London, Ontario*, March 10, 2023 (HIA).

Heritage staff are generally satisfied with the recommendations included within the HIA, but note various items for clarification between the proposal as described within the HIA, and the proposal submission. In addition, the recommendations of the HIA identify a number of items and requirements that should be deferred to the Site Plan Approval process, however, many of these items must be addressed through the Official Plan Amendment and Zoning By-Law Amendment process. Lastly, Heritage staff have concerns that the impacts that are identified within the HIA understate the potential impacts that the proposal will have on the Court House and Gaol, and the context of the Downtown Heritage Conservation District.

Heritage staff have identified three key areas for commenting in reviewing this application – Matters for Clarification, Matters for OPA/ZBA, and matters for Site Plan.

Matters for Clarification

Heritage staff have identified several inconsistencies included within the renderings, drawings, and textual descriptions included with the HIA and note the following matters for clarification:

- The proposed heights for the two towers are not consistent between the “50 King Street Schematic Design v5.0 Jan. 23, 2023” drawings prepared by Zedd Architecture and the HIA. The drawings and proposal indicate that the application

consists of two towers at heights of 43 and 53 storeys. The HIA describes the towers as consisting of two towers at heights of 40 and 50 storeys. Heritage staff seek clarification that this does not affect the impact assessment or recommendations of the HIA.

- The conceptual landscape plans included within the application appear to be significantly different from the renderings. Clear details on the proposed landscaping, on site at 50 King Street or on the adjacent property at 399 Ridout Street North, is required.
- It is unclear whether the conceptual landscape plans shown will result in work outside of the existing property boundaries. Various renderings appear to show portions of Ivey Park included within the concepts, as well as extensive site alterations on the Court House property at 399 Ridout Street North. Additional consolidation of surrounding lands may also require further assessment of potential impacts to the Downtown Heritage Conservation District including but not limited to archaeological assessments.
- The height of the podium in relation to the Court House is inconsistent between drawings A2.1, A2.3, A4.1, A.4.2., A4.4, and A3.1. The main tower of the Court House is shown in A3.1 as being taller than the podium, however, the remainder of the drawing demonstrate the inverse. The main tower of the Court House should be taller than the upper limit of the podium, as shown in Figure 51 of the HIA, as well as Drawing A3.1 of the drawing package.
- The drawings and renderings included within the application do not accurately reflect the existing built environment, including the Ivey Park pavilion and washrooms, the municipally-owned heritage property at 1 Dundas Street, and the Gaol walls. It is unclear whether these adjacent and nearby resources were considered.

Matters Pertaining to Official Plan Amendment and Zoning By-Law Amendment

Heritage staff have identified several matters within the application that should be addressed through the OPA/ZBA process:

- Details related to the heights, setbacks, and step-backs, particularly of the podium, are identified within the HIA as a matter to be considered through a final design to be re-assessed at the Site Plan stage. Heritage staff recommend that these matters be addressed as a part of the OPA/ZBA process to ensure that the development framework is compatible with the existing adjacent cultural heritage resources.
- Podium– As noted above, the podium height is not clearly defined between the drawings and the HIA. The HIA note that the podium height is “minimally taller” than the Court House, yet the drawings suggest that the tower of the Court House is taller. The tower of the Court House should be taller than the upper limit of the podium in order to respect and celebrate the significance of the adjacent property. Heritage staff also recommend that when considering the surrounding environment to determine an appropriate podium height, the Court House be considered as a benchmark as opposed to the building at 355-359 Ridout Street/45 King Street. Further, the design of the podium as described within the HIA is noted as reflecting the “crenellations used along the towers of the adjacent building which is contemporarily interpreted around the podium of the window spandrels proud of the roofline podium”. It is unclear on the drawings and renderings on where this design element has been incorporated. Further clarification is required.
- In assessing the proposed development within the context of the policies and guidelines of the *Downtown Heritage Conservation District Plan*, the HIA suggests that the horizontal rhythm and floor to ceiling heights of the ground floor façade should be addressed through an Addendum to the HIA at the Site Plan stage. The floor to ceiling height of the ground floor, as a part of the podium should be addressed at the OPA/ZBA stage. In the absence of consistent floor to ceiling heights within the surrounding context, Heritage staff encourage the applicant to incorporate pedestrian-scaled building elements, transparent glazing, and human-scale building elements on the ground floor in particular, noting the 360-degree visibility of the proposed development.
- Setbacks – The HIA notes that the setback of the proposed development is consistent with the adjacent buildings at 52 King Street and 355-359 Ridout Street North. It is noted that the setback is not consistent with the setback of the adjacent Court House, as historically adjacent buildings have not had the same setback as the Court House. Heritage staff agree with the assessment of the setbacks in the HIA. The detailed landscape plan that is required as a part of the Site Plan process must identify opportunities to emphasize the significance of the Court House.
- Step-back – As the proposed development will exceed the 18m height identified in Section 6.1.4 of the *Downtown Heritage Conservation District Plan*, appropriate step-backs are required. Heritage recommends a minimum of 5.0m step-back above the podium for all street-facing facades.

- As the adjacent property at 399 Ridout Street North is protected by a Heritage Conservation Easement Agreement with the Ontario Heritage Trust, ensure that the Ontario Heritage Trust is appropriately consulted. Additional approvals for landscaping or alterations occurring within the lands protected by the Ontario Heritage Trust will be required.

Matters Pertaining to Site Plan

Heritage staff note that a number of additional reporting requirements and mitigation measures are recommended through the HIA to be completed as a part of the Site Plan process. Staff note the following matters to be addressed at Site Plan:

- In general, the HIA recommends that the final design of the proposed development be re-assessed through an Addendum to the HIA. Heritage staff agree that an updated HIA, to the satisfaction of the City, be completed at the Site Plan stage.
- As noted within the HIA, “The podium that supports the two towers serves as an important and integral piece to the overall compatibility of the development particularly due to its interrelationship with pedestrians and the overall streetscape.” Heritage staff agree with the following recommendations that should be utilized to refine the design of the development. The following design refinements should be included in the Site Plan submission:
 - *Incorporating materials and colours similar to the courthouse and/or gaol within the first three storeys (i.e. brick, stone-like material);*
 - *Reduce height of podium overhang/structural canopy, particularly on the north elevation immediately adjacent to the courthouse to be more consistent with the horizontal rhythms of the adjacent architecture;*
 - *Triangular motifs should have more design cues from the lancet or semi arches of the courthouse or develop an alternative design (i.e. a modern arcade).*
- The following additional reports and studies are required as part of a complete Site Plan Application, as per the recommendations of the HIA:
 - *Complete a detailed landscape plan for 399 Ridout Street North as it relates to the Middlesex County Court House and Gaol.*
 - The landscape plan must include the “Commemoration Plan” for the National Historic Site of Canada plaque and boulder that is to be re-installed.
 - In addition to the requirements listed above, efforts to commemorate the former Middlesex Municipal Building and the Court House Block were identified as part of the Terms and Conditions for the demolition of the former building on the property at 50 King Street. Commemoration efforts must be included for the site, and integrated into any landscape plans for the site.
 - *Complete a visual assessment/view shed analysis once the landscape plan is confirmed to ensure there is no obstruction of views as a result of landscaping for identified significant views of the HCD.*
 - *Complete a Temporary Protection Plan which will include:*

- *A Vibration Monitoring Plan to be completed by an acoustic engineer to determine the Zone of Influence (ZOI) for the adjacent cultural heritage resources located at 399 Ridout Street North including the Middlesex County Court House and Gaol and subsequently implement vibration monitoring through the installation of monitors, if deemed necessary (requires a detailed shoring plan which will not be available until the building permit stage);*
 - *Certification by a structural engineer that the proposed development will be constructed in a way that will avoid damage to the Middlesex County Court House structure;*
 - *A Risk Management Plan that will outline pro-active steps if risk is detected during construction or if partial or full damage occurs.*
 - *The Risk Management Plan should also identify and account for the potential risks of overhead construction of the towers, as well as construction of the underground parking structures.*
- *To ensure that the Middlesex County Courthouse and Gaol are conserved appropriately it is recommended that a Strategic Conservation Plan be completed as per the Ministry's standards which shall be consistent with Park's Canada Standards and Guidelines for the Conservation of Historic Places in Canada. Furthermore, conservation work must be completed by a member of the Canadian Association of Heritage Professionals (CAHP) and have experience with heritage buildings. This Plan should be implemented as part of the Site Plan Approval process.*
 - *The scope of the Strategic Conservation Plan to be confirmed prior to the commencement of work on the Strategic Conservation Plan, to the satisfaction of the City, and Ontario Heritage Trust*
- *In order to determine the existing condition of the building it is recommended that a Building Condition Assessment be completed by a heritage engineer and masonry conservator, preferably a member of CAHP, to supplement Section 4.0 of this report [HIA]. This assessment will inform the conservation measures required for the adjacent cultural heritage resource to inform the Strategic Conservation Plan.*
- *Lastly, it is recommended that consultation with indigenous community groups should be required through the site plan process to ensure that any relevant commemorative text, visuals or landscape features appropriately represent the interests of related First Nations communities (Chippewas of the Thames First Nation, Oneida Nation of the Thames, Munsee-Delaware Nation, Chippewas of Kettle, Stony Point First Nation and Walpole Island First Nation.*
 - *It is the proponents responsibility to ensure that appropriate consultation with the indigenous communities noted above is completed.*

- A Heritage Alteration Permit must be obtained prior to the issuance of a Building Permit. Heritage Alteration Permit Approval should be required as a condition of Site Plan Approval.

Archaeology

As a part of the application Heritage staff have received and reviewed the following archaeological assessments:

- Lincoln Environmental Consulting Corp., *Stage 1-2 Archaeological Assessment and Test Trenching of 50 King Street and 399 Ridout Street, in part of Lot 16, Concession C, former Geographic Township of London, Now City of London, Middlesex County, Ontario, PIF P1289-0337-2022*, March 2023.
- Lincoln Environmental Consulting Corp., *Stage 2 Archaeological Test Trenching of 50 King Street and 399 Ridout Street, PIF1289-0337-2022, Supplementary Documentation*, March 2023.

Please note, the City is not yet in receipt of the Ministry of Citizenship and Multiculturalism's review and acceptance of this archaeological assessment. In addition, as part of the Terms and Conditions for the demolition of the former building at 50 King Street, the property owner committed to the completion of construction monitoring by a licensed archaeologist during the demolition of the building. The City is not in receipt of a monitoring report for this commitment. Until all archaeological conditions have been completed to the City's satisfaction, Heritage staff recommend the h-18 holding provision continue to be applied to the property at 50 King Street.

Lastly, as noted above, the proposed development limits are unclear, but appear to include construction and landscaping on the adjacent property at 399 Ridout Street North. Any construction or soil disturbance on the property at 399 Ridout Street North requires completion of a Stage 2 Archaeological Assessment. The following conditions apply to the archaeological requirements for 399 Ridout Street North:

- The proponent shall retain a consultant archaeologist, licensed by the Ministry of Citizenship and Multiculturalism (MCM) under the provisions of the *Ontario Heritage Act* (R.S.O. 1990 as amended) to carry out a minimum of a Stage 1-2 archaeological assessment and follow through on recommendations to mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found (Stages 3-4).
- The archaeological assessment must be completed in accordance with the most current *Standards and Guidelines for Consulting Archaeologists*, set by the ministry.
- All archaeological assessment reports will to be submitted to the City of London once the Ministry of Citizenship and Multiculturalism (MCM) has accepted them into the Public Registry.
- The proponent must submit the archaeological assessment reports to the City of London as well as the MCM review/compliance letter.
- No soil disturbance arising from demolition, construction, or any other activity shall take place on the property prior to Planning & Development receiving the Ministry of Citizenship and Multiculturalism (MCM) compliance letter indicating

that all archaeological licensing and technical review requirements have been satisfied.

- It is an offence under Section 48 and 69 of the *Ontario Heritage Act* for any party other than a consultant archaeologist to make alterations to a known archaeological site or to remove any artifact or other physical evidence of past human use or activity from an archaeological site.
- Should previously undocumented (i.e. unknown or deeply buried) archaeological resources be discovered, they may be a new archaeological site and therefore be subject to Section 48(1) of the *Ontario Heritage Act*. The proponent or person discovering the archaeological resources must cease alteration of the site immediately and engage a consultant archaeologist to carry out archaeological fieldwork, in compliance with Section 48(1) of the *Ontario Heritage Act*. Archaeological sites recommended for further archaeological fieldwork or protection remain subject to Section 48(1) of the *Ontario Heritage Act* and may not be altered, or have artifacts removed from them, except by a person holding an archaeological license.
- If human remains/or a grave site is discovered, the proponent or person discovering the human remains and/or grave site must cease alteration of the site immediately. The *Funerals, Burials and Cremation Services Act* requires that any person discovering human remains must immediately notify the police or coroner and the Registrar of Burial Sites, War Graves, Abandoned Cemeteries and Cemetery Closures, Ontario Ministry of Government and Consumer Services.

In consideration of the potential risks for the recovery of archaeological resources, and the anticipated construction on the property at 399 Ridout Street North, the City will require an archaeological strategy to be confirmed prior to any construction or soil disturbance.

Please let me know if you have any questions.

Sincerely

Michael Greguol

Planning and Development

Appendix E – Public Engagement

Summary of All Comments from Circulation

Concerns for:

Affordable Housing: Provide affordable housing x3

Heritage: Negative impacts on heritage buildings x3, does not conform to heritage district x1, violates designation x1, heritage site is crown jewel of London x1, consider reconciliation for indigenous communities x1,

Intensity, Height and Form: No more than 42 storeys x1; Locate tower elsewhere x1; Loss of views x5; Loss of sunlight/impact of shadows x8; Wind Shear x2; Provide greater than 0m setback x1; Insufficient Market Demand for units x2; Development proposal could change x1, not aligned with architectural character x1, out of proportion x2, density is too great x1, increase housing styles x1, provide family-sized units x1,

Land Use: Should be a public park instead x1; Not enough demand for existing retail x2; Need a grocery store downtown x4; What will be open to the public x1, develop on parking lots instead x1, preference for retail in lower levels x1,

Policy: Does not conform to current policies x5; Build what was approved in 2015 x3

Servicing: Stormwater and high groundwater x3; Inadequate sewage x2; Negative impacts on servicing x4

Thames River: Impacts to achieving Back to the River x3; Reduced access to river x5, development should vitalize the Forks x1, too close to the river x2,

Transportation and Parking: Provide minimum bicycle parking x2; Increased traffic congestion x7; Insufficient vehicle parking x5; Provide wider sidewalks x1

Other: Construction nuisance x2; Build on vacant lots instead x2, negative impacts on wildlife x1, impacts views of bud gardens x1, fire fighting in tall buildings x1, landscape style of triangles is not favourable x1, design with walkability, x1,

Support For:

Investment in the downtown x2, economic opportunity for London x1

Summary of Comments – Received from Open House July 31, 2023

Traffic

- 800 dwelling units will equate to 800 cars which will cause added congestion in the area
- Congestion for the existing population

Parking

- More vehicle parking and bicycle parking needed
- Minimum 800 vehicle spaces equivalent to number of units and 60 for overflow and retail

Building Height

- Does not align with London's current architectural character
- Impact on character of London along the river and park
- Out of proportion to the site and adjacent buildings
- Towering over heritage buildings and park space
- Negative impact to views of surrounding buildings towards river, park and heritage buildings
- Negative impacts on wildlife

Policy & Zoning

- Current zoning restrictions on height are not being enforced
 - How was the building height permitted to increase from 30 to 53 storeys
- Does not align with the intent of the London Plan, the Downtown Community Improvement Area Plan, or the Downtown Heritage Conservation District Plan
- Violates a designation under the Ontario Heritage Act meant to preserve, maintain, reconstruct, restore, and manage property of historical, architectural, archaeological, recreational, natural and scenic significance
- The developer and City Staff should consider the significance of what development should occur at the Forks of the Thames in the interest of the community
- Development could be used to contribute to London's UNESCO Music Heritage designation

Location

- The development should have more consideration for being a landmark that defines London and contributes to a strong sense of belonging and of place
- Any development at this location should preserve and vitalize the historic, natural and culturally significant river front Forks of the Thames
- Swap property with a municipal parking lot or other "dead" space where the two or even three towers could be constructed
- Too close to the Thames River
- Development reduces openness and accessibility to park and riverfront pathways
- Development should be relocated away from the river and closer to downtown where there is open space
- Development lands are the crown jewel of the City of London and its downtown rich in nature, connecting 3 tributaries, and home to two of London's most significant heritage buildings
- Visibility of Budweiser Gardens when travelling from the East will be impacted

Heritage

- Area surrounding the Thames River, Dundas, Rideout, and King Street are designated as heritage under Part V of the Ontario Heritage Act to preserve cultural heritage
- Should consider reconciliation for Indigenous communities
- Does not reserve the right of present and future Londoners to take pride in the City's rich cultural heritage

Shadow

- Shadow over Blackfriars
- Shadow over downtown
- Shadow over adjacent heritage buildings
- Morning Shadow
- Shadow over park – Impact to terrestrial and aquatic wildlife

Density

- Density is too great, and needs to be balanced with other factors of quality of life
- Out of proportion with adjacent buildings
- Could the density be lower? (less floors)
- Consider moving this level of density closer to the heart of the downtown core (vacant sites, parking areas, areas in decline, SOHO neighbourhood)

Wind

- Wind patterns from the building are a concern

Safety

- How will the fire department fight a fire in a 53 storey building

Uses

- Love to have retail in lower levels
- Request for public survey to determine whether the building should hold condos, rental properties, or a hybrid between the two
- Grocery store is needed in this area

Landscaping

- The “triangles” layout in the courtyard is not favourable
- A design with easier walkability and/or more seating may provide more function to go along with the form
- Development does not meet expectations of a downtown green space

Cost and Affordability

- Associated tax increase
- More employment opportunities needed
- Great economic opportunity for London

Housing

- Who will be able to afford to live in such a large building and/or downtown
- More affordable housing is needed
- Greater diversity of housing styles needed

Other

- Will there be a public hearing to share public thoughts on this?
- The resulting development will change the course of London’s history forever, the lands at the Forks of the Thames are significant to our communities heritage. Let’s ensure that we don’t give away our City’s soul.

Public Comments

From: Jennifer Jackson < >

Sent: Saturday, August 26, 2023 9:43 AM

To: Planning and Development <PlanDev@london.ca>

Subject: [EXTERNAL] 50/399 Ridout Proposed Development

To whom it may concern:

Not sure if this is the right email to express my thoughts on this development however if it is not could you please forward my comments to the appropriate department.

In general I am very concerned about the impact these towers will have not only to my building but the other 5 apartments in close proximity to this proposed development. I currently reside at the < > at the corner of King and Ridout.

View:

When I moved into this apartment I selected it not only for the proximity to downtown/walking paths but also for the view of the trees/river. The previous building in this location did not inhibit this view. This development would eliminate the view for my building and would negatively impact other properties.

Structure:

Having 2 towers so significantly larger than the surrounding buildings would be an absolute eyesore as a good development should seek to blend into the area. London is not Toronto and that is one of the attractive features of living in London. I am asking that the view of the many residents who are paying high rent for the location be considered.

When there is a view of the Thames and green space I would hope that the requirements for a structure in this area require that the view is not blocked completely. The retail space is also a concern as there are numerous vacant store fronts just two blocks over. Furthermore, this structure does nothing for the city of

London but rather maximizes the profits of the developer. This appears to be a very greedy proposal.

Bringing people to downtown:

I also don't believe building this structure would bring more people to the downtown core. There is a housing crisis and the apartments/condos in this development would not address that issue due to the expense to rent/buy. I believe it would have the opposite affect. The traffic on this corner is very congested and when there are events at Budweiser and Harris Park it is very difficult for people exiting the parking areas. Adding that many more vehicles exiting those structures would only serve to push current residents out of the area. Speaking for myself, having lived through considerable construction the last two years, I will not be paying high rent to live through more construction for a building that will only serve to make my apartment less enjoyable once completed.

Historical Building:

I have looked at the proposed design incorporating this building and it diminishes the beauty of the old jail and current grounds. I also believe it would eliminate the desire for anyone wanting to get married here.

In closing, I feel it would be a detriment to London to build such a monstrous structure in that spot. It would look completely out of place and depreciate the surrounding buildings. It would negatively impact the quality of life for the current residents. I also feel strongly that building should respect the green space of this area of the city and this does not. Surely the developer can come up with a design that is more respectful of the city and I do not see that being considered in the proposed plans.

I visited Halifax recently and went on a tour of the city. It was brought to my attention that any new build in the city has to be built so that every current building still has a view of the water. I think this is a perfect way to honour the existing residents while still allowing for new developments. Please do not allow this developer to negatively impact the city and the local residents.

Respectfully,
Jennifer Jackson

From: Roe, Christopher < >

Sent: Tuesday, July 4, 2023 10:22 AM

Subject: [EXTERNAL] OBJECTION: File OZ-9622 (50 King St)

<https://london.ca/sites/default/files/2023-06/Notice%20of%20App%20OZ-9622.pdf>

I am an owner of a condominium at < >. and I am writing to strongly object to the proposed development at 50 King St, formerly Middlesex Health Unit. I believe this development will be too dense with the two towers proposed (53 & 43 storey's respectively).

In 2015 there was an approved development at 50 King St for a 22 storey tower, which at that time also had many objections. Moving forward with this latest proposal (4x the size) in my opinion is absolutely unacceptable. Thames St and King St are two single lane roadways which would be unable to support the increased traffic to this development. The services required by the city to provide would overwhelm the existing services; water and sewer. The roadway in question was completely renewed in 2021 with new sewers and water services that are still overwhelmed to this day. The area between Harris Park and Ivey Park was meant to be maintained and protected as a beautiful city green space but this development will degrade the historical founding site of the City of London. In addition, the Old Courthouse will be engulfed by the huge development and the views of the River Thames will be spoiled by the monstrosity of these towers.

I strongly urge you to reject this proposed development.

Sincerely,
Christopher Roe

Christopher Roe, CIM

From: William Poirier < >
Sent: Wednesday, July 5, 2023 5:17 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] Planning application comment

Hello,

Having just moved in and looked at my letter box at < >, I feel like I have not earned the right to comment the project of Amending the zoning by-law in order to construct 2 towers at 50 King street.

However, having looked at the plan and the position of the very tall towers and keeping in mind the presence of the Renaissance towers, I believe that this project cast huge shadows on the city center's main attraction, the public market. I also believe that the surroundings of the old court house is much better served by the present zoning laws limiting the height of the buildings to 3 stories. This makes for a much more coherent historical block.

In any case, I believe one of London's main attraction is the greenery, and that the city centre needs it. As such, making this lot a public park with public gardens will both aid in attracting people to the localised businesses and provide a purpose to the old court house.

Salutations,

William Poirier

From: Michelle Quintyn < >
Sent: Wednesday, July 5, 2023 9:22 PM
To: dferreria@london.ca; Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] comment on 50 King and vitalizing downtown

Dear David and Sonja,

This outreach is responding to the request to comment on the proposal made by York Development pertaining to 50 King Street. While I am a resident in the area, I have for 35 years lived and raised a family on Waterloo Street and have dedicated over 20 years of my career and volunteer work to moving our downtown forward – leading the redevelopment of Covent Garden Market, revitalizing SOHO with building the Goodwill Campus and serving across many other culture and community development initiatives. I am passionate about placemaking, architecture, art and culture, and how these essentials can transform cities.

Having just returned from three weeks of travel I am last minute and therefore not very ready with my comments; but I would like to address a few issues and opportunities. Ideally this consultation will extend longer and be more engaging of our broader citizens (a point elaborated on below).

Densifying Downtown London: Bravo to the City for the evolution of a number of downtown towers and the commitment to furthering the densification of the core, along with the transport corridors for pedestrians, bikers, and commuters. Twenty-two years ago, when the new Covent Garden Market was launched, the notion of people living downtown was considered absolutely critical to its success and to the broader success of commerce, culture and the vibrancy of downtown. We are now coming of age in this regard, and this is exciting.

There is ample further opportunity to 'tower up' the core. Neighborhoods like Soho, areas in the downtown that are vacant and in decline, and the pavement idling empty or as parking lots...all and more could/should be a priority for medium and high-density development. It would be great to see the Master Plan that maps this out along with

how the City might preserve spaces for greening, public, art, culture, and other uses contiguous with the densification strategy and a vibrant core.

The Consultation Process and City Master Plan: While 50 King lands are unfortunately owned by a developer (who I respect) and therefore subject to a particular process of comment and input, I believe wholeheartedly that every Londoner should have opportunity to engage and give voice about the direction of these lands. They are critical to the vitality, placemaking, heritage, recreation, and enjoyment of all who have a stake in this City. It is disappointing (maybe I am wrong) that we do not have or are not upholding a Master Plan for downtown, the river, the forks and other prime spaces in the core and the City. The riverfront and riverside parkland I assume is considered in our zoning, bylaws, and plan as critical for creating a vibrant and vital downtown and London as a whole. The lands unfortunately slipped out of the Cities control when they did the right thing and tried to buy it – but the zoning, bylaws and control of its uses did not. Do we have a Master Plan and are we adhering to it?

The single tower is already approved. The height adjustment to 53 stories is disappointing but not a gamechanger. Is there not a way to partner with York to preserve the prime riverfront and potential gathering spaces as common lands for the people? Could one of the nearby City owned parking lots be embraced or swapped to develop in a partnership? Grasping here...!

Clearly a big investment is hard to pass by but what long term return and impact are we sacrificing to not just preserve, but vitalize the prime river front and Forks of Thames area? Very few great Cities in the world don't seize such opportunity. It's been proven over and over... 'build it right and they will come'.

Is there an area Site Plan? Essential to being able to consult or understand as an owner, business in the area or a citizen stakeholder, would be a site map that featured both the placement of the buildings on the site which you shared but also those buildings and landmarks adjacent in the areas surrounding, such as the Museum, neighbouring buildings, and businesses. The artists renderings are not valid concepts and may change; and don't seem contiguous with the landmarks.

Build it right: It seems likely that something is going to get built at the Forks. This must be a space for fabulous design and architecture. It is hard to determine exactly how this will live up to such expectation or how a City can make such happen. The site plan is difficult to decipher (as per above). What will be open to the public and what is only for owners? There's a large empty space between the two towers and it's hard to understand why it would be preferable to encroach on the prime river facing lands and leave a space that large that doesn't seem to have a purpose. A lot more to say here but I am running low on jet lag fuel.

Leverage the asset: It is obvious that this area 'getting done right' will draw people to live and work downtown. Protecting and ensuring incredible gathering spaces including the river itself will ensure the towers fill and downtown will thrive. I must take this opportunity to mention that London needs a Performing Arts Centre – and an outstanding piece of architecture it should be. We have a music heritage designation! This ideally should be at the Forks of the Thames. Many people have ideas and a shared concept (not connected to 50 King) on how to do this consistent with revitalizing the downtown and by leveraging the river. This note is not the place, but I would be pleased to dialogue.

It is late and I am trying to recover from a four-hour time difference and so I hope that I will have time to rethink and correct some of the mistakes I've made... I just wanted to meet the July 5th deadline.

Thanks so much for the opportunity to share and for the work you're doing to make our City great!

Michelle

Michelle Quintyn

From: Brian Timney < >
Sent: Wednesday, July 5, 2023 12:33 PM
To: Wise, Sonia <swise@london.ca>
Cc: City of London, Mayor <mayor@london.ca>; Ferreira, David <dferreira@london.ca>; strowsow@london.ca; Franke, Skylar <sfranke@london.ca>
Subject: [EXTERNAL] Planning Application, 50 King St

Dear Ms Wise:

I have attached a letter expressing my views about the proposed Official Plan and Zoning By-Law amendments to allow for the construction of two residential towers at 50 King Street.

Sincerely,

Brian Timney

Brian Timney
< >
July 5th, 2023

Ms. Sonia Wise
Planning and Development, City of London
300, Dufferin Ave
London
PO Box 5035, N6A 4L9

Re: File OZ-9622 - 50 King Street

Dear Ms. Wise:

I am writing regarding the proposed zoning amendments to allow two apartment buildings on the lot at 50 King St/339 Ridout St. In its present form the proposal raises a number of significant issues about the impact on the surrounding area, and the use of the forks as a recreation area for the whole City of London. I have listed a number of these below:

- Downtown London has been designated as a heritage district and the area around the Forks was singled out in the *Back to the River* initiative a few years ago. At that time the city acknowledged that the Forks of the Thames, the birthplace of London, should reflect our culture, heritage and history. The *Back to the River* initiative reflected the need to protect and enhance this area. The current proposal would remove all of the above ground parking along King Street and would severely reduce access for those who come down to the Forks for their recreational activities.
- There is already an approved plan for a single 28 storey tower at the corner of King and Ridout. Here is link to that detailed brief: (<https://www.middlesex.ca/sites/default/files/documents/50%20King%20Street%20Urban%20Design%20Brief.pdf>). This brief specifically addressed issues related to the integration of the building into the surrounding area, including the preservation of the integrity of the Forks. The current proposal is for two towers, of 53 and 43 storeys, respectively, including commercial development, that would take over almost all the space around the Forks and the heritage buildings. The density would be increased almost fourfold.
- There are already issues related to stormwater runoff and sewage overflow in this area. The increased density from such a large development would place an enormous additional strain on the infrastructure

- Thames Street is used as a shortcut from the west of the city and is already very busy at times. The increased traffic flow from the additional units could cause serious problems, especially at the intersection of King and Ridout, which is part of the Bus Rapid Transit system.
- It appears from the proposed plan that the entrances to the parking garage would be on King Street. The recent changes to the traffic flow rules on Ridout, including the prohibition of right-hand turns from Ridout onto King, would mean that anyone wishing to get to the buildings would have to make a loop round York Street to Thames Street and then turn into the building from eastbound King. This does not seem to be very efficient.
- With respect to the buildings themselves, a total of 800 units is proposed, with an allocation of 550 parking spaces. It is quite possible that those without spots in the buildings would then be forced to use the limited spots that would still be available at the corner of King and Thames.

I am concerned that if this project is permitted to go ahead unmodified, it will restrict access and destroy the ambiance of what is arguably London's most attractive asset.

Sincerely,

Brian & Joanne Timney

From: Zbyszek Mogielnicki <>

Sent: Wednesday, July 5, 2023 7:00 AM

To: Ferreira, David <dferreira@london.ca>; Wise, Sonia <swise@london.ca>; City of London, Mayor <mayor@london.ca>

Subject: [EXTERNAL] 50 King amendments by York Developmentsmý

Hi planner Sonia, mayor Josh and councilor David,

I'm writing a separate email though I'm in agreement with my wife Anna on this important issues of planning two record high towers in our most precious heritage district.

Please disallow the greedy York Developments to ruin our greenspace and obstruct heritage in downtown core. Their plan to go from approved one 22 storey building to two record high towers totaling 96 storeys is purely for their greed. They overpaid for the land believing they could get away with this. Well no way will we let them have such a negative impact on the sewage, storm water infrastructure and our traffic.

Despite living in northeast London I visit the King and Thames St area where I can park and enjoy a walk by the Thames river. On rainy days the sewage and stormwater come up onto the street because our infrastructure can barely handle the recent new addition of Riverwalk building owned by Tricar at corner of Thsmes ans York.

The crazy over the top amendment and wish to rezone, if approved would put our sewage infrastructure in that area in jeopardy and much less pleasant area to visit. Yorks wish for 600 parking spots is ridiculous. So many new cars, more than all surrounding buildings will create super congestion from what already is a congested traffic area. There are much better locations to build like converting unused parking lots. Leave heritage and valuable little greenspace in our city alone so that

Please halt this crazy project completely or stick with one approved 22 storey.

Sincerely,

Zbigniew Mogielnicki

From: Anna < >

Sent: Wednesday, July 5, 2023 6:51 AM

To: Wise, Sonia <swise@london.ca>; City of London, Mayor <mayor@london.ca>; Ferreira, David <dferreira@london.ca>

Subject: [EXTERNAL] Zoning amendments at 50 King St

Hi planner Sonia, mayor Josh and councilor David,

Please disallow the greedy York Developments to ruin our greenspace and obstruct heritage in downtown core. Their plan to go from approved one 22 storey building to two record high towers totaling 96 storeys is purely for their greed. They overpaid for the land believing they could get away with this. Well no way will we let them have such a negative impact on the sewage, storm water infrastructure and our traffic.

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Please halt this crazy project completely or stick with one approved 22 storey.

Sincerely,

Anna Mogielnicka

From: Jen Bes < >

Sent: Tuesday, July 4, 2023 9:49 PM

To: Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Opposition to 50 King St Official Plan and Zoning Amendments File OZ-9622

Hello Ms. Wise,

I am contacting you today to voice my opposition to the proposed two buildings (53 and 43 storeys) being considered for development at the corner of King st and Rideout St. at the forks of the Thames.

As a former resident of the Peter McGregor tower at 21 King St., I am familiar with the area and feel this would be a complete eyesore that will overshadow the river and the parks. I feel it is just too large for the location. Although I no longer live in the core, I still frequent the area and have friends that live in the immediate vicinity who also feel very strongly about this. They are concerned with the sewage and traffic issues this may create, and we are all greatly concerned about the effect this will have on our green space and heritage properties.

Yes, the city is in need of housing but I don't see this monstrosity as being the answer. The city doesn't need more "luxury" housing when there are dozens of people living out of tents along the TVP. It is not "affordable housing" when rent for a one-bedroom starts at \$1650/month (using the new building at 99 Pond Mills Rd as an example). Considering the location, I'm sure rent in these towers would be more than that and would only be affordable to the 1%, not the family struggling to make ends meet off of full-time minimum wage jobs.

In my eyes, this proposal is nothing more than developer greed with no consideration for the impact it will have on the area and the current residents. Please stand with the people of ward 13, and especially those who reside in the area of King and Rideout.

Thank you for your time and attention to this matter.

Jennifer Bes

From: Patti Carey < >
Sent: Wednesday, July 5, 2023 9:25 AM
To: Wise, Sonia <swise@london.ca>
Cc: Ferreira, David <dferreira@london.ca>
Subject: [EXTERNAL] File: OZ-9622 50 King St & 399 Ridout St N, London

We live at < > and face NORTHWEST. Currently, our view to the west has already been compromised by Riverwalk. If this building is allowed to be built, our views of the old courthouse, Harris Park area & Labatt Park will be non-existent! The loss of view will negatively impact the potential property value of our unit.

At one time, we were told no high rise would be built there because it was a migratory bird flyway. What happened to that study?

Currently, mallard ducks nest across from us on the outdoor common balcony across from us at Renaissance I (rental building). We love watching nature within the city. Please don't negatively affect our surroundings by allowing something higher than a few floors to be built there.

Just because York paid too much for the property, doesn't mean we have to allow them to recoup their losses by building a high rise.

Also, there are too many rental buildings already being built. I doubt they will fill to capacity once built. We don't even have a grocery store downtown to support the current residents, how can we support more?

Also, recently we were sitting at Covent Market during a beer festival. We commented that we were waiting for the sun to pass by an existing building so we could enjoy some sunshine there, but if that building is allowed to go forward, there will not be sunshine there for future festivals. Our balcony is on the north side of our building and we won't get sunshine for potted plants, nor for the enjoyment of warmth when outside.

I know you probably don't care about the loss of our views, but we do! Do not let York Development strong arm you into ignoring your tax payer's wishes. Show us you listen to us by not allowing a high rise to damage the skyline on that corner!

Patti & Rowland Carey

-----Original Message-----

From: David Pomerantz < >
Sent: Tuesday, July 4, 2023 5:27 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] Zoning amendments at 50 King St

We are owners of a unit in< >. here in London. We are writing in regard to an attempt by York Developments to obtain major changes to the Official Plan and Zoning By-Laws at 50 King St and 399 Ridout Street North.

This is a blatant attempt at violation of current planning protocols. If the developer truly intends to supply only 350 bicycle and 550 vehicle parking spaces, it follows that 2.5x fewer living units should be allowed, i.e. Only about 500 units. That is probably a reasonable number and would need only one tower. The proposed western tower would block access to this historic area of downtown the for the their own eastern tower, as well as established buildings in the area.. I think this underlines the lack of

understanding of urban design principles of the engineers for this project. Certainly seems like a gross abuse of planning by York developments.

The proposed size of this development could be more suited to another part of the city. Several sites in Ward 2 come to mind.

The argument that previous city plans are outdated is pure bunk. Taken to its conclusion, any developer who wants to build an inappropriate structure can simply propose the idea and claim any previous plans are irrelevant. This is outrageous and implies there needn't be plans.

It was argued by York that this will help London's housing crisis. This too is naive if not malicious. This will not provide affordable housing unless the city stipulates that these units be reserved for low to middle income tenants. Do you see that happening?

Whether due to arrogance or avarice, the York proposal only serves the developer, not this historically significant area of the city.

David Pomerantz

& Patricia McFee

From: Leanne White < >

Sent: Tuesday, July 4, 2023 1:27 PM

To: Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Planning Application Comments

Hi Sonia,

Recently I received a notice of planning application for 50 King St and 399 Ridout St N (file OZ-9622). I'm writing this to you from a bit of a selfish position, as I live in a northwest-facing corner unit at 70 King St - a unit with a balcony that overlooks the Thames River, Ivey Park into part of Harris Park, as well as Labbatt Park. Although I live in the core of downtown, I've been privileged to have an amazing view of what makes London the Forest City - and frankly I'm appalled by the idea of looking outside and seeing two high rise apartment buildings blocking the green view that initially sold me on renting this apartment unit in the first place.

While I would agree that London needs more (affordable) housing and parking, but this ain't it - 43 storeys? 53 storeys!? I understand that the vacant land across the street from my building can't stay a dirt pit and swamp water forever, but why should Londoners be proud of their city if they can't even see it? Tangentially, zoning proposals like these make me believe that London is losing its humanity - the constant construction - a necessary evil or not - already makes people miserable, and watching giant buildings like the proposed spring up everywhere downtown feels very cold and demoralising in a time where more than half of Ontarians are already struggling to afford rent. Downtown could be so unique, but I wish we could nurture what's already here.

So, I'm against the planned buildings, and I'd like to believe I'm not alone. Thank you, though, for the opportunity to comment on the zoning proposal. I'll be keeping an eye on whatever happens over there across the street, as I won't have much of a choice.

Cheers,

Leanne White

From: Rick Lee < >

Sent: Tuesday, July 4, 2023 1:19 PM

To: Wise, Sonia <swise@london.ca>; Ferreira, David <dferreira@london.ca>

Subject: [EXTERNAL] 50 King St and 399 Ridout St. N

Dear City

I am writing to give my comments about the redevelopment of this long time public asset of the people of Ontario, This is not just another piece of land to build on. As a resident of London since 1968 and a long time resident of < > and now < >. this project affects me as a neighbour and as a stake holder in the City of London.

I have read the heritage and other documents made available on line.

Without a plan to preserve and use the Court House and Jail, any proposal is incomplete and MUST be rejected in it's entirety. We have seen far too many Heritage buildings lost to "Demolition by neglect" once a developer has control. We have lost the greater part of our character as a city to greed and expediency. The proposal I see has no plan for the preservation or use of the historic buildings. The site plan shows building far too close and the obvious danger to the heritage structure is completely ignored.

I am in favour of intensification of density downtown, but this site is special. It impacts what should have been and always was a public trust. This "gung ho ... tear everything down" proposal is a violation of all the generations of Londners and indeed all Ontarians. The answer from the planning department and city council should be just NO.

The proposal does not even state what type of housing (rental or Condominium) is included.

The height proposed is excessive and would take all sunlight from Ivy Park and the whole surrounding area.

Parking proposed is insufficient for what is a very hard area to find a parking spot and the operators of an adjacent city facility, Budweiser Gardens, also proposing to reduce both facility and public parking. This proposal also removes many existing parking spots. We invite over 9000 people to this area several times a week and provide less and less parking and no transit park and ride plan from remote lots. London transit seems to have no plan to actually move people to events they are attending. BRT was supposed to keep cars out of the core but it has definitely not done that at all. Event tickets and Knight seasons tickets should include bus passes from designated free parking lots.

The idea of reducing bicycle parking where all the bicycle infrastructure meets is just laughable and shows how out of touch this proposal is, SECURE ACCESSIBLE bicycle parking must be included. not just some afterthought unusable facility driven by greed and ignorance.

13,785 sq meters of commercial, retail and office space is proposed for this site? This shows that the developer knows nothing about the area or downtown. Vacant buildings and retail space are a problem not a solution. Lots of vacant commercial space at 71 King and at the other high rise buildings in the area. Lots of vacant space within a few blocks. Does the developer have tenants for this space?

Overall this proposal shows why this property should never have left public hands. "Greed is good" is the guiding principle of this proposal.

I have taken the time to write and would appreciate answers from my representative and from the City of London.

Rick Lee

< >

From: Mel Gray < >

Sent: Monday, July 3, 2023 9:30 PM

To: Ferreira, David <dferreira@london.ca>; Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Downtown Development File# OZ-9622

Good morning,

I am writing concerning the recent notice we received about the development proposal OZ-9622 at Ridout and King. First, I would like to say that I am happy to see more development happening in the core of the city, rather than exclusively building out into valuable farmland. I want to support these core projects going forward, but as a resident of one of the existing buildings in the area, I have concerns about the accessibility of these properties to the average Londoner.

I live downtown with my partner and when we moved into our current building last year, we considered ourselves quite lucky to be able to afford our small 800 square foot space. In recent years, we have seen a shocking increase in the cost of living here in London, and while I am happy to see the downtown core being built up in some ways, I worry that these central areas of the city are only open to people who make significantly above the average income. Currently, average rent on a one bedroom in London is close to \$1700 before utilities or any other necessities, and a two bedroom is going for above \$2000. To put that into perspective, I have been working at my current, very stable job for nearly 7 years and my take home pay is just over \$1000 bi-weekly. As I have been at my job for so long, I make well above minimum wage and my partner makes about the same. If I were living alone, I would need to spend almost my entire month's pay on rent alone for a standard one bedroom - add on utilities, the cost of having a phone, and there is almost nothing left.

I am sure you are aware of the issue of unhoused individuals in London becoming a growing issue. If housing in London does not take a sharp turn towards the affordable, the issue of folks ending up on the street will continue to grow. When you cannot afford rent on a full-time, above minimum-wage job, there is a serious problem in your city. I paid less living in Toronto for school just 7 years ago than I do living in London now - and frankly, London has far less to offer.

Seeing the proposed plan for this new apartment block brings these issues to mind. I suggest that the city of London make a concerted effort to regulate affordable housing in the core, where it is so desperately needed, rather than pushing for more luxury buildings to be set up for a population that cannot afford to live there. I don't think it would be unreasonable to require new developments to keep a certain percentage of units open for affordable housing programs.

Thank you for your time,

Best,
Marnie Gray

From: The Litsters < >

Sent: Monday, July 3, 2023 8:13 PM

To: Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] 50 King St. and 399 Ridout St. N file:OZ-9622

To Sonia Wise

This letter is in regard to serious concerns we have for the building of these 2 highrises.

As homeowners at < > we are opposed to buildings of that heighth. Did you know The TD Centre in Toronto is that heighth? With the 4 storey podium under the 43 storeys, it's pretty close to the 53 storey. It's twice as high as ours, the < >. I don't understand if they will be housing 1175 or 800 units. It's not clear in the application. Either way it's 4 times or 6 times more than ours. We have 200 units. Still if there is 550 parking spots and 800 units, where does the balance park? Is this in addition to parking in a garage and if so, how many there? Where does their 2nd vehicle park if there is one? Where does friends and family, office staff for the offices, staff and customers for the retail space? In the city parking lots? Azure, Riverside and people in our building have to do that.

PARKING

On event days the Budweiser for a Knights game has up to 9000 attending. The city parking lot south of the railroad is maxed out of parking forcing people to park illegally at surrounding retail establishments. We don't dare invite guests over on those days. We can't park them.

Residences in your 2 towers will be in the same predicament which will be a worse struggle for all the residences that already live here.

When Farhi builds his project down the street from this building site, it will be a total nightmare.

TRAFFIC

With that many more cars driving in this area, and the one-way streets they'll be leaving their building from, it will be impossible to get around. Trying to go North of downtown there is Talbot and Richmond streets. Very congested and slow. On a work day people coming from the South are lined up on York turning North on Ridout. Makes it difficult getting out of our parking garage.

Do you know there are 15 freight trains and 10 VIA that cross here on Ridout everyday. That brings traffic at a stand still in the intersection of Ridout/York.

It is so difficult getting from point A to point B with so much construction. There will always be the need for construction and road maintenance. Right now we are persevering with Victoria Bridge (over 1 year now), Sewer Replacement on Wellington Rd. and soon to be road widening at Stanley/ Wharncliffe. My point is for future maintenance how are we to deal with it when there will be more congestion living here?

These concerns are for everyday living downtown, and we manage because that's the way it is everywhere, but we can't accomodate buildings of this magnitude in this area. They will obstruct views and overshadow whats already here. Too bad for the homeowners who live for the beautiful sunsets or just the sun in general.

I'm trusting that our concerns will be heard and taken into consideration regarding this matter.

Sincerely,

Rod and Sherry Litster

From: Ellen B < >

Sent: Monday, July 3, 2023 7:30 PM

To: Wise, Sonia <swise@london.ca>; Ferreira, David <dferreira@london.ca>

Subject: [EXTERNAL] 50 King St & 399 Ridout St North

Good day.

My name is Ellen Baumgarten and I am a resident of < > which is kitty-corner from the proposed 53 storey tower by York Developments. I have several comments to make about this property. Firstly, I would like to tell you my location, which is the 15th floor, on the north west corner of the building, so you can see how this will impact our view of the city. This, however, is not my only concern. I am very concerned about the whole process of digging up that area based on the little Talbot Tot that was found on the Bud Gardens property. I hope that there will be a complete archaeological survey done before anything is approved. Incidentally, I am a direct descendant of the Darch family who were the builders and owners of the Darch Building, which stood on the property that is now Bud Gardens. The Darch name is on the plaque on the east side of the building. We couldn't help but wonder who that little tot belonged to when the story was revealed. I also have big concerns about the proposed building being SO close to the former jail/courthouse. This seems completely out of sync to me to have a huge monstrosity beside this heritage property. I understand the need for the city to do in-fill as much as possible and to build up, but the size of these buildings increased from the initial proposal I believe. I am not completely opposed to something going there

and from what I understand the bases of these towers will accommodate some possible bars and restaurants along the river front, which is an amazing idea.

So in closing, I would really like the city to reconsider this plan and keep the height really restricted, and ONLY let it pass if there is nothing of significance under the ground there. By the way, the big hole in the ground that is there now has NEVER emptied out from the water that has been there since wintertime. It goes down a little, then every rain it fills back up again. One would have to wonder if a drainage survey needs to be undertaken as well. It might be tricky to put a building of any size on a soggy piece of ground.

Thanks for listening

Sincerely
Ellen Baumgarten

-----Original Message-----

From: DIANE vanLeeuwen <>
Sent: Monday, July 3, 2023 4:50 PM
To: Wise, Sonia <swise@london.ca>
Cc: Ferreira, David <dferreira@london.ca>
Subject: [EXTERNAL] 50 King Street & 399 Ridout Street North

The Forks of the Thames is the cultural and historical centre for the City of London.

Much time and money was invested in the future of this area with the Beautification of the Forks Plan.

The Proposed Application for 50 King St. by York Development will probably negate the planned development of the Forks.

The proposed high-rise building with a density of 1175units will be detrimental to the area.

*traffic in and out of the three entries on to King Street will be overwhelming.

*dwarfing of our historical buildings.

*Over shading of an oasis used by the Downtown residents.

*increase of the dog population fouling the park area.

Respectfully,

Dianne van Leeuwen

From: <>
Sent: Monday, July 3, 2023 3:59 PM
To: Wise, Sonia <swise@london.ca>
Cc: Ferreira, David <dferreira@london.ca>
Subject: [EXTERNAL] OZ-9622 by Applicant 50 King Street London Ltd (c/o York Developments)

Dear Ms. Wise,

Thank you to the City of London for the opportunity to comment on the Application File OZ-9622. I am a new resident to London, having moved away from the Greater Toronto Area, and specifically sought the location for my new home (June 2022) at the Forks of the Thames River.

At the time of my home search and purchase, I was aware of a proposed development at 50 King Street. The information that was available was a modest development of a

scale (22 storeys) that would not compromise the infrastructure, historical significance, character, vista, etc. of the area.

The Planning Justification report dated May 2023, and the Heritage Impact Assessment dated March 2023, to support the Official Plan and Zoning amendments includes drawings that show the “Back to the River” proposal in plan view and in its 3D renderings (zedd Architecture). If I understand correctly, funding was withdrawn from Back to the River in 2020. Using the very attractive Back to the River proposal on the plans for the proposed development at 50 King is extremely misleading as it serves to enhance the look of the proposed development despite the fact that Back to the River has no hope of being funded, according to reports of 3 years ago. The plans used in the documents also show the “Extended Dundas Place Pedestrian Street”. If these elements are not in place, I feel it is misleading to show them on the application. Additionally, one drawing in the Planning Justification report indicated two-way traffic on Ridout between Queens and King Street – perhaps that was the case at one time.

While the prospect of new development is attractive to “intensify” and revitalize the downtown core, add needed retail (maybe a grocery store) and appears that it will positively enhance the ambience of the area, it seems to me that increasing the density (two towers being one of 53 storeys and one of 43 storeys) will have negative impacts, and other comments, as noted below:

- Traffic congestion on King Street and Thames Street, which already have trouble handling volume during certain times
- Strain on city sewer and stormwater systems
- Sightlines and vistas will be blocked
- Many trees are slated for removal (50 out of 100 in the study area)
- The Traffic Impact Assessment dated May 2023 states that the development is anticipated to be completed by 2025; this seems presumptuous.

Thank you for taking the time to read and consider these comments.

Regards,
Karen Rees

Karen Rees, P.Geo.

< >

From: ISTVAN CSEH < >

Sent: Sunday, July 2, 2023 2:38 PM

To: Wise, Sonia <swise@london.ca>; Ferreira, David <dferreira@london.ca>

Subject: [EXTERNAL] Proposed 50 King Street West development - concerns

Dear Sonia Wise and David Ferreira and whoever cares about our city’s heritage and nature-oriented ethos.

I write to contest the latest proposal for this development.

The 2015 proposal was a far more reasonable design than the present quadrupling of the density and more than doubling of the tower heights, which will completely obscure any existing views of the forks of the Thames. Gone would be this idyllic vista of a river view the City of London has spent most of our lives preserving.

From an urban design perspective, we do not feel the towering towers reflect the ethos of the heritage and history of this ‘corner’ of the city’s origins. The county building, jail house, art gallery, museum and river-adjacent parks and walking trails and play areas all invoke a character in unpleasing dis-harmony with the proposed design.

Is the impact to the city infrastructure worth the investment, in this area of town where flooding, storm water runoff and sewer back ups are already issues needing addressing? Not to mention the potential impacts on traffic in this congested part of the

downtown of our city. How will the chaos we already have in this area during any special events be managed. Our Visitor Parking is already frequently trespassed on.

Thank you for listening, and providing other incentives (such as tax breaks, concessions to decrease their costs or the like) to York so they can have a lucrative development. They are just after a tidy profit...help them with that and not at the expense of the city plan and respect for our ambient.

Ilse and MJ and Nadir Ansari

Owners in the neighbourhood

From: Adelaide Richter < >
Sent: Sunday, July 2, 2023 12:37 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] 50 King & 399 Ridout new development

Hello Sonia,

I am emailing you regarding 50 King & 399 Ridout. I would like to express my strong opposition to the new development on York. I am concerned of planning issues such as Heritage, Water and Sewer services, Traffic flow and Congestion, and increasing population density.

Yours truly,

M. Adelaide Richter

-----Original Message-----

From: Judith < >
Sent: Saturday, July 1, 2023 5:50 PM
To: Wise, Sonia <swise@london.ca>
Cc: Ferreira, David <dferreira@london.ca>
Subject: [EXTERNAL] Planning Application zoning amendment 50 King Street and 399 Ridout St N

Did City Council bother to ask ordinary citizens of London how they envision development of the Forks of the Thames, the birthplace of London? How it should reflect our culture, heritage and history?

I am not alone in feeling left out of the discussion. Only now is my input sought, after the fact, with this Notice of Planning Application. The City unilaterally decided where and when to build the house and then asked for my opinion on paint colour. This analogy reflects the tragedy of what is being proposed for this historic property at the Forks of the Thames.

Regretfully the city allowed a developer to buy up this priceless area encompassing two historic buildings on land overlooking the Thames River and parklands at the Forks. Council then approved the developer's application to build one 22 story building on the site. Subsequently and predictably York Developments brought this current application for a zoning change to allow for a greatly increased density of units, with the expectation of approval in keeping with council's customary practice and the downtown density plan.

I have no quarrel with the downtown density plan but nowhere does it say that high density towers should be built on land that is rich in London's history, bordering the Thames River and its impressive parklands and trails. Eldon House, Museum London, the former Labatt buildings, famous Labatt Park are all located within striking distance of one another and this historic property. This whole area is the city's "jewel in the crown" and should be a focal point for residents and tourists to visit and gather. The two buildings of 53 and 43 stories proposed for this site would be devastating to that goal.

Whatever happened to the idea of a "back to the river plan" proposed by a previous council? Much time, effort and taxpayer money went into developing a plan for the Forks of the Thames, its parklands and environs. Now instead the city is poised to allow

two massive high rises that would obliterate any site lines and views of the river and parklands. The concept of preserving the history, the heritage, the culture and the living legacy embodied in these interconnected areas at the Forks of the Thames would also be obliterated.

Other issues would arise if 800 additional apartment/condo units were built. Infrastructure challenges including sewers, storm water runoff and flooding as well as traffic issues on both King and Thames Streets would be in play.

Regretfully the city failed to buy the property at issue from the County. Perhaps it could now be purchased from York Developments. Failing that, if York's application is not approved they may be willing to sell the remainder of the property that surrounds the one building already approved.

Hopefully this new city council has a more comprehensive vision for our city than simply focusing on these towers as additional tax revenue.

It is not the city's problem that York needs to build these two huge towers in order to make any profit on what they paid for the land.

Please. Have the vision, the courage and the will to say NO to this application.

Judith Potter

< > PS Sonia Wise - Please circulate this letter to all City Council members. Mayor Josh Morgan's listed email address mayor@london.ca came up as invalid as did David Ferreira's dferreira@london.ca.
Sent from my iPad

-----Original Message-----

From: PAUL FINLAY < >
Sent: Saturday, July 1, 2023 11:43 AM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] 50 King St

Dear Sonia, we are dead against the planned project.
Anything more than 35 stories is not acceptable. The density of new people in the area will wreak havoc with an already abominable traffic situation.
The shadows created on surrounding buildings will have a dreary effect.
Please reconsider.
Not against the project if it is limited to 35 stories or less.
Paul and Ginette Finlay

Sent from my iPhone

From: Aga Griffith < >
Sent: Friday, June 30, 2023 1:56 PM
To: City of London, Mayor <mayor@london.ca>
Cc: Wise, Sonia <swise@london.ca>; Ferreira, David <dferreira@london.ca>
Subject: [EXTERNAL] Opposition to 50 King St Official Plan and Zoning Amendments File OZ-9622

Dear Mr. Morgan,

Please stand with me in opposing York Development's application due to my major concerns that the 4.5 times the approved limit of storey, from 22 to 96 (two buildings 53 and 43 storeys) are far too unreasonable and unrealistic. Our sewage and traffic infrastructure can barely handle what exists now. Sometimes the stench of sewage overflowing onto our streets during downpours destroys our river and gives us nausea. Our traffic and construction we deal with is already horrendous. Everyone I talk to in my neighborhood opposes this and ask me to write on their behalf because they don't want to flood your office with too many letters and think that their voices wouldn't matter anyway until election time.

Basically our sewage and traffic infrastructure cannot handle the new development, period. Too late for the approved one 22 storey building though that seems reasonable enough.

On top of the sewage and traffic issues we are greatly concerned about the destruction of green space and heritage property and blocked views of our city's birthplace, and Labatt Park being the oldest baseball park in all of North America, the courthouse and so on.

Please put a stop to this madness.

Thank you for your future effort in helping us avoid these disasters.

Sincerely,

Agnieszka Griffith

< >

1 of 2

From: Martin Mogielnicki < >

Sent: Friday, June 30, 2023 1:43 PM

To: City of London, Mayor <mayor@london.ca>

Cc: Wise, Sonia <swise@london.ca>; Ferreira, David <dferreira@london.ca>

Subject: [EXTERNAL] Opposition to 50 King St Official Plan and Zoning Amendments File OZ-9622

Dear Mr. Mayor Josh Morgan,

I strongly oppose York Development's application to rezone the new development at the Forks of the Thames. York's request to change from one approved 22 storey building to two unlawful buildings of 53 and 43 storeys, if approved it would severely and negatively impact all residents in our ward 13 as well as the rest of London and tourists visiting our heritage downtown core.

My and many others' concerns are sewage overflow into the street and to the river, excessive traffic, the destruction of heritage and greenspace, obstruction of views. Sometimes we already have sewage overflowing onto the King and Thames streets during above average rainfall given the existing amount of residential buildings. Believe me, I have witnessed people vomiting from the stench of sewage. Meaning the existing road and sewage infrastructure can barely handle the current population density.

I am an owner and resident of a condo unit at < >, a 13 storey building with only 39 units and 60 parking spots. With two high rises already surrounding us we do not want an additional two buildings of record height across the street with an additional 350 vehicle spots. We already have sewage and traffic infrastructure issues currently. What is being proposed by York Development is unreasonable and unrealistic.

Other more suitable downtown locations that are currently constructing major high rises will mean more people living in our downtown core and they will need and want more green space, not less. The two proposed 43 and 53 storey buildings would obstruct views including of heritage, the oldest park in North America, Labatt park. As well as destroying the precious little green space we have, they are doubling their footprint from the already approved.

York Developments outbid the city to buy the property from the Middlesex County by paying far in excess of what our city bid. I feel they knew their plan to build over 4.5 times more stories than what was first approved by the city. I view this as a sneaky, greedy and risky business move. The approval of the one 22 storey building seems like it was under false pretenses. They are trying to sneak in an application for 4.5 times that to 96 storeys total. This is all so they can massively profit despite overpaying for the land.

Unfortunately it is too late for our city to acquire the entire parcel of heritage land that was sold to York Developments by our county government. The one 22 storey building already approved

seems like a reasonable addition plus it is too late to stop that. If that is too much land for York Development for one 22 storey building, I and many would like to see the city purchase at least half the land closest to the river as a win-win deal. York would recoup some of what they overpaid for the land, while having the one 22 storey building economically viable for them.

York Development's application to rezone and build two of the tallest buildings in the city would be a disaster, sewage, traffic, infrastructure, eliminating scarce and valuable greenspace. There is no room to expand the narrow roads of King and Thames streets, no thought of the multiple negative, costly consequences to come.

Our condo property taxes are far too high per unit comparatively to big detached homes with a greater footprint. Plus our condo corporation pays separate extra municipal taxes meaning we pay that through our condo fees. We pay more taxes than most big detached homes and the intensification proposed across the street would bring in more taxes however the existing sewage and traffic infrastructure is insufficient to handle the new proposed excess developments. Please use foresight in thinking of these negative consequences. The extra new taxes from the new development risk being wasted on compensating for environmental and infrastructure damages caused by the new development.

Please stop York Development's recent application to amend and rezone for two record high 43 and 53 storey high rises. I also remind you that all of the downtown core is a designated heritage district, especially including the birthplace of London at the Forks of the Thames. That must remain so, please do not allow a developer to violate our heritage. One developer's money and influence must not defeat the many voices of reason in our small municipal democracy.

It is in our municipal government's interest to take our concerns seriously because to block York Development's major changes is the right thing to do while helping you avoid negative future political consequences. Because if York wins, we in Ward 13 as well as our city will be stuck with negative consequences indefinitely.

Sincerely and thank you for your consideration,

Martin Mogielnicki

< >

2 of 2

From: Martin Mogielnicki < >

Sent: Thursday, June 29, 2023 5:17 PM

To: Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Opposition to 50 King St File OZ-9622

Hi Sonia,

I'm in strong opposition to York Development's application to rezone the new development at the Forks of the Thames. From one 22 storey building to two buildings of 53 and 43 storeys will severely and negatively impact all residents in our ward 13 as well as the rest of Londo and tourists visiting our heritage zone downtown core.

My and many others' concerns are sewage overflow into the street and to the river, traffic, the destruction of heritage and greenspace. Sometimes we already have sewage overflowing onto the King and Thames streets during above average rainfall given the existing amount of residential buildings. Believe me, I have witnessed people vomiting from the stench of sewage.

I am an owner and resident of a condo unit at < >, a 13 storey building with only 39 unit and about 60 parking spots. With two high rises already surrounding us we do not want an additional two record tall high rises across the street with an additional 350 vehicles plus visiting vehicles. We already have sewage and traffic infrastructure issues currently. What is being proposed by York Development is unreasonable and unrealistic.

Other more suitable downtown locations that are already building will mean more people living in our downtown core and they will need more green space, not less. The two proposed 43 and 53 storey buildings would obstruct views including of heritage, the oldest park in North America, Labatt park. As well as green space, they are doubling their footprint from the already approved.

They outbid the city to buy the property from the county by paying far in excess of what our city bid and I feel on purpose applying to have one 22 building approved under false pretenses knowing that they will sneak in an application for 4.5 times that to 96 storeys total. This is all do they can massively profit despite their overpayment for the land.

Unfortunately it is too late to get the whole parcel of land back to the city and the one 22 storey building already approved seems like a reasonable addition. If that is too much land for York Development, I and many would like to see the city purchase at least half the land closest to the river as a win win deal so that York could recoup some of their excessive land investment, while having the one 22 storey building economically viable for them.

York Development's application to rezone and build two of the tallest buildings in the city would be a disaster, sewage, traffic, infrastructure, eliminating scarce and valuable greenspace. There is no room to expand the narrow roads of King and Thames streets, no thought of the multiple negative, costly consequences to come.

The property taxes are far too high per unit comparatively to big detached homes with a greater footprint. We pay more taxes than most big detached homes and the intensification proposed across the street would bring in more taxes however the existing sewage and traffic infrastructure will not handle the new proposed excess developments. Please use foresight in thinking of these negative consequences. The excess in taxes risk being wasted on environmental and infrastructure damages caused by such developments.

Please stop York Development's recent application to amend and rezone for two record high 43 and 53 storey high rises. I also remind that all of the downtown core including especially the birthplace of London at the Forks of the Thames is designated heritage and must remain that way. One developer's money and influence must not defeat the many voices of reason in our democracy.

Sincerely and thank you for your consideration,

Martin Mogielnicki

< >

From: Jim Roe < >

Sent: Thursday, June 29, 2023 1:48 PM

To: McAlister, Hadleigh <hmcAlister@london.ca>; Lewis, Shawn <slewis@london.ca>; Cuddy, Peter <pcuddy@london.ca>; Stevenson, Susan <sstevenson@london.ca>; Pribil, Jerry <jpribil@london.ca>; Trosow, Sam <strosow@london.ca>; Rahman, Corrine <crahman@london.ca>; Lehman, Steve <slehman@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Van Meerbergen, Paul <pvanmeerbergen@london.ca>; Franke, Skylar <sfranke@london.ca>; Pelozza, Elizabeth <epelozza@london.ca>; Hillier, Steven <shillier@london.ca>

Cc: City of London, Mayor <mayor@london.ca>; Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] <https://london.ca/sites/default/files/2023-06/Notice%20of%20App%20OZ-9622.pdf>

I am writing this to object to the plans for the former site of the Middlesex Health Unit at 50 King St.

I live at < >, directly opposite the planned buildings. I believe the two towers proposed would be detrimental to the beauty and scenic views of the River Thames area. This area is an historic site, [Founding of London] and should not be blighted by two huge towers, 53 & 43 storeys tall. They would dwarf the existing historic courthouse and create too much traffic on the 2 single lane King Street.

The services required for such a build would overwhelm the existing water and sewer systems, which were updated in 2021.

The original planning for this area, in 2015, was approved to be only one 22 storeys high rise building. Even that was opposed by many residents but now these 53 & 43 storeys are absolutely unacceptable.

I hope you will not allow this development to proceed without considerable reductions to the height of these proposed towers. The proposed towers opposite Victoria Park were disputed because of their detrimental look in the existing area. This development is even more so as it fronts onto the Rivers beauty.

Sincerely,

Jim Roe

< > London

From: Nancy Knight < >

Sent: Thursday, June 29, 2023 10:25 AM

To: dherreira@london.ca; Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] 50 King Street & 399 Ridout Street North

Attention: Sonia Wise

Regarding: File OZ-9622

My husband and I have owned a condo at < > since 1990 and we are very concerned about the future plans for 50 King.

I believe the proposed plan from 2015 was for a 22 storey building and the development of Back to the River plan. If I'm not mistaken there was going to be bridge out over the river, a Sandy beach, and a very touristy area developed. What happened to all those existing plans?

The new proposal will certainly destroy all the natural beauty and surrounding landscape. With all the new downtown residents it is essential that we retain all the existing green space and park land. The existing parks are constantly in use with large numbers of people making use of them daily.

As of now we have to make plans for visitors at our building to come when there is parking available, what will happen when that parking is gone?

Also will the infrastructure support all this high density population? Thames Street is only two lanes and we have flooding every time there is a storm, it seems to us this will only get worse.

Thanks for your attention in this matter.

Nancy Knight

< >

From: < >

Sent: Thursday, June 29, 2023 11:30 AM

To: Wise, Sonia <swise@london.ca>

Cc: Ferreira, David <dferreira@london.ca>

Subject: [EXTERNAL] 50 King and 399 Ridout Planning Application

To all concerned.

I wish to object (strongly) to the planning amendments being requested by York Developments.

It's unfathomable that the property ended up in the hands of a developer in the first place. It should have been green space, the crown jewel of downtown and London as a whole, retaining history and heritage and creating culture and class. In one stroke, it would have made London into the world class city that we all envision.

Instead, in a sadly short sighted and predictable way, we are absolutely obliterating the Forks of the Thames with this behemoth development and with it any chance of London having an identity. I have nothing against downtown intensification. I'm all for it and the positive impacts it would bring. But this is not the right location and the scale of the plan will cause more damage than good. 800 residential units is equivalent to every building around it combined. And there are already numerous developments in their finishing stages, including another York building. Who is going to live in thousands of new high end units? There is already a glut of office and commercial space including brand new space in the River Walk building sitting empty. Identical to what is being proposed here.

So what now? Ideally, the city makes a deal and buys the land. Second to that, let them build what is currently approved and even throw them a bone and let the single tower on Ridout be much taller. But to encroach on the riverfront to that extent is ridiculous. Sightlines of the river will be lost in all directions. Traffic will overwhelm the tiny streets around here. You know damn well, they'll destroy the court house and neighbouring building. Please don't sell out.

Steve Hogg

< > (a building that complements it's surroundings, not destroys them)

- [The castle-like structure was built in 1827 to 1829 in the likeness of Malahide Castle, near Dublin Ireland, the birthplace of Col. Thomas Talbot](#)

From: BEV EARLEY < >

Sent: Tuesday, June 27, 2023 4:34 PM

To: Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] Proposal for 50 King St & 399 Ridout St North

Re : File OZ -9622

We as landowners at 19 King strongly object to York's request for rezoning at the above location. When they purchased the property from the county they would be aware of the property zoning and to come in with the new proposal is completely unacceptable.

1. The Urban Design Brief of September 2015 for the property was classy and acceptable to many nearby residents. The building design was unique to London and very eye catching.

2. The Back to the River project will be revisited at some time in the future so please don't dismiss it at this time. Bev and Janet Earley. < >

From: Joe Fontana < >

Sent: Tuesday, June 27, 2023 3:53 PM

To: Ferreira, David <dferreira@london.ca>; Wise, Sonia <swise@london.ca>

Subject: [EXTERNAL] 150 king st

Ms wise

I just wanted to let you know that I seriously object to the proposed zoning and development as proposed .

I live at < >

I believe the majority of owners at condo

Corporation are also not in favour .

I have spoke to my councillor dan Ferreira

Joe fontana

From: margeaux collyer < >

Sent: Tuesday, June 20, 2023 7:07 PM

To: Wise, Sonia <swise@london.ca>

Cc: Ferreira, David <dferreira@london.ca>

Subject: [EXTERNAL] OZ-9622. 50 King Street (YORK developments)

I am writing in response to the notice of the planning application. Listed below are my concerns.

London.ca/planapps as indicated on the notice is not working.

1). Request Amendment to "new official plan" requesting policy to allow for an additional 13 storeys to the previously requested 40.

This is in addition to a second building which is being planned at 40 storeys. Please note that according to the zoning by-law policy, maximum height is currently listed at 35 storeys. York is aiming at 53 storeys. Both buildings would be in violation of the current by-law.

I reside at < >, and am quite shocked the city would contemplate allowing towers of such magnitude to be built so close to heritage properties (Malahide Castle and the old Gaol). From a heritage stand point this does not sit well with me.

Two towers situated on the same property as heritage designates is more than offensive.

The **wind sheer** effect is quite severe on the corner of King and Ridout without the additional buildings. In fact, a **dog actually lost his tail due to a door slamming prematurely** due to wind tunnel effect.

Being built so close to the floodplain is another factor. Over the course of one season the build up of excess water in the hole left by YORK after removing the middlesex health unit was a health danger on many levels. To date, water remains in the gaping hole (despite draining for two days). Please note that York did not drain the cesspool until it received numerous complaints. York promised to fill in the hole and to landscape the area prior to developing. They have failed on **all** counts.

2). Current Zoning

"Community Facility/Downtown Area" to "Downtown Area Special Provision".

Parking is at a premium downtown. There simply is not enough available parking surface to contemplate allowing **420 fewer long term spaces from the recommended 720, and 67 fewer short term spaces from the recommended 117!!!**

As a growing city we are encouraged to take public transport or seek alternative transportation. Regarding alternative transportation - bicycling - a reduced number of bike parking spaces by **67 from 117 to 50.**

The city has been attempting to bring people downtown, not discourage due to construction, lack of parking, or safety.

Residential Density - from 750 units per hectare, approx height of 30 storeys to,
1175 units per hectare, approx height of 53 storeys.

0m setback for the residential component.

The 0m setback does not take into consideration extra space required for stopped vehicles, loading or unloading, nor does it consider extra space required for individuals who depend on wheelchairs, strollers or bicycles...

I am opposed to the plan.

Looking forward to hearing from you, M

From: Becky Loerts <>
Sent: Monday, June 19, 2023 12:12 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] RE: 50 King Street and 399 Ridout Street North

Hello, Sonia

I am writing as a resident of <> in regards to the Notice of Planning Application submitted for 50 King Street and 399 Ridout Street North.

I want to express in no uncertain terms that the requested change would be a detriment to the city as well as the residents of the surrounding area.

First, the request to reduce long-term and short-term bicycle spaces goes against all of the improvements the City of London has been making to make it easier for cyclists in the city. What is the point of improving the entire downtown core for cyclists if new buildings are being built that don't have the required amount of bicycle spaces? Additionally the proposed buildings are right beside the Thames Valley Parkway which only increases the necessity of bicycle parking spaces.

Secondly, the increase of maximum density of up to 1175 units per hectare, an increase of 118%. This area already struggles to accommodate the amount of foot, bicycle and vehicle traffic it produces, to increase that amount by 118% will completely overwhelm it. This is before taking into account the increased activity when an event is happening at the Budweiser Gardens. The addition of 118% more traffic to the area will have a ripple effect to the surrounding neighborhoods and will not only make traversing the area by any means more difficult, but also more dangerous.

Finally, the proposal for an increase to 53 storeys. These buildings would tower over every other structure in London by at least 67 meters. Not only would this create an eyesore among the skyline of the city, but they would also completely block the view and natural sunlight enjoyed by the residents of other buildings, the visitors to Ivey Park and the surrounding areas.

For the reasons I have outlined above I highly suggest that the proposed amendments be revised to be within the current zoning requirements.

Thank you,

Rebecca

From: Paul J Smith <>
Sent: Sunday, June 18, 2023 11:42 AM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] Planning Application 50 King Street

I am a resident downtown near this development and I have a few concerns:

- What is the plan for traffic control, I can imagine a terrible scenario with all the upcoming completed projects at Queen and Talbot with two large buildings adding to existing ones just how and where are all these cars going to move in this area?
- There are no food stores downtown and the Covent Garden market is no solution so this means more autos moving in and out of the area.
- Where will all the homeless go? they have not been dealt with properly so we are adding more elite value housing?
- What will be the traffic interruptions during construction this city has been a traffic chaos situation for years I think the planners for allowing all the construction are missing in action so how will all this work? More road blockages? We are not finishing current projects.
- Is there really the population to support all these high end rentals? All I see is more condos and most if not all for rent so where are the people coming from for all these new units?

- I believe there are more pressing issues in the city than another giant rental hosing project.

-----Original Message-----

From: FRED ISRAELS < >
Sent: Friday, June 16, 2023 2:48 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] 50 King St

What fantastic news! London finally will have the opportunity to present itself as a major Canadian city. A huge investment for our downtown and the city. It should be fast tracked and politics free. I live at < > and have no problem being a neighbour to such a development down the street, .
Fred Israel's

From: Brandon Heidinger < >
Sent: Friday, June 16, 2023 3:29 PM
To: Wise, Sonia <swise@london.ca>
Cc: Ferreira, David <dferreira@london.ca>
Subject: [EXTERNAL] Concern: Proposed Reduction in Bicycle Parking Spaces at 50 King Street

Dear Sonia Wise and Councillor David Ferreira,

I hope all is well. My name is Brandon Heidinger, and I am a resident of Councilor Ferreras downtown riding. David, I supported you in the municipal election.

Today, I am reaching out to express concern regarding a planning application for by-law amendments for 50 King Street / 399 Ridout Street, specifically in relation to the proposed reduction in the number of bicycle parking spaces, "...a reduced number of bicycle parking spaces of 350 whereas 837 are required".

Given the city's focus on improving bicycle transport, especially downtown, I'm very surprised by this proposed amendment. It appears counterintuitive to reduce the availability of bicycle parking spaces, especially when the city has been vocal about its emphasis on improving bicycle infrastructure, particularly in the downtown area.

By providing secure and ample bicycle storage within apartment buildings, we can encourage residents to embrace cycling as a viable means of commuting and transportation. It is evident that without this essential amenity, residents may be deterred from purchasing bicycles altogether or resort to storing them in their already limited living spaces, which may not be practical or desirable for many individuals.

Allowing a **58% reduction** in bicycle parking spaces would raise questions about the city's commitment to its own active transportation goals. At a time when we are witnessing investments in new bike lanes across downtown London, including on King and Ridout Street, this proposed amendment appears to undermine the very progress we have been striving for.

Given the limited information and lack of justification present in the proposal, **I strongly oppose this amendment and urge you to oppose it as well.** If there is information that justified this proposal that I am missing, I would be happy to reconsider.

Thank you for your attention to this matter, and I look forward to hearing your thoughts on this issue.
Brandon Heidinger

< >

From: Amanda Green < >
Sent: Friday, June 16, 2023 1:30 PM
To: Wise, Sonia <swise@london.ca>
Subject: [EXTERNAL] File OZ-9266 Feedback

Hello Sonia,

I recently reviewed the planning application for 50 King Street & 399 Ridout (file OZ-9266).

Firstly, I'd like to say that I wholeheartedly support density in the downtown. I have lived in the core for over ten years now, and I have seen many hopeful changes despite our serious challenges and recognize that the positive changes come from more people living in the core.

I have three immediate concerns related to the application:

1. The density of 1,175 units per hectare seems to suggest that the units will be on the smaller side and typically one- or two-bedroom units. These types of units are not family-friendly and deprive people with children of the opportunity to live downtown. Downtowns are not solely intended for young professionals or retirees. To help London's downtown recover, thrive, and grow, opportunities for families to live here should be encouraged and taken into consideration with new high-density developments. Cities such as Toronto, Mississauga, and Montreal already encourage developers to include a minimum percentage of 3-bedroom units in new developments.
2. I am somewhat surprised that the images in the application did not include a view from King Street, or south of the development, while the LFP article did include images of that view. While the image is only a rendering, it is clear that the sidewalks remain quite narrow and are installed along a rather tall blank wall with only a few trees scattered around. This is a highly unappealing streetscape, and rather surprising given how much effort the designer went to with the remaining surrounding area. Given that this is a direct path from downtown to the Forks, the sidewalks should be much wider and actually a pleasing environment for pedestrians, cyclists, and other users outside of a car. Widening of the sidewalks should in no way adversely affect cycling infrastructure in the immediate vicinity.
3. Lastly, the justification that the development must be 43 and 53 storeys to ensure that it is financially feasible is rather suspect. Given that numerous developers downtown over the last decade have been able to construct high-rises around 30 to 40 storeys seems to indicate that it is not a real reason. I think that two towers at no more than 42 storeys is reasonable. A height of 42 storeys has precedent downtown and provides a significant increase in housing in the core.

Thank you for your time,

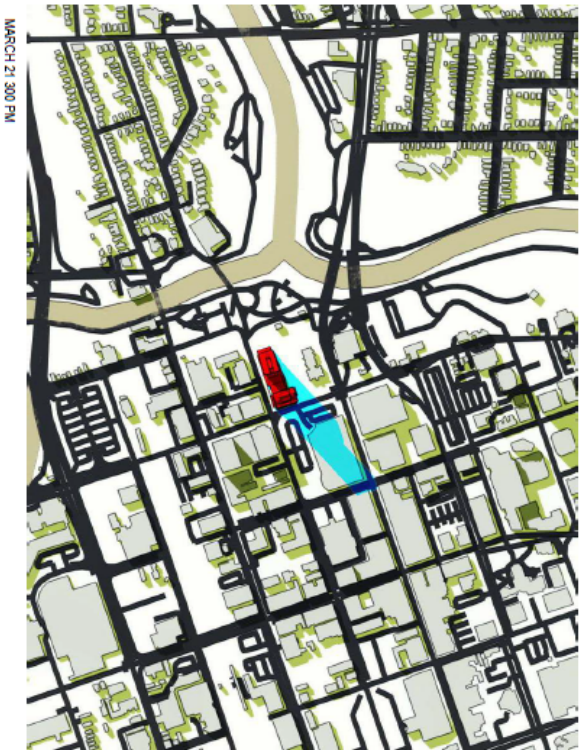
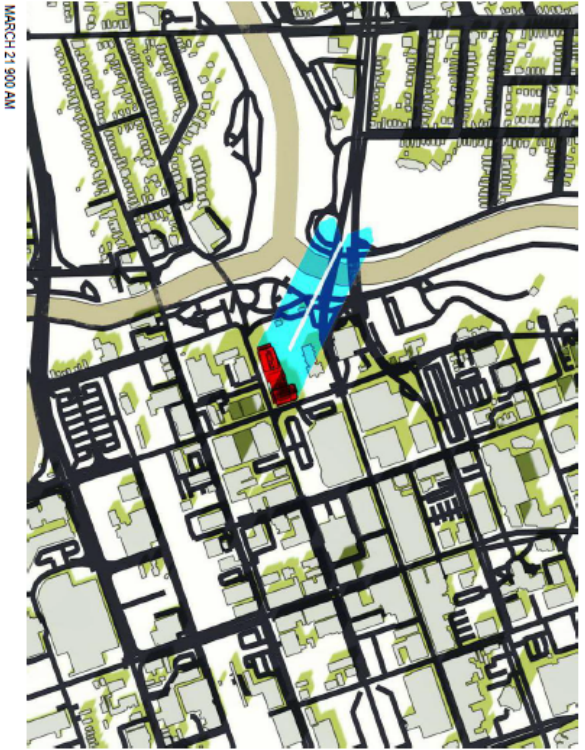
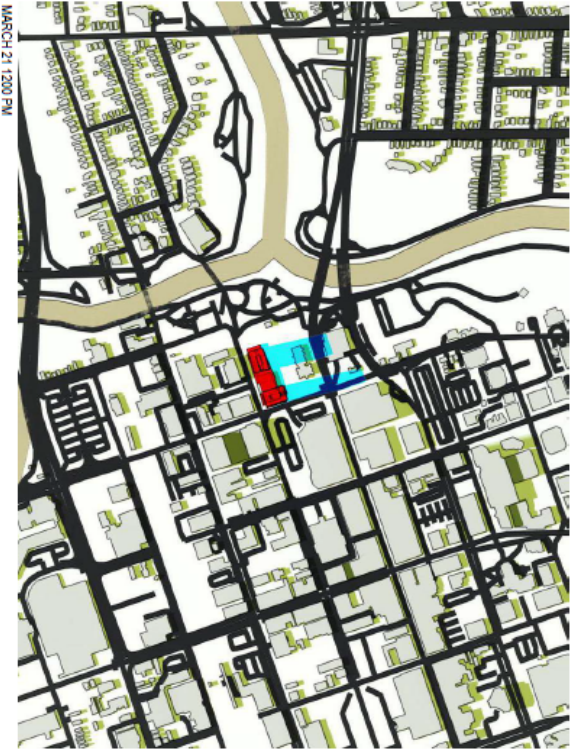
Amanda






Appendix F – Additional Plans and Drawings

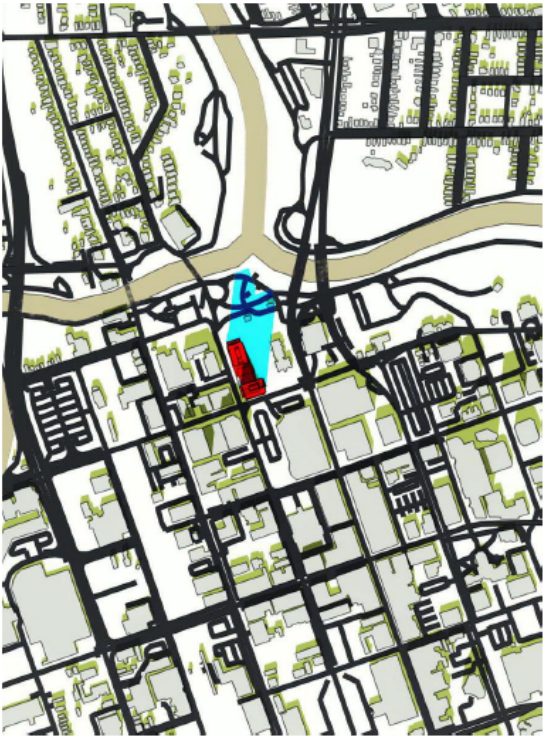
19-045 50 King

SHADOW STUDY - MARCH

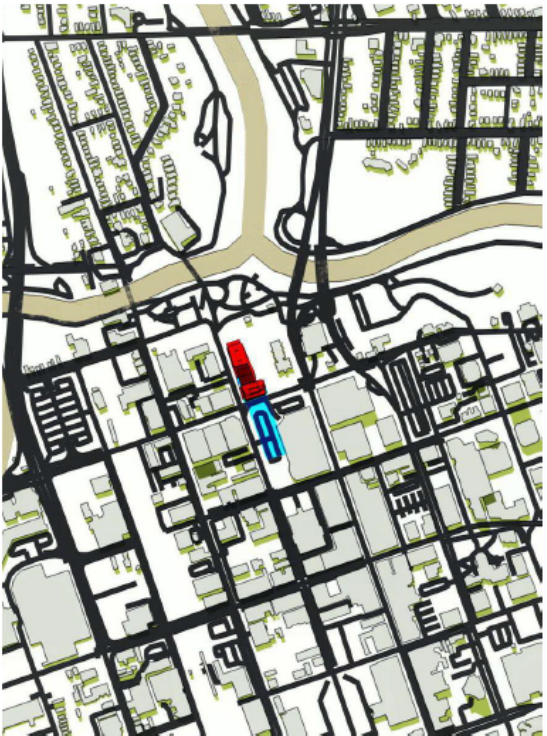
V6 - 23.05.17 A7.01



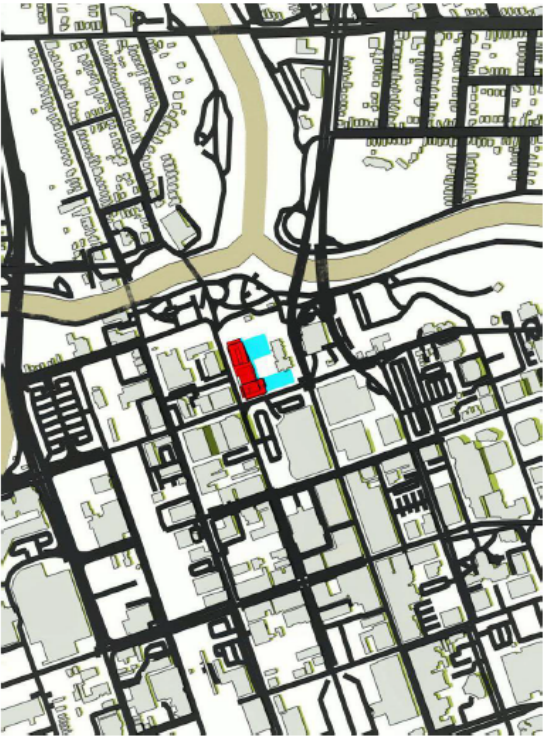
LEGEND	
	EXISTING BUILDINGS
	EXISTING ROADS
	SHADOWS PROJECTED BY EXISTING BUILDINGS
	PROPOSED BUILDING
	SHADOWS PROJECTED BY PROPOSED BUILDING








JUNE 21 9:00 AM

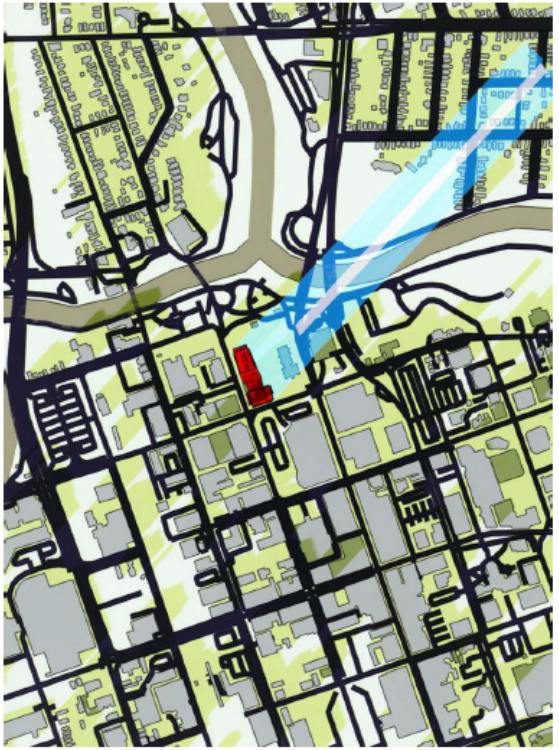


JUNE 21 3:00 PM



JUNE 21 12:00 PM

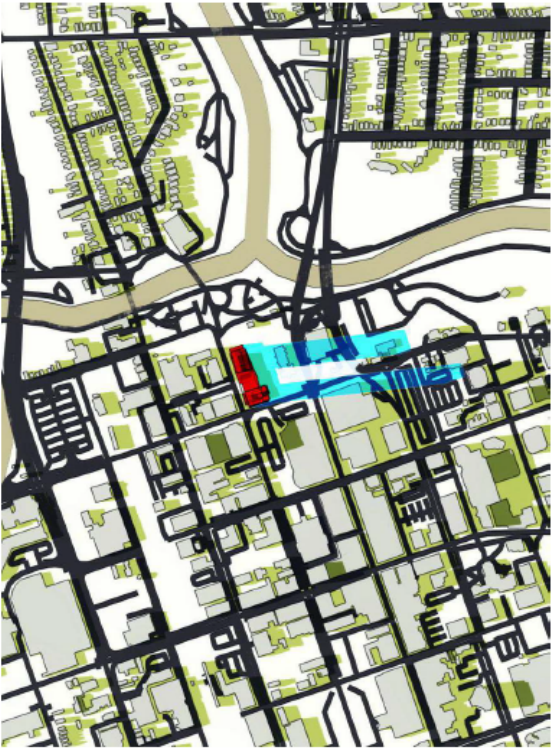
LEGEND	
	EXISTING BUILDINGS
	EXISTING ROADS
	SHADOWS PROJECTED BY EXISTING BUILDINGS
	PROPOSED BUILDING
	SHADOWS PROJECTED BY PROPOSED BUILDING








DECEMBER 21 9:00 AM



DECEMBER 21 3:00 PM



DECEMBER 21 12:00 PM

LEGEND	
	EXISTING BUILDINGS
	EXISTING ROADS
	SHADOWS PROJECTED BY EXISTING BUILDINGS
	PROPOSED BUILDING
	SHADOWS PROJECTED BY PROPOSED BUILDING

From: Jacquie Lownie [REDACTED]
Sent: Friday, September 22, 2023 6:01 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] Development at the Forks of the Thames

I would like to add my name to the list of people who are shocked and disappointed at the proposed highrise development at the Heritage old courthouse area. This area which also includes the old jail, is definitely the focal point of London and it would be a travesty to see concrete buildings on this beautiful piece of land. It would totally change the appearance of this area, the green space, children's playground and the overall feeling of serenity. I am very disappointed the City didn't buy this land and let it fall into developer's hands, who really are thinking about the almighty dollar and not about preserving history. Thank you. Jacqueline Lownie [REDACTED]

From: John Hall [REDACTED]
Sent: Wednesday, September 27, 2023 8:43 PM
To: PEC <pec@london.ca>

Subject: [EXTERNAL] opposition to the amendments requested in the planning application for 50 King Street and 399 Ridout Street North by York Developments.

To all concerned:

I am writing to express my strong opposition to the amendments requested in the planning application for 50 King Street and 399 Ridout Street North by York Developments.

Downtown London is a heritage district and the Forks of the Thames is the prime heritage location with the courthouse, jail house, art gallery, museum, along with the river and parks. These are visited and used daily by many people including visitors to our city and should always be accessible and highly visible. These proposed changes would impact all of these in a highly negative way and should not be allowed to happen.

What York is asking is for the quadrupling of the density to two buildings of 53 and 43 stories from the approved one building of 20 stories located close to Ridout Street North and King Street. This will completely overshadow the Forks and other heritage sites in the area. How can this be acceptable when these should remain as highly accessible and visible as possible.

The area of King Street and Thames Street already have serious problems with flooding, storm water runoff, sewers overflowing, and traffic volume. These would become even worse with such a large increase in density.

We chose our current residence largely due to its proximity to the above-mentioned areas. It provides us with great views of the Thames River and allows us easy access to walk in the parks near the river and both see and visit the heritage locations around us. I feel that the erection of a grossly large set of buildings does not benefit us or any other residents of London, it only benefits the developer.

There is already an approved plan and density by the county in 2015 (Urban Design Brief - Sept 02/15) which is acceptable in terms of heights and density and includes one tower to be built, but does not impede the enjoyment by London residents to all of the above noted heritage places and parks. Let's stick with this accepted plan, it works.

John Hall
[REDACTED]

From: Nancy Knight [REDACTED]
Sent: Thursday, September 28, 2023 12:14 PM
To: PEC <pec@london.ca>
Subject: [EXTERNAL] 50 King Street and 399 Ridout Street, London

Regarding: Heritage Impact Assessment Phase 11

50 King Street, London, Ontario

Attention: Mayor Morgan

Council Members of PEC

All City of London Councillors

To say residents and taxpayers of the City of London are disappointed in your plans to expand the proposed towers to be built at 50 King Street and 399 Ridout Street, London, by York Development would be an understatement.

Aside from the obvious problems of infrastructure services, increased traffic, parking and environmental issues the major issue is the destruction of the most important landmark within the City of London. I realize York Development will not physically destroy the court house or adjoining jail, but without a doubt the engineering and construction will.

These 2 buildings and the surrounding property should be kept and maintained for all present and future residents within the City of London.

Surely the city could buy this important property back or do a trade with York Development (possibly the parking lot at Horton and Ridout) (this property has many accesses for entry and exit and is surrounded by Horton, Ridout, Bathurst and Thames Streets)).

In closing I would say, this is the most important issue facing council and if approved will be regrettable to all taxpayers, residents and City Hall both now and in the future.

Regards

Nancy Knight

[REDACTED], London, On

Please distribute to all City Hall Councillors and the Mayor of the City of London

From: Judith [REDACTED]
Sent: Wednesday, September 27, 2023 12:22 PM
To: PEC <pec@london.ca>
Cc: Ferreira, David <dferreira@london.ca>
Subject: [EXTERNAL] Planning Application zoning amendment 50 King Street and 399 Ridout Street N

Attention PEC Committee Clerk:

Please circulate this email to PEC members, the mayor and all other City Counsellors before the PEC meeting dealing with the above zoning amendment application.

Steve Lehman, chair

Anna Hopkins

Skylar Franke

Steven Hillier

Shawn Lewis, Deputy Mayor

Josh Morgan, Mayor

Dear Councillor Members of PEC and Mayor Morgan

Think back to why you decided to run for council. My guess is that you wanted to make your city a better place to live. I very much doubt that your goal was to see two mammoth towers built on heritage lands, towers that would forever disrupt the creative use of the lands and properties that embrace and link London's historic beginnings.

Regretfully when the City attempted to buy the heritage property at issue they were outbid by a developer. This property encompasses two historic and unique buildings on land overlooking the Forks of the Thames River and parklands.

I do not take issue with the downtown density plan. Nowhere does it say however that high density towers should be built on land that is rich in London's history and links up with other historic or cultural sites including Eldon House, Museum London, the former Labatt buildings and famous Labatt Ball Park. All are within walking distance of one another. This whole area with its parklands and walking/biking trails is the "Jewel in London's Crown" and should be a focal point for all residents and tourists to gather and visit.

When the City planned to buy this property it was in keeping with the "back to the river" concept previously envisioned. The two massive buildings of 53 and 43 stories now proposed would be devastating to that possibility. Approving these buildings would make a mockery of preserving the history, the heritage, the culture and the living legacy embodied in those interconnected areas at the Forks of the Thames.

Although the City has already approved a 28 story building it has no obligation to ensure that York Developments makes a profit on what they paid for the land by agreeing to their new proposal. If York's application is not approved they may be willing to sell all or part of the property to the City.

I urge you to view this application through a much bigger lens and not just as additional tax revenue. Envision your legacy. Hopefully that will include a creatively developed "jewell in the crown" for the use and enjoyment of all residents and visitors while honouring London's origins and history.

Please. Have the vision, the courage and the will to say NO to this application.

Respectfully submitted

Judith Potter

██████████

London Ontario

September 27, 2023

Sent from my iPad

Brian Timney
[REDACTED]
London, ON, N6A
5N8
Sept. 26, 2023

Members of the Planning and Environment Committee:
Councillor Steve Lehman (Chair), Councillor Steve Hillier, Councillor Anna Hopkins,
Councillor Skylar Franke, Councillor Shawn Lewis.

City of London
300, Dufferin Ave
PO Box 5035
London, ON
N6A 4L9

To the Members of the Planning and Environment Committee:

Re: File OZ-9622 - 50 King Street

I am writing regarding the proposed zoning amendments to allow two apartment buildings on the lot at 50 King St/339 Ridout St. In its present form the proposal raises a number of significant issues about the impact on the surrounding area, and the use of the forks as a recreation area for the whole City of London. I have listed a number of these below:

- Downtown London has been designated as a heritage district, and the area around the Forks was singled out in the *Back to the River* initiative a few years ago. At that time the city acknowledged that the Forks of the Thames, the birthplace of London, should reflect our culture, heritage and history. The *Back to the River* initiative reflected the need to protect and enhance this area. The current proposal would remove almost all of the above ground parking along King Street and would severely reduce access for those who come down to the Forks for their recreational activities.
- There is already an approved plan for a single 28 storey tower at the corner of King and Ridout. Here is link to that detailed brief: (<https://www.middlesex.ca/sites/default/files/documents/50%20King%20Street%20Urban%20Design%20Brief.pdf>) that I'm sure you're familiar with. This brief specifically addressed issues related to the integration of the building into the surrounding area, including the preservation of the integrity of the Forks. The current proposal is for two towers, of 53 and 43 storeys, respectively, including

commercial development, that would take over almost all the space around the Forks and the heritage buildings. The density would be increased almost fourfold.

- There are already issues related to stormwater runoff and sewage overflow in this area. The increased density from such a large development would place an enormous additional strain on the infrastructure
- Thames Street is used as a shortcut from the west of the city and is already very busy at times. The increased traffic flow from the additional units could cause serious problems, especially at the intersection of King and Ridout, which is part of the Bus Rapid Transit system.
- It appears from the proposed plan that the entrances to the parking garage would be on King Street. The recent changes to the traffic flow rules on Ridout, including the prohibition of right-hand turns from Ridout onto King, would mean that anyone wishing to get to the buildings would have to make a loop round York Street to Thames Street and then turn into the building from eastbound King. This does not seem to be very efficient.
- With respect to the buildings themselves, a total of 800 units is proposed, with an allocation of 550 parking spaces. It is quite possible that those without parking space in the buildings would then be forced to use the few spots that might still be available at the corner of King and Thames.

I am concerned that if this project is permitted to go ahead unmodified, it will restrict access and destroy the ambiance of what is arguably London's most attractive asset.

Sincerely,

Brian & Joanne Timney

e-mail: [REDACTED]

Phone: [REDACTED]

York Development outside the city
for the Forks of the Thames Heritage
Lands with the knowledge that the
property had zoning on part of it
that would accommodate ONE tower.

Please DO NOT allow them to
rezone an additional 50% of
the tower footprint to accommodate
two massive towers.

Janet + Bev Carley

[REDACTED]

London

NGA 5 N 8

[REDACTED]

email

[REDACTED]

* URBAN DESIGN BRIEF 50 KING STREET

LONDON, ONTARIO | SEPTEMBER 02, 2015

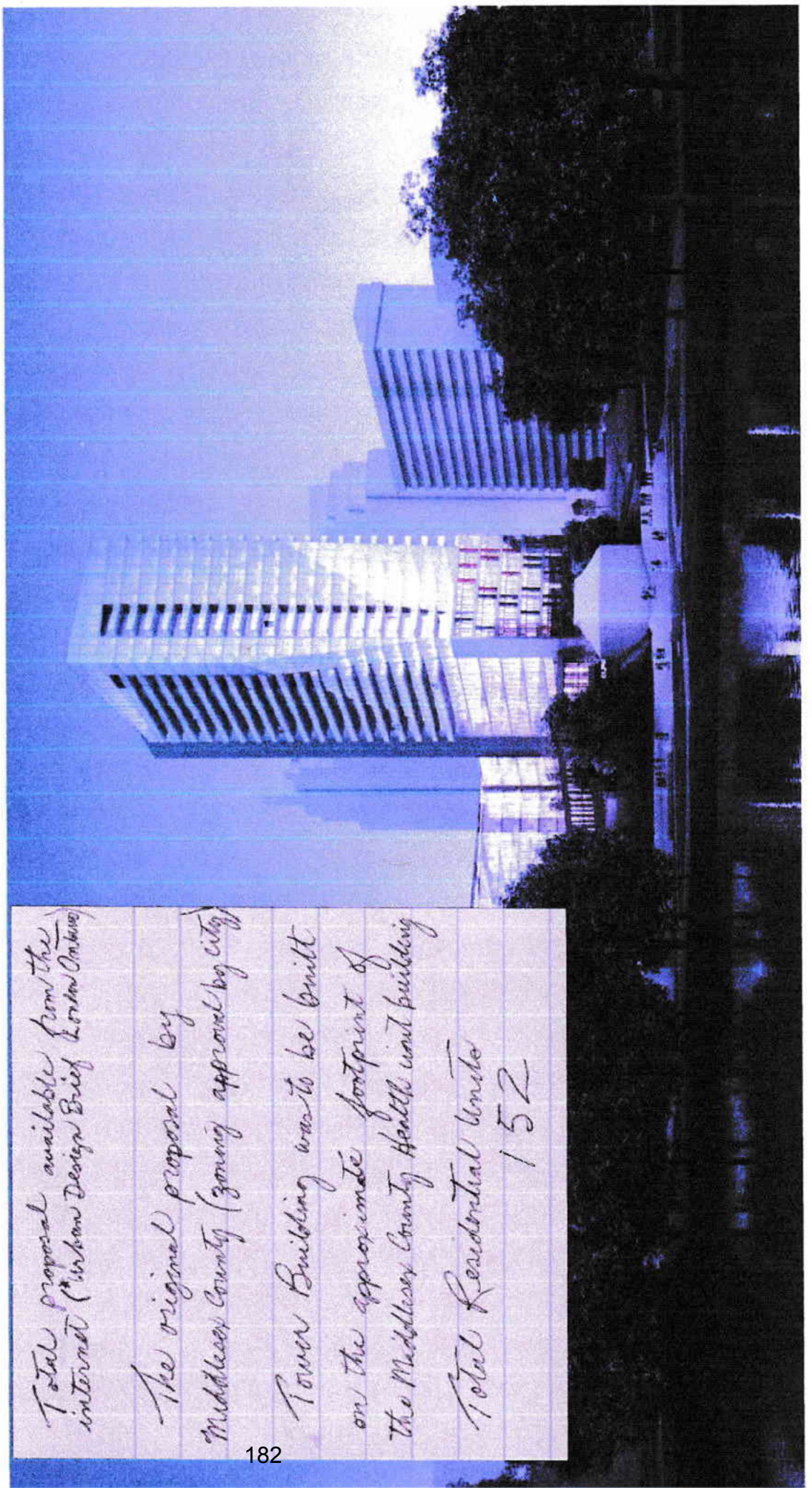
Thanks.

Total proposal available from the internet (Urban Design Brief London Ontario)

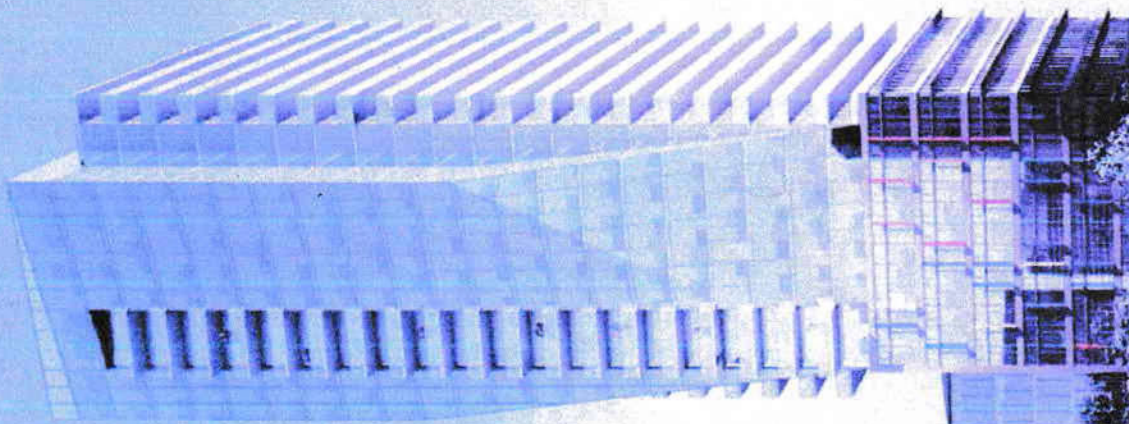
The original proposal by Middlesex County (zoning approval by city)

Tower Building was to be built on the approximate footprint of the Middlesex County Health unit building

Total Residential Units
152



Proposed Country Club
very good
Middleton joining the
country by 10/15/07
established City.



Building Renderings

The York Development
proposed to be built on
approximately 50% more
footprint than is zoned
by the City to allow for
high rises.

Total Residential Units
800.



Northwest View



View Looking South

3.1
SITE PLAN AND
GROUND FLOOR
PLAN

- LEGEND:
- THE CENTRE PASSAGE
 - THE VERTICAL CONNEC
 - COMMERCIAL SPACE
 - ELEVATORS
 - RESIDENTIAL ENTRANCE
 - OFFICE ENTRANCE



- 1 Residential Max. Density: 57%
current 750 units/ha Request 1175 units/ha
- 2 Height current 95m 84%
request 176m
- 3 Land Zoning request approx 50% increase
- 4 # of units original proposal 152
York request 800
426% increase

York
increased zoning
request. (approximately 50%)

proposed zoning
current zoning
can you help increase

From: Jim Donnelly [REDACTED]
Sent: Thursday, September 28, 2023 2:48 PM
To: PEC <pec@london.ca>; Lysynski, Heather <hlysynsk@London.ca>
Subject: [EXTERNAL] Heritage Lands at the Forks of the Thames

Please place this letter and attachments onto the public agenda for the PEC meeting of Oct 3rd.

Thank you.

Jim Donnelly,
[REDACTED]

London , ON,

N6A5N8

Subject: Heritage Lands at the Forks of the Thames

To: Mayor Josh Morgan and Councillors on the Planning and Environment Committee:

The attached information is vitally important to review and consider before making any decision or recommendation to London City Council.

The first two pages are taken from York's own Heritage Impact Assessment dated March 10, 2023. They describe the Heritage status, show the proposed site of 50 King St, the boundaries of 399 Ridout St. (which is designated), as well as the abutting *City land which includes most of the parking lots*. The parcel between King St and the remaining section of the parking on 399 Ridout appears to be the site of the previous Police Station at 14 King St, which looks to still be City land.

The third page is the recent Amended Application (which is dated 12 days ago on September 13, 2023) and now has a **brand new item** inserted into the Application Details that says *"The City is considering amending the zoning for portion of the municipal owned lands to the west of the site along Ivey Park are proposed to be rezoned as Open Space (OS4) and Open Space Special Provision (OS2) to permit passive and active open space uses on a portion of the lands."*

Without these City lands, it appears that it might be very difficult to build this very large complex.

The high rise building and overshadowing of the original and prime heritage location at the Forks of the Thames, where London began, would be a major mistake and loss for both current and future London citizens. The City, rather than appearing to be complicit in this development by supplying more public land, should negotiate the return of this unique historic site to public ownership. This could be accomplished:

- 1) through holding the line on zoning of the 22 stories previously approved,
- 2) by swapping City owned land that is more appropriate for a high rise with the developer,
- 3) paying to purchase or trade for the land.

Although the developer may or may not have paid excessively for the land, it is not the City's responsibility to increase it's value after the fact. A reasonable deal might be struck, where the City gains control of the historic site by some combination of land swap of other City land sites that are more appropriate and/or purchase, while the developer does not necessarily need to sustain a financial loss. Such a resolution, with or without the single 22 story tower being built, could work in the best interests of all, but mostly the current and future generations of Londoners.

Best regards,

Jim Donnelly,



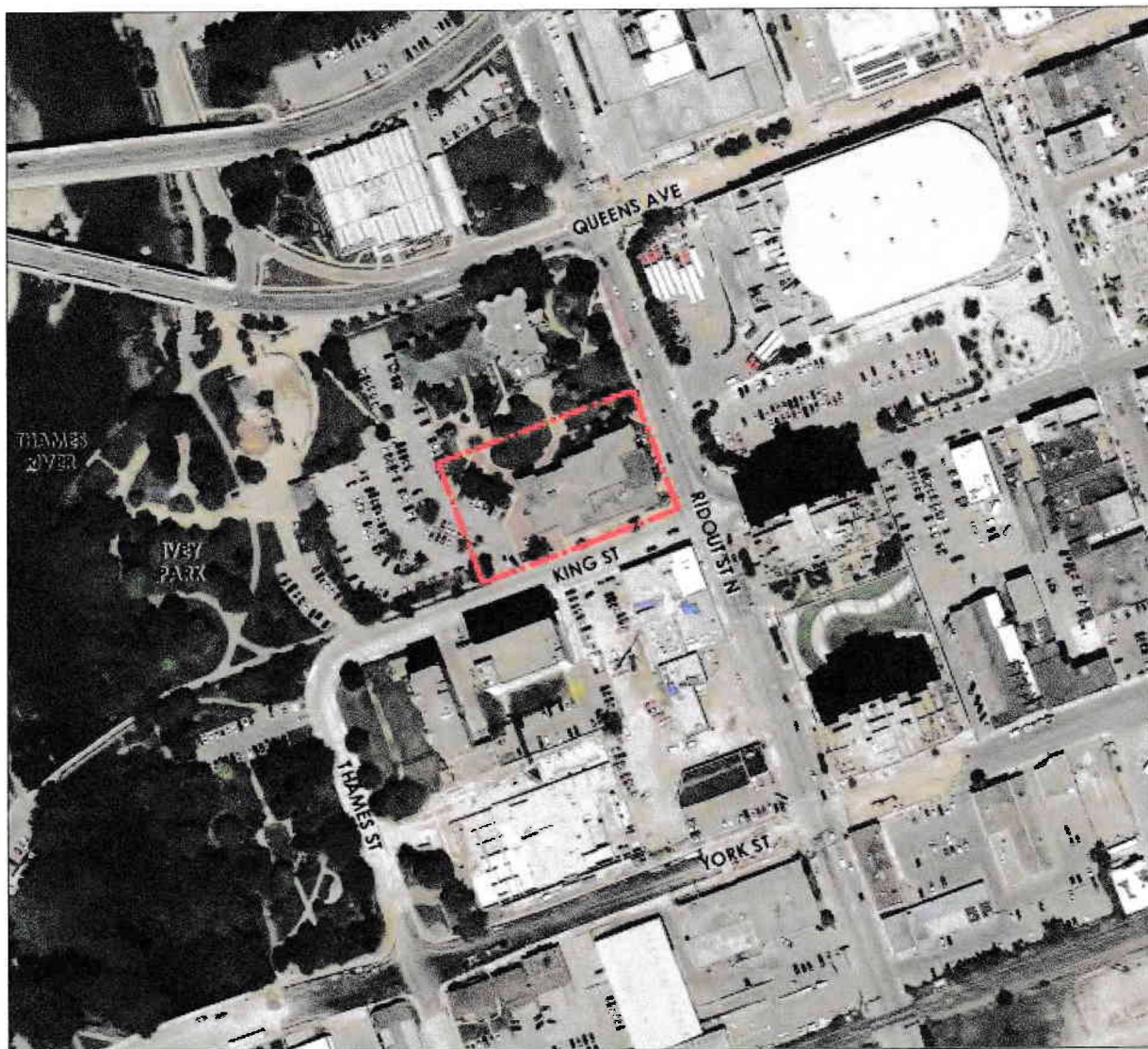


Figure 1: Map figure identifying the subject property and adjacent property to the north (MHBC, 2022).

1.2 Heritage Status

The subject property is listed on the *Register of Cultural Heritage Resources* (2019) as a property designated under Part V of the OHA within the Downtown London Heritage Conservation District and is currently vacant after the demolition of the former building in 2022. The subject property is also adjacent to 399 Ridout Street North also known as the Middlesex County Court House and Gaol, which is designated under Part IV and V of the OHA, protected by an Ontario Heritage Trust easement and recognized as a National Historic Site of Canada. Figures 2 and 3 identify the heritage status of the subject property and the adjacent property to the north. Figure 3, in particular, identifies

these properties within the greater Heritage Conservation District. **Table 1.0** confirms the details of the designations and easement of the adjacent Protected Heritage property.

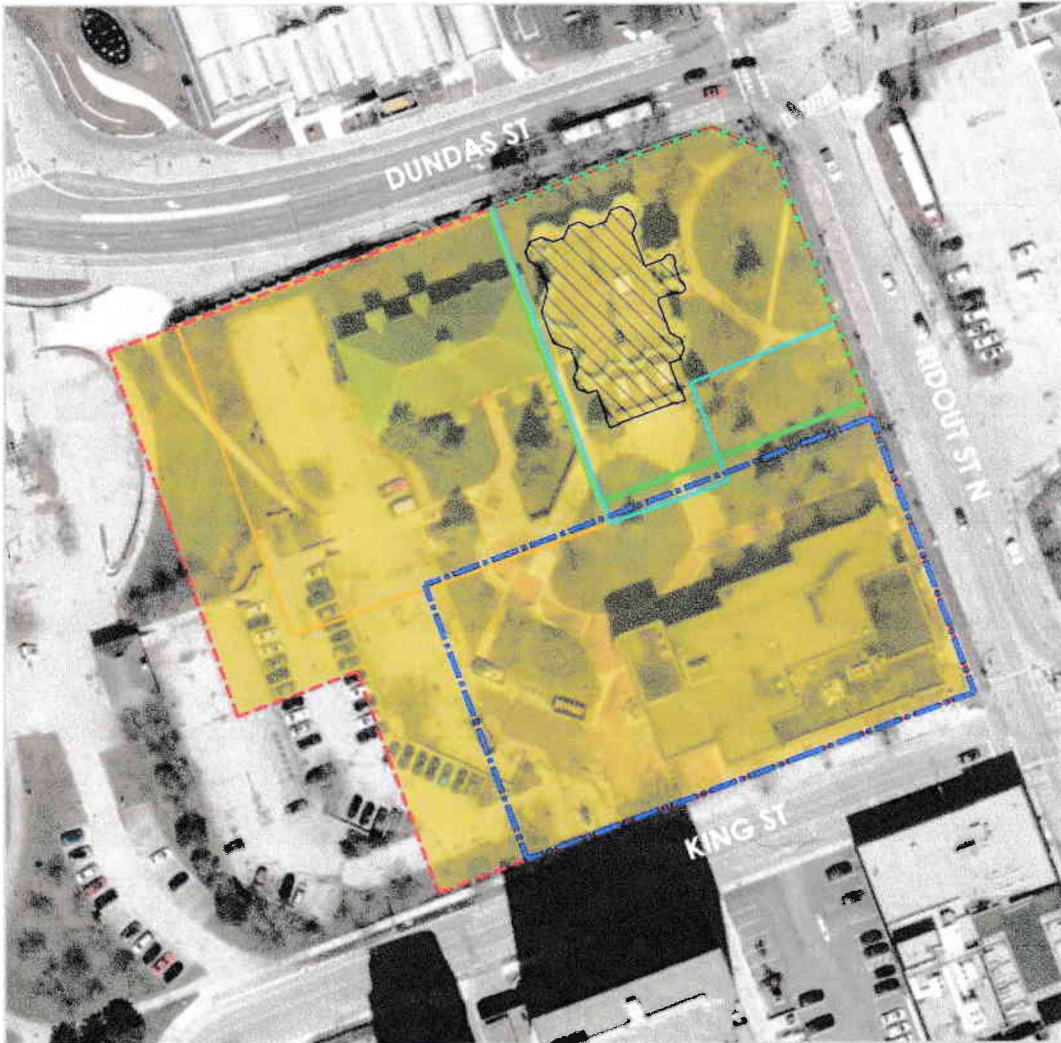









Figure
Heritage Map

50 King Street
 City of London

LEGEND

-  Subject Lands
-  Boundary of the legal description from the Part IV designation of the Middlesex County Court House (by-law L.S.P.-2534-582)
-  Boundary of the legal description from the Part IV designation of the Gaol (by-law L.S.P.-2917-501)
-  399 Ridout Street North
-  OHT Heritage Conservation Easement, Part IV Designation Boundary
-  National Historic Site
-  Designated Heritage Property, Part V of the OHA

Source:
 2022 Aerial Imagery, City of London

DATE: February 2023

SCALE: 1: 1,000

FILE: 1094BO

DRAWN: PL



K:\1094BO - 50 King St, London\WPH\Heritage\Map.dwg



Figure 2: Map figure identifying the heritage status of the subject property and adjacent property located at 399 Ridout street North (MHBC, 2022).

Application Details

SEPT 13, 2023

Requested Amendment to The London Plan (New Official Plan)

To add a specific policy to allow for an increased building height of 53 storeys.

Requested Zoning By-law Amendment

To change the zoning from a Community Facility/Downtown Area (CF1/DA2*D350*H15) zone; and a holding Downtown Area Bonus (h-3*h-5*h-18*h-149*h-207*DA1*D350*H15*B-36) zone to a holding Downtown Area Special Provision (h-5*h-18*h-103*h-149*h-207*h-()*DA2()*D1,175*H186) zone. Changes to the currently permitted land uses and development regulations are summarized below.

The London Plan and the Zoning By-law are available at london.ca.

Current Zoning

Zone: a Community Facility/Downtown Area (CF1/DA2*D350*H15) zone; and a holding Downtown Area Bonus (h-3*h-5*h-18*h-149*h-207*DA1*D350*H15*B-36) zone

Permitted Uses: DA1: retail stores; supermarkets; amusement game establishments; apartment buildings with dwelling units at the rear or second floor; apartment hotels with dwelling units at the rear or second floor; art galleries; assembly halls; bake shops; clinics; commercial parking structures; commercial recreation establishments; convenience stores; day care centres; dry cleaning and laundry depots; duplicating shops; dwelling units at the rear or second floor; emergency care establishments; film processing depots; financial institutions; funeral homes; group homes type 2; hotels; institutions; laboratories; laundromats; libraries; medical/dental offices; museums; offices restricted to the second floor; patient testing centre laboratories; personal service establishments; place of worship; printing establishments; private clubs; repair and rental establishments; restaurants; restaurants, outdoor patio; schools; senior citizen apartment buildings on the second floor; service and repair establishments; service trades; studios; taverns; theatres and cinemas; video rental establishments; lodging house class 2; place of entertainment; accessory dwelling units on the rear of the ground floor or second floor; brewing on premises establishment; artisan workshop; craft brewery. DA2: additional uses: apartment buildings; apartment hotels; dwelling units; senior citizen apartment buildings. CF1: additional uses: elementary schools; public swimming pools; post office depots; private schools; secondary schools; police stations.

Holding Provisions: The h-3 holding provision requires a wind assessment; the h-5 holding provision requires a public site plan meeting; the h-18 holding provision requires an archaeological assessment; the h-149 holding provision requires sanitary and stormwater servicing reports; and the h-207 holding provision requires a Heritage Impact Assessment.

Residential Density: The D350 allows for a base density of 350 units per hectare

Height: The H15 allows for a base of 15m of building height or 3 approximately storeys

Bonus Zone: A B-36 applies to the site allowing a density of 750 units per hectare, a height of 95m (approximately 30 storeys) and a 0m setback for the residential component.

Requested Zoning

Zone: holding Downtown Area Special Provision (DA2()*D1,175*H186)

Permitted Uses: The above listed uses in the DA1 and DA2 zones.

Special Provision(s): 1) To permit the residential component of buildings to be located at or near the street frontages and 2) To regulate aspects of urban design for the tower floorplate, tower location, ground floor design and location of underground parking.

Residential Density: A maximum density up to 1,175 units per hectare

Height: 53 storeys (186m)

The City is considering amending the zoning for portion of the municipal owned lands to the west of the site along Ivey Park are proposed to be rezoned as Open Space (OS4) and Open Space Special Provision (OS2()) to permit passive and active open space uses on a portion of the lands.

Holding provisions are propose for public involvement, archaeological assessment, servicing, urban design and heritage.

Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. The subject lands are in the Downtown Area Place Type in The London Plan, permitting a broad range of commercial, office and residential uses, with a maximum height of 35 storeys.

Shawn Lewis

I'm very aware of the challenges and pressures that council members face in balancing the many decisions they are required to make. I was on City Council for 12 years, which included Board of Control, Chair of the Planning committee and a Ward Councilor. I'm also aware that some developers provide an abundance of political donations in various individuals' names to Councilors, when they are looking for political support from the Planning Committee and City Council.

All politicians need to be aware of the damage to the cultural heart of London this proposed development will cause. The potential damage to our historical Castle could be devastating during construction and could likely suffer neglect over time. We would lose the green space and much needed public parking at the Forks of the Thames. There will be an influx of people and vehicles on the already overcrowded two-lane roads on Thames and King Streets. There does not appear to be sufficient space to widen these streets to four lanes to accommodate the increased traffic, without removing even more of the Ivey Park and Peace Gardens area parkland.

I support either no development or, at a maximum, the building of the single 22 story tower that is already approved for the present site.

Sincerely,
Dawn Erskine

[REDACTED]

London ON

N5V 2C3

[REDACTED]

Dawn Erskine [REDACTED]

[To:slewis@london.ca](mailto:slewis@london.ca)[Cc:slehman@london.ca](mailto:slehman@london.ca)[,ahopkins@london.ca](mailto:ahopkins@london.ca)[,sfranke@london.ca](mailto:sfranke@london.ca)[,Mayor](mailto:Mayor@london.ca) City of London,hmcaster@london.caand 9 more...

Thu, Sep 28 at 1:14 a.m.

Shawn,

Respectfully, your statement about current zoning allowing up to 35 stories in the newest London Plan is true, but does not negate the fact that the current allowance from earlier Councils is what was purchased and exists now until changed. The statement that "our consideration is for the additional height and density request above 35 stories" not only flies in the face of the new London Plan limit, but also seems deaf to the very real concerns of people about the permanent damage to our cultural and historical lands. York Development and the Soufan family are good developers, as indicated by their development just down the street on King St and others sites. There are other downtown sites which could accommodate hi-rise towers within the recently established 35 story limit to assist with growth in the downtown area.

Shawn, not to put too fine a point on your \$1200. comment, but that was the amount given to you and two other members of the current PEC Committee in the 2018 election campaign. This represented all of the Soufan donations to Council in 2018 that have been found which totals \$3600. According to election filings for the 2022 election, you received \$3600. yourself and the same other two members received \$2400. each, totaling \$8400. from the same family. This is almost 44% of the total donations found of \$19,200. given by them to all successful Councilors. No one is suggesting that was a determinative influence on you or the other members, but the optics of all three of you being on the Planning and Environment committee could be troubling.

Your comment about "fearmongering" is not respectful or helpful to those who are concerned about the current Thames St. traffic flow woes in this narrow area, which upon viewing, leaves no room for expansion without carving into parkland. You also seem to ignore that the recent Amended Proposal covers a large portion of land that is City owned, including the previous police station land at 14 King St. The very last- minute addition of a clause to rezone this portion of City property to assist the developer, just days before going to PEC, is not very transparent and appears untoward in the circumstances.

I am indeed familiar with both surface and parking structures and their differences, but usually people are required to use only their own land. The City owned parcel should be used to augment the other nearby City parking at the Forks, rather than be absorbed into the new proposed development.

As a past 12 year veteran of this Council I do try to stay abreast of major issues and am concerned with the future of our City.

Sincerely,
Dawn Erskine
[REDACTED]

I support either no development or, at a maximum, the building of the single 22 story tower that is already approved for the present site.

Sincerely,
Dawn Erskine
[REDACTED]

London ON
N5V 2C3
[REDACTED]



300 Dufferin Avenue
P.O. Box 5035
London, ON
N6A 4L9

London
CANADA

Dear Colleagues,

As everyone is aware, our community, our province, and our country is in the midst of a housing crisis like nothing experienced before.

Municipalities have been challenged by both the provincial and the federal governments to work to find ways to speed up and streamline processes and get approvals in place to allow builders to get shovels in the ground.

To that end, we have identified the Urban Design Peer Review Panel as a significant contributor to time delays and cost increases. But more importantly the Urban Design Peer Review Panel represents a redundancy that can be easily eliminated, as it truly is a hold over from a time prior to having expertise in-house, or in having design expectations and guidelines embedded in our Official Plan. The UDPRP was implemented at a time when the 1989 Official Plan was in force and effect to address components not embedded in that plan. Today, with appeals completed and the London Plan in full force and effect, and staff in the Planning Department with Urban Design expertise, the UDPRP is now redundant.

The Urban Design Peer Review Panel is not a legislated requirement for cities and having it review planning applications in addition to the work of our staff can add weeks or even months to an application's timeline, and none of the work is binding on our staff recommendations, on the applicant, or on Council.

Therefore, we are asking your support for the following:

That the Civic Administration BE DIRECTED to take the necessary steps to provide for the immediate dissolution of the Urban Design Peer Review Panel and provide a related information report to the Planning and Environment Committee outlining the actions undertaken with respect to this matter.

Sincerely,

Shawn Lewis
Deputy Mayor
Ward 2 Councillor

Steve Lehman
PEC Chair
Ward 8 Councillor

September 28, 2023

Attn: Planning & Environment Committee
City of London
300 Dufferin Avenue
London, ON N6A 4L9

Re: Dissolution of the UDPRP (PEC Item 4.1)

Dear Members of the City of London's Planning & Environment Committee,

On behalf of Drewlo Holdings we would like to express our support for the motion put forward by Councillor Lewis and Councillor Lehman regarding the dissolution of the Urban Design Peer Review Panel (UDPRP).

As indicated in their letter, our community is in the midst of a housing crisis. A lack of supply and the inability to bring units to market in a timely fashion has been a significant contributor to the current situation.

All residential, commercial, and mixed-use developments 5 storeys or taller are required to be reviewed by the UDPRP. This requirement must be satisfied before an application can be submitted and at minimum represents a 3-month delay – in reality this delay is much longer. Additionally, submission requirements for the Panel and multiple design changes can present unnecessary costs which are ultimately passed along to the end user/tenant/homeowner.

Circumstances have drastically changed since 2008, when the UDPRP was initially formed. The London Plan now contains extensive policies to guide the shape, character and form of development within the City of London, and there is a proficient team of Urban Design staff employed who are more than capable to review applications and ensure those policies are implemented.


The delay in process and cost implications significantly outweigh any benefit UDPRP feedback may provide. We are supportive of the immediate dissolution of the Urban Design Peer Review Panel.


Please do not hesitate to contact our office if you would like to discuss further.

Sincerely,
Carrie O'Brien, Land Planner
cobrien@drewloholdings.com

DREWLO HOLDINGS INC.
HOME OFFICE

680 Waterloo Street,
London, Ontario N6A 0B3

 (519) 472-8200

 (519) 472-8860

From: londondev@rogers.com <londondev@rogers.com>

Sent: Thursday, September 28, 2023 12:00 PM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] Delegation requests.

Hello Heather

I am letting you know that I will be delegating to 3.4 Amendment to Increase in Additional Residential Unit Permissions.

I would also like to request delegation status to Item 4.1 Urban Design Peer Review Panel

Thanks Mike

Mike Wallace

Executive Director

London Development Institute (LDI)

519-854-1455

londondev@rogers.com



Q3DEFERRED MATTERS

**PLANNING AND ENVIRONMENT COMMITTEE
(AS OF SEPTEMBER 25, 2023)**

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
1	Inclusionary Zoning for the delivery of affordable housing - the Civic Administration BE DIRECTED to report back to the Planning and Environment Committee outlining options and approaches to implement Inclusionary Zoning in London, following consultation with the London Home Builders Association and the London Development Institute.	August 28/18 (2.1/13/PEC)	Q4 2023	McNeely/Adema	Council approved Terms of Reference in January, 2021 for the Inclusionary Zoning review. In February, 2022 Council submitted a request to the Province to allow for the consideration of Inclusionary Zoning polices that apply City-wide. Work is currently underway to update the analysis, with recommended policies anticipated in Q4, 2023.
2	Draft City-Wide Urban Design Guidelines – Civic Admin to report back at a future PPM of the PEC	Oct 29/19 (2.1/18/PEC)	Q4 2024	McNeely/Edwards	Staff are working to incorporate the contents of the draft Urban Design Guidelines into the Site Plan Control By-law update (expected Q2 2024) as well as the new Zoning By-law (expected Q4 2024). The need for additional independent UDG will be assessed after those projects are complete.
3	Homeowner Education Package – 3 rd Report of EEPAC - part c) the Civic Administration BE REQUESTED to report back at a future Planning and Environment Committee meeting with respect to the feasibility of	May 4/21 (3.1/7/PEC)	Q4 2023	McNeely/Davenport/ Edwards	Through the EIS Monitoring Project, staff are assessing the efficacy and implementation of EIS recommendations across a number of now assumed developments. Following the completion of this project, a more detailed review of the

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
	continuing with the homeowner education package as part of Special Provisions or to replace it with a requirement to post descriptive signage describing the adjacent natural feature; it being noted that the Environmental and Ecological Planning Advisory Committee (EEPAC) was asked to undertake research on best practices of other municipalities to assist in determining the best method(s) of advising new residents as to the importance of and the need to protect, the adjacent feature; and,				recommendations made in the EIS and overall best practices will be reviewed.
4	Medway Valley Heritage Forest ESA – c) the portion of the pathway and trail system from Gloucester Road (Access A11) to its connection with the pathway in the Valley shown on “Appendix B” of the Medway Valley Heritage Environmentally Significant Area (South) Conservation Master Plan BE DEFERRED to be considered at a future meeting of the Planning and Environment Committee following further consultation and review with the adjacent neighbours, the Upper Thames River Conservation Authority, the Environmental and Ecological Planning Advisory Committee and the Accessibility Advisory Committee	August 10/21 (3.9/11/PEC)	Q4 2023	McNeely/Edwards	Staff are resolving the detailed design aspects of the project in advance of initiating consultation with the adjacent neighbours, UTRCA, ECAC and ACAAC. Following the detailed design recommendations of the retained consultants and community consultation, staff will recommend a preferred alternative.

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File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
5	Food Based Businesses – Regulations in Zoning By-law Z-1 for home occupations as it relates to food based businesses	Nov 16/21 (4.2/16/PEC)		McNeely/Adema	Issue to be addressed via ReThink Zoning.
6	Global Bird Rescue – update Site Plan Control By-law and Guidelines for Bird Friendly Buildings; CA to contact London Bird Team to finalize bird-friendly pamphlet; pamphlet to be circulated to EEPAC and AWAC when completed	Nov 16/21 (4.3/16/PEC)	Q2 2024 Q3 2023	McNeely/O’Hagan Bennett/Tucker	<p>Staff are working to update the Site Plan Control by-law (expected Q2 2024), which will include Bird Friendly standards and guidelines.</p> <p>Staff have prepared a printable Bird-Friendly pamphlet that can be distributed to homeowners. The preparation of an online version of the pamphlet is underway and will be circulated to the advisory committees once complete (expected Q3 2023).</p> <p>Overall, being managed via different project.</p> <p>The preparation of a pamphlet is underway that will be circulated to the Advisory group for feedback. Expected completion by Q3 2022.</p>
7	Community Improvement Plan (CIP) Financial Incentive Programs 5-Year Review - the Civic Administration BE DIRECTED to report back with a comprehensive review, including a sensitivity analysis, of the City’s	May 24/22 (2.2/10/PEC)	Q2 2023	S. Thompson/ Yanchula	Staff at the May 23, 2023 PEC meeting submitted its comprehensive review of the existing Community Improvement Plans and Financial Incentive programs, including recommendations for changes to Community Improvement Plans and

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File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
	<p>existing Community Improvement Plans and associated financial incentives; and, the Civic Administration BE DIRECTED to report back at a future meeting with preliminary information for the 2024-2027 multi-year Budget.</p> <p>Civic Administration to review existing and consider in future housing-related CIPs opportunities to include and incentivize the creation of affordable housing units and report back no later than Q2 of 2024, including but not limited to the introduction of mandatory minimums to access CIP funds; and, options to include affordable housing units in existing buildings</p>	June 27, 2023 (3.2/10/PEC)	Q2 2024		<p>preliminary impacts of recommended changes to Financial Incentives ahead of the upcoming 2024-2027 budget.</p> <p>Final approval of all recommended changes is anticipated to be completed Q3 2023.</p>
8	Additional Residential Units – Civic Administration to review current five-bedroom limit and report back; Review of the current parking and driveway widths policies in additional residential units and report back;	June 6, 2023 (3.4/9/PEC)			
9	Byron Gravel Pits Secondary Plan – Civic Administration to report back on consultation process, and the outcome of supporting studies that will inform the Final Byron Gravel Pits Secondary Plan and implementing an OPA	July 25, 2023 (2.2/12/PEC)			

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