

# Agenda

## London Housing Advisory Committee

The 2nd Meeting of the London Housing Advisory Committee

March 9, 2022, 12:15 PM

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Please check the City website for current details of COVID-19 service impacts.

The City of London is committed to making every effort to provide alternate formats and communication supports for Council, Standing or Advisory Committee meetings and information, upon request. To make a request related to this meeting, please contact [advisorycommittee@london.ca](mailto:advisorycommittee@london.ca)

	Pages
<b>1. Call to Order</b>	
1.1. Disclosures of Pecuniary Interest	
<b>2. Scheduled Items</b>	
2.1. 12:15PM - E. Ling, Specialist I, Municipal Policy - Short-term Accommodations	2
<b>3. Consent</b>	
3.1. 1st Report of the London Housing Advisory Committee	8
3.2. Municipal Council resolution from its meeting held on January 25, 2022 with respect to the 1st Report of the London Housing Advisory Committee	10
3.3. Odell Jalna Social Housing Provider Proposal	11
3.4. End of Mortgage (EOM) and End of Operating Agreement (EOA) Impacts and Analysis	19
3.5. Notice of Planning Application - Zoning By-law Amendment - 258 Richmond Street	27
3.6. Notice of Planning Application - Official Plan and Zoning By-law Amendments - 1737 Richmond Street	31
<b>4. Adjournment</b>	



London  
CANADA

# Short-term Accommodations



March 9, 2021

# Short-term Accommodations

- Topic of local agendas since 2018
- March 2020 Staff requested to;
  - Make necessary Amendments
  - Consult with platforms re. Collection of Municipal Accommodation Tax (MAT).

**NOTE:** Cannot share specifics prior to PPM

## Two main Goals:

- Curtail 'public nuisance' complaints.
- Discourage STAs where they contribute to rental housing shortage.

## Other Considerations:

- Public safety, tourism, homeowner '*side hustle*'



# Short-term Accommodations

## Local Statistics:

- +/- 600 *active* STAs in London
- 91% on Airbnb, 4% VRBO
- Average 68% Occupancy (high summer/low winter)
- Average \$120/night / \$1 200 monthly revenue
- 68% “entire home” vs. 32% “private room” rentals
- Very little increase in total # of units listed



# Short-term Accommodations

- Future Community & Protective Services Committee (CPSC) Public Participation Meeting.
- Amendments to Business Licensing By-law – new category: Short-term Accommodation
- Propose licensing hosts, not platforms
- Propose limiting to principal residences only
- No change to RRUL



# Short-term Accommodations

Any Questions?

# London Housing Advisory Committee

## Report

1st Meeting of the London Housing Advisory Committee

December 8, 2021

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

Please check the City website for current details of COVID-19 service impacts.

Attendance                      PRESENT: B. Harris (Chair), J. Banninga, M. Joudrey, W. Latuszak, B. Odegaard, J. Peaire, and M. Richings; A. Pascual (Committee Clerk)

ABSENT: C. O'Brien and D. Peckham

ALSO PRESENT: J. Adema, P. Chisholm, C. Cooper, M. Espinoza, C. Lovell, T. Macbeth, G. Matthews, D. Purdy, B. Turcotte, and B. Westlake-Power

The meeting was called to order at 12:16 PM; it being noted that the following members were in remote attendance: J. Banninga, M. Joudrey, B. Harris, W. Latuszak, B. Odegaard, J. Peaire, and M. Richings

### 1. Call to Order

#### 1.1 Disclosures of Pecuniary Interest

J. Peaire discloses a pecuniary interest with respect to Item 3.1, having to do with the London and Middlesex Community Housing - Update by indicating that he is a tenant at the London and Middlesex Community Housing.

### 2. Consent

#### 2.1 9th Report of the London Housing Advisory Committee

That it BE NOTED that the 9th Report of the London Housing Advisory Committee, from its meeting held on November 10, 2021, was received.

### 3. Items for Discussion

#### 3.1 London and Middlesex Community Housing - Update

That it BE NOTED that P. Chisholm, Chief Executive Officer, provided a verbal update with respect to the London and Middlesex Community Housing.

#### 3.2 Advisory Committee Review - Update

That it BE NOTED that B. Westlake-Power, Deputy City Clerk, provided a verbal update with respect to the Advisory Committee Review.

### 4. (ADDED) Deferred Matters/Additional Business

#### 4.1 (ADDED) Proposed Implementation of the "Roadmap to 3,000 Affordable Units" (Roadmap) Action Plan

That the following actions be taken with respect to the staff report dated November 23, 2021, related to the Proposed Implementation of the "Roadmap to 3,000 Affordable Units" (Roadmap) Action Plan:

- a) the Civic Administration BE REQUESTED to attend a future meeting of the London Housing Advisory Committee to provide an update on the status of the implementation of the plan; and,
- b) the above-noted report BE RECEIVED.



4.2 (ADDED) Request for Funding from Vision SoHo Alliance for the Housing Development Project at the Old Victoria Hospital Lands

That it BE NOTED that the staff report dated November 23, 2021 from G. Kotsifas, Deputy City Manager, Planning and Economic Development, related to the Request for Funding from Vision SoHo Alliance for the Housing Development Project at the Old Victoria Hospital Lands, was received.

4.3 (ADDED) Inclusionary Zoning Review

That it BE NOTED that the verbal update from T. Macbeth, Planner II, with respect to the Inclusionary Zoning Review, was received.

**5. Adjournment**

The meeting adjourned at 1:32 PM.



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**London**  
CANADA

January 26, 2022

K. Dickins  
Deputy City Manager, Social and Health Development

I hereby certify that the Municipal Council, at its meeting held on January 25, 2022, resolved:

That the following actions be taken with respect to the 1st Report of the London Housing Advisory Committee, from its meeting held on December 8, 2021:

- a) the following actions be taken with respect to the staff report dated November 23, 2021, related to the Proposed Implementation of the “Roadmap to 3,000 Affordable Units” (Roadmap) Action Plan:
  - i) the Civic Administration BE REQUESTED to attend a future meeting of the London Housing Advisory Committee to provide an update on the status of the implementation of the plan; and,
  - ii) the above-noted report BE RECEIVED; and,
- b) clauses 1.1, 2.1, 3.1, 3.2, 4.2 and 4.3 BE RECEIVED. (4.1/2/CPSC)

M. Schulthess  
City Clerk  
/sd

cc: E. Soares, Executive Assistant to the Deputy City Manager, Social and Health Development  
Chair and Members, London Housing Advisory Committee

## Report to Community and Protective Services Committee

**To:** Chair and Members, Community and Protective Services Committee  
**From:** George Kotsifas, Deputy City Manager, Planning and Economic Development  
**Subject:** Odell Jalna Social Housing Provider Proposal  
**Date:** February 1, 2022

### Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, that the following actions **BE TAKEN** with respect to the Odell Jalna Social Housing Provider Proposal report that;

- a) Civic Administration **BE DIRECTED** to work with the Board of Odell Jalna and the Ministry of Municipal Affairs to advance the provider's proposal; and
- b) Civic Administration **BE DIRECTED** to re-invest the anticipated future tax levy supported mortgage subsidy savings related to the Odell Jalna portfolio to address the long-term financial stability of the Odell Jalna portfolio.

### Executive Summary

As outlined in the End of Mortgage (EOM) and End of Operating Agreement (EOA) Impacts and Analysis Community and Protective Services report dated February 1, 2022. Many community housing providers (private non-profits and co-operatives) are reaching their end of the mortgage. When the mortgage has been paid off, the mortgage component of the operating subsidy from the Service Manager will be zero, reducing the amount of subsidy the housing provider receives.

As housing providers reach their EOM, it is becoming apparent that the current *Housing Services Act* funding formula developed many years ago is not adequate to sustain the viability of the housing stock in order to provide affordable housing in today's environment. London's community housing portfolio is aging. With the rising cost of operations, the extremely low prescribed market rents, and the significant capital repair needs, the financial funding model is not adequate. Without some form of additional subsidy, it is not financially feasible for all projects to continue to provide safe and appropriate affordable community housing.

As a transition to an improved legislative framework, the province announced the Community Housing Renewal Strategy and introduced new legislation – *Protecting Tenants and Strengthening Community Housing Act 2020* which incorporates amendments to the *Housing Services Act, 2011* intended to provide a streamlined legislative framework for community housing that will incent non-profit and co-operative housing providers to stay in the housing system once their original agreement and mortgages end. Civic Administration eagerly awaits guidance from the Ministry of Municipal Affairs and Housing (MMAH) and the new regulations, expected to be released sometime between spring and fall of 2022, for a better understanding of the provincial role going forward.

In anticipation of the new regulatory framework, the Municipal Housing division continues to look for options and innovative solutions outside the *Housing Services Act* framework to develop strategies to support housing providers' future sustainability.

The Board of Odell Jalna has presented the Service Manager with an innovative approach to maintaining the housing provider's financial stability and ensuring that no affordable community housing units are lost.

## Linkage to the Corporate Strategic Plan

### 2019-2023 Strategic Plan for the City of London:

Council and staff continue to recognize the importance of actions to support the 2019-2023 - Strategic Plan for the City of London. Specifically, the efforts described in this report address the following Areas of Focus, including:

- Strengthening Our Community
- Building a Sustainable City

### Strengthening our Community Strategic Area of Focus

The following strategies are intended to “increase affordable housing options”:

- Establish and revitalize community housing through a Regeneration Plan;
- Increase supportive and specialized housing options for households experiencing chronic homelessness;
- Strengthen the support for individuals and families in need of affordable housing;
- Utilize innovative regulations and investment to facilitate affordable housing development.

The following strategies are intended to achieve the result of reducing the number of individuals and families experiencing chronic homelessness or at risk:

- Create more purpose-built, sustainable, affordable housing stock in London;
- Implement coordinated access to mental health and addictions services and supports; and
- Improve emergency shelter diversion and rapid re-housing practices.

### Housing Stability Action Plan

The City of London’s Housing Stability Action Plan focuses on increasing and maintaining affordable and quality housing options for individuals and families and reducing the number of individuals and families experiencing homelessness.

## Analysis

### 1.0 Background Information

#### 1.1 Background

The City of London’s Housing Stability Action Plan 2019 - 2024 identified the need to maintain the housing stock it has. The plan highlighted the need for more affordable housing stock in our community and that the shortage of safe, affordable housing options is impacting the stability and health of people across our community.

#### Provincial Non-Profits End of Mortgages

Community housing provided by non-profits and housing co-operative in projects that included provincial funding are distinct from federal projects. These provincial projects had their original operating agreements terminated when responsibilities were devolved to the Service Manager. The rules and requirements governing operations, including rules for how projects are funded, were taken from the original agreements, and transferred into legislation (originally through the *Social Housing Reform Act, 2000*, subsequently replaced by the *Housing Services Act, 2011*).

When the original operating agreements were replaced with a legislative framework, the legislation did not specify when the provider’s obligations to provide subsidized housing would conclude.

Provincial projects that are not officially removed from O. Reg. 368/11 under the *Housing Services Act, 2011*, must continue to provide affordable housing (including Rent Geared to Income - RGI) in accordance with the Act. In exchange, housing

providers continue to receive a subsidy from their Service Manager, which is calculated according to the funding formula set out in O. Reg 369/11.

The funding formula generally incorporates three (3) main components:

- 1) Operating Subsidy – which includes
  - a) Benchmark Revenue less
  - b) Benchmark Operating Costs and
  - c) Provider's Shelter Mortgage
- 2) RGI subsidy; and
- 3) Property Tax subsidy

When the mortgage has been paid off, the mortgage component of the operating subsidy will be zero.

This funding formula in O. Reg. 369/11 under the Act represents the minimum Service Manager subsidy required for a housing provider. Service Managers have the discretion and flexibility to provide a subsidy greater than the minimum requirements from other municipal resources.

### Legislative Framework

The Minister can end a housing provider's obligations under the *Housing Services Act* by removing the project from regulation O. Reg. 368/11. This process occurs on a case-by-case basis and is often referred to as 'delisting'. To date, most examples of de-listing relate to federal projects after their operating agreement ends.

Obligations for provincial projects remain in place so long as they are listed in O. Reg. 368/11. Even in situations where a provider's mortgage has matured and/or the provider receives nil (\$0) in total subsidy from the Service Manager, the housing provider remains bound by the *Housing Services Act* so long as they are listed in O. Reg. 368/11. If a provincial project is de-listed from the *Housing Services Act*, the provider may no longer be entitled to legislative and regulatory exemptions or Service Manager investments.

As part of the *Protecting Tenants and Strengthening Community Housing Act* amendments to the *Housing Services Act*, the MMAH has placed a pause of removing housing projects from O. Reg. 368/11 for a three (3) year period (expect to end fall of 2022) however exceptions may be considered on a case-by-case basis. Once a provincial project is removed from the Act (de-listed), the Service Manager's legislative protections through the *Housing Services Act* are no longer in place however under the new provisions, community housing providers could voluntarily enter into service agreements or exit agreements with Service Managers related to the administration of housing projects.

## **1.2 Previous Reports Related to this Matter**

In addition to these, the following reports provide direct and relevant background to local housing needs and plans:

- [2021 Mid-Year Update Housing Stability for All Plan](#) (CPSC: September 21, 2021)
- [Housing Stability for All Plan 2020 Update](#) (CPSC: May 11, 2021)
- [Letter of Mayor Holder to CPSC Re: 3,000 Unit Challenge](#) (CPSC: March 30, 2021)
- [Housing Quarterly Report](#) (CPSC: October 6, 2020)
- [Capital Repair and Improvement Program Approval of Loan Agreement](#) (CPSC: August 12, 2020)
- [Housing Quarterly Report](#) (CPSC: July 15, 2020)
- [Municipal Council Approval of the Housing Stability Plan 2019 to 2024...](#) (CPSC: December 3, 2019)
- [Homeless Prevention and Housing Plan 5 Year Review and Update](#) (CPSC: June 17, 2019)

- [Request for Proposal 18-05 Social Housing Building Inventory – Building Condition Assessment and Reserve Fund Studies](#) (CPSC: June 18, 2018)
- [End of Operating Agreements \(EOA\) for Social Housing Providers in London and Middlesex County](#) (CPSC: February 18, 2015)

## 2.0 Discussion and Considerations

### 2.1 Provincial Non-Profit Housing Provider Proposal

The Odell-Jalna portfolio includes 4 properties for a total of 246 units with 210 designated as RGI and 36 low-end market rent (currently at approximately 50% of Average Market Rent). The Homes Unlimited portfolio includes 5 properties for a total of 278 units. Merging with the Homes Unlimited portfolio provides the unique opportunity to adjust the deep subsidy tenant mix in Odell Jalna's projects.

Both Odell-Jalna and Homes Unlimited are governed by the same volunteer Board of Directors. In 2017, Homes Unlimited and Odell-Jalna corporations undertook the development of a five-year Strategic Plan. Adopted by both boards early in 2018, the Strategic Plan sets out a series of goals and actions that aims to improve operational effectiveness and expand the development of new affordable housing in London. The number one goal in the Strategic Plan is to facilitate the merger of Odell-Jalna with Homes Unlimited. The merged corporation will eliminate duplications and inefficiencies.

The City of London, as the Housing Service Manager, was approached by Odell-Jalna in 2019 regarding a proposed merger that would essentially merge the Odell-Jalna social housing portfolio with their Homes Unlimited affordable housing portfolio. Municipal Housing has been meeting with the board on several occasions to discuss the merger proposal and to develop shared objectives and goals (such as: maintaining existing RGI units, minimizing additional government subsidy, addressing capital requirements, developing a sustainable financial model, determining a framework approach, and the engagement with the MMAH).

The board's proposal also requested the Service Manager's support in de-listing from the *Housing Services Act* in an effort to access favourable refinancing rates, access existing property equity for capital repairs, minimize the administrative burden, promote a broader mix community approach across the Odell-Jalna and Homes Unlimited portfolio, and provide operational flexibility.

All of Odell-Jalna's 4 properties are identified as provincial projects, which all have been included in the board's proposal:

- Jalna Woods (64 units: 50 RGI and 14 Low Market Rent) - mortgage expires June 1, 2022;
- Odell Place (67 units: 57 RGI and 10 Low Market Rent) - mortgage expires July 1, 2024;
- Wavell Village (55 units: 49 RGI and 6 Low Market Rent) - mortgage expires October 1, 2024; and
- Ottaway Place (60 units: 54 RGI and 6 Low Market Rent) – mortgage expires October 1, 2029

Conversations and efforts between the Service Manager and the board focused on establishing a financial model that promotes the housing provider's operating financial sustainability, is within the City's existing approved funding, supports future capital planning needs, and continues to support the current RGI & affordable housing tenants.

### 2.2 Capital Assessment

In 2020, the Municipal Housing division finalized the building condition assessment (BCA) for the City's social housing portfolio. As the Service Manager, the City assisted community housing providers in gathering this information to support the development of their capital planning and reserve fund requirements.

The BCA report highlights a Facility Condition Index (FCI) for each property at the time of inspection and for Odell-Jalna's portfolio, the following represents Odell Jalna's property's FCI results:

Property	FCI %	Condition	Comments
Jalna Woods	2%	Good	Asset in reasonable condition and does not require major capital expenditures over the next 3 years
Ottaway Place	3%	Good	Asset in reasonable condition and does not require major capital expenditures over the next 3 years
Wavell Village	6%	Fair	Asset is deteriorating and requires capital expenditures. Will likely become poor condition within a few years if repairs are not addressed
Odell Place	7%	Fair	Asset is deteriorating and requires capital expenditures. Will likely become poor condition within a few years if repairs are not addressed

Note: The FCI term is used to describe the relative condition of a facility to the current replacement value of that facility. The FCI % is a calculation of the required capital investment divided by the current replacement value of the facility.

The BCA analysis included a review of the building envelope, structure, interior, mechanical and electrical components, and general life safety items. These items were evaluated on the following criteria:

- Good condition: > 8 years. The capital item is an original installation or, has recently been installed/replaced, with no visible reduction or anticipated reduction in performance, and should remain in good condition for several more years, provided that proper maintenance is performed regularly;
- Fair condition: 4 – 7 years. The capital item is in a condition which is typical of its age or, based on use;
- Poor condition: 1 – 3 years. The capital item is nearing or at the end of its useful service life and should be replaced/repared soon;
- Immediate: Health & Safety, Serious Code infraction.

Also, the BCA analysis identified the following priority ratings:

- Priority A – Life Safety: Hazardous conditions which could lead to critical or severe injury;
- Priority B – Structural Integrity: Conditions which if left uncorrected can reasonable be expected to lead to the deterioration of structural elements of the building;
- Priority C – Legislative Requirements: Conditions which are not in compliance with legislative requirements;
- Priority D – Reached their useful life or to maintain tenants' quality of life: Replacement or upgrading of building elements which have reached the end of their useful life, and which must be upgraded to maintain tenants' quality of life, and prevent the building from becoming physically or functionally obsolescent; and
- Priority E – Cost Efficiency Initiatives: Upgrades related to cost-effective initiatives which improve the operational efficiency of a building, particularly in the area of energy efficiency, and which have a reasonable payback.

The following chart highlights Odell-Jalna's BCA findings:

Priority	2022 – 2025	2026 - 2030	2031 - 2035	2036 - 2040
Priority A	\$537,000	\$19,000	\$242,000	\$198,000
Priority B	\$90,000	\$125,000	\$143,000	\$163,000

Priority C	\$0	\$0	\$216,000	\$50,000
Priority D	\$4,122,000	\$3,700,000	\$5,994,000	\$7,288,000
Priority E	\$63,000	\$2,000	\$20,000	\$20,000
Total A to E	\$4,812,000	\$3,846,000	\$6,615,000	\$7,719,000
Total A to C	\$627,000	\$144,000	\$601,000	\$411,000

Note: Odell-Jalna's 2019 year-end Reserve Fund balance for the portfolio was approximately \$405,000.

Total Priority A to E is provided to represent the complete BCA portfolio findings and Priority A to C represents the minimal investment from the BCA portfolio findings.

## 2.2 Analysis

In 2021, the Municipal Housing division secured the services of the Housing Service Corporation (HSC) to support the board and the Service Manager through a financial model review to develop a financial sustainability framework. The Municipal Housing division has concluded our work with the HSC and the board and has developed a financial sustainability model governed by maintaining Odell-Jalna's current net municipal funded subsidy funding (currently approximately \$1.2 million which includes potential loss of Gazette mortgage funding of approximately \$0.287 million for 2022 however a further loss of Gazette funding of approximately \$0.339 million would also be realized as a result of de-listing) and refinancing the existing four (4) Odell-Jalna properties to meet the above future portfolio capital need priorities (A through E). Essentially, the financial sustainability model requires reinvesting the mortgage savings from Odell Jalna's social housing portfolio in order to maintain existing subsidy levels. As noted above, this mortgage savings reinvestment framework is not unique to Odell Jalna and will likely be required as a tool for many other housing providers.

Most recently, the Municipal Housing division consulted with MMAH to confirm the process to which a de-listing request can be accepted and what considerations are required. For any housing provider to be de-listed from the Act, a business case submission is required from the Service Manager that highlights:

- 1) Background / context;
- 2) Description of the housing provider, affected buildings, and composition of RGI and Market units;
- 3) Description of circumstances necessitating delisting during the de-listing pause;
- 4) Description of consequences if de-listing request is not granted;
- 5) Service Manager will still be able to meet its legislative RGI targets;
- 6) Tenant selection for RGI units will still utilize the City's Centralized Waitlist;
- 7) What, if any, impact does this have on existing tenants and how is it mitigated;
- 8) How with the Service Manager ensures that the longstanding public investment the projects are preserved;
- 9) Results of a comprehensive evaluation;
- 10) Property Tax implications;
- 11) Any financial penalties to consider; and
- 12) What would the new funding relationship with the Service Manager be.

Subject to Council approval of the recommendations in this report, the Municipal Housing division can proceed to finalize a business case submission to the MMAH on behalf of the Service Manager and Odell Jalna and begin developing a subsequent Service Agreement with Odell Jalna to secure the future relationship for the delivery of Odell Jalna's social and community housing units with the Service Manager. The Service Agreement will be the new tool to ensure Odell Jalna's commitment to maintaining (at a minimum) the current level of RGI and affordable units.

## 3.0 Financial Impact and Considerations

### 3.1. Financing Impact

Based on the financial review done by HSC, the current Status Quo is forecasting a decrease in mortgage subsidy funding requirement to Odell Jalna according to the

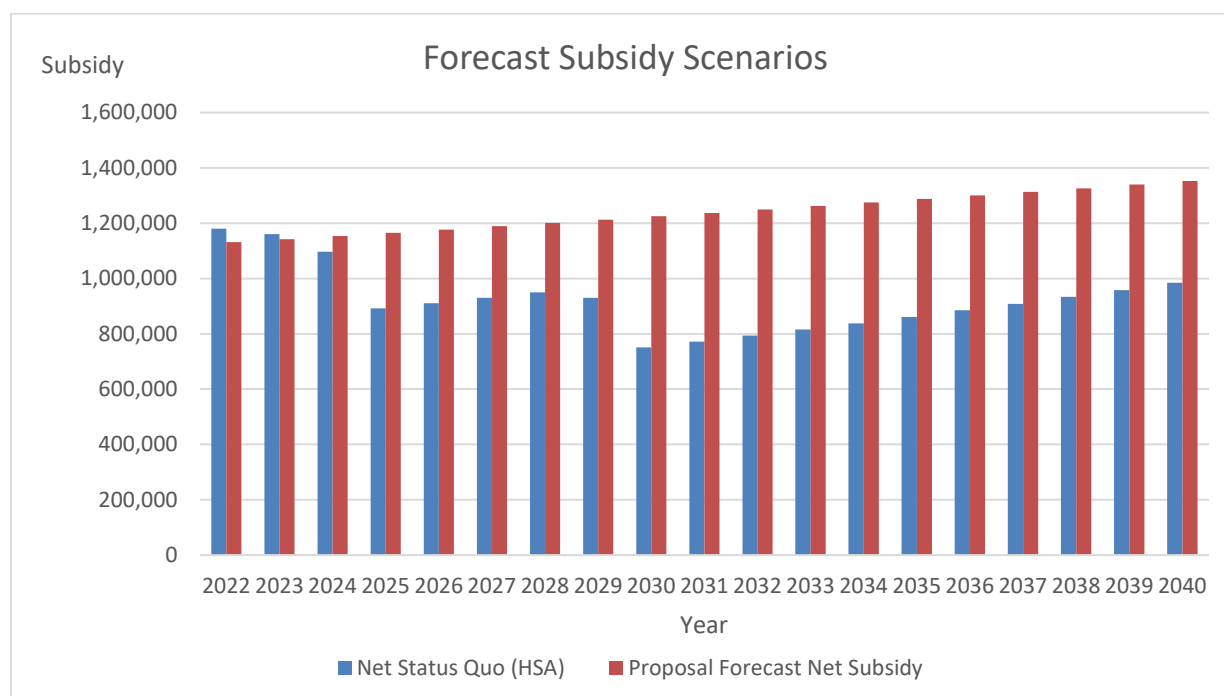


funding formula prescribed in *Housing Service Act*. This decrease reduces the Service Manager's *Housing Services Act* responsibility to fund, thus produces 'mortgage subsidy savings' for the Service Manager. Mortgage subsidy savings for Odell Jalna's portfolio will be realized incrementally between 2022 and 2029 as the remaining mortgages mature. As the housing provider's mortgages mature, it is expected that Odell Jalna's subsidy funding will decrease from \$1.466 million in 2022 to \$0.750 million in 2030. The Service Manager (City)'s required contribution to fund the subsidy will decrease from \$1.180 million in 2022 to \$0.750 million in 2030.

Status Quo	2022	2023	2024-2027	2028-2040
Estimated - Subsidy Funding to Odell Jalna (Status Quo based on HSA)	1,466	1,364	3,966	11,380
Gazette Funding	(287)	(204)	(136)	-
Status Quo - Service Manager Portion (tax levy funded)	1,180	1,160	3,830	11,380
Proposed Approach	2022	2023	2024-2027	2028-2040
Proposal - Subsidy Funding to Odell Jalna	1,131	1,142	4,685	16,582
Gazette Funding	-	-	-	-
Proposal - Service Manager Portion (tax levy funded)	1,131	1,142	4,685	16,582
<b>Forecasted Subsidy Above HSA Requirement</b>	(49)	(18)	855	5,202

The financial review completed by HSC also explored other funding models that may enable Odell Jalna to achieve operational flexibility, while giving consideration to the impacts to the Service Manager's subsidy contribution and ability to support long-term financial sustainability of Odell Jalna. Based on the analysis, the scenario where the Service Manager maintains the current level of funding (estimated at \$1.131 million in 2022) and only increased with inflationary consideration was supported. Based on this model, the City saves approximately \$0.066 million in subsidy (forecast as per the *Housing Services Act* funding formula) between 2022 and 2023 with Odell Jalna's proposal however the proposal requires maintaining the subsidy in 2024 and beyond. The total subsidy forecast above what would otherwise be required by the *Housing Service Act* totals \$5.990 million from 2022 to 2040.

Below is a graph illustrating the comparison between the Status Quo (HSA subsidy) and the Proposal Scenario:



As per the End of Mortgage (EOM) and End of Operating Agreement (EOA) Impacts and Analysis Community and Protective Services report dated February 1, 2022, Civic Administration is recommending to reinvest social housing mortgage subsidy savings to support social housing providers in achieving financial sustainability. With the approval of the recommendation in that report, Civic Administration proposes to support Odell Jalna's proposal and to work with the Board of Odell Jalna and the Ministry of Municipal Affairs to enter into a new service agreement that will be consistent with the current level of funding while maintain existing community housing by improving Odell Jalna's financial sustainability.

## **Conclusion**

The need for maintaining existing affordable community housing units is happening across Canada and significantly impacting larger urban centres like London. This report reflects the needs of the City to re-invest expected realized savings back into the housing system as a framework to maintain access to affordable community housing.

These investments are essential to securing the financial tools to support our housing providers' financial needs when their projects reach their EOA/EOM and to preserve access to existing affordable community housing.

The Board of Odell Jalna has presented the Service Manager with an innovative approach to maintaining the housing provider's financial stability and ensuring that no affordable housing units are lost. The Municipal Housing division supports continuing to work with the Board of Odell Jalna and the MMAH and views this proposal as an innovative approach and pilot that might provide similar strategies for other housing providers facing similar challenges.

**Prepared by:** Dave Purdy, Manager Municipal Housing

**Submitted by:** Patrick Cooper, Director, Municipal Housing Development

**Recommended by:** George Kotsifas, Deputy City Manager, Planning and Economic Development

## Report to Community and Protective Services Committee

**To:** Chair and Members, Community and Protective Services Committee  
**From:** George Kotsifas, Deputy City Manager, Planning and Economic Development  
**Subject:** End of Mortgage (EOM) and End of Operating Agreement (EOA) Impacts and Analysis  
**Date:** February 1, 2022

## Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, that the following actions **BE TAKEN** with respect to the End of Mortgage (EOM) and End of Operating Agreement (EOA) Impacts and Analysis report;

- a) The following report **BE RECEIVED** for information;
- b) Civic Administration **BE DIRECTED** to re-invest any anticipated future municipal mortgage subsidy savings in the social housing portfolio to address the long-term financial sustainability of the portfolio; and
- c) The Mayor **BE REQUESTED** to send a letter to the Minister of Municipal Affairs and Housing on behalf of the City Council:
  - a. Requesting continued provincial partnership and investment in existing community housing;
  - b. Highlighting Council's recent significant investment commitments in housing with the need for additional provincial support; and
  - c. The need to receive the new *Housing Services Act* regulatory Exit and Service Agreement framework as early as possible to develop strategies to address challenges facing the sector.

**IT BEING NOTED** that Civic Administration will continue to examine alternative and innovative solutions to the challenge of maintaining social housing units due to EOM/EOA.

## Executive Summary

Many community housing providers (private non-profits and co-operatives) are reaching the end of their original program obligations and/or mortgages. The end of operating mortgage/end of agreement issue has different implications for projects and units depending on what funding program they were originally developed under.

For the non-profit and co-operative housing providers, operating subsidy funding is established either through service agreements that were time-limited (typically for thirty-five (35) to forty (40) year periods, often aligning with mortgage maturity) or legislated under the *Housing Services Act*.

This means that some housing providers will no longer have to provide affordable or subsidized housing once their agreement expires, or the mortgage matures. This has resulted in a loss of over 6,500 community housing units in Ontario to date. Over the next few years, 289 non-profit and co-operative providers with approximately 41,000 units are at risk provincially of exiting the community housing portfolio due to reaching the end of their agreements. By 2027, this increases to 106,600 units at risk.

Even though providers will no longer have to pay mortgage costs once it matures, some of these housing projects may not be financially viable. Often this is in part because projects face significant and costly capital repair expenditures as major building systems reach the end of their life cycle, high costs of unit turnover, and the lack of adequate reserves and resources.

Without some form of subsidy, it is not feasible for all projects to continue to provide affordable housing and some providers may stop providing subsidized or low-end market rent when they are no longer legally obligated to do so.

Through Council's approval of the Roadmap to 3,000 Affordable Units Action Plan, a framework has been established to add new affordable housing units in our community. While Civic Administration focuses on developing strategies to add new affordable housing units there is an equal effort needed to retain as much existing affordable housing stock as possible. These two strategies complement each other with a collective focus to ensure that London continues to experience a net gain of affordable housing stock.

Future municipal subsidy savings resulting from mortgage maturities can be reinvested in community housing to address local housing priorities set out in London's Housing Stability Action Plan (which includes strategic capital actions) without increasing current municipal funding requirements.

## **Linkage to the Corporate Strategic Plan**

### 2019-2023 Strategic Plan for the City of London:

Council and staff continue to recognize the importance of actions to support the 2019-2023 - Strategic Plan for the City of London. Specifically, the efforts described in this report address the following Areas of Focus, including:

- Strengthening Our Community
- Building a Sustainable City

### Strengthening our Community Strategic Area of Focus

The following strategies are intended to "increase affordable housing options":

- Establish and revitalize community housing through a Regeneration Plan;
- Increase supportive and specialized housing options for households experiencing chronic homelessness;
- Strengthen the support for individuals and families in need of affordable housing;
- Utilize innovative regulations and investment to facilitate affordable housing development.

The following strategies are intended to reduce the number of individuals and families at risk or experiencing chronic homelessness:

- Create more purpose-built, sustainable, affordable housing stock in London;
- Implement coordinated access to mental health and addictions services and supports; and
- Improve emergency shelter diversion and rapid re-housing practices.

### Housing Stability Action Plan

The City of London's Housing Stability Action Plan focuses on increasing and maintaining affordable and quality housing options for individuals and families, and reducing the number of individuals and families experiencing homelessness.

## **Analysis**

### **1.0 Background Information**

#### **1.1 Background**

The City of London's Housing Stability Action Plan 2019 - 2024 Strategic initiative 2.2 Revitalize and Modernize Community Housing identifies the need to maintain the housing stock it has. The plan highlighted the need for more affordable housing stock in our community and that the shortage of safe, affordable housing options is impacting the stability and health of people across our community.

Legacy social housing projects were developed through federal and/or provincial funding programs from the 1950's to 1995. Ten (10) different programs provided some combination of time-limited capital funding, mortgage subsidies and/or operating subsidies for housing providers to offer low-income Ontarians with stable and affordable housing.

Each program was designed with its own funding formula and program guidelines. Some community housing projects have rents set at low-end market rents, while others have rents that are geared to the income of residents (rent-geared-to-income or RGI) with many providers having both types.

In Ontario, the end of mortgage and end of operating agreements affects approximately 60% of the community housing supply that is owned by non-profits, housing co-operatives, and private landlords. The remaining 40% of the community housing supply is owned and operated by Local Housing Corporations, with no operating agreement or mortgage in place.

#### Federal Projects End of Operating Agreement (EOA Impact)

As part of the housing transfer, these federally funded housing projects became regulated by the City of London, as the Service Manager, pursuant to the current *Housing Services Act, 2011* for the remaining duration of the original operating agreements. As a result, these housing projects have no ongoing legislative mandate for the housing project or to the Service Manager following the expiration of the operating agreement.

Generally, federal operating agreements have terms that coincide with the length of the housing project's mortgage. These agreements set out the amount, duration, and conditions of the subsidy and when the mortgage for the housing project is paid off, the associated federal funding subsidy ends. Federal programs assumed that after the mortgage debt is retired, a housing project should be able to generate sufficient revenue to continue to provide lower end of market rents without receiving subsidies.

#### Provincial Non-Profits End of Mortgages (EOM Impact)

Community housing provided by non-profits and housing co-operatives in projects that included provincial funding is distinct from federal projects. These provincial projects had their original operating agreements terminated when responsibilities were devolved to the Service Manager. The rules and requirements governing operations, including rules for how projects are funded, were taken from the original agreements, and transferred into legislation (originally through the *Social Housing Reform Act, 2000*, subsequently replaced by the *Housing Services Act, 2011*).

When the original operating agreements were replaced with a legislative framework, the legislation did not specify when the provider's obligations to provide subsidized housing would conclude.

Provincial projects that are not officially removed from O. Reg. 368/11 under the *Housing Services Act, 2011*, must continue to provide affordable housing (including RGI) in accordance with the Act. In exchange, housing providers continue to receive a subsidy from their Service Manager, which is calculated according to the funding formula set out in O. Reg 369/11.

The funding formula generally incorporates three (3) main components:

- 1) Operating Subsidy – which includes
  - a) Benchmark Revenue less
  - b) Benchmark Operating Costs and
  - c) Provider's Shelter Mortgage
- 2) RGI subsidy; and
- 3) Property Tax subsidy

When the mortgage has been paid off, the mortgage component of the operating subsidy will be zero.

This funding formula in O. Reg. 369/11 under the Act represents the minimum Service Manager subsidy required for a housing provider. Service Managers have the discretion and flexibility to provide a subsidy greater than the minimum requirements from other municipal resources.

Summary of EOM/EOA Key Changes / Impacts (without Exit or subsequent Service Agreement):

Post End Date of Mortgage	Federal (EOA)	Provincial (EOM)
Affordability Requirement	x	✓
Residential Tenancies Act (RTA) Compliance	✓	✓
Reporting Requirement, including subsidy, capital budget, Annual Information Return, Low End Market Rent (Federal Projects Only)	x	✓
Maintaining Mandated Rent-Geared-to-Income (RGI) Units	x	✓
Ongoing Program Subsidy	x	✓
Access to Funding through Service Manager (Operating & Capital)	x	✓
Service Manager Approval for Asset Disposal	x	✓
Service Manager Approval for Change of Corporate Structure (i.e. merger)	x	✓

Legislative Framework

The Minister can end a housing provider’s obligations under the *Housing Services Act* by removing the project from regulation O. Reg. 368/11. This process occurs on a case-by-case basis and is often referred to as ‘delisting’. To date, most examples of de-listing relate to federal projects after their operating agreement ends.

As a transition to an improved legislative framework, the province announced the Community Housing Renewal Strategy and introduced new legislation – *Protecting Tenants and Strengthening Community Housing Act 2020* which incorporates amendments to the *Housing Services Act, 2011* intended to provide a streamlined legislative framework for community housing that will incent non-profit and co-operative housing providers to stay in the housing system once their original agreement and mortgages end. As part of this, the Ministry of Municipal Affairs and Housing (MMAH) has placed a pause of removing housing projects from O. Reg. 368/11 for a three (3) year period (expect to end fall of 2022) however exceptions may be considered on a case-by-case basis.

Once a provincial project is removed from the Act (de-listed), the Service Manager’s legislative protections through the *Housing Services Act* are no longer in place however under the new provisions, community housing providers could voluntarily enter into service agreements or exit agreements with Service Managers related to the administration of housing projects.

The changes to the *Housing Service Act*, enacted through the *Protecting Tenants and Strengthening Community Housing Act, 2000* will have direct impacts for London in it’s role as the Service Manager for community housing. These changes, include service

level standards, wait list and local eligibility rules, as well as new options for housing providers with ending mortgages and agreements.

## 1.2 Previous Reports Related to this Matter

In addition to these, the following reports provide direct and relevant background to local housing needs and plans:

- [Proposed Implementation of the “Roadmap to 3,000 Affordable Units” \(Roadmap\) Action Plan](#) (CPSC: November 23, 2021)
- [2021 Mid-Year Update Housing Stability for All Plan](#) (CPSC: September 21, 2021)
- [Housing Stability for All Plan 2020 Update](#) (CPSC: May 11, 2021)
- [Letter of Mayor Holder to CPSC Re: 3,000 Unit Challenge](#) (CPSC: March 30, 2021)
- [Housing Quarterly Report](#) (CPSC: October 6, 2020)
- [Capital Repair and Improvement Program Approval of Loan Agreement](#) (CPSC: August 12, 2020)
- [Housing Quarterly Report](#) (CPSC: July 15, 2020)
- [Municipal Council Approval of the Housing Stability Plan 2019 to 2024...](#) (CPSC: December 3, 2019)
- [Homeless Prevention and Housing Plan 5 Year Review and Update](#) (CPSC: June 17, 2019)
- [Request for Proposal 18-05 Social Housing Building Inventory – Building Condition Assessment and Reserve Fund Studies](#) (CPSC: June 18, 2018)
- [End of Operating Agreements \(EOA\) for Social Housing Providers in London and Middlesex County](#) (CPSC: February 18, 2015)

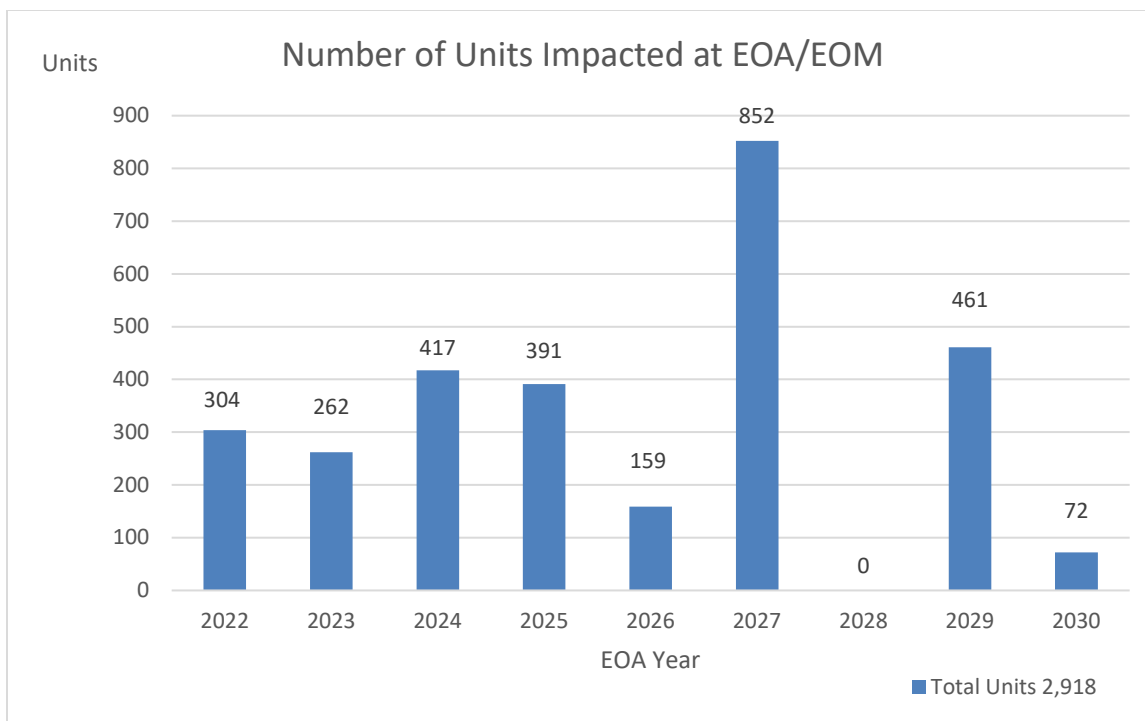
## 2.0 Discussion and Considerations

### 2.1 London Context

Funding for the federal projects developed through the different federal programs comes from the Canadian Mortgage Housing Corporation (CMHC) and flows through what is often referred to as ‘Gazette’ funding from the Ministry of Municipal Affairs and Housing to the Service Manager. This federal funding for projects will decline to zero as federal projects’ mortgages mature with London’s last federal mortgage maturing in 2021.

In London and Middlesex County, there are 64 social housing providers, which provide approximately 8,000 units in total consisting of 5,939 RGI units as part of the Service Manager’s legislatively required target (including 3,282 London Middlesex Community Housing units) and 2,061 low-end market units.

The following chart highlights the number of future units impacted at EOM over the coming years:



As of 2021, all of London's Federal projects have reached their end of EOA. Currently, there are 30 Federal housing providers governed under the *Housing Services Act* providing 1,460 units which have not been delisted and continue to provide low-end market housing.

Although London has experienced federal projects being removed from the *Housing Service Act* in the past, many remain fundamentally committed to continuing to provide housing that is as affordable as possible through the passion which inspired these non-profits' corporate mandates and purpose. Generally, housing projects with expired agreements have continued to provide some level of affordable housing despite the loss of federal funding, although the depth of affordability has most likely changed given the current financial challenges.

Given the broad range of implications related to EOM/EOA, the Municipal Housing division has started developing a strategy that begins with a process to engage the housing provider sector to gain a better understanding of housing providers' goals, objectives, and future housing intentions. The objectives of the strategy will focus on building the capacity of our housing providers, simplify the partnership relationship with housing providers, support housing providers with future asset management and operational pressures, maintain the Service Manager legislative Service Level Standards, maintain the lower-end market units as affordable housing options in our community, and focus on planning for long term regeneration of housing provider's properties.

## 2.2 Advocacy

The EOM/EOA is one of the most pressing issues facing the sustainability and financial strength of social housing providers. As a result of mortgage maturity and expiring agreements, Service Managers must make complex decisions about maintaining and retaining existing affordable housing stock, meeting required legislative service level standards, and managing an aging housing stock while receiving inadequate funding. Social housing providers are challenged to maintain operational viability when subsidies decrease or terminate at mortgage maturity/operating agreement. Many housing providers are struggling financially due to the requirement to maintain lower-end of market rents while operational costs continue to increase.

The recommendations provided in this report provides the starting point to assemble the tools needed to establish the framework to continue to support our social housing providers. With London's continued commitment and investment, the need for additional senior levels of government partnerships remains an important component for our social housing providers' future success.



### 3.0 Financial Impact and Considerations

#### 3.1. Financing Impacts

The City's approved 2020 – 2023 Multi-Year Budget includes property tax levy funding of \$9.944 million for 2021 for housing providers' mortgage portion of subsidy payments. As the housing providers' mortgages mature starting in 2022, the funding formula, as prescribed by the *Housing Services Act*, reduces the required subsidy which produces 'mortgage subsidy savings' for the Service Manager compared to the current funding level. Mortgage subsidy savings will be realized incrementally between 2022 and 2030 as the remaining provincial projects reach their EOM. It is expected that mortgage subsidy savings will increase from \$0.656 million in 2022 to \$10 million in 2030 when the last mortgage matures. In total, the gross mortgage subsidy savings in London will be more than \$46 million by the time the last provincial project's mortgage matures. The following chart outlines the anticipated savings expected between 2022 and 2030.

(in \$000s)	2022	2023	2024	2025	2026	2027	2028 - 2030
Mortgage Savings (as per HSA requirements)	\$889	\$1,920	\$3,579	\$5,620	\$7,328	\$9,469	\$37,171
Cumulative Gazette Funding Reduction	(\$233)	(\$903)	(\$1,369)	(\$1,936)	(\$2,263)	(\$2,876)	(\$10,005)
Net Service Manager Reduced Contribution Requirement (tax levy)	\$656	\$1,017	\$2,210	\$3,684	\$5,065	\$6,593	\$27,166

As outlined in the table above, the required municipal contribution to housing provider subsidies is forecasted to decline over the coming years due to the expiration of mortgages. Subject to the approval of recommendation b) in this report, the municipal funding used to fund these mortgage subsidies is proposed to be maintained at 2021 levels in future Multi-Year Budgets, with these future subsidy savings reinvested in community housing to address local housing priorities set out in London's Housing Stability Action Plan. This will result in no increase to tax levy requirements but will also not result in tax levy reductions as mortgage subsidy requirements decline in future years. Examples of the anticipated re-investment of these savings include one-time contributions to address infrastructure lifecycle needs, funding for alternative service agreements once a providers' formal *Housing Services Act* obligations expire and addressing other housing pressures identified in the Housing Stability Action Plan.

As noted in the Capital Repair and Improvement Program Approval of Loan Agreement Community and Protective Services report dated August 12, 2020, there are 63 Social Housing Providers within the London and Middlesex County area (excluding London & Middlesex Community Housing) with significant future capital needs. Through the completion of the Building Condition Assessment and Reserve Fund Studies in 2020, the forecasted infrastructure gap for those 63 Social Housing Providers is approximately \$60 million over the next 30 years. By utilizing anticipated subsidy savings to help address these infrastructure challenges, the ongoing financial sustainability of the social housing portfolio is improved, with the aim of retaining the current stock of housing.

### Conclusion

The need for new affordable housing units exists across Canada and is significantly impacting larger urban centres like London; however, we must not lose sight of maintaining the affordable housing we have. This report reflects the needs of the City to

re-invest expected future savings back into the housing system as a framework to maintain access to affordable housing.

These investments are essential to securing the financial tools to respond to housing projects reaching their EOM/EOA with the provisions governed under the upcoming legislative changes expected in the fall of 2022.

As the Municipal Housing division engages the housing provider community, in anticipation of the release of the MMAH framework regarding Service / Exit Agreement provisions in 2022, the Municipal Housing division will continue to further develop the framework for these agreements.

**Prepared by: Dave Purdy, Manager Municipal Housing**

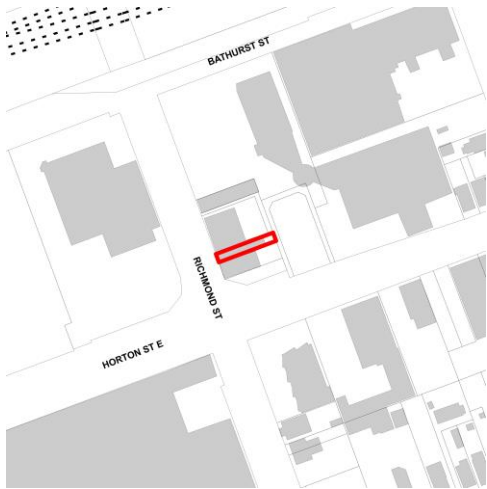
**Submitted by: Patrick Cooper, Director of Municipal Housing Development**

**Recommended by: George Kotsifas, Deputy City Manager, Planning and Economic Development**

# NOTICE OF PLANNING APPLICATION

## Zoning By-Law Amendment

### 258 Richmond Street



**File: Z-9465**

**Applicant: Siv-ik Planning and Design Inc.**

#### What is Proposed?

Zoning amendment to:

- Allow a broader range of commercial and residential uses
- Recognize the existing setbacks, lot coverage, vehicle parking and bicycle parking on site

## LEARN MORE & PROVIDE INPUT

Please provide any comments by **March 16, 2022**

Anusha Singh

[asingh@london.ca](mailto:asingh@london.ca)

519-661-CITY (2489) ext. 7153

Planning & Development, City of London

300 Dufferin Avenue, 6<sup>th</sup> Floor,

London ON PO Box 5035 N6A 4L9

File: Z-9465

[london.ca/planapps](https://london.ca/planapps)

You may also discuss any concerns you have with your Ward Councillor:

John Fyfe-Millar

[jfmillar@london.ca](mailto:jfmillar@london.ca)

519-661-CITY (2489) ext. 4013

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

# Application Details

## Requested Zoning By-law Amendment

To change the zoning from a Restricted Service Commercial (RSC2/RSC3/RSC4) Zone to a Business District Commercial Special Provision (BDC ( \_ )) Zone. Changes to the currently permitted land uses and development regulations are summarized below.

The Zoning By-law is available at [london.ca](http://london.ca).

### Current Zoning

**Zone:** Restricted Service Commercial (RSC2/RSC3/RSC4) Zone

**Permitted Uses:** Animal clinics; automobile rental establishments; automobile repair garages; automobile sales and service establishments; automobile supply stores; automotive uses, restricted; catalogue stores; duplicating shops; home and auto supply stores; home improvement and furnishing stores; kennels; repair and rental establishments; service and repair establishments; studios; taxi establishments; self-storage establishments; bulk beverage stores; dry cleaning and laundry depots; liquor, beer and wine stores; pharmacies; bulk sales establishment; assembly halls; clinics; commercial recreation establishments; emergency care establishments; funeral homes; laboratories; medical/dental offices; private clubs; bake shops; convenience service establishments; convenience stores; day care centres; duplicating shops; financial institutions; florist shops; personal service establishments; restaurants; video rental establishments; brewing on premises establishment; self-storage establishments.

[Click here to enter text.](#)

### Requested Zoning

**Zone:** Business District Commercial Special Provisions (BDC( \_ )) Zone

**Permitted Uses:** Animal hospitals; Apartment buildings, with any or all of the other permitted uses on the first floor; Bake shops; Clinics; Commercial recreation establishments; Commercial parking structures and/or lots; Converted dwellings; Day care centres; Dry cleaning and laundry depots; Duplicating shops; Emergency care establishments; Existing dwellings; Financial institutions; Grocery stores; Laboratories; Laundromats; Libraries; Medical/dental offices; Offices; Personal service establishments; Private clubs; Restaurants, Retail stores; Service and repair establishments; Studios; Video rental establishments; Lodging house class 2; Cinemas; Brewing on Premises Establishment; Food Store; Animal Clinic; Convenience Store; Post Office; Convenience service establishments; Dwelling units restricted to the rear portion of the ground floor or on the second floor or above with any or all of the other permitted uses in the front portion of the ground floor; Bed and breakfast establishments; Antique store; Police stations; Artisan Workshop; Craft Brewery.

**Special Provision(s):** Additional permitted uses: Hotel and Assembly Hall; lot frontage of 5.6m whereas 8m is required; lot coverage of 85% whereas 70% maximum is required; 0 vehicle parking spaces whereas 4 parking spaces are required; 0 bicycle parking spaces whereas 2 spaces are required.

The City may also consider additional special provisions.

## Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. These lands are currently designated as Main Street Commercial Corridor (MSCC) in the 1989 Official Plan. The MSCC designations permits small-scale retail uses; service and repair establishments, food stores; convenience commercial uses; personal and business services; pharmacies; restaurants; financial institutions; small-scale offices; small-scale entertainment uses; galleries; studios; community facilities such as libraries and day care centres, correctional and supervised residences; residential uses; and units created through the conversion of existing buildings, or through the development of mixed-use buildings

The subject lands are located in the Urban Corridor Place Type of The London Plan and within the SoHo Main Street Specific Segment. The SoHo Main Street Specific Segment permits a range of residential, retail, service, office, cultural, recreational, and institutional uses that are intended to be provided at a pedestrian-oriented and walkable neighbourhood scale.

## How Can You Participate in the Planning Process?

You have received this Notice because someone has applied to change the zoning of land located within 120 metres of a property you own, or your landlord has posted the notice of application in your building. The City reviews and makes decisions on such planning

applications in accordance with the requirements of the Planning Act. The ways you can participate in the City's planning review and decision-making process are summarized below.

### **See More Information**

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

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

### **Reply to this Notice of Application**

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include Planning & Development staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

### **Attend a Future Public Participation Meeting**

The Planning and Environment Committee will consider the requested zoning changes on a date that has not yet been scheduled. The City will send you another notice inviting you to attend this meeting, which is required by the Planning Act. You will also be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](http://Neighbourgood) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

## **What Are Your Legal Rights?**

### **Notification of Council Decision**

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

### **Right to Appeal to the Ontario Land Tribunal**

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of the proposed plan of condominium before the approval authority gives or refuses to give approval to the draft plan of condominium, the person or public body is not entitled to appeal the decision of the Director, Planning & Development to the Ontario Land Tribunal.

If a person or public body does not make oral submissions at a public meeting, if one is held, or make written submissions to the City of London in respect of the proposed plan of condominium before the approval authority gives or refuses to give approval to the draft plan of condominium, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

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

## **Notice of Collection of Personal Information**

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Evelina Skalski, Manager, Records and Information Services 519-661-CITY(2489) ext. 5590.

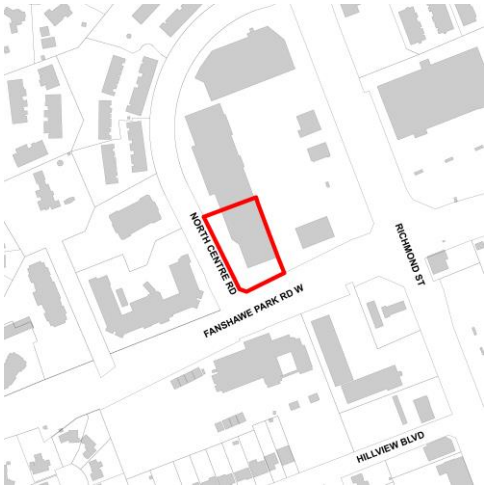
### **Accessibility**

Alternative accessible formats or communication supports are available upon request. Please contact [developmentsservices@london.ca](mailto:developmentsservices@london.ca) for more information.

# NOTICE OF PLANNING APPLICATION

## Official Plan and Zoning By-law Amendments

### 1737 Richmond Street



**File: OZ-9470**

**Applicant: Richmond Hyland Inc. c/o Westdell  
Development Corporation/ The Corporation of the City of  
London**

#### What is Proposed?

Official Plan and Zoning amendments to allow:

- A mixed-use (commercial/office and residential) apartment building with a height of 22 storeys and 226 residential units, and 2527 square metres of commercial
- 234 parking spaces

## LEARN MORE & PROVIDE INPUT

Please provide any comments by **March 23, 2022**

Nancy Pasato

[npasato@london.ca](mailto:npasato@london.ca)

519-661-CITY (2489) ext. 7156

Planning & Development, City of London, 300 Dufferin Avenue, 6<sup>th</sup> Floor,  
London ON PO BOX 5035 N6A 4L9

File: OZ-9470

[london.ca/planapps](https://london.ca/planapps)

You may also discuss any concerns you have with your Ward Councillor:

Councillor Josh Morgan

[jmorgan@london.ca](mailto:jmorgan@london.ca)

519-661-CITY (2489) ext. 4007

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

# Application Details

## Requested Amendment to the 1989 Official Plan

To add a Chapter 10 Specific Area Policy to permit a 22 storey, mixed commercial/residential apartment building with 226 residential units and 2527 square metres of commercial, with Bonus Zoning. The intent is to align the 1989 Official Plan policies with The London Plan policies that will apply to the site.

## Requested Zoning By-law Amendment

To change the zoning from an Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zone to a Business District Commercial Special Provision Bonus (BDC1( )\*B- ) Zone. Changes to the currently permitted land uses and development regulations are summarized below.

Both Official Plans and the Zoning By-law are available at [london.ca](http://london.ca).

### Current Zoning

**Zone:** Associated Shopping Area Commercial Special Provision (ASA1(5)/ASA2(3)/ASA3(1)) Zones

**Permitted Uses:** animal hospitals; convenience service establishments; convenience stores; dry cleaning and laundry plants; duplicating shops; financial institutions; restaurants; retail stores; personal service establishments; pharmacies; printing establishments; video rental establishments; brewing on premises establishment; repair and rental establishments; service and repair establishments; studios; clinics; day care centres; laboratories; medical/dental offices; offices, professional; offices, service.

**Special Provision(s):** prohibited use: grocery store and supermarket; additional permitted use: food store; a maximum Gross Floor Area of 17,950 sq.m (inclusive of patios); a minimum of 550 parking spaces for all uses; in the ASA3 Zone, offices are a permitted use subject to a maximum gross floor area of 4,645 square metres (50,000 square feet) for all office uses and a maximum height of 16 metres (52.5 feet) for office buildings; and the application of the maximum gross floor area requirements of office use shall be to the ASA3(1) Zone and not to the individual properties contained within the zone. Gross floor area shall be allocated in proportion to the lot size as it relates to the total area zoned.

**Height:** 12 metres, or 16 metres for office buildings (ASA3(1) Zone)

### Requested Zoning

**Zone:** Business District Commercial Special Provision Bonus (BDC1( )\*B- ) Zone

**Permitted Uses:** animal hospitals; apartment buildings, with any or all of the other permitted uses on the first floor; bake shops; clinics; commercial recreation establishments; commercial parking structures and/or lots; day care centres; dry cleaning and laundry depots; duplicating shops; emergency care establishments; financial institutions; grocery stores; laboratories; laundromats; libraries; medical/dental offices; offices; personal service establishments; private clubs; restaurants; retail stores; service and repair establishments; studios; video rental establishments; lodging house class 2; cinemas; brewing on premises establishment; food store; animal clinic; convenience store; post office; convenience service establishments; bed and breakfast establishments; antique store; police stations; artisan workshop; craft brewery; hotels; taverns.

**Special Provision(s):** to permit all of the commercial and office uses on the first and second floor; a maximum height of 80m whereas 12m is the maximum; a maximum density of 485 units per hectare; and a reduced minimum parking of 234 spaces, whereas 353 parking spaces are required.

**Residential Density:** a maximum density of 485 units per hectare.

**Height:** a maximum height of 80m (22 storeys) whereas 12m is the maximum.

**Bonus Zone:** a maximum building height of 22 storeys (80m) and a maximum density of 485 units per hectare, in return for eligible facilities, services, and matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638\_ to 1655\_ of The London Plan. The proposed facilities, services, and matters to support Bonus Zoning include enhanced urban design; roof-top amenity; and affordable housing.

The City may also consider the use of holding provisions related to urban design and servicing, and additional special provisions related to setbacks, height, and parking.

## Planning Policies

Any change to the Zoning By-law must conform to the policies of the Official Plan, London's long-range planning document. These lands are currently designated as Enclosed Regional Commercial Node in the 1989 Official Plan, which permits a broad range of commercial uses as the main uses.



The subject lands are in the Transit Village Place Type in The London Plan, permitting a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses.

The subject lands are also located within the Masonville Secondary Plan (Council-approved, appealed to the Ontario Land Tribunal). The subject lands are located within the Transit Village Mixed Use Area which permits a broad range of retail, commercial, service, cultural, entertainment, recreational and residential uses.

## How Can You Participate in the Planning Process?

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- Opportunities to view any file materials in-person by appointment can be arranged through the file Planner.

### Reply to this Notice of Application

We are inviting your comments on the requested changes at this time so that we can consider them as we review the application and prepare a report that will include Planning & Development staff's recommendation to the City's Planning and Environment Committee. Planning considerations usually include such matters as land use, development intensity, and form of development.

This request represents residential intensification as defined in the policies of the Official Plan. Under these policies, Planning & Development staff and the Planning and Environment Committee will also consider detailed site plan matters such as fencing, landscaping, lighting, driveway locations, building scale and design, and the location of the proposed building on the site. We would like to hear your comments on these matters.

### Attend a Future Public Participation Meeting

The Planning and Environment Committee will consider the requested Official Plan and zoning changes on a date that has not yet been scheduled. The City will send you another notice inviting you to attend this meeting, which is required by the Planning Act. You will also be invited to provide your comments at this public participation meeting. A neighbourhood or community association may exist in your area. If it reflects your views on this application, you may wish to select a representative of the association to speak on your behalf at the public participation meeting. Neighbourhood Associations are listed on the [Neighbourgood](http://Neighbourgood) website. The Planning and Environment Committee will make a recommendation to Council, which will make its decision at a future Council meeting.

## What Are Your Legal Rights?

### Notification of Council Decision

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

### Right to Appeal to the Ontario Land Tribunal

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

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of London before the proposed official plan amendment is adopted, the

person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

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

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

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

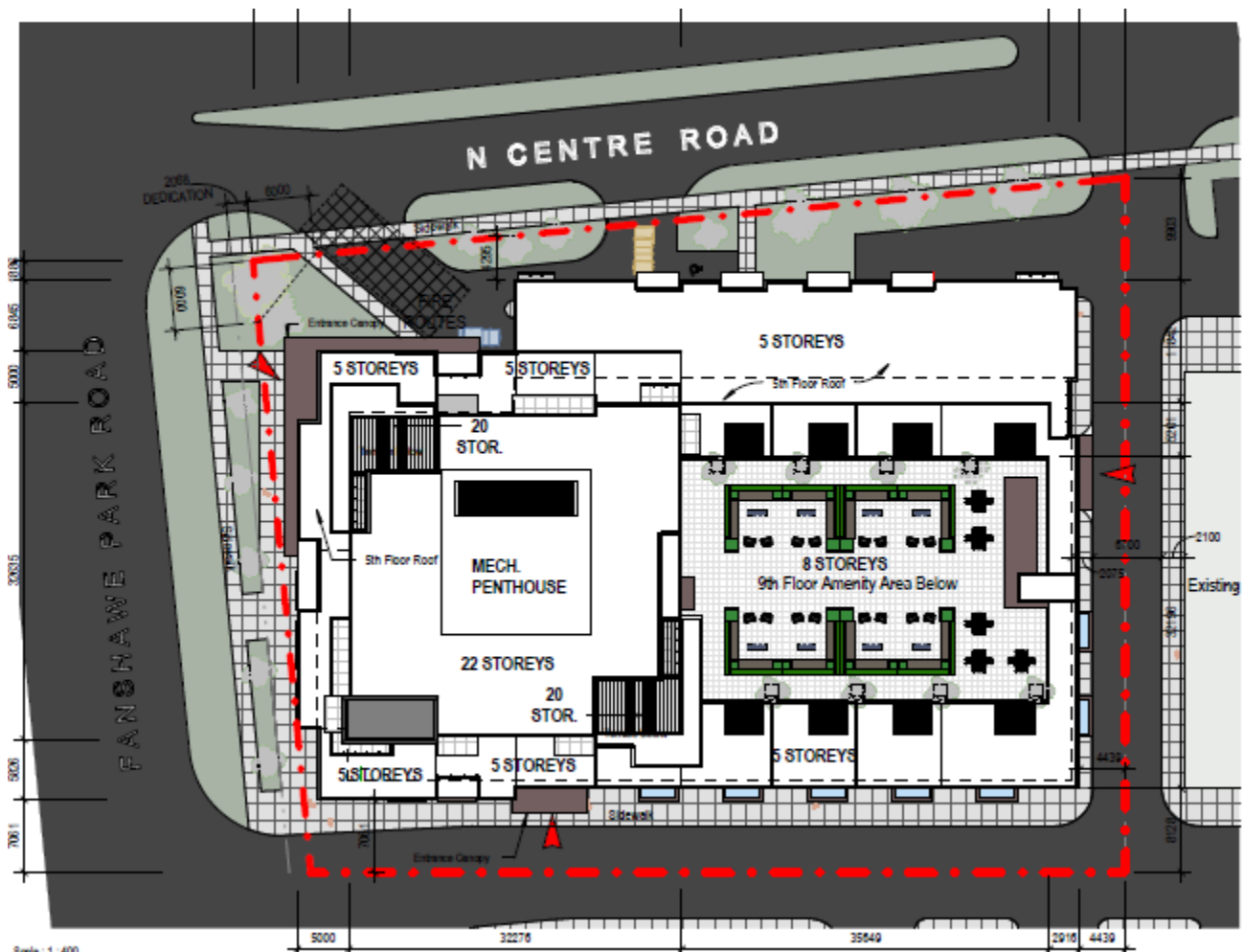
### Notice of Collection of Personal Information

Personal information collected and recorded at the Public Participation Meeting, or through written submissions on this subject, is collected under the authority of the Municipal Act, 2001, as amended, and the Planning Act, 1990 R.S.O. 1990, c.P.13 and will be used by Members of Council and City of London staff in their consideration of this matter. The written submissions, including names and contact information and the associated reports arising from the public participation process, will be made available to the public, including publishing on the City's website. Video recordings of the Public Participation Meeting may also be posted to the City of London's website. Questions about this collection should be referred to Evelina Skalski, Manager, Records and Information Services 519-661-CITY (2489) ext. 5590.

### Accessibility

Alternative accessible formats or communication supports are available upon request. Please contact [developmentsservices@london.ca](mailto:developmentsservices@london.ca) for more information.

## Site Concept



Site Plan

The above image represents the applicant's proposal as submitted and may change.

# Building Renderings



Building Rendering – Southwest corner of Fanshawe Park Road and North Centre Road



Building Rendering – South view looking north from Fanshawe Park Road



Building Rendering – East view looking southwest from Richmond Street

**The above images represent the applicant's proposal as submitted and may change.**