

Agenda Including Addeds

Planning and Environment Committee

10th Meeting of the Planning and Environment Committee

May 9, 2022, 4:00 PM

Virtual Meeting during the COVID-19 Emergency

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

Meetings can be viewed via live-streaming on YouTube and the City website

Members

Councillors A. Hopkins (Chair), S. Lewis, S. Lehman, S. Turner, S. Hillier, Mayor E. Holder

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a.	B. Lansink	420
b.	<i>(ADDED) H. Handy, Vice President, GSP Group Inc.</i>	430
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4. Items for Direction

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6. Adjournment

Environmental and Ecological Planning Advisory Committee

Report

The 5th Meeting of the Environmental and Ecological Planning Advisory Committee
April 21, 2022

Advisory Committee Virtual Meeting - during the COVID-19 Emergency

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

Attendance PRESENT: S. Levin (Chair), I. Arturo, L. Banks, A. Bilson Darko, A. Butnari, P. Ferguson, L. Grieves, S. Hall, S. Heuchan, B. Krichker, K. Moser, B. Samuels, S. Sivakumar, R. Trudeau, M. Wallace and I. Whiteside and H. Lysynski (Committee Clerk)

ABSENT: S. Esan, J. Khan and I. Mohamed,

ALSO PRESENT: S. Butnari, M. Fontaine, J. MacKay, B. Page and S. Pratt

The meeting was called to order at 5:02 PM

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that M. Wallace disclosed a pecuniary interest in clauses 4.1 and 4.2, respectively, having to do with the Working Group comments on the property located at 7098-7118 Kilbourne Road and the Working Group comments on the property located at 1140 Fanshawe Park Road East, by indicating that the proponents are members of the Association that is his employer.

2. Scheduled Items

None.

3. Consent

3.1 4th Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the 3rd Report of the Environmental and Ecological Planning Advisory Committee, from its meeting held on March 17, 2022, was received.

3.2 Municipal Council Resolution - 3rd Report of the Environmental and Ecological Planning Advisory Committee

That it BE NOTED that the Municipal Council resolution adopted at its meeting held on February 22, 2022 with respect to the 3rd Report of the Environmental and Ecological Advisory Committee, was received.

3.3 Public Meeting Notice - 520 Sarnia Road

That it BE NOTED that the Public Meeting Notice, dated March 31, 2022, from A. Riley, Senior Planner, with respect to an Official Plan and Zoning By-law Amendment related to the property located at 520 Sarnia Road, was received.

4. Sub-Committees and Working Groups

4.1 7098-7118 Kilbourne Road

That the Working Group report relating to the property located at 7098-7118 Kilbourne Road BE REFERRED to the Civic Administration for consideration.

4.2 1140 Fanshawe Park Road East

That the Working Group report relating to the property located at 1140 Fanshawe Park Road East BE REFERRED to the Civic Administration for consideration.

4.3 Goldfish Brochure

That, on the advice of the Civic Administration, the attached proposed draft Goldfish brochure BE FORWARDED to the new Ecological Community Advisory Committee for discussion, and to Corporate Communications for review.

5. Items for Discussion

5.1 Wetland Relocation Lessons Learned Document

That, on the advice of the Civic Administration, the Wetland Relocation Lessons Learned document BE PROVIDED to the Ecological Community Advisory Committee for discussion.

5.2 1349 Western Road

That the Working Group comments relating to the property located at 1349 Western Road BE FORWARDED to the Civic Administration for consideration.

6. Adjournment

The meeting adjourned at 6:13 PM.

Where do Goldfish come from?

Goldfish are common aquarium pets that originally descended from East Asian carp. When Goldfish are released in bodies of water in North America (ponds, rivers, streams, etc.), they cause major environmental problems as an invasive species. Goldfish do not belong in the natural environment in London.

Important Facts About Goldfish

- In ponds and in the wild, Goldfish can grow to be 12 to 14 inches (30 to 35 cm) and can weigh several pounds.
- If kept in containers in captivity, Goldfish likely remain smaller because they release a growth-inhibiting hormone into the water. In larger aquariums and bodies of water where the water is cycled often, the hormone is diluted and the fish will continue to grow.
- Goldfish live for 30-40 years if kept healthy.
- Aquariums lacking a pump or filter to circulate water will have low oxygen, causing fish to suffocate.
- Goldfish are messy – their container requires filtration and water changes.
- Keeping Goldfish inside a glass bowl is not recommended because of the small size and lack of oxygen circulation and filtration.

Frequently Asked Questions

I have a pet Goldfish and don't want it anymore, or can't take care of it. What should I do with my fish?

- Pet fish, dead or alive, should never be released outside or flushed down the drain under any circumstances. Dead fish can still transmit diseases and parasites to wild fish through water.
- You can rehome live fish by posting an ad online, such as using social media or a classified ad, and someone may take it from you. Some pet and aquarium stores in London may take your fish and resell them, but make sure to call the store in advance to ask if they offer this service.
- Consider offering your fish to a local school.
- If there are no viable alternatives, the most practical option may be to euthanize the fish. Humane methods to euthanize a Goldfish quickly, painlessly and without stress include using clove oil, a natural anesthetic (10 drops per liter of water) to overdose the fish, or using Alka Seltzer (2 tablets per liter of water) to remove oxygen from the water, rendering fish unconscious before they stop breathing.

Where can I learn more?

www.invasivespeciescentre.ca/goldfish
www.thamesriver.on.ca

—DRAFT— Important information for pet Goldfish owners

What you need to know about pet Goldfish and the environment



Prepared by the City of London
Environmental and Ecological Planning
Advisory Committee

What are Invasive Species?

Examples of invasive species introduced by humans to North America:

<Insert photos of

- English ivy
- Norway maple
- Emerald ash borer beetle
- *Lymantria dispar*>

An invasive species is an introduced organism that becomes overpopulated and harms its new environment.

In Canada, hundreds of non-native species of plants, animals and fungi have already been established by humans. A subset of these species are considered invasive because of their ability to spread. Introduced invasive species are bad for the environment because:

- They compete with native plants and animals that evolved here, including species at risk of extinction;
- They introduce disease and pests that native species are sensitive to;
- They can drastically alter and deplete landscapes and ecosystems;
- They multiply quickly and can be expensive and difficult to manage
- Common ways that invasive species spread in the environment include:
 - Dumping yard waste, plant cuttings, other organic waste in natural areas;
 - Dumping or flushing exotic pets like Goldfish, snails or aquarium plants;
 - Gardening with invasive plant species next to natural areas;

Goldfish infestations are a growing problem in London



Goldfish infestations currently occur in London at Westminster Ponds and The Coves. Pet Goldfish that are dumped or flushed can harm native species in several ways:

- Growing and multiplying quickly;
- Eating other fish eggs, younglings;
- Eating vegetation and other animals that native species would feed on;
- Stirring up mud, causing cloudy water that disturbs native fish.

The City of London and UTRCA actively remove invasive Goldfish from ecosystems

What happens to pet Goldfish that are released outside?

- Some predators may hunt Goldfish.
- Fish may be killed by freezing, pollution or removed by conservation management



Before you buy a new pet, consider alternatives to Goldfish



15" Goldfish recovered from Lake Ontario.

Other types of fish and aquarium animals can be easier than Goldfish to keep as pets

Other tropical fish like guppies, danios

<insert photo>

- Live 1-5 years
- Remain small in size
- Thrive in various water conditions
- Social (best kept in groups)

Betta fish <insert photo>

- Live 2-5 years
- Remain small in size, low-mess
- Solitary (best kept alone)

Aquatic African dwarf frogs <insert photo>

- Up to 5 years
- Remain small
- Breathe air from water's surface
- Social (best kept in groups)

Report to Planning and Environment Committee

To: Planning and Environment Committee
From: Scott Mathers, MPA, P. Eng
Deputy City Manager, Planning and Economic Development
Subject: Community Improvement Plan (CIP)
Financial Incentives Program 5-Year Review
Date: May 9, 2022

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken with respect to the evaluation of Community Improvement Plan incentives:

- a) the report dated May 9, 2022, with respect to the evaluation of Community Improvement Plan incentives, **BE RECEIVED**;
- b) the Civic Administration **BE DIRECTED** to report back at a future meeting of the Planning and Environment Committee with a comprehensive review of the City's existing Community Improvement Plans and associated financial incentives; and,
- c) the Civic Administration **BE DIRECTED** to report back at a future meeting with preliminary information for the 2024-2027 multi-year Budget.

Executive Summary

Purpose:

The purpose of this report is to initiate the CIP Financial Incentive 5-year program review.

Context:

A May 2nd, 2017 Council Resolution was the outcome of the previous comprehensive CIP program review that outlined the Council Direction to staff. Several of the financial incentive programs are set to expire in December 2023. Also, measures, indicators, and targets were added to several of the CIPs as directed by that Council Resolution. The current review is required to be completed prior to the 2024-2027 Multi-year Budget to determine budgets and impacts of continued funding of the financial incentive programs. In addition, there were five new CIPs that were adopted by Council since the previous review: Hamilton Area Road (2018), Lambeth Area (2019), Affordable Housing (2020), Core Area (2021), and Argyle Core Area (2021).

Linkage to the Corporate Strategic Plan

Growing our economy by increasing public and private sector investment in strategic locations to revitalize London's Downtown and urban areas.

Linkage to the Climate Emergency Declaration

On April 23, 2019, Municipal Council declared a Climate Emergency. The loan and grant programs support the City's commitment to reducing and mitigating climate change by encouraging and incentivizing intensification in strategic areas in London. These programs help support more intense and efficient use of existing urban lands and infrastructure, and the regeneration of the existing communities. The financial incentives also help ensure older buildings are more energy efficient and sustainable through renovations and upgrades to the structure and mechanical systems.

Analysis

1.0 Previous Reports Pertinent to this Matter

Planning and Environment Committee – April 27, 2017 – Service Review of Community Improvement Plan Incentives

Planning and Environment Committee – May 13, 2019 – New Measures and Indicators of Success

Planning and Environment Committee – November 16, 2020 – Community Improvement Plans Performance Measures and Indicators of Success

Planning and Environment Committee – March 29, 2021 – Downtown Community Improvement Plan – Performance Measures and Indicators of Success

Planning and Environment Committee – March 29, 2021 – Old East Village Community Improvement Plan – Performance Measure and Indicators of Success

Planning and Environment Committee – June 21, 2021 – CIP - Performance Measures and Indicators of Success

Planning and Environment Committee – November 1, 2021 - SoHo Community Improvement Plan – Performance Measures and Indicators of Success

Planning and Environment Committee – November 1, 2021 - Lambeth Community Improvement Plan – Performance Measures and Indicators of Success

Planning and Environment Committee – November 1, 2021 – Hamilton Road Community Improvement Plan – Performance Measures and Indicators of Success

2.0 May 2, 2017 Council Resolution

Civic Administration undertook an extensive Community Improvement Plan (CIP) Service Review in 2016 and 2017, which resulted in a May 2, 2017 Municipal Council resolution. That CIP Service Review recommended changes to existing financial incentive programs, introduced financial incentive programs to new or expanded areas, and requested several CIPs be amended to include performance measures and indicators of success (Downtown, OEV, and SoHo). Further, the Resolution notes several of the financial incentive programs are set to expire in December 2023.

The review of the CIP Financial Incentive programs identified in this report is required prior to preparation of the 2024-2027 multi-year budget. In addition, there are five (5) new CIPs that Council adopted since the previous review: Hamilton Road Area (2018), Lambeth Area (2019), Affordable Housing (2020), Core Area (2021), and Argyle Core Area (2021). The full list of CIPs and their associated financial incentives are listed below in **Table 1** of Section 3.2. Further, funding of the financial incentives available in the Argyle Core Road CIP will be identified for Council's consideration as part of the comprehensive review prior to the 2024-2027 Multi-Year Budget.

The complete May 2, 2017 Council Resolution is found in **Appendix A** of this report.

3.0 Discussion and Considerations

3.1 Community Improvement Plans

A Community Improvement Plan (CIP) is a tool provided in Section 28 of the *Planning Act* that is intended to replan, redesign, redevelop, and rehabilitate a designated area in need due to age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social, or community economic development reasons. Under the *Municipal Act*, a Municipality is prohibited from providing bonusing (e.g. providing grants, loans, and tax exemption) to a business, unless it is through the adoption of a Community Improvement Plan (Section 106 of the *Municipal Act*).

A CIP can help:

- Focus public attention on local priorities and municipal initiatives,
- Target areas in transition or in need of repair, rehabilitation, and redevelopment,
- Facilitate and encourage community change in a coordinated manner, and
- Stimulate private sector investment through municipal incentive-based programs.

The financial incentive programs in Community Improvement Plans are often the tools to encourage and support community and economic redevelopment. The financial incentives are geared towards encouraging private sector investment in specific areas that further support the City's policy goals and objectives. For example, a loan to improve a building.

3.2 Current Community Improvement Plans and Financial Incentives

The City of London currently has both city-wide and area-specific Community Improvement Plans and associated financial incentives. The intent of each CIP is described below, and the associated financial incentives are listed in **Table 1**.

City-wide Community Improvement Plans

Heritage CIP

The purpose of the Heritage CIP is to offset the costs of retaining a property that is designated under Part IV of the Ontario Heritage Act. The Heritage Community Improvement Plan seeks to address the financial impacts of heritage preservation by offering incentives that promote building rehabilitation in conjunction with new development.

Brownfields CIP

The intent of the Brownfields CIP is to remove or reduce the obstacles that hinder brownfield remediation and redevelopment in the City of London

Industrial CIP

The Industrial CIP promotes industrial development and includes a program to offset Development Charges in accordance with Council direction

Affordable Housing CIP

The Affordable Housing CIP defines affordable housing needs, establish objectives to address affordable housing, identify opportunities to develop incentive programs to develop affordable housing, and identify monitoring measures to assist with future housing monitoring reports.

Area-specific Community Improvement Plans

Airport CIP

The Airport Area is a specialized industrial area, and the purpose of the Airport CIP is to direct and prioritize public and private initiatives to encourage redevelopment, rehabilitation, and renovation.

Downtown/Old East Village/SoHo/Lambeth/Hamilton Road/Argyle/Core Area CIPs:

There are seven (7) CIPs that focus on community revitalization and redevelopment on strategic mainstreets by incentivizing private sector investment in the communities by offering loans (and grants in several CIPs). The purpose of these CIPs is to preserve and rehabilitate the existing building stock in the Downtown and urban areas.

Table 1: Financial Incentives available under each CIP

(* denotes recent CIPs that were not available in the last 5-year review)

CIPs	Financial Incentive Programs Offered			
Airport Area	Tax Increment Grant			
Brownfield	Contamination Assessment Study Grant	Tax Increment Equivalent Grant	Development Charge Rebate	Property Tax Assistance Program
Downtown	Façade Improvement	Upgrade to Building Code	Tax Grant Program	Residential DC Grant
Heritage	Tax Increment Grant		Development Charge Equivalent Grant	
Industrial	Industrial Corridor Enhancement Grant		Development Charge Grant	
Old East Village	Façade Improvement	Upgrade to Building Code	Residential DC Grant	Tax Grant Program
SoHo	Façade Improvement	Tax Grant Program	Upgrade to Building Code	
Lambeth*	Façade Improvement		Wharncliffe Road Corridor Sign Loan	
Hamilton* Road	Façade Improvement		Upgrade to Building Code	
Core Area*	Core Area Safety Audit	Core Area Boulevard Café Grant	Core Area Sign Grant	
Affordable* Housing	Affordable Housing Development Loan		Additional Residential Unit Loan	
Argyle Core* Area	Façade Improvement	Upgrade to Building Code	Tax Grant Program	

3.3 2022 CIP Incentive Review Approach

The CIP program review will start with a high-level analysis of the effectiveness of the CIP financial incentive programs. Further, there will be an interim report to City Council for approval outlining the recommended amendments to the CIPs and financial incentives that result from the analysis. An enterprise-wide approach will be used to execute this project that will include input from various departments of the Corporation.

3.4 Public and Stakeholder Engagement

The project may have implications for development in the City and will require engagement with various external stakeholders. The following are the proposed stakeholder groups for this project.

Proposed Stakeholder Groups
London Home Builders' Association
London & St. Thomas Association of Realtors
London Development Institute
Downtown London BIA
OEV BIA
Hamilton Road BIA
Argyle BIA
Lambeth Community Association
OEV Community Association
SoHo Community Association
Chamber of Commerce
London Economic Development Corporation
Building and Development Liaison Forum
Advisory Committees
Members of the Public

As part of this review, the following questions will be addressed:

1. Are the goals and objectives of each CIP still valid?
 - a. Do the CIPs align with current City policies and with the City’s Strategic Plan?
 - b. Do the financial incentives still support the goals and objectives of the CIPs?
 - c. Are the Community Improvement Project areas as geographically defined still valid?

2. Are the financial incentive programs meeting the goals and objectives of the City’s Strategic Plan?
 - a. What is the return on investment of the programs for public investment in London’s Downtown and urban areas?
 - b. Are the financial incentive programs relevant and performing well?
 - c. Are there any inefficiencies present in the financial incentives?
 - d. How have the financial incentives achieved the targets outlined in the CIPs?

3. Should the boundary of the areas eligible for financial incentives be amended?

This project may impact several stakeholder groups and the public and significant engagement is anticipated. Likewise, there will be on-going coordination with Communications to ensure adequate public and stakeholder engagement. Some of the methods for engagement that have been identified for this project are placing signs at key locations, mailouts of postcards, Notices of Public Meetings and project updates, development of a GetInvolved Webpage with an online survey, and holding virtual Public Meetings.

3.5 Next Steps

The following is the high-level of the project plan outlining the milestones and targeted dates. Staff are targeting completion of this review in the second quarter of 2023.

Table 2: Project Milestone Timetable

Milestone	Target Date
Project Team Kickoff Meeting	2022 Q2
Commence Public and Stakeholder Engagement	2022 Q2
Conclude Public and Stakeholder Engagement	2022 Q4
Review of CIP & Financial Incentives	2022 Q4
Determine the recommended CIP and Financial Incentive amendments required	2022 Q4
Interim Project Update Report to PEC	2023 Q1
Recommended CIP and Financial Incentive amendments with By-laws to PEC	2023 Q2
CIP/Financial Incentive amendments Full Force and Effect	2023 Q2

4.0 Financial Impact/Considerations

Subsequent reports will discuss the how the review and associated recommendations to financial incentives will impact the 2024-2027 budget.

The average annual value of CIP grants issued over the four years 2018 to 2021 was \$1.18 million. This includes tax increment grants for downtown and Old East, airport, heritage, downtown façade uplighting and brownfields.

The average annual value of CIP loans issued over the same period was \$598,000. This includes façade and upgrade loans for downtown, Old East, and Hamilton Road.

Conclusion

Community Improvement Plans are a vehicle to encourage private sector investment by offering publicly funded financial incentives. Review of the CIPs and their financial incentive programs will help determine how the public funds are addressing the intended purposes of rehabilitating and revitalization Downtown and urban areas. In addition, the review will establish where Council is achieving its greatest impact and may propose a re-allocation of funding to support Council's strategic priorities. Staff is targeting Q2 2023 for the completion of the CIP Financial Incentive program review.

Prepared by: Jasmine Hall, MCIP RPP
Planner II, Core Area and Urban Regeneration

Reviewed by: Jim Yanchula, MCIP RPP
Manager, Core Area and Urban Regeneration

Recommended by: Stephen Thompson, MCIP RPP
Director, Economic Services and Supports

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

Appendix A – May 2, 2017 Council Resolution

At its meeting held on May 2, 2017, Municipal Council resolved:

I hereby certify that the Municipal Council, at its meeting held on May 2, 2017 resolved: That, on the recommendation of the Managing Director, Planning and City Planner, the following actions be taken with respect to the service review of the City's Community Improvement Plans (CIPs) and associated incentive programs:

- a) the Residential Development Charges Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to require the payment of the residential development charge at the time of building permit ("up front") by the Applicant, and provide a phased grant-back program to re-pay the residential development charge; it being noted that this program change will generate an estimated \$620,000 of operating savings per year and \$6,000,000 of one-time savings;
- b) the City-wide Industrial Development Charge Program BE AMENDED to distinguish between targeted and non-targeted industrial uses to provide a maximum development charge rebate of \$250,000 equal to 50% of the development charge for the first \$500,000 or non-targeted industrial uses;
- c) the Rehabilitation and Redevelopment Tax Grant Programs for the Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to increase the value of the grants for the retention and rehabilitation of properties designated under the *Ontario Heritage Act*;
- d) the Rehabilitation and Redevelopment Tax Grant Program, as amended in part c) above, BE PROVIDED for eligible properties located in the SoHo Community Improvement Plan Project Area; it being noted that this program was previously approved as part of the SoHo Community Improvement Plan, but not funded;
- e) the Upgrade to Building Code Loan and Grant Programs for the Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to \$200,000 capped at 50% of the completed eligible improvements;
- f) the Upgrade to Building Code Loan and Grant Programs for Downtown and the Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the "Forgivable Loan" programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;
- g) the Façade Improvement Loan and Grant Programs for Downtown, Old East Village and SoHo Community Improvement Plan Project Areas BE AMENDED to increase the value of the loans available under these programs up to \$50,000 capped at 50% of the completed eligible improvements;
- h) the Façade Improvement Loan and Grant Programs for Downtown and Old East Village Community Improvement Plan Project Areas BE AMENDED to re-activate the "Forgivable Loan" programs for targeted uses within defined areas of the Downtown and Old East Village CIP project areas for a period up to three years;
- i) Industrial Corridor Enhancement Grant Program BE FUNDED up to \$40,000 per year for eligible properties located within the Highway 401/402 Corridor; it being noted that this program was previously approved as part of the Industrial Lands Community Improvement Plan, but not funded;
- j) the Civic Administration BE DIRECTED to amend the Downtown Community Improvement Plan to expand the Community Improvement Plan Project Area boundary to include the Richmond Row area, and that the following programs be provided in the Richmond Row area:
 - i) Façade Improvement Loan Program; and,
 - ii) Building Code Loan Program;

k) a portion of the savings generated by the Community Improvement Plan amendments described in part a) above BE IDENTIFIED to potentially fund the following new programs pending the conclusion and the Municipal Council adoption of the Hamilton Road and Lambeth Community Improvement Plans:

- i) Façade Improvement Loan Program (Hamilton Road and Lambeth); and,
- ii) Building Code Loan Program (Hamilton Road);

l) that \$200,000 of annual net savings generated as a result of this service review of the Community Improvement Plan program BE DIRECTED to address the budgeted savings target for the 2016-2019 multi-year budget;

m) the Civic Administration BE DIRECTED to consider Forgivable Loan Programs for the SoHo, Hamilton Road and Lambeth Community Improvement Plan Project Areas as part of the 2024-2027 Multi-year Budget process;

n) that Community Improvement Plans for the following Community Improvement Plan Project Areas BE AMENDED to include performance measures and indicators of success to align with current City policies and Council strategic directions:

- i) Airport Area Community Improvement Plan;
- ii) Brownfield Community Improvement Plan;
- iii) Downtown Area Community Improvement Plan (including the “Richmond Row” expansion area);
- iv) Heritage Community Improvement Plan;
- v) Industrial Community Improvement Plan;
- vi) Old East Village Community Improvement Plan; and
- vii) SoHo Area Community Improvement Plan;

o) as part of the monitoring of the revised incentive programs, the Civic Administration BE DIRECTED to report back on the experience of mid-rise and/or smaller scale residential development accessing the residential development charges grant program;

it being noted that the program changes recommended above (a) through i) above) will come into effect on January 1, 2018 following the preparation of new program guidelines for these programs; and, it being further noted that these amended programs (identified in recommendations a) through i) above) will expire no later than December 31, 2023 pending a Municipal Council review of the program results to be provided prior to the adoption of the 2024-2027 Multi-year Budget, and that the review identify interim funding for any programs recommended to be carried forward to ensure that there is not a gap in program delivery.

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: Exemption from Part-Lot Control
Application By: Craig Linton (Norquay Developments)
1345 Cranbrook Road and 1005 Longworth Road
Meeting on: May 9, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by Craig Linton (Norquay Developments) to exempt lands located at 1345 Cranbrook Road and 1005 Longworth Road, legally described as Blocks 28 & 29, Plan 33M-657, from Part-Lot Control:

- (a) Pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, the attached proposed by-law **BE INTRODUCED** at a future Council meeting, to exempt Block 28 & 29, Plan 33M-657 from the Part-Lot Control provisions of subsection 50(5) of the said Act, **IT BEING NOTED** that these lands are subject to a registered subdivision agreement; and further noting that the applicant has applied for a zoning by-law amendment to change the zoning of the subject lands from an Urban Reserve UR2 Zone to a Residential R1 (R1-8) Zone in Zoning By-law No. Z.-1 to permit single detached dwellings;
- (b) The following conditions of approval **BE REQUIRED** to be completed prior to the passage of a Part-Lot Control By-law for Blocks 28 & 29, Plan 33M-657, as noted in clause (a) above:
 - I. The applicant be advised that the cost of registration of the said by-laws is to be borne by the applicant in accordance with City Policy;
 - II. That appropriate zoning shall be in effect for the subject blocks, prior to passage of the Part-Lot Control By-law;
 - III. The applicant submit a draft reference plan to the City for review and approval to ensure the proposed part lots and development plans comply with the regulations of the Zoning By-law, prior to the reference plan being deposited in the land registry office;
 - IV. The applicant submits to the City a digital copy together with a hard copy of each reference plan to be deposited. The digital file shall be assembled in accordance with the City of London's Digital Submission / Drafting Standards and be referenced to the City's NAD83 UTM Control Reference;
 - V. The applicant submit each draft reference plan to London Hydro showing driveway locations and obtain approval for hydro servicing locations and above ground hydro equipment locations prior to the reference plan being deposited in the land registry office;
 - VI. The applicant submit to the City for review and approval, prior to the reference plan being deposited in the land registry office, any revised lot grading and servicing plans in accordance with the final lot layout to divide the blocks should there be further division of property contemplated as a result of the approval of the reference plan;
 - VII. The applicant shall enter into any amending subdivision agreement with the City, if necessary;

- VIII. The applicant shall agree to construct all services, including private drain connections and water services, in accordance with the approved final design of the lots;
- IX. The applicant shall obtain confirmation from the City that the assignment of municipal numbering has been completed in accordance with the reference plan(s) to be deposited, should there be further division of property contemplated as a result of the approval of the reference plan prior to the reference plan being deposited in the land registry office;
- X. The applicant shall obtain approval from the City of each reference plan to be registered prior to the reference plan being registered in the land registry office;
- XI. The applicant shall submit to the City, confirmation that an approved reference plan for final lot development has been deposited in the Land Registry Office;
- XII. The applicant shall obtain clearance from the City that requirements V), VI) and VII) inclusive, outlined above, are satisfactorily completed, prior to any issuance of building permits by the Building Division for lots being developed in any future reference plan; and,
- XIII. That on notice from the applicant that a reference plan has been registered, and that conveyance of the registered part lots has occurred, that Part Lot Control be re-established by the repeal of the bylaw affecting the Lot/Block in question.
- XIV. The applicant shall register on title and include in all Purchase and Sale Agreements for the lot at the northeast corner of Cranbrook Road and Longworth Road, identified as Part 8 on the draft reference plan, a requirement that the purchaser/home builder provide concept plans and elevations prior to the application for a building permit which demonstrate that both elevations facing the streets (the front and exterior side elevations) are designed as front elevations. Both elevations should be constructed to have a similar level of architectural details (materials, windows (size and amount) and design features, such as but not limited to porches, wrap-around materials and features, or other architectural elements that provide for street-oriented design) and limited chain link or decorative fencing along no more than 50% of the exterior side-yard abutting the exterior side-yard frontage, to the satisfaction of the City.

Executive Summary

Summary of Request

This report is for review and endorsement by Municipal Council to exempt Blocks 28 & 29 in Registered Plan 33M-657 from the Part-Lot Control provisions of the Planning Act.

Purpose and the Effect of Recommended Action

Exemption from Part-Lot Control will facilitate the creation of eight (8) single detached dwellings with frontage on Cranbrook Road and Longworth Road.

Rationale of Recommended Action

The standard conditions for passing the Part-Lot Control By-law are attached and are to be reviewed and endorsed by Municipal Council prior to the final by-law.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

The site consists of two vacant blocks within a registered plan of subdivision (Blocks 28 & 29 Plan 33M-657). These blocks were previously graded and serviced for future development and there exists little to no vegetation at present. A large stand of mature trees exists on adjacent lands to the west, and to the north is gently rolling topography consisting of open fields with scattered patches of vegetation. Further to the west and north is a former gravel pit that is inactive and in the process of being filled in. Single detached homes exist to the east and south within the developed Phases 1 & 2 portions of the Highland Ridge (Crestwood) subdivision.

1.1 Previous Reports Related to this Matter

October 15, 2012 – Report to Planning and Environment Committee – Highland Ridge Subdivision Phase 2 - recommending special provisions for a Subdivision Agreement between the Corporation of the City of London and Highland Ridge Land Corp. (File No. 39T-07503).

November 26, 2007 – Report to Planning Committee – 890 Southdale Road West – Highland Ridge Land Corporation – Crestwood Phase 2 - Application for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments (39T-07503/OZ-7345/O-7379)

1.2 Planning History

On March 26, 2007, Highland Ridge Land Corporation submitted a draft plan of subdivision application for a 4.7 ha. (11.6 acre) parcel of land located north of Southdale Road W., east of Colonel Talbot Road. A revised plan was submitted for approval on May 29, 2007. The proposed subdivision plan included 28 single detached dwelling lots, two open space blocks and three park blocks, served by an extension of Longworth Road and Cranbrook Road, and a secondary collector road.

Following a public participation meeting at Planning Committee on November 26, 2007, Council adopted Official Plan and Zoning By-law amendments for the subdivision on February 5, 2008. On March 6th, 2008, the owner (Highland Ridge Land Corp. appealed the failure by the Approval Authority to draft approve the plan of subdivision within 180 days of submitting the application (the Approval Authority could not make a decision within the prescribed period as the OPA had not yet come into effect).

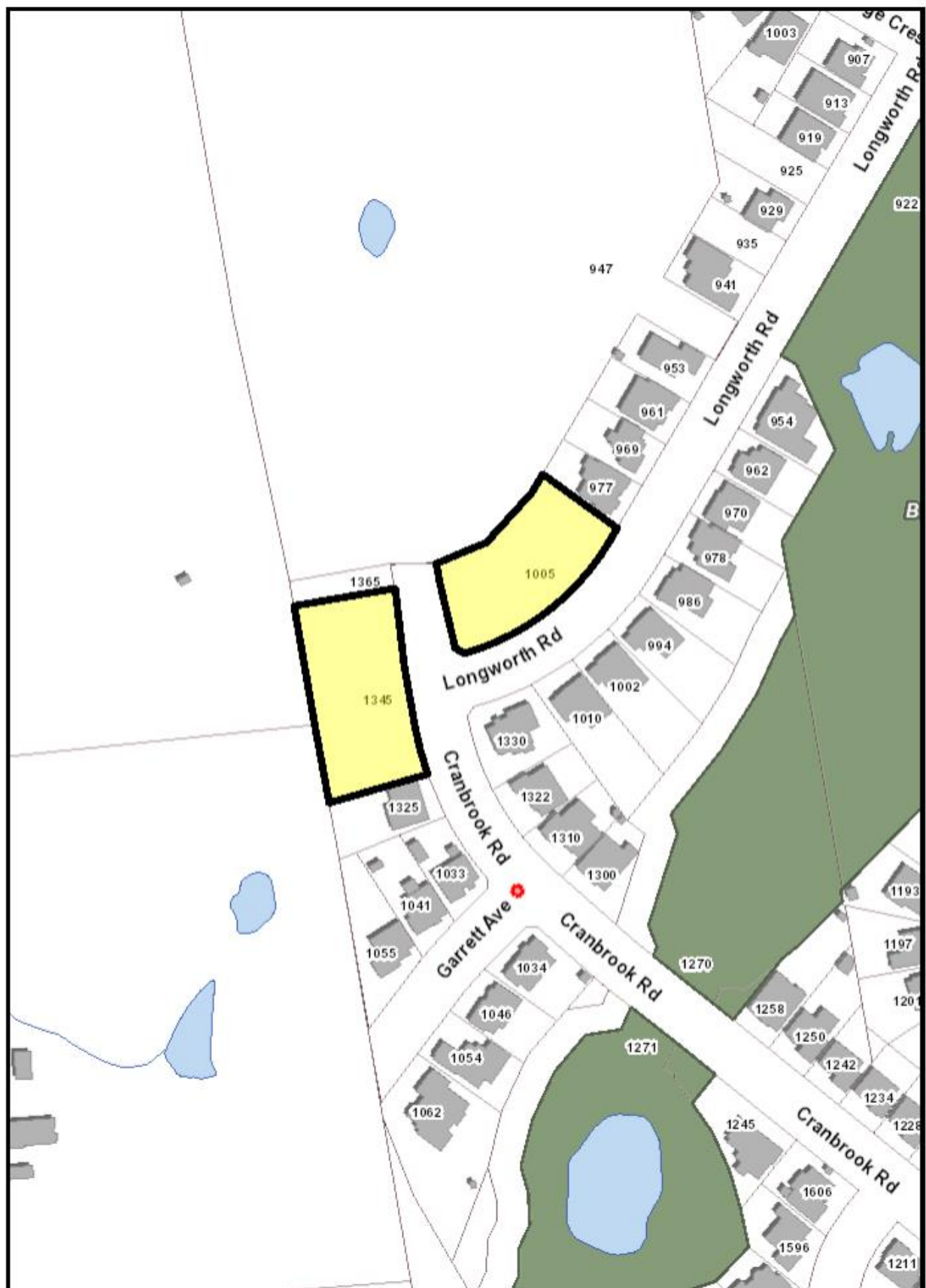
The Official Plan Amendment (OPA 432) and Zoning By-law Amendment were appealed to the OMB by an area resident, citing concerns with the impact of the proposed development on Provincially Significant Wetlands and woodlands in the area, and flooding in the area. This appeal was subsequently resolved and withdrawn prior to the hearing date. The Ministry of Municipal Affairs was added as a party to the hearing based on concerns that the proposed plan of subdivision could negatively impact the adjacent aggregate operations.

The OMB, in its decision dated June 4, 2009, approved an amended Official Plan amendment, Zoning By-law amendment and draft plan of subdivision which excluded lots within 150 metres of the limits of aggregate extraction. Blocks 28 & 29 of the Highland Ridge Land Corp. (also known as Crestwood West Subdivision - Phase 2) lands have been held out of development since the Phase 2 lands were registered as Plan 33M-657 on April 4, 2013.

1.3 Current Planning Information

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential
- Existing Zoning – Urban Reserve UR2 and strip of Open Space OS5 along west side of Block 29

1.4 Location Map



Location Map

Subject Property: 1345 Cranbrook Road
 Applicant: Highland Ridge Land Corp
 File Number: P-9487
 Created By: Larry Mottram
 Date: 3/11/2022
 Scale: 1:2000

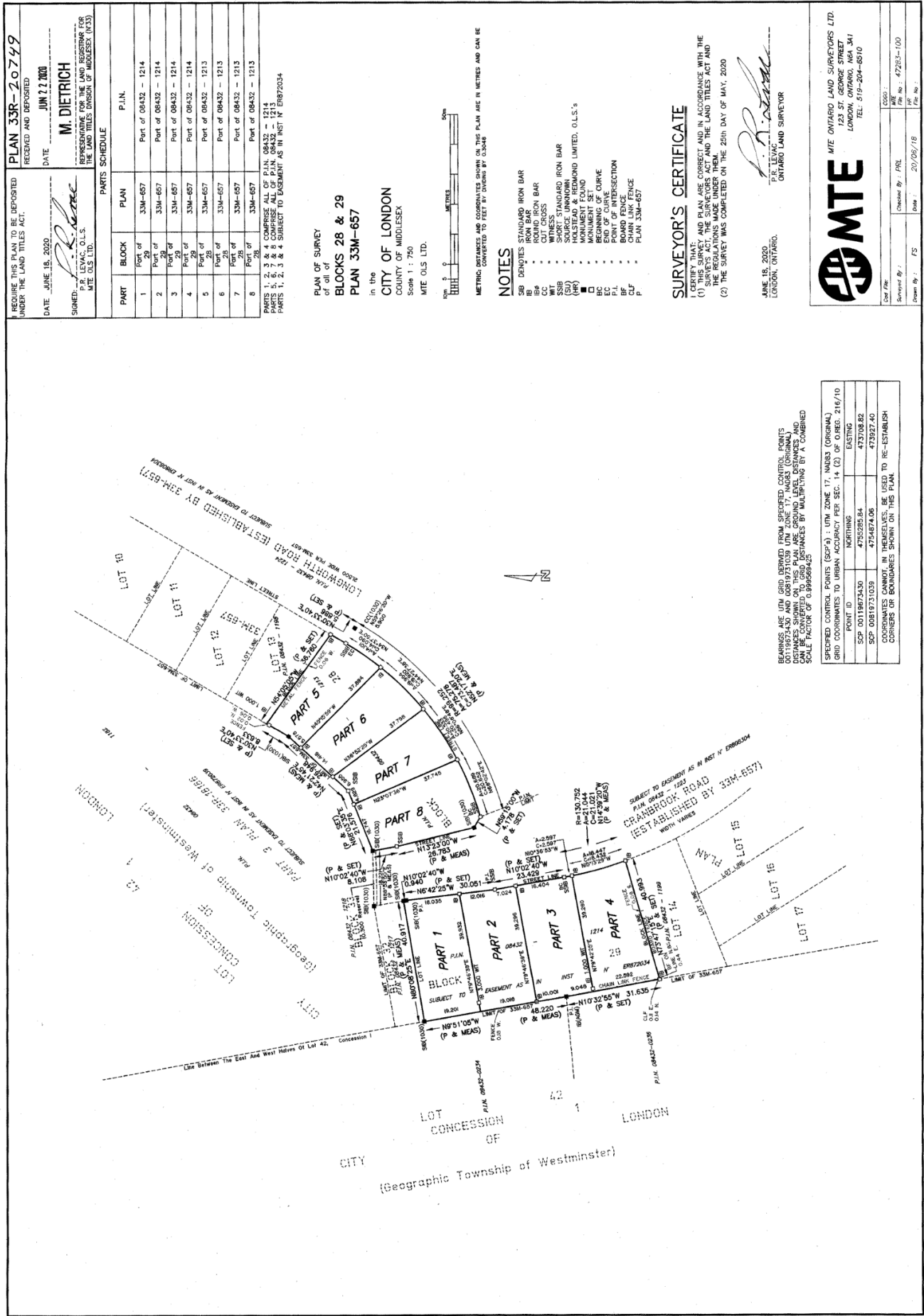
Legend

-  Subject Property
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers



Corporation of the City of London

1.5 Proposed Lotting Plan (Parts 1 to 8)



I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

PLAN 33M-20749
RECEIVED AND DEPOSITED

DATE: JUNE 18, 2020
SIGNED: *M. Dietrich*
M. DIETRICH
REGISTERED PROFESSIONAL SURVEYOR
REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MIDDLESEX (O.S.)

PART	BLOCK	PLAN	P.I.N.
1	Part of 33M-657	Part of 08432 - 1214	
2	Part of 33M-657	Part of 08432 - 1214	
3	Part of 33M-657	Part of 08432 - 1214	
4	Part of 33M-657	Part of 08432 - 1214	
5	Part of 33M-657	Part of 08432 - 1213	
6	Part of 33M-657	Part of 08432 - 1213	
7	Part of 33M-657	Part of 08432 - 1213	
8	Part of 33M-657	Part of 08432 - 1213	

PLAN OF SURVEY of all of BLOCKS 28 & 29 PLAN 33M-657 in the CITY OF LONDON COUNTY OF MIDDLESEX Scale 1 : 750 MTE OLS LTD.

PARTS 1, 2, 3 & 4 COMPRISE ALL OF P.I.N. 08432 - 1214 PARTS 5, 6, 7 & 8 COMPRISE ALL OF P.I.N. 08432 - 1213 PARTS 1, 2, 3 & 4 SUBJECT TO EASEMENT AS IN INST N 68972034

PLAN OF SURVEY of all of BLOCKS 28 & 29 PLAN 33M-657 in the CITY OF LONDON COUNTY OF MIDDLESEX Scale 1 : 750 MTE OLS LTD.

METRIC BEARINGS AND DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

- NOTES**
- SBG DENOTES STANDARD IRON BAR
 - IB DENOTES IRON BAR
 - ROD DENOTES ROD
 - WT DENOTES WITNESS
 - SSB DENOTES SHORT STANDARD IRON BAR
 - (HR) DENOTES HOLSTEAD & REDMOND LIMITED, O.L.S.'s MONUMENT FOUND
 - BC DENOTES BEGINNING OF CURVE
 - EC DENOTES END OF CURVE
 - PL DENOTES PLAIN
 - BF DENOTES BOARD FENCE
 - CLF DENOTES CHAIN LINK FENCE
 - P DENOTES PLAN 33M-657

SURVEYOR'S CERTIFICATE

CERTIFY THAT THIS PLAN AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND THAT THE SURVEY WAS COMPLETED ON THE 25th DAY OF MAY, 2020

JUNE 18, 2020
LONDON, ONTARIO.

M. Dietrich
MTE OLS LTD.
ONTARIO LAND SURVEYOR

MTE
MTE ONTARIO LAND SURVEYORS LTD.
LONDON, ONTARIO, N6A 3A1
TEL: 519-204-6510

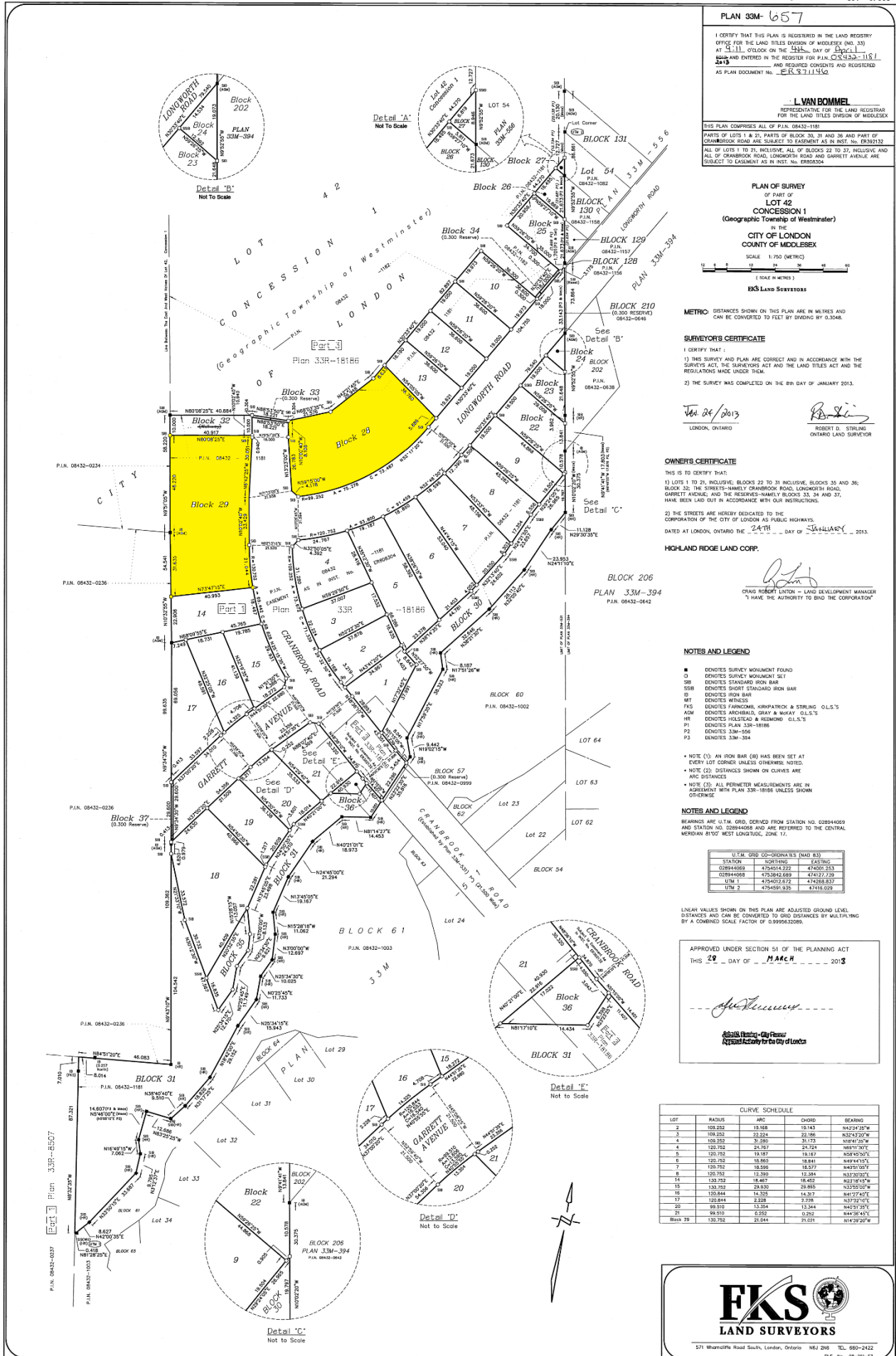
Client File: _____
Checked By: JRL
Drawn By: FS
Date: 20/06/18
File No.: 47263-100
MTE File No.: _____

BEARINGS ARE UTM DERIVED FROM SPECIFIED CONTROL POINTS 00119673430 AND 00819731039 UTM ZONE 17, NAD83 (ORIGINAL). COORDINATES ARE UTM DERIVED FROM SPECIFIED CONTROL POINTS 00119673430 AND 00819731039 UTM ZONE 17, NAD83 (ORIGINAL). COORDINATES CANNOT IN THEMSELVES BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.

SCALE FACTOR OF 0.9999589425

POINT ID	NORTHING	EASTING
SCP 00119673430	4752525.84	473708.82
SCP 00819731039	4754874.06	473927.40

1.6 Highland Ridge Land Corp. Subdivision (Registered Plan 33M-657)



The subject lands are highlighted in yellow.

1.7 Site Characteristics

- Current Land Use – vacant
- Frontage – Block 28 approx. 81 metres on Longworth Road; Block 29 approx. 75 metres on Cranbrook Road
- Depth – Block 28 approx. 37 metres; Block 29 approx. 41 metres

- Area – Block 28 approx. 3,043 sq.m.; Block 29 approx. 2,585 sq.m.
- Shape – Irregular

1.8 Surrounding Land Uses

- North – vacant lands for future development
- East – residential single detached dwellings
- South – residential single detached dwellings
- West – open space and former gravel pit

2.0 Discussion and Considerations

2.1 Community Engagement

There is no legislated Community Engagement component to an Exemption from Part-Lot Control. A notice of the request for exemption from part-lot control and a list of standard draft conditions was circulated to internal departments, such as Engineering and Building Division. Development Engineering staff are reviewing updated subdivision servicing drawings and have provided technical comments back to the applicant's consultant with respect to engineering design-related matters, including extension of sewer and water services on Cranbrook Road, north of Longworth Road; grading and stormwater conveyance to accommodate overland flows from external lands to the west; and provision of concrete sidewalks on both sides of the future extension of Cranbrook Road. The draft standard conditions continue to be applicable, and a specific condition is also recommended applying to the corner lot (Part 8 on the draft reference plan) to ensure urban design principles are met with respect to requirements for street-oriented design.

2.2 Policy Context

In Ontario, the subdivision of land is governed by the *Planning Act*. Under this legislation, lot creation is permitted through the approval of a plan of subdivision, the granting of a Consent (commonly described as a “severance”) or, for lots within a registered plan of subdivision, through a by-law exemption from part-lot control. Section 50(28) of the *Planning Act*, R.S.O. 1990, c.P13, includes provisions to ensure that part of a lot or block within a registered plan of subdivision cannot be transferred without the approval of the municipality. The part-lot control provisions of the *Planning Act* allow a municipality to pass by-laws to remove part-lot control from all or any part of a registered plan of subdivision. Such a by-law has the effect of allowing the conveyance of a portion of a lot or block. Exemption from part-lot control is appropriate when a number of land transactions are involved, and the resulting changes will not affect the nature or character of the subdivision.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

Through By-law No. CPOL.-392-153, Municipal Council has enacted a policy to guide the consideration of requests for exemption to Part-Lot Control. Requests for exemption to Part-Lot Control will be considered as follows:

- a) *appropriately zoned lots and blocks of registered plans of subdivision may be exempted from part-lot control for the purpose of establishing individual properties for conveyance or other purposes where municipal services or agreements for extension of services are in place;*

An application to change the zoning for these blocks from an Urban Reserve UR2 Zone to a Residential R1 (R1-8) Zone has been submitted and processed concurrently with the application for Exemption from Part Lot Control. The proposed R1-8 zoning is intended to facilitate creation of the proposed eight (8) single detached dwelling lots,

four (4) lots fronting Cranbrook Road and four (4) fronting Longworth Road. A condition has also been recommended in Clause B that the zoning shall be in effect prior to passage of the Part-Lot Control By-law.

- b) exemption from part-lot control is used to implement the intended lotting of a portion of a registered plan where the complete division of land was not practical at the time of subdivision approval and registration;*

Exemption from part lot control implements the intended lotting that was held out at the time of registration until nearby aggregate extraction operations ceased on adjacent lands to the northwest. The former gravel pit has been inactive for the past several years and is in the process of being filled in and rehabilitated.

- c) the nature and character of the subdivision are not to be changed by part-lot control exemption from that which was established by the subdivision plan and zoning by-law;*

The nature and character of the subdivision are not changed by the part-lot control exemption. The proposal is consistent with the intended use of the blocks as established through the plan of subdivision and requested zoning.

- d) the removal of part-lot control is appropriate when a series of land divisions is necessary to allow sale of the constructed buildings and associated part-lots;*

The exemption of part lot control creates eight (8) individual lots as one transaction instead of requiring separate and individual land divisions to create the interests in land.

- e) references will be made to the land severance guidelines, guidelines for private streets, and other pertinent policies when considering the appropriateness of exemption; and*

The subject lands are within the Neighbourhoods Place Type in The London Plan and designated Low Density Residential in the 1989 Official Plan, which permits single detached dwellings. The proposal will facilitate the development of the parcels in accordance with the form of development established at the time of subdivision approval. The proposed lots will not result in any traffic problems and will have access to municipal services and utilities. Access will be provided by Cranbrook Road and Longworth Road and no private roads are proposed.

- f) the registration costs of by-laws passed at the request of the developer or subdivider, to exempt lands from part-lot control, will be borne by the applicant.*

The applicant is responsible for all costs associated with the registration of the Exemption to Part-Lot Control by-law, in accordance with City Policy.

Conclusion

In accordance with the provisions of the Planning Act, Municipal Council may pass by-laws to exempt all, or parts of registered plans of subdivision from part-lot control. The applicant has requested exemption from the Part-Lot Control provisions of the Planning Act to establish lot lines for the single detached dwellings, which is appropriate to allow for the sale of these units to home builders and future homeowners. The recommended exemption is considered appropriate and in keeping with the registered phases of the Crestwood West Subdivision, subject to the completion of the proposed conditions.

Prepared by: **Larry Mottram, MCIP, RPP**
Senior Planner, Subdivisions and Condominiums

Reviewed by: **Bruce Page, MCIP, RPP**
Manager, Subdivision Planning

Recommended by: **Gregg Barrett, AICP**
Director, Planning and Development

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

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning and Development.

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections

May 2, 2022
SM/GB/BP/LM/lm

Y:\Shared\ADMIN\1- PEC Reports\2022 PEC Reports\1_Current Cycle (May 9)\FINAL - 1345 Cranbrook Rd and 1005 Longworth Rd - P-9488 (LM).docx

Appendix A

Bill No. (Number to be inserted by
Clerk's Office)
202__

By-law No. Z.-1-_____

A by-law to exempt from Part-Lot
Control, lands located at 1345
Cranbrook Road and 1005 Longworth
Road, legally described as Block 28 &
29 in Registered Plan 33M-657.

WHEREAS pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c. P.13, as amended, and pursuant to the application request from Craig Linton (Norquay Developments), it is expedient to exempt lands located at 1345 Cranbrook Road and 1005 Longworth Road, legally described as Blocks 28 & 29 in Registered Plan 33M-657, from Part Lot Control;

AND WHEREAS the applicant has applied for a zoning by-law amendment to change the zoning of the subject lands from an Urban Reserve UR2 Zone to Residential R1 (R1-8) Zone, and the zoning as amended is in full force and effect;

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

1. Blocks 28 & 29 in Registered Plan 33M-657, located at 1345 Cranbrook Road and 1005 Longworth Road, are hereby exempted from Part-Lot Control, pursuant to subsection 50(7) of the Planning Act, R.S.O. 1990, c.P.13, as amended, for a period not to exceed three (3) years; it being noted that these lands are zoned to permit single detached dwellings in conformity with the Residential R1 (R1-8) Zone of the City of London Zoning By-law No. Z-1.
2. This by-law comes into force when it is registered at the Land Registry Office.

PASSED in Open Council on

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading -
Second Reading -
Third Reading -

Report to Planning & Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Peter Kokkoros, P.Eng., B.A. (Econ)
Director Building & Chief Building Official

Subject: Building Division Monthly Report
February 2022

Date: May 9, 2022

Recommendation

That the report dated February 2022 entitled “Building Division Monthly Report February 2022”, **BE RECEIVED** for information.

Executive Summary

The Building Division is responsible for the administration and enforcement of the *Ontario Building Code Act* and the *Ontario Building Code*. Related activities undertaken by the Building Division include the processing of building permit applications and inspections of associated construction work. The Building Division also issues sign and pool fence permits. The purpose of this report is to provide Municipal Council with information related to permit issuance and inspection activities for the month of February 2022.

Linkage to the Corporate Strategic Plan

Growing our Economy

- London is a leader in Ontario for attracting new jobs and investments.

Leading in Public Service

- The City of London is trusted, open, and accountable in service of our community.
- Improve public accountability and transparency in decision making.

Analysis

1.0 Background Information

This report provides information on permit and associated inspection activities for the month of February 2022. Attached as Appendix “A” to this report is a “Summary Listing of Building Construction Activity for the Month of February 2022”, as well as respective “Principle Permits Reports”.

2.0 Discussion and Considerations

2.1 Building permit data and associated inspection activities – February 2022

Permits Issued to the end of the month

As of February 2022, a total of 556 permits were issued, with a construction value of \$204.7 million, representing 374 new dwelling units. Compared to the same period in 2021, this represents a 7.64% decrease in the number of building permits, with a 27.4% increase in construction value and an 49.6% increase in the number of dwelling units constructed.

Total permits to construct New Single and Semi-Dwelling Units

As of the end of February 2022, the number of building permits issued for the construction of single and semi-detached dwellings was 126, representing a 31.5% increase over the same period in 2021.

Number of Applications in Process

As of the end of February 2022, 1,089 applications are in process, representing approximately \$2.7 billion in construction value and an additional 5,989 dwelling units compared with 1,019 applications, with a construction value of \$809 million and an additional 1,985 dwelling units in the same period in 2021.

Rate of Application Submission

Applications received in February 2022 averaged to 16 applications per business day, for a total of 303 applications. Of the applications submitted 31 were for the construction of 23 single detached dwellings and 45 townhouse units.

Permits issued for the month

In February 2022, 245 permits were issued for 230 new dwelling units, totaling a construction value of \$146.4 million.

Inspections – Building

A total of 2,312 inspection requests were received with 2,192 inspections being conducted.

In addition, 5 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 2,312 inspections requested, 99% were conducted within the provincially mandated 48 hour period.

Inspections - Code Compliance

A total of 551 inspection requests were received, with 467 inspections being conducted.

An additional 157 inspections were completed relating to complaints, business licences, orders and miscellaneous inspections.

Of the 551 inspections requested, 99% were conducted within the provincially mandated 48 hour period.

Inspections - Plumbing

A total of 912 inspection requests were received with 1,188 inspections being conducted related to building permit activity.

An additional 11 inspections were completed related to complaints, business licenses, orders and miscellaneous inspections.

Of the 912 inspections requested, 100% were conducted within the provincially mandated 48 hour period.

2020 Permit Data

To the end of February , a total of 533 permits were issued, with a construction value of \$100.5 Million, representing 141 new dwelling units. The number of single/semi detached dwelling units was 111.

Conclusion

The purpose of this report is to provide Municipal Council with information regarding the building permit issuance and building & plumbing inspection activities for the month of February 2022. Attached as Appendix "A" to this report is a "Summary Listing of Building Construction Activity" for the month of February 2022 as well as "Principle Permits Reports".

Prepared by: Peter Kokkoros, P.Eng.
Director, Building and Chief Building Official
Planning and Economic Development

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

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

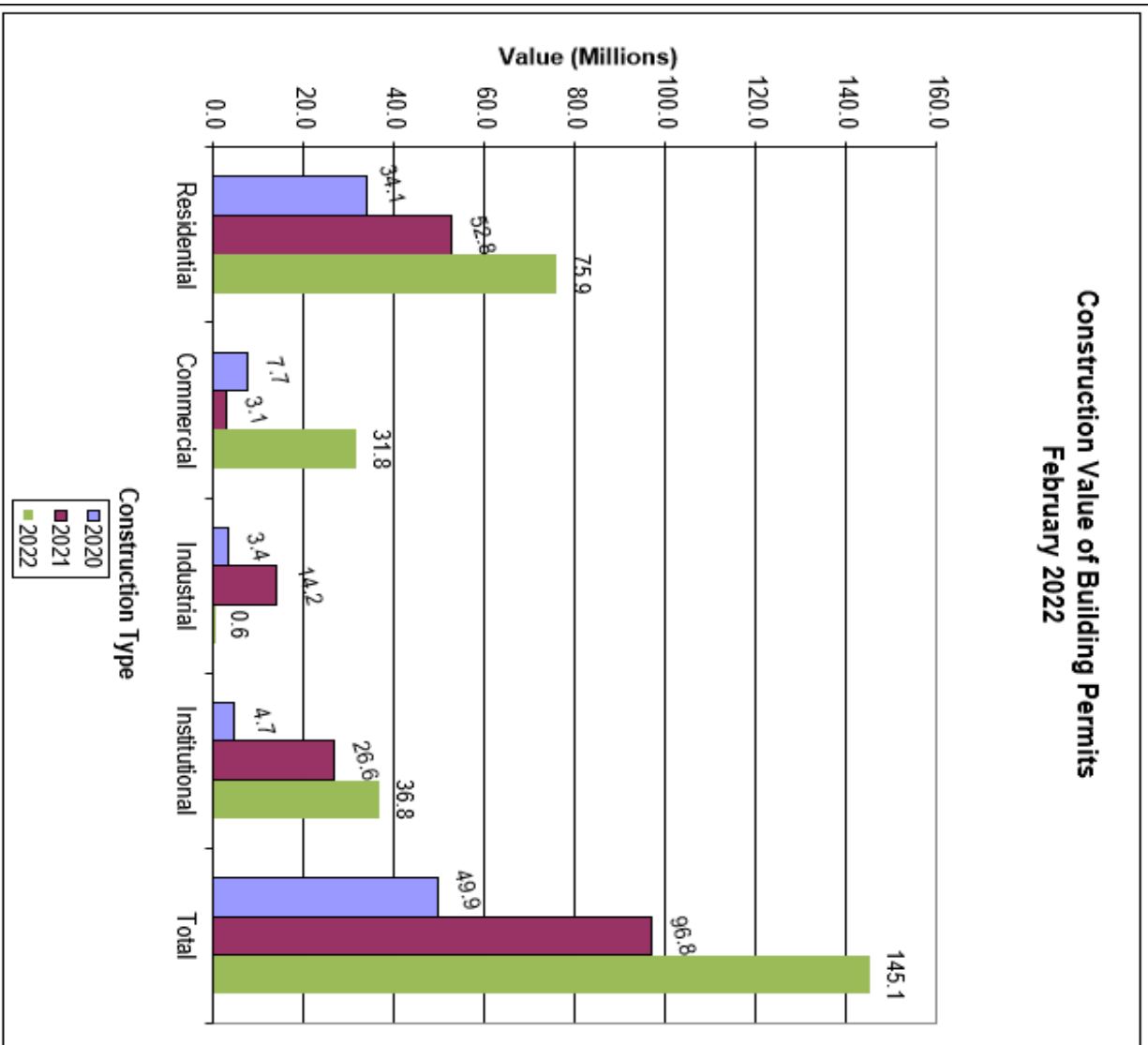
APPENDIX "A"

**CITY OF LONDON
SUMMARY LISTING OF BUILDING CONSTRUCTION ACTIVITY FOR THE MONTH OF September 2021**

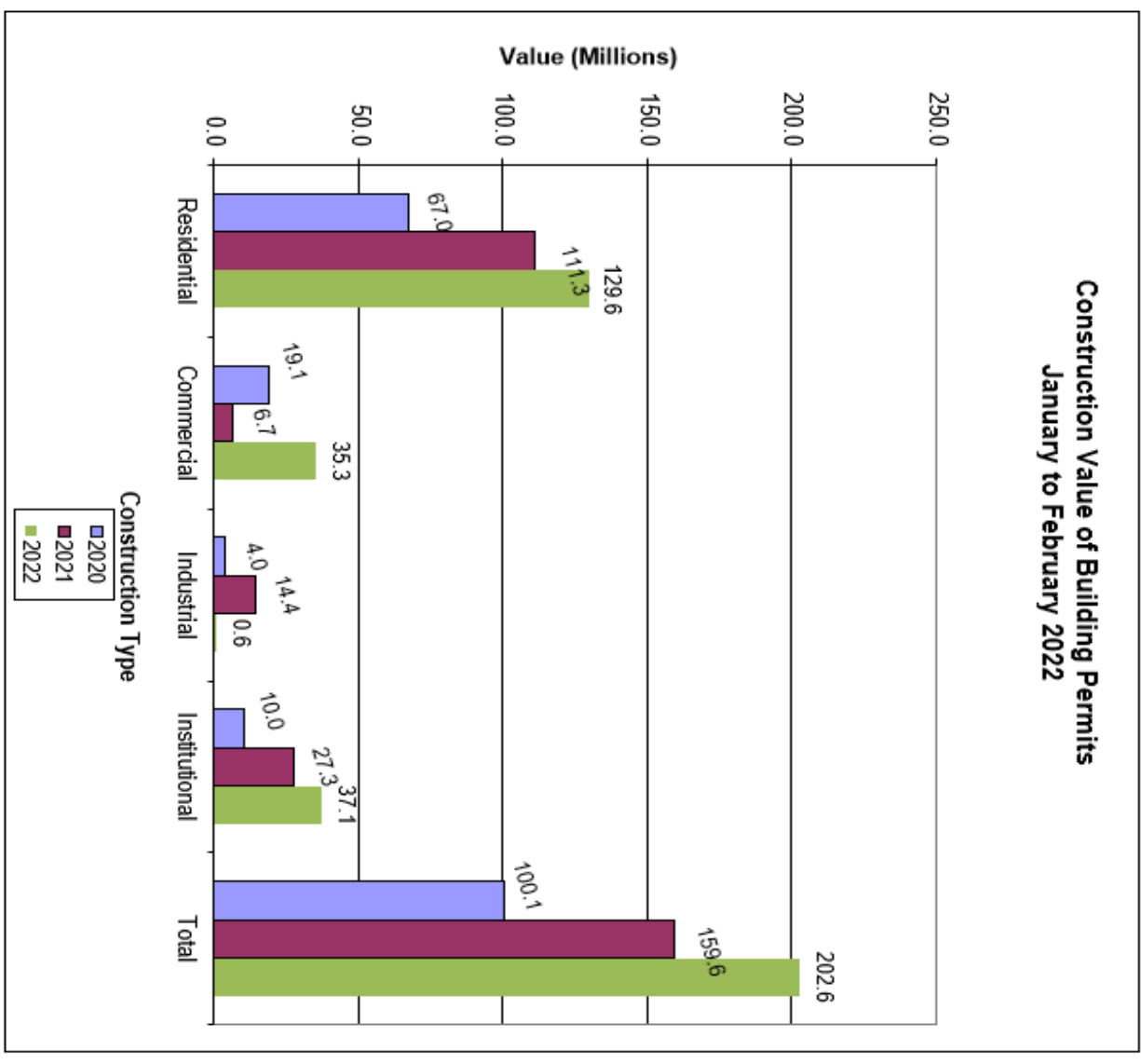
CLASSIFICATION	February 2022				to the end of February 2022				February 2021				to the end of February 2021				February 2020				to the end of February 2020			
	NO. OF PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS	PERMITS	CONSTRUCTION VALUE	NO. OF UNITS			
SINGLE DETACHED DWELLINGS	39	19,673,533	39	126	56,448,053	126	82	37,231,400	82	185	81,567,700	184	60	26,144,600	60	111	48,251,120	111						
SEMI DETACHED DWELLINGS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
TOWNHOUSES	11	17,058,409	75	25	29,072,209	118	12	11,709,800	36	21	15,910,600	48	6	2,394,500	6	16	7,063,900	16						
DUPLEX, TRIXEL, QUAD, ART BLDG	3	29,330,190	103	3	29,330,190	103	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0			
RESALTER & ADDITIONS	106	9,666,266	12	238	14,746,980	25	103	3,862,500	9	213	13,809,560	18	99	5,995,575	2	196	10,701,475	196						
COMMERCIAL - ERECT	4	31,150,000	0	4	31,150,000	0	0	0	0	1	976,500	0	1	940,000	0	1	940,000	1						
COMMERCIAL - ADDITION	0	0	0	1	500,000	0	0	0	0	0	0	0	2	2,001,800	0	2	2,001,800	2						
COMMERCIAL - OTHER	11	682,700	0	33	3,686,959	0	23	3,141,614	0	46	5,674,814	0	28	4,799,000	0	76	16,127,506	76						
INDUSTRIAL - ERECT	0	0	0	0	0	0	2	14,195,000	0	2	14,195,000	0	1	3,000,000	0	1	3,000,000	1						
INDUSTRIAL - ADDITION	0	0	0	0	0	0	0	0	0	0	0	0	1	118,800	0	1	118,800	1						
INDUSTRIAL - OTHER	4	566,000	0	4	566,000	0	2	51,000	0	6	159,800	0	3	261,000	0	11	890,500	11						
INSTITUTIONAL - ERECT	1	36,000,000	0	1	36,000,000	0	1	12,000,000	0	1	12,000,000	0	0	0	0	1	575,000	1						
INSTITUTIONAL - ADDITION	0	0	0	0	0	0	1	1,663,366	0	2	1,763,366	0	0	0	0	1	2,000,000	1						
INSTITUTIONAL - OTHER	3	818,000	0	8	1,142,000	0	7	12,977,100	0	12	13,507,100	0	9	4,657,500	0	19	7,412,000	19						
AGRICULTURE	1	250,000	0	1	250,000	0	0	0	0	0	0	0	0	0	0	1	100,000	1						
SWIMMING POOL FENCES	11	502,933	0	20	841,933	0	26	771,600	0	35	1,065,100	0	7	269,000	0	9	314,000	9						
ADMINISTRATIVE	9	510,000	0	15	560,000	0	5	80,000	0	10	80,000	0	2	0	0	6	0	6						
DEMOLITION	12	0	9	17	0	14	8	0	6	8	0	6	6	0	4	14	0	9						
SIGN/CANOPY - CITY PROPERTY	1	0	0	1	0	0	2	0	0	4	0	0	0	0	0	0	0	0						
SIGN/CANOPY - PRIVATE PROPERTY	29	0	0	58	0	0	29	0	0	56	0	0	19	0	0	67	0	0						
TOTALS	245	146,412,050	229	555	204,296,324	372	303	97,683,400	127	602	180,709,560	250	244	50,171,775	88	533	100,496,101	141						

Note: 1) Administrative permits include Tents, Change of Use and Transfer of Ownership, Partial Occupancy.
 2) Mobile Signs are no longer reported.
 3) Construction Values have been rounded up.

Construction Value of Building Permits February 2022



Construction Value of Building Permits January to February 2022



City of London - Building Division

Principal Permits Issued from February 1, 2022 to February 28, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
UWO BOARD OF GOVERNORS UWO, BOARD OF GOVERNORS	100 Phillip Aziz Ave	Alter University Partial demolition of an existing lounge area and also a second floor washroom, new construction to both areas, including new air handler and rooftop condenser.	0	300,000
Custom Service Corp	103 Elmwood Ave E	Alter Duplex ALTER SECOND FLOOR TO CREATE SECOND DWELLING UNIT, RENOVATE MAIN FLOOR	1	150,000
BLUESTONE PROPERTIES INC.	107 Base Line Rd W	Add Garage for Apartment Building ERECT PARKING GARAGE - Shell Permit Only. Includes underground plumbing. Separate Site Servicing Permit. Prior to Full Permit: Provide sealed stair guards shop drawings to the Building Division for review prior to work in these areas. Provide Fire Shutter design and Installation Details for review prior to installation.		3,842,750
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1080 Upperpoint Ave E	Erect-Townhouse - Condo ERECT TOWNHOUSE CONDO BLOCK E, 2 STOREY, 2 CAR GARAGE, 3 BEDROOM-2UNIT, 2BEDROOM-1UNIT UNFINISHED BASEMENT, DECK INCLUDED ,A/C INCLUDED, SB-12 A4, HRV & DWHR REQUIRED, DPN 31, 33, 35	3	920,000
BOARDWALK REIT PROPERTIES BOARDWALK REIT PROPERTIES	112 Base Line Rd W	Alter Apartment Building ALTER FOR BALCONY REPAIR AND GUARD REPLACEMENTS.	0	274,180
6763332 CANADA INC. REALTY ADVISORS INC. 6763332 CANADA INC., C/O TROVEST REALTY ADVISORS INC.	1230 Wellington Rd	Alter Retail Store INTERIOR ALTER FOR NEW RETAIL STORE	0	200,000
Middlesex Condominium Corporation No. 301	1247 Huron St	Alter Townhouse - Condo Replace and repair existing water service, sanitary and storm sewers.	0	550,000
2606445 Ontario Inc	160 Emery St W	Alter Apartment Building REMOVE AND REPLACEMENT OF BALCONY GUARDS	0	166,380
SIFTON LIMITED SIFTON PROPERTIES LIMITED	1626 Ed Ervasti Lane	Erect-Townhouse - Cluster SDD ERECT Cluster SDD, 1 Storey, 2 Car Garage + Golf Cart Park, Unfinished Basement, 2 Bedrooms, Rear Covered Porch, NO A/C, HOT2000, PART 21 PART OF BLOCK 1, 33M-721(33R-20077), HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	1	340,000
Fletcher Andrew Ray,Fletchdale Jersey Farm Ltd	2067 Callingham Dr	Erect-Farm Workshop ERECT NEW POLE BARN		110,000
1803299 ONTARIO INC 1803299 ONTARIO INC	2106 Glanworth Dr 2290 Scanlan St	Alter Warehousing ALTERATION- INSTALL RACKING SYSTEM FOR STORAGE	0	250,000 500,000

**City of London - Building Division
Principal Permits Issued from February 1, 2022 to February 28, 2022**

Owner	Project Location	Proposed Work	No. of Units	Construction Value
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	234 Edgevalley Rd B	Erect-Townhouse - Condo ERECT 3 STOREY STACKED TOWNHOUSE CONDO BLOCK B - 10 UNITS DPN 61, 63, 65, 67, 69, 71, 73, 75, 77, 79- A/C INCLUDED	10	1,886,400
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	234 Edgevalley Rd C	Erect-Townhouse - Condo ERECT 3 STOREY STACKED TOWNHOUSE CONDO BLOCK C - 8 UNITS DPN 45, 47, 49, 51, 53, 55, 57, 59- A/C INCLUDED	8	1,514,400
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	234 Edgevalley Rd D	Erect-Townhouse - Condo ERECT 3 STOREY STACKED TOWNHOUSE CONDO BLOCK D - 12 UNITS DPN 1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23 - A/C INCLUDED	12	2,262,000
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	234 Edgevalley Rd E	Erect-Townhouse - Condo ERECT 3 STOREY STACKED TOWNHOUSE CONDO BLOCK E - 10 UNITS DPN 25, 27, 29, 31, 33, 35, 37, 39, 41, 43 - A/C INCLUDED	10	1,887,600
DREWLO HOLDINGS INC DREWLO HOLDINGS INC	234 Edgevalley Rd F	Erect-Townhouse - Condo ERECT 3 STOREY STACKED TOWNHOUSE CONDO BLOCK F - 8 UNITS DPN 58, 60, 62, 64, 66, 68, 70, 72 - A/C INCLUDED	8	2,734,000
SIFTON LIMITED SIFTON PROPERTIES LIMITED	235 Kennington Way	Install-Townhouse - Condo Install site services.		900,000
Middlesex Condominium Corporation No. 251	250 Sydenham St	Alter Apartment Building REPLACE CHILLER AND MAKE UP AIR ROOF TOP UNITS	0	365,000
HOME DEPOT C/O PROP TAX DEPT HOME DEPOT HOLDINGS INC. 7033, C/O PROP TAX DEPT	3035 Wonderland Rd S	Install-Tent Install garden center from April 15 to August 1, 2022		485,000
COSTCO WHOLESALE COSTCO WHOLESALE	3140 Dingman Dr	Erect-Service Stations ERECT COSTCO GAS BAR CANOPY AND KIOSK FRR	0	1,700,000
COSTCO WHOLESALE COSTCO WHOLESALE	3140 Dingman Dr	Plan scanned into City Hub - Feb 2, 2022- BLD-283		
COSTCO WHOLESALE COSTCO WHOLESALE	3140 Dingman Dr	Erect-Retail store and warehouse ERECT COSTCO WAREHOUSE FRR/FP0	0	14,700,000
PULSE COMMUNITIES (RHYTHM 1) INC. PULSE COMMUNITIES (RHYTHM 1) INC.	3575 Southbridge Ave D	Erect-Townhouse - Condo ERECT 6 UNIT TOWNHOUSE BLOCK D, 2 STOREYS, DPNs 9, 11, 13, 15, 17, 19 SOILS REPORT REQUIRED.	6	1,400,000
PULSE COMMUNITIES (RHYTHM 1) INC. PULSE COMMUNITIES (RHYTHM 1) INC.	3575 Southbridge Ave G	Erect-Townhouse - Condo ERECT 6 UNIT TOWNHOUSE BLOCK G, 2 STOREYS, DPNs 21,23,25,27,29,31 SOILS REPORT REQUIRED.	6	1,203,600

City of London - Building Division
Principal Permits Issued from February 1, 2022 to February 28, 2022

Owner	Project Location	Proposed Work	No. of Units	Construction Value
PULSE COMMUNITIES (RHYTHM I) INC. PULSE COMMUNITIES (RHYTHM I) INC.	3575 Southbridge Ave J	Erect-Townhouse - Condo ERECT NEW 6 UNIT TOWNHOUSE BLOCK J - 2 STOREY, 1 CAR, 3 BED, UNFINISHED BASEMENT, W/ DECK, S812 PERFORMANCE HOT2000 DPNS 56, 58, 60, 62, 64, 66	6	1,990,000
MOHAMED ABUHAJAR Goldfield Ltd.	4252 Lismer Lane A	Erect-Street Townhouse - Condo ERECT 3 STOREY Townhouse Building Bldg A - 5 units DPNS 4234, 4238, 4242, 4246, 4250 - deck & AC INCLUDED	5	920,409
JACQUELINE LOPEZ GROSS Uno 212 Inc	562 Waterloo St	Alter Dental Offices CM - INTERIOR FIT-UP FOR NEW DENTAL OFFICE *****A RESIDENTIAL RENTAL UNIT LICENSE IS REQUIRED FOR THE DWELLING UNIT*****	0	200,000
IVY HOMES LTD IVY HOMES LTD	85 Oxford St W	Erect-Duplex ERECT DUPLEX, 2 STOREYS, NO GARAGE, UNFINISHED BASEMENT, 6 BEDROOMS, NO A/C, REAR DECK, SB-12 A1, HRV & DWHR REQUIRED, SOILS REPORT REQUIRED	2	1,029,150
Total Permits 28			Units 78	Value 42,780,869

* Includes all permits over \$100,000, except for single and semi-detached dwellings.

Commercial building permits issued - subject to Development Charges under By-law C.P. -1551-227

OWNER
COMMERCIAL INC. 2560533
ONTARIO INC. 2560533
ONTARIO INC. O/A STONEY
CREEK COMMERCIAL INC.
WHOLESALE COSTCO
COSTCO WHOLESALE

Commercial Permits regardless of construction value

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: Draft Plan of Vacant Land Condominium on the Submission
by 2831570 Ontario Inc. for 3101 Petty Road and 3047 White
Oak Road
Public Participation Meeting on: May 9, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by 2831570 Ontario Inc., relating to the property located at 3101 Petty Road and 3047 White Oak Road:

- (a) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3101 Petty Road and 3047 White Oak Road; and,
- (b) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3101 Petty Road and 3047 White Oak Road.

Executive Summary

Summary of Request

This is a request by 2831570 Ontario Inc., to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium is being reviewed concurrently with an application for Site Plan Approval. The plan consists of 33 dwelling units within multiple townhouses, with a new private road providing access from Petty Road. The applicant's intent is to register the development as one Condominium Corporation.

Purpose and the Effect of Recommended Action

The purpose and effect is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium or the Site Plan Approval applications.

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

May 12, 2003 – Planning Committee – Application by City of London – North Longwoods Area Plan – relating to lands bounded by Southdale Road E, Wharncliffe Road S, White Oak Road and Bradley Avenue extension (O-6424).

April 26, 2010 - Planning and Environment Committee –The Southwest London Area Plan (SWAP) - to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road (O-7609).

June 4, 2019 - Planning and Environment Committee – Whiterock Village Inc. regarding the property located at 3087 White Oak Road – Application for Approval of Draft Plan of Subdivision, Zoning By-law Amendments (39T-18505/Z-8980).

November 22, 2021 - Planning and Environment Committee – 2831570 Ontario Inc. regarding the property located at 3047 White Oak Road – Application for Zoning By-law Amendments (Z-9383).

1.1 Planning History

In June of 2003, the North Longwoods Area Plan (NLAP) was prepared for 106 hectares (262 acres) of land bounded by Wharncliffe Road South, Southdale Road East, White Oaks Road, and the future Bradley Avenue extension. The NLAP was created to respond to development demands in the area and re-designated the lands from “Urban Reserve – Community Growth”. At the time, the subject site was designated as “Restricted Service Commercial”.

The Southwest London Area Plan (SWAP) was initiated in 2009 and presented to Planning Committee on April 26, 2010. The Area Plan was intended to provide a comprehensive land use plan, servicing requirements and a phasing strategy for future development within the Urban Growth Area south of Southdale Road, east of Dingman Creek and north of the Highway 401/402 corridor. On November 20, 2012, Municipal Council passed By-Law No. C.P.-1284-(st)-331 to approve Official Plan Amendment 541 (relating to the Secondary Plan). The plan (with amendments) was approved by the Ontario Municipal Board on April 29, 2014. The subject site was redesignated through SWAP. The lands are currently designated Low Density Residential.

A draft plan of subdivision (file 39T-18505/1/Z-8980) was submitted for the lands located at 3087 White Oak Road (to the north of the subject site) on December 10, 2018. Municipal Council approved the plan and the associated zoning by-law amendment, and the Approval Authority granted draft approval on July 22, 2019. The approved draft plan consists of 72 single detached lots, 2 medium density blocks, 2 future development blocks, 3 road widening blocks, and 2 x 0.3m reserves, all serviced by the extension of four existing public streets (Petty Road, Bateman Trail, Lemieux Walk, and Biddulph Street).

The subject site encompasses 3047 White Oak Road and Block 74 in registered plan 33M-795. On November 22, 2021, 3047 White Oak Road was rezoned to permit the proposed condo development in association with Block 74. A site plan approval application (SPA22-001) was submitted to the City in January 2022 to accommodate the proposed cluster townhouse development. This application is running concurrently with the Vacant Land Condominium application (39CD-22501) submitted on November 29, 2021. The associated holding provisions will be removed from the lands through a future removal of holding application for the Vacant Land Condominium to proceed.

1.2 Property Description

The property at 3047 White Oak Road is situated on the west side of White Oak Road south of Southdale Road. This vacant rectangular property has approximately 35 meters of street frontage onto White Oak Road and a lot depth of approximately 58 meters. The White Oak Road frontage of the property is divided into two by a London Hydro substation and associated hydro poles.

The subject site also includes a portion of the draft approved plan of subdivision 39T-18505 (Block 74), which is currently vacant. The total area of the two properties is

approximately 0.6807 ha (1.68 ac). Access to these lands is also available from Petty Road.

1.3 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Low Density Residential
- The London Plan Place Type – Neighbourhoods Place Type
- Existing Zoning – Holding Residential R1/Residential R6 Special Provision Residential R8 Bonus (h*h-100*h-161*h-227*R6-5(59)/R8-4(46)*B60) Zone and Holding Residential R1/Residential R6 Special Provision Residential R8 Bonus (h*h-100*h-161*h-227*R1-10/R6-5(59)/R8-4(46)*B60) Zone.

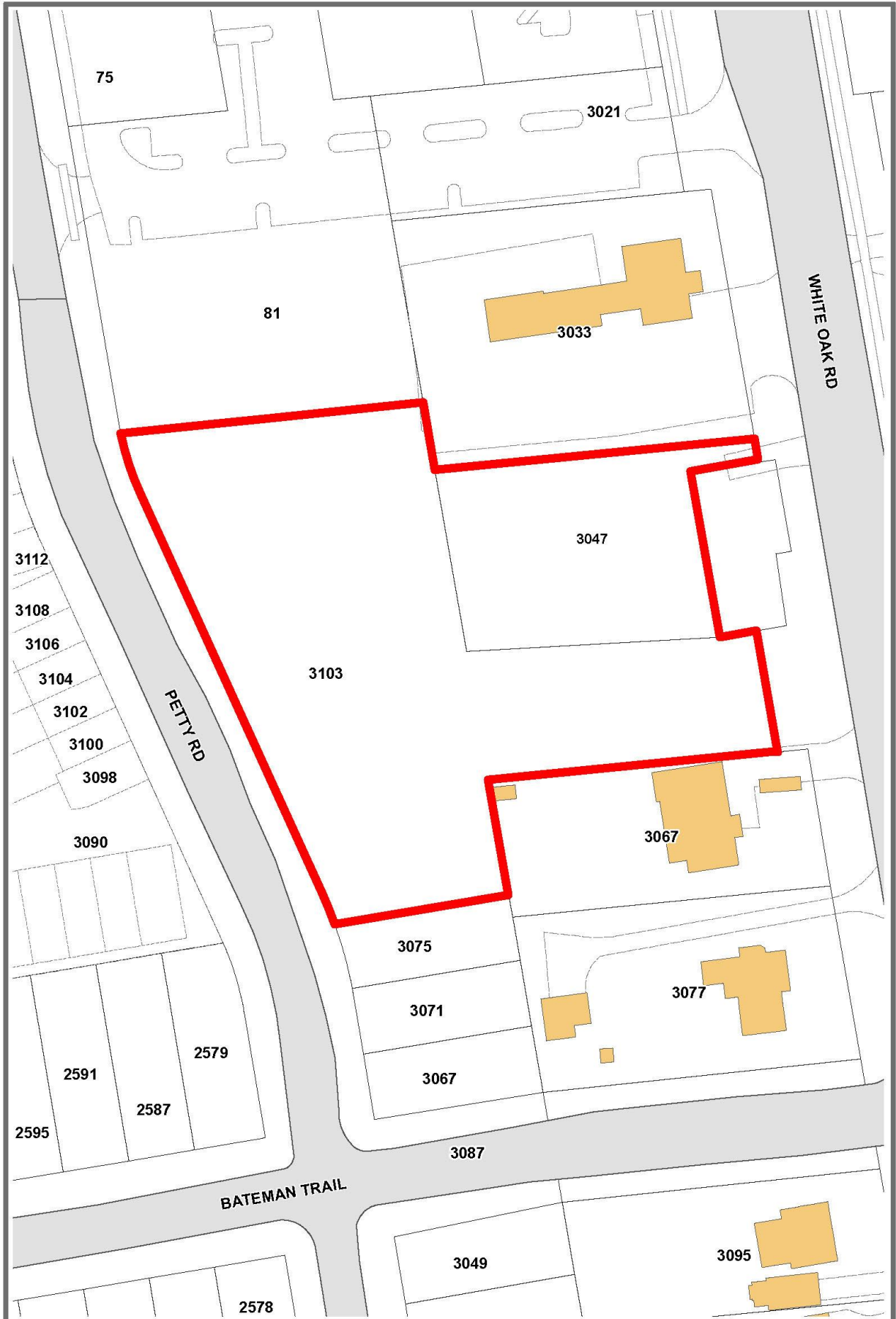
1.4 Site Characteristics

- Current Land Use – vacant and single detached dwelling
- Frontage – approx. 96.4 m along Petty Road
- Depth – 93 m (varies)
- Area – 0.68 ha
- Shape – rectangular

1.5 Surrounding Land Uses

- North – commercial
- East – residential
- South – residential
- West – residential

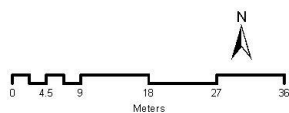
1.7 LOCATION MAP



LOCATION MAP

Address: 3103 Petty Road and 3047 White Oak Road
 File Number: 39CD-22501
 Planner: Sean Meksula
 Date: 2021/07/27

Corporation of the City of London
 Prepared By: Planning and Development



Scale 1:800

Legend

- Buildings
- Driveways/Parking Lots
- Assessment Parcels

2.0 Discussion and Considerations

2.1 Development Proposal

The effect of the application request is to create 33 Vacant Land Condominium units to be developed in the form of cluster townhouse dwellings. Landscaped areas, internal driveways, services, and visitor parking spaces will be located within the common elements to be maintained and managed by one Condominium Corporation.

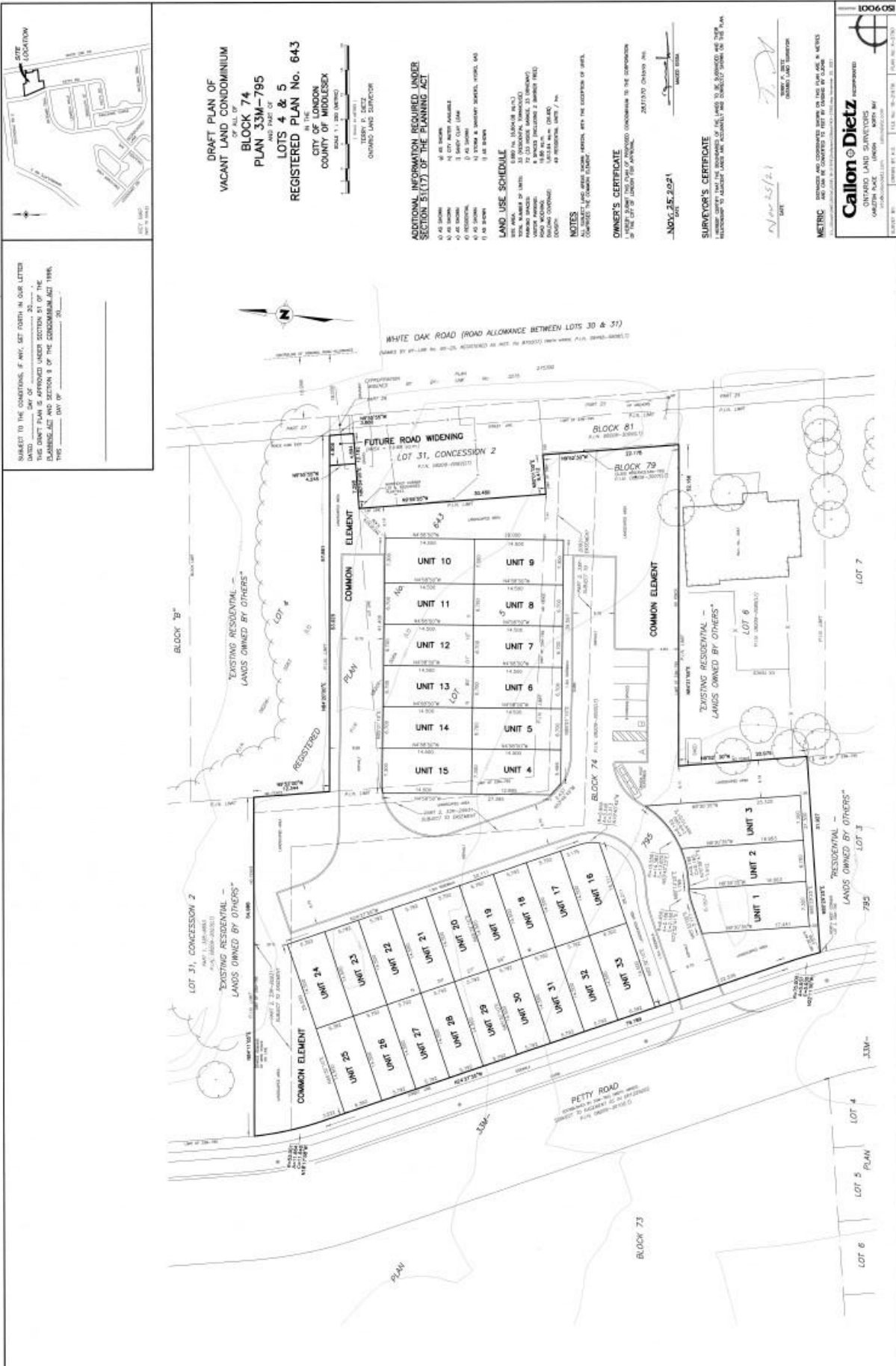


Figure 1: Proposed Vacant Land Condominium

An application for Site Plan Approval (SPA22-001) has also been made in conjunction with the application for Draft Plan of Vacant Land Condominium. The site plan submission, including servicing, grading, landscaping, and building elevation plans, are under review and will be informed by any comments received through the Vacant Land Condominium Public Participation Meeting. An additional application for the removal of holding provisions pertaining to this site will be reviewed and brought forward for consideration at a future meeting of the Planning and Environment Committee.

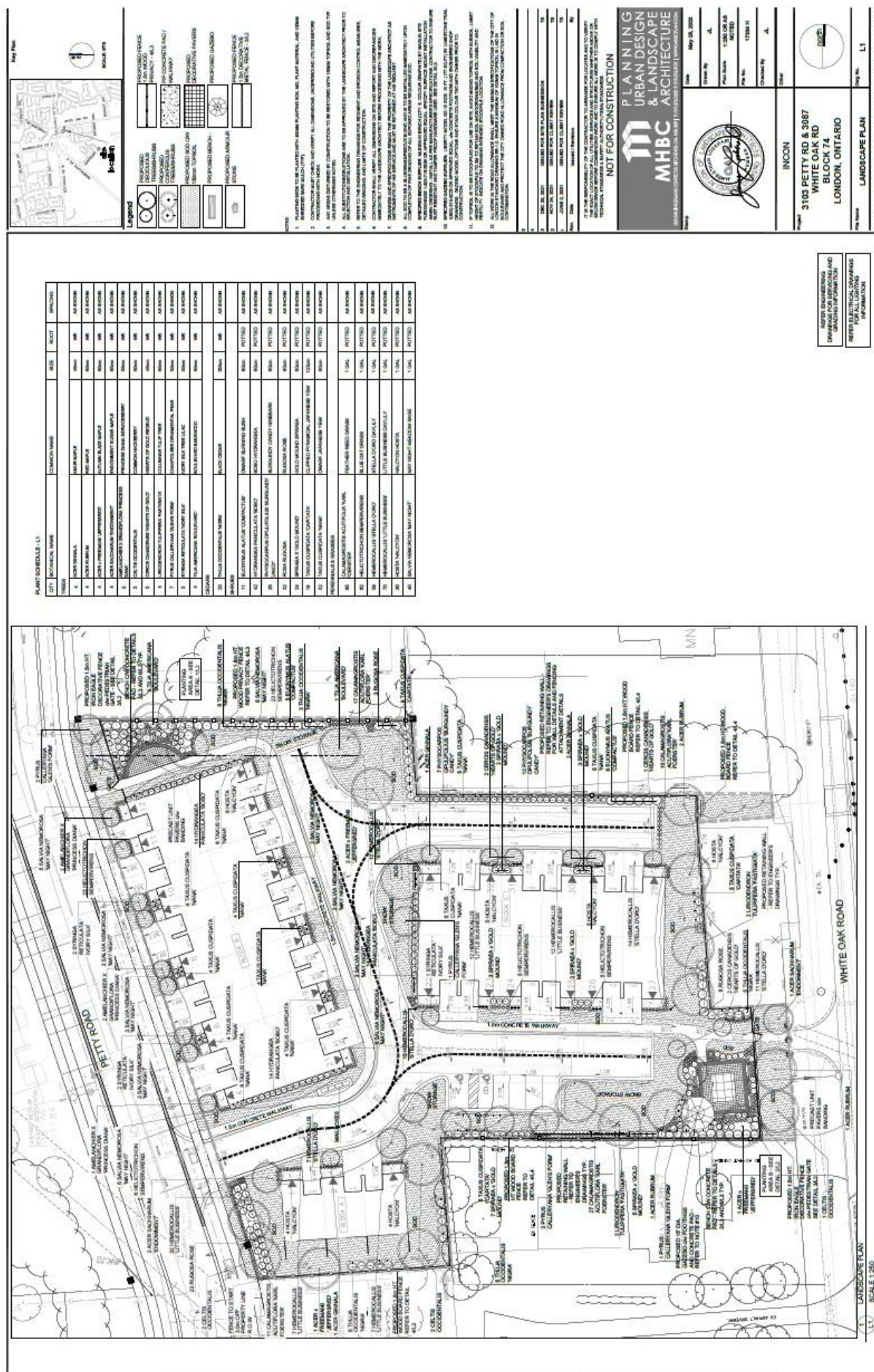


Figure 2: Concept Landscape Plan

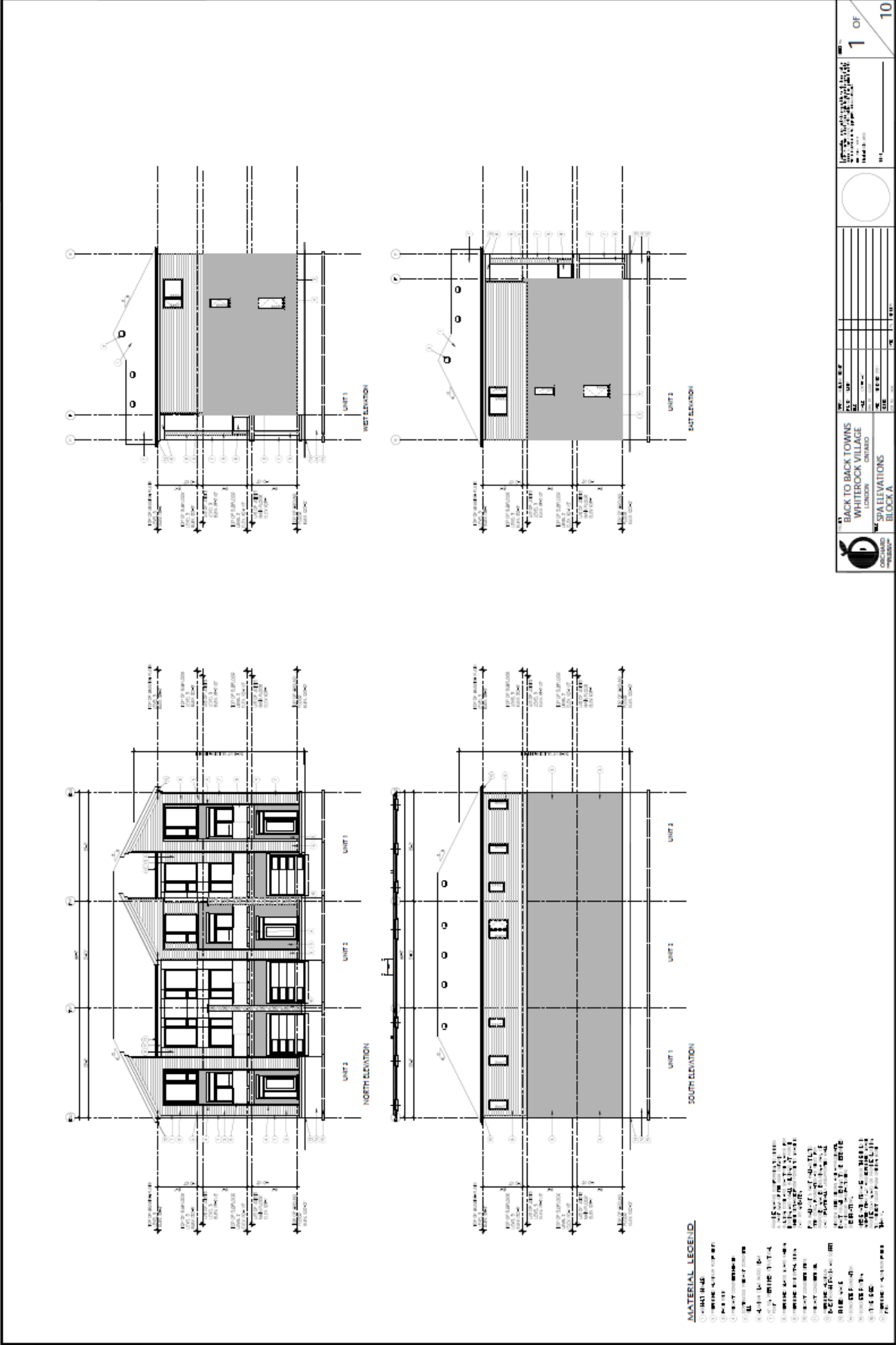


Figure 3: Concept Elevation

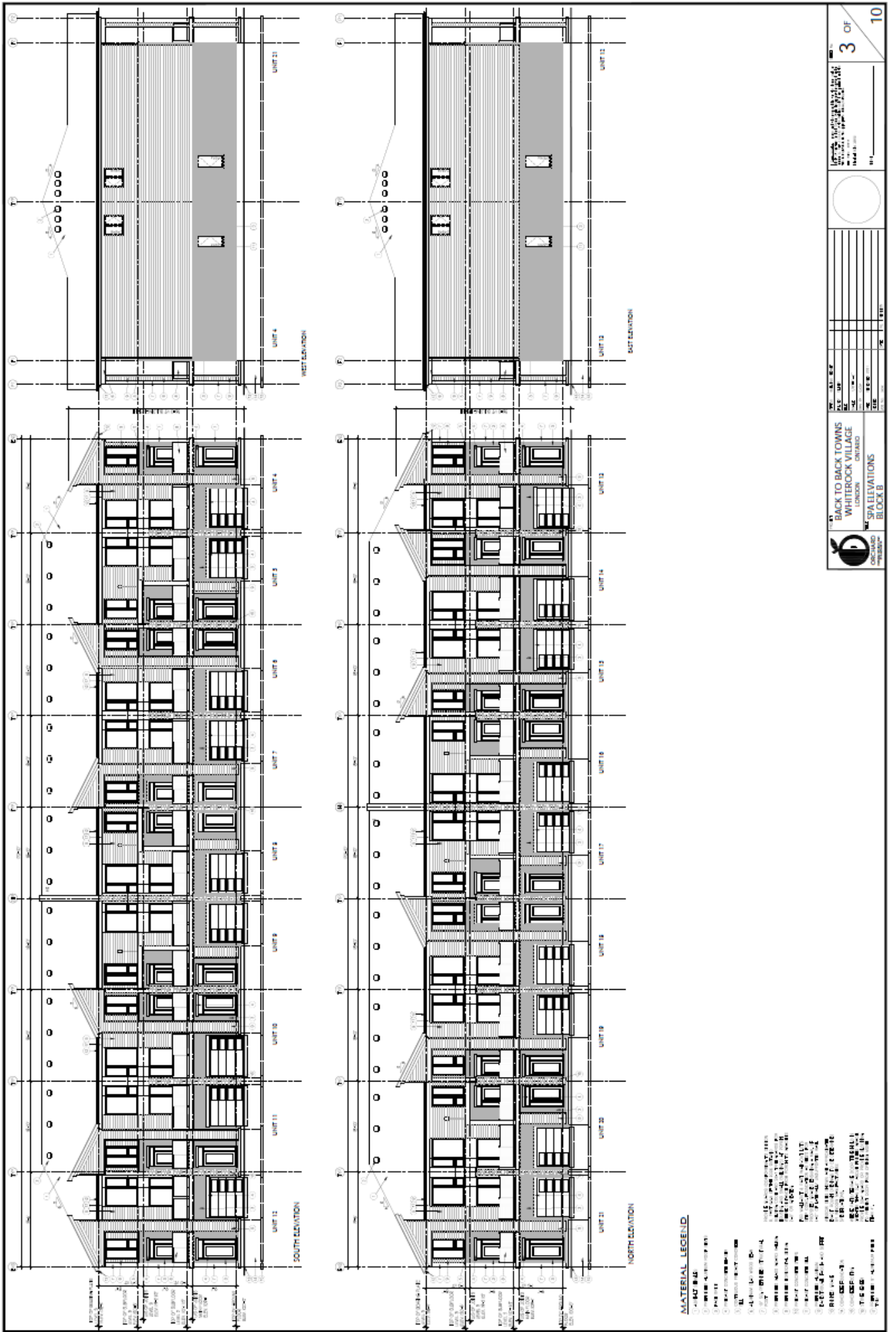


Figure 4: Concept Elevations

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

3.1 Community Engagement (see more detail in Appendix A)

The requested amendment was circulated to the public on February 2, 2022 and advertised in the Londoner on February 3, 2022. At the time of preparation of this report, no responses were received from the public in response to the Notice of Application and The Londoner Notice.

There were no significant comments in response to the Departmental/Agency circulation of the Notice of Application.

3.3 Policy Context (See more detail in Appendix B)

Provincial Policy Statement, 2020

The proposal must be consistent with the Provincial Policy Statement (PPS) and land use planning policies and must consider:

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

The London Plan

The site is located within the Neighbourhoods Place Type in The London Plan. The policies of this Place Type, as well as the Our Strategy, City Building and Design, and Our Tools policies, have been applied in the review of this application.

(1989) Official Plan

The site is designated Multi-family, Medium Density Residential on Land Use Schedule A of the Official Plan.

Southwest Area Secondary Plan

The Southwest Area Secondary Plan designates the site as Medium Density Residential within the Central Longwoods Residential Neighbourhood.

As further described in Appendix B – Policy Context, Staff are of the opinion that the condominium draft plan is generally consistent with the PPS, The London Plan, 1989 Official Plan, and the Southwest Area Secondary Plan

North Longwoods Area Plan

The site is within the North Longwoods Area Plan (NLAP) which designated the majority of the lands Low Density Residential and Medium Density Residential, with the northern extent of the lands where Petty Road will connect to Southdale Road designated for commercial uses. The NLAP envisioned that a mix of housing types and densities would meet community demand and needs in housing type, tenure and affordability. The NLAP reinforced the City's Official Plan policies and direction that promoted compact urban form and increased densities to maximize the use of land and investment in infrastructure and services.

Z.-1 Zoning By-law

The zoning of block 74 is Holding Residential R1/Residential R6 Special Provision Residential R8 Bonus (h*h-100*h-161*h-227*R6-5(59)/R8-4(46)*B60) Zone and 3047 White Oak Road is Holding Residential R1/Residential R6 Special Provision Residential R8 Bonus (h*h-100*h-161*h-227*R1-10/R6-5(59)/R8-4(46)*B60) which permits various forms of semi-detached dwelling, duplex dwelling, triplex dwelling, townhouse dwelling, stacked townhouse dwelling, apartment buildings, and fourplex dwellings; with a special provision for a minimum front yard setback of 3.0m (9.8ft) and maximum density of 75 units per hectare.

The Bonus Zone B60, is intended to facilitate a high-quality development which is substantively implemented through the required development agreement(s), the Site Plan, Elevations and Concept Landscape Plan. These will include enhanced landscaping along White Oak Road accompanied with a wrought iron or similar fencing, provision for a pedestrian pathway from Petty Road to White Oak Road, the lot frontage to be interpreted as Petty Road, a minimum front yard depth 3 meters (9.8ft), a maximum density of 75 units per hectare and a maximum height of four storeys 16 meters (52.5 ft) for apartment buildings.

Vacant Land Condominium Application

The City of London Condominium Guidelines have been considered for the proposed Vacant Land Condominium which is comprised of various units and common elements. The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the *Planning Act*. To ensure this Vacant Land Condominium development functions properly, the following may be required as conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common element and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- Agreement, and in the Condominium Declaration and Description.
- A traffic noise impact assessment has been completed and mitigation measures will be incorporated through site design and warning clauses in the Development Agreement, and in the Condominium Declaration and Description.
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- The Owner acknowledges that the subject lands are part of a Site Plan application which is being reviewed or has been accepted under the Site Plan Approvals Process (File # SPA22-001) and that the Owner agrees that the development of this site under Approval of Draft Plan of Vacant Land Condominium shall comply with all final approved Site Plan conditions and approved engineering drawings for the current development application. Therefore, any conditions identified in the Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law.
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities.

- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other facilities and structures in the common elements.

More information and detail is available in Appendix A and B of this report.

Conclusion

The application for Approval of Vacant Land Condominium is considered appropriate, consistent with the Provincial Policy Statement, and conforms to The London Plan, 1989 Official Plan, and the Southwest Area Secondary Plan. The proposed vacant land condominium in the form of cluster townhouses also complies with the City's Z.-1 Zoning By-law. An Application for Site Plan Approval has also been submitted and reviewed in conjunction with the application for Vacant Land Condominium. The proposed Site Plan and elevations will result in an appropriate development that is compatible with the area.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner, Subdivision Planning

Reviewed by: Bruce Page, MCIP, RPP
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

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

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

cc: Bruce Page, Manager, Subdivisions

cc: Michael Pease, Manager, Site Plan

cc: Matt Davenport, Manager, Subdivisions

SM/sm

Y:\Shared\DEVELOPMENT SERVICES\3 - Condominiums\2022\39CD-22501 - 3101 Petty Road and 3047 White Oak Road (SM)\02 Draft Approval\DRAFT_PEC_39CD-22501 - 3101 Petty Road and 3047 White Oak Road_(SM).docx

Appendix A – Community Engagement

Public liaison: On February 2, 2022, Notice of Application was sent to 277 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on February 3, 2022. A “Planning Application” sign was also posted on the site.

Responses: 2 written replies were received.

Nature of Liaison: The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 33 residential units. Consideration of a proposed draft plan consisting of 33 multiple-attached dwelling units and a common element for private access driveway and services to be registered as one Condominium Corporation. Application has also been made for approval for Site Plan Approval, file SPA22-001.

Responses: A summary of the various comments received include the following:

Agency/Departmental Comments:

No significant comments were received.

Appendix B – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement (PPS), 2020

The proposed development achieves objectives for efficient and resilient development and land use patterns. It represents new development taking place within the City’s urban growth area, and within an area of the City that is currently building out. It also achieves objectives for promoting compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, supports energy conservation and efficiency, and avoids land use and development patterns which may cause environmental or public health and safety concerns.

The subject lands are within a registered plan of subdivision and are designated and intended for medium density residential uses to accommodate an appropriate affordable, market-based range and mix of residential types to meet long term needs. There are no natural heritage features or natural hazards present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed through the subdivision approval process. Based on our review, the proposed Draft Plan of Vacant Land Condominium is found to be consistent with the Provincial Policy Statement.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk (*) throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex, triplex, fourplex, townhouse and stacked townhouse dwellings, and low-rise apartment buildings, as the main uses. The proposed Draft Plan of Vacant Land Condominium in the form of cluster townhouse dwellings conforms with the Place Type policies.

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed Draft Plan of Vacant Land Condominium contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #5 - Build a Mixed-Use Compact City

5. *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*
7. *Build quality public spaces and pedestrian environments that support walking.*

Key Direction #6 – Place a new emphasis on creating attractive mobility choices.

1. *Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.*

Key Direction #7 - Building strong, healthy and attractive neighbourhoods for everyone

3. *Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

This proposal vacant land condominium contributes to a mix of housing types and tenure. The development will promote a pedestrian-friendly environment that offers opportunities for active mobility choices including walking, cycling and public transit; contributes to a safe, healthy and connected community; and is designed to evoke a sense of neighbourhood character and sense of place.

City Building and Design Policies

202_ Buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood’s character and identity.

229_ Except in exceptional circumstances, rear-lotting will not be permitted onto public streets and side-lotting will be discouraged on Civic Boulevards and Urban Thoroughfares.

259_ Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.

291_ Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access.

** Policy subject to LPAT Appeal PL170100 – November 13, 2019*

The proposed condominium development consists of 47, 2.5-storey cluster townhouse dwellings arranged in blocks of units attached side-by-side, with access from Petty Road. The development block fronts Petty Road and features a heavily landscaped planting strip. Outdoor amenity spaces and landscaping elements at prominent locations, with privacy fencing planned along the southern and western property boundaries (interfacing with the planned low density residential development and existing condominium lands to the west. The plans and building elevations have been reviewed for compliance with the City’s Placemaking Guidelines and the Southwest Area Secondary Plan.

Neighbourhood Place Type

Vision for the Neighbourhoods Place Type

916_ In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:

- 1. A strong neighbourhood character, sense of place and identity.*
- 2. Attractive streetscapes, buildings, and public spaces.*
- 3. A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.*
- 4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.*
- 5. Lots of safe, comfortable, convenient, and attractive alternatives for mobility.*
- 6. Easy access to daily goods and services within walking distance.*
- 7. Employment opportunities close to where we live.*
- 8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.*

** Policy subject to LPAT Appeal PL170100 – November 13, 2019*

This proposal is generally in keeping with the Neighbourhood Place Type vision and its key elements, including a strong neighbourhood character and sense of identify, neighbourhood connectedness, diversity of housing choices and affordability, safe and

convenient alternatives for mobility, close to neighbourhood parks and multi-use pathways planned as part of the subdivision approval process, and also within easy access to goods, services and employment opportunities.

Our Tools

1709_ The following policies will apply to consideration of an application for a vacant land condominium:

- 1. The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium.*
- 2. The applicant may be required to provide site development concepts and meet design requirements consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium.*
- 3. Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported.*
- 4. Only one dwelling will be permitted per unit.*
- 5. At the time of registration, structures cannot cross unit boundaries.*
- 6. The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable, independent operation of the condominium corporation.*

This proposal vacant land condominium contributes to a mix of housing types and tenure. The development will promote a pedestrian-friendly environment that offers opportunities for active mobility choices including walking, cycling and future public transit; contributes to a safe, healthy and connected community; and evokes a sense of neighbourhood character and sense of place.

(1989) Official Plan

The subject lands are designated Multi-family, Medium Density Residential on Schedule A of the City's Official Plan. The primary permitted uses include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. The proposal to develop this parcel with 33 residential townhouse dwellings will result in an overall density of approximately 49 units per hectare which is within the density limits in the Multi-family, Medium Density Residential designation. The proposed vacant land condominium represents a cluster housing form of development in compliance with the policies for use, form and scale as contemplated by the Official Plan.

Southwest Area Secondary Plan

The Southwest Area Secondary Plan (SWAP) designates the site as Medium Density Residential within the Central Longwoods Residential Neighbourhood. The following provides excerpts from the secondary plan highlighting a number of relevant policies to the subject development proposal:

20.5.10 i) Function and Purpose

...The focus for new development is to be on a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings within individual subdivisions and throughout the neighbourhood.

20.5.10.1 ii) Permitted Uses

The primary permitted uses in the Multi-family, Medium Density Residential designation will be permitted in the Low and Medium Density Residential designations, including low density forms such as single detached, semi-detached and duplex dwellings, triplexes and fourplexes....

20.5.10.1 iii) Built Form and Intensity

b) Within the Medium Density Residential Designation, residential development shall have a minimum density of 30 units per hectare and a maximum density of 75 units per hectare.

e) The Urban Design policies of Section 20.5.3.9 of this Plan shall apply.

20.5.3.9 ii) Public Realm

e) Rear lotting is not permitted along the arterial roads in the Southwest Area Plan. In instances where the City is satisfied that there is no other alternative due to topographic or other site constraints, a range of alternatives such as lanes, service roads, and “window” streets will be used to ensure a high quality of streetscape design. If there is no alternative to rear lotting, landscaping, as well as site and building design, will be used to mitigate the impact on the streetscape.

f) Properties subject to noise impacts shall be buffered through mechanisms such as restrictions on the type of use, building design and location, siting of outdoor living areas and through the provision of landscaping including street trees. Buffering such as noise walls or fences, berms and rear lotting, which restrict visual and physical access to the street, shall be prohibited.

The subject development block is within a new subdivision comprising part of the easterly half of the Central Longwoods Residential Neighbourhood that has been planned and zoned for a mix of low to mid-rise housing forms including single detached dwellings, street townhouses, and various forms of cluster housing (single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and low rise apartment buildings). The proposed density is within the range of minimum and maximum densities for the Medium Density Residential Designation. As previously mentioned above, townhouse units are street facing on Petty Road. The proposed development provides a mix of mid-rise housing forms within individual subdivisions and throughout the neighbourhood.

Urban Design Guidelines

Residential design guidelines were prepared as part of the Southwest Area Secondary Plan (SWAP) review. Within the Lambeth Neighbourhood of the Southwest Area Secondary Plan, the direction of the urban design policies regarding the form of the development seek to promote development that is compact, pedestrian-oriented and transit-friendly (20.5.3.9.i)a)). The proposed development provides for a form of intensification that is compact yet compatible with surrounding uses.

The site plan and building elevations incorporate a similar level of architectural detail on the front and rear elevations flanking the public street and walkways. A strong building orientation is achieved with street-facing units having front door entrances oriented to both Colonel Talbot Road.

The site plan and building elevations incorporate a similar level of architectural detail on the front and rear elevations flanking the public street and walkways. A strong building orientation is achieved with street-facing units having front door entrances oriented to both Petty Road. Units along Petty Road also have individual driveway accesses contributing to an active frontage and connection to the public street.

Vacant Land Condominium Application

The same considerations and requirements for the evaluation of Draft Plans of Subdivision also apply to Draft Plans of Vacant Land Condominiums, such as:

- This proposal is consistent with the objectives and policies of The London Plan, 1989 Official Plan, and Southwest Area Secondary Plan.

- Sewer and water services will be provided in accordance with the subdivision servicing drawings accepted by the City, and the approved Site Plan and Development Agreement in order to service this site.
- The proposed development is in close proximity to employment areas, community facilities, neighbourhood parks, and open space.
- The Draft Plan of Vacant Land Condominium illustrates how these lands are to develop for cluster townhouses. Building elevation plans have been reviewed as part of the site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability.

The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the *Planning Act*. To ensure that this Vacant Land Condominium development functions properly, the following issues at a minimum will be addressed through conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common element and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- Agreement, and in the Condominium Declaration and Description.
- A traffic noise impact assessment has been completed and mitigation measures will be incorporated through site design and warning clauses in the Development Agreement, and in the Condominium Declaration and Description.
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- The Owner acknowledges that the subject lands are part of a Site Plan application which is being reviewed or has been accepted under the Site Plan Approvals Process (File # SPA22-001) and that the Owner agrees that the development of this site under Approval of Draft Plan of Vacant Land Condominium shall comply with all final approved Site Plan conditions and approved engineering drawings for the current development application. Therefore, any conditions identified in the Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law.
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities.
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other facilities and structures in the common elements.

Z.-1 Zoning By-law

The zoning of this block is Holding Residential R6 Special Provision (h•h-71•h-100• h-161•h-227• R6-5(58)) which permits various forms of cluster housing including single detached, semi-detached, duplex, triplex, townhouse, stacked townhouse, with the exception of apartment buildings, or cluster apartment buildings; with a special provision for a minimum front yard setback of 3.0m (9.8ft) and maximum density of 75 units per hectare. An application to remove the holding provisions from the zoning has been submitted and is currently in process (File No. H-9237). Subject to Municipal Council's

passing of a by-law to remove the holding provisions coming into force and effect, the proposed vacant land condominium will comply with the Zoning By-law regulations.

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: Draft Plan of Vacant Land Condominium on the Submission
by 2749282 Ontario Inc. for 3557 Colonel Talbot Road
Public Participation Meeting on: May 9, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application by 2749282 Ontario Inc., relating to the property located at 3557 Colonel Talbot Road:

- (a) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to the property located at 3557 Colonel Talbot Road; and,
- (b) the Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 3557 Colonel Talbot Road.

Executive Summary

Summary of Request

This is a request by 2749282 Ontario Inc., to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium is being reviewed concurrently with an application for Site Plan Approval. The plan consists of twenty-one (21) dwelling units, within multiple townhouses with a new private road providing access from Colonel Talbot Road. The applicant's intent is to register the development as one Condominium Corporation.

Purpose and the Effect of Recommended Action

The purpose and effect is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium or the Site Plan Approval applications.

Rationale of Recommended Action

- i) The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;
- ii) The proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies;
- iii) The proposed Vacant Land Condominium conforms to the policies of the Southwest Area Secondary Plan and will implement an appropriate housing form for the North Lambeth Neighbourhood; and

The proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family Medium Density Residential

Linkage to the Corporate Strategic Plan

Building a Sustainable City - London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

September 8, 2020 – Planning and Environment Committee - 1423197 Ontario Inc. (Royal Premier Homes). (Royal Premier Homes) regarding the property located at 3557 Colonel Talbot Road - Zoning By-law Amendment Application - Z-9003.

May 10, 2021 - Planning and Environment Committee - 2749282 Ontario Inc. (Royal Premier Homes) regarding the property located at 3557 Colonel Talbot Road – public meeting with for Site Plan Approval - File SPA20-063.

August 30, 2021 - Planning and Environment Committee – 1423197 Ontario Inc. (Royal Premier Homes) c/o Zelinka Priamo Ltd. regarding the property located at 3557 Colonel Talbot Road – Application for Removal of Holding Provision (H-9364).

1.1 Planning History

The subject lands were previously comprised of a single detached dwelling, until 2016, when the existing dwelling was structurally damaged due to a fire. As a result of the fire, the dwelling was demolished. In 2017, the subject lands were the subject of a Minor Variance Application (A.103/17) for the purpose of constructing a single detached dwelling with a reduced side yard setback. The proposed single detached dwelling was never constructed, and the parcel has been vacant since the fire and demolition of the former single detached dwelling.

On December 21, 2018, a Zoning By-law Amendment Application (Z-9003) was submitted for three (3), 2.5-storey townhouse dwellings for a total of 28 units (41 units per hectare). On May 13, 2019, an information report was brought forward to the Planning and Environment Committee. The intent of the report was to advise the Committee of the received comments and to obtain direction regarding a future public participation meeting.

As previously noted, the southern portion of the site is regulated by the UTRCA. Through the Zoning By-law Amendment, a development limit was agreed to upon reducing the number of units on site from the identified three (3) 2.5-storey townhouse dwellings down to two (2), 2.5-storey townhouse dwellings for a total of 21 units (51 units per hectare).

On September 8, 2020, a Public Participation Meeting was later held before the Planning and Environment Committee, which recommended approval of the proposed Zoning By-law Amendment. On September 15, 2020, Municipal Council passed the Zoning By-law Amendment to permit a Holding Residential R5 Special Provision (h-5*R5-6(14)), Open Space Special Provision (OS4(13)) Zone and an Open Space Special Provision (OS5(17)) Zone. The resolution of Council also noted that the provision of enhanced screening/privacy along the northern property line, including boundary landscaping along the north and west property boundaries, was raised during the application review process as a matter to be addressed at the Site Plan Approval stage. The Council resolution further noted that the h-5 holding provision would allow for a public participation meeting during the site plan stage.

On October 16, 2020, the Zoning By-law Amendment (Z-9003) was appealed to the Local Planning Appeal Tribunal (PL200494). On March 5, 2021 the appeal was withdrawn.

On August 12, 2020, a Site Plan Control Application (file SPA20-063), was received by the City of London. Further submissions are required to address comments provided with

the previous review by staff, and further to address recommendations to Approval Authority as part of the public meeting on the Site Plan. Comments from the second submission that were included in the Council resolution that was considered at the May 10, 2021 public site plan meeting.

On August 30, 2021, a report to remove the h-5 holding provision to ensure that development takes a form compatible with adjacent land uses was brought to the Planning and Environment and Committee and passed by Council on September 14, 2021 for the subject lands.

1.2 Property Description

The subject property is located north of Lambeth on the west side of Colonel Talbot Road between Pack Road and Kilbourne Road, directly south of Clayton Walk. The subject property is surrounded by low-density residential land uses, and a proposed plan of subdivision (39T-17503) on the east side of Colonel Talbot Road, opposite the subject property. Colonel Talbot Road is classified as a Civic Boulevard in The London Plan and an Arterial Road in the (1989) Official Plan.

The proposed development consists of four (4) 2-storey townhouse blocks consisting of a total of 21-units (51 units per hectare). The proposed site plan includes two (2) parking spaces per unit for a total of 42 spaces plus two (2) visitor parking spaces. The site abuts an Open Space Special Provision (OS4(13)) which provides amenity space. The southern portion of the subject lands is regulated by the Upper Thames River Conservation Authority (UTRCA) due to the Dingman Creek, and will be dedicated to the City as parkland dedication as part of the Site Plan Control Application.

1.3 Current Planning Information (see more detail in Appendix C)

- The London Plan Place Type – Neighbourhoods Place Type/Green Space Place Type
- Official Plan Designation – Multi-Family Medium Density Residential/Open Space
- Existing Zoning - Holding Residential R5 Special Provision/Open Space Special Provision (R5-6(14)/OS4(13)) Zone

1.4 Site Characteristics

- Current Land Use – Undeveloped
- Frontage – 107 metres (351 feet)
- Depth – 76 metres, average (249 feet)
- Area – 0.808 hectares (2.0 acres)
- Shape – Irregular

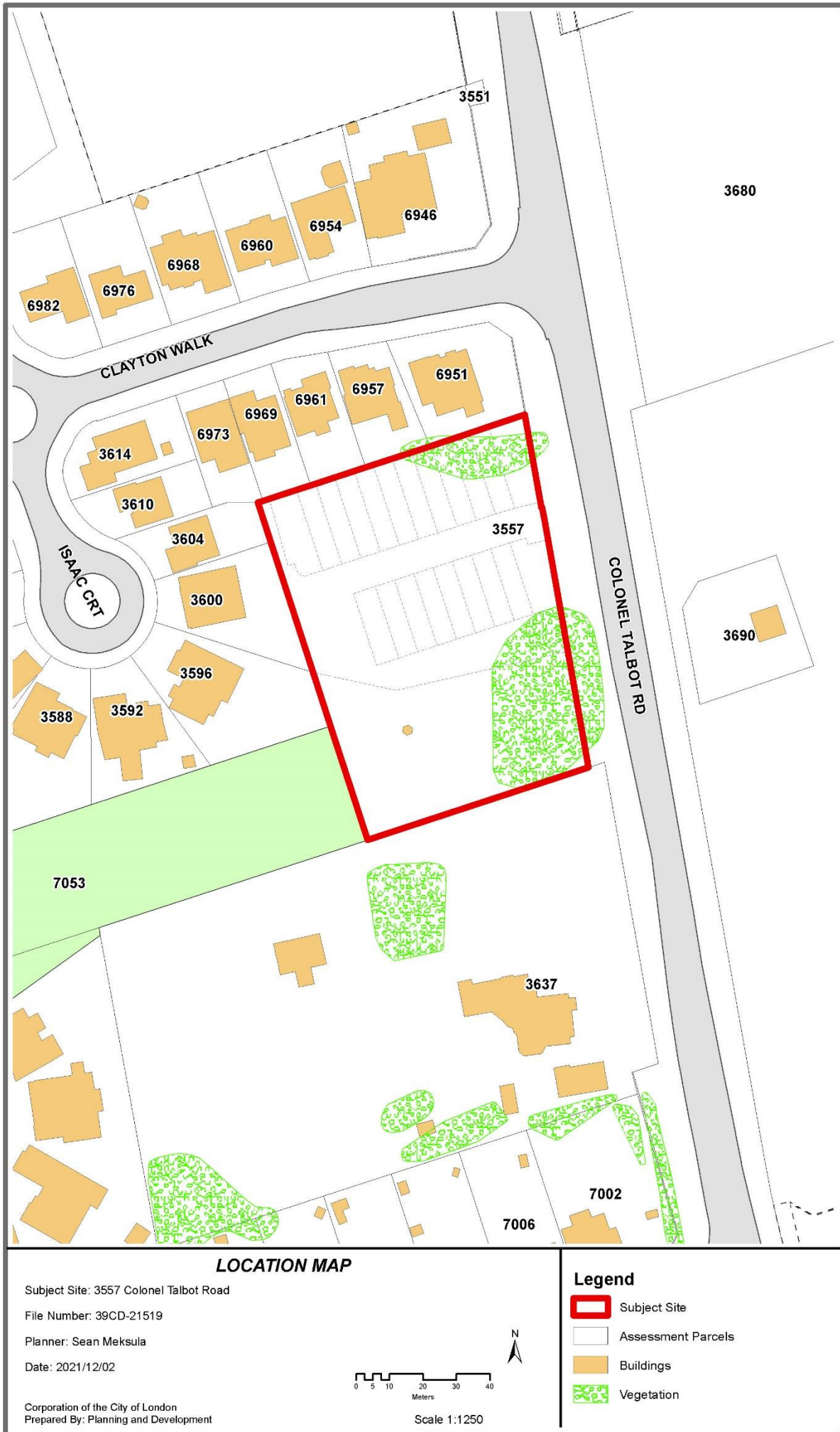
1.5 Surrounding Land Uses

- North – Low Density Residential
- East – Currently used for Agricultural purposes, identified within a proposed Plan of Subdivision application (39T-17503)
- South – Low Density Residential
- West – Low Density Residential

1.6 Intensification (21 units)

- The 21-unit cluster townhome development is located outside of the Built-Area Boundary and Primary Transit Area

1.7 LOCATION MAP



2.0 Discussion and Considerations

2.1 Development Proposal

The effect of the application request is to create twenty-one (21) Vacant Land Condominium units to be developed in the form of cluster townhouse dwellings. Landscaped areas, internal driveways, services, and visitor parking spaces will be located within a common element to be maintained and managed by one Condominium Corporation.

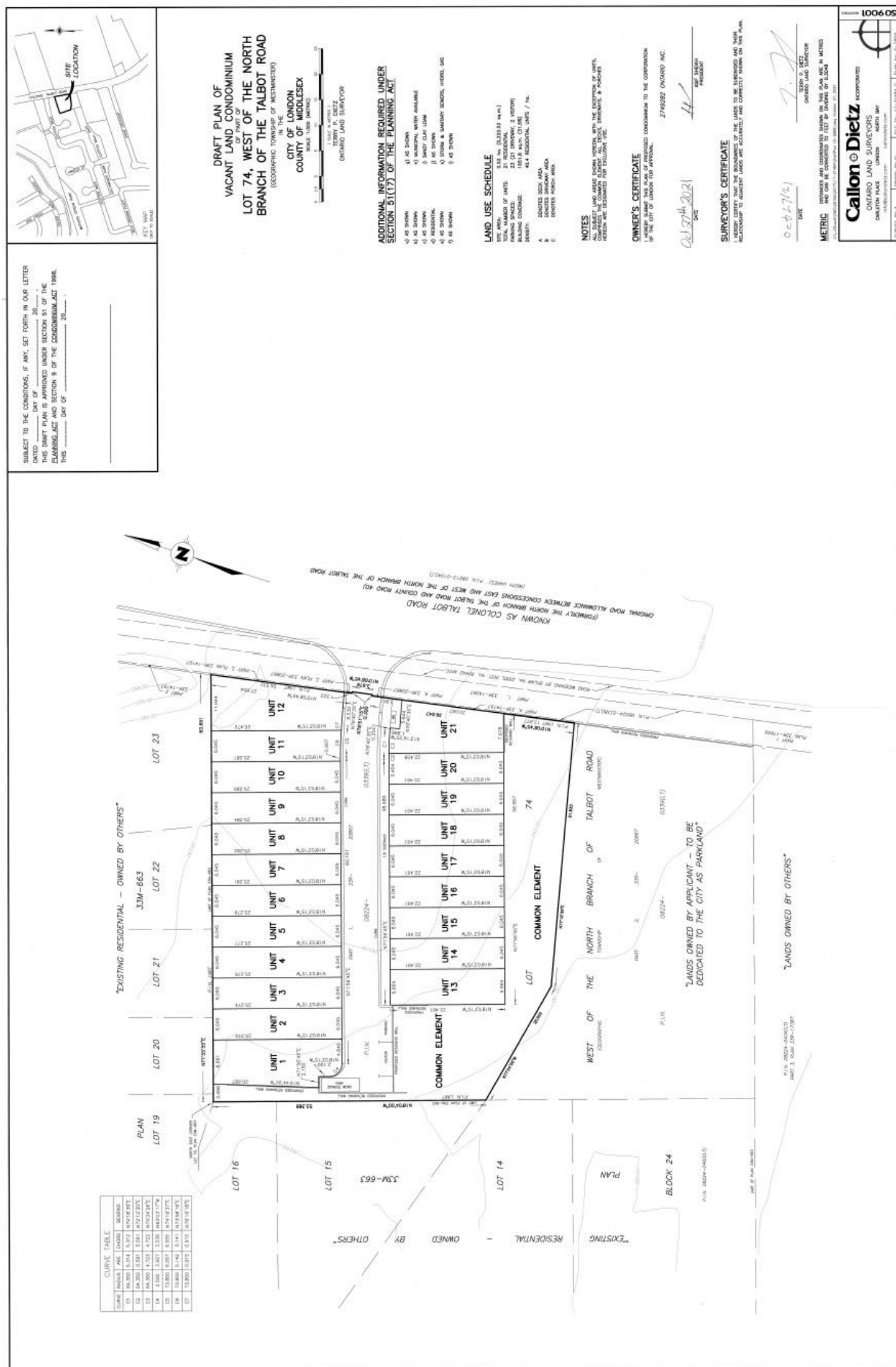


Figure 1: Proposed Vacant Land Condominium

An application for Site Plan Approval (SPA20-063) has also been made in conjunction with the application for Draft Plan of Vacant Land Condominium. The site plan submission, including servicing, grading, landscaping, and building elevation plans, are under review and will be informed by any comments received through the Vacant Land Condominium Public Participation Meeting. The removal of holding provision pertaining to this site was brought forward for consideration at the Planning and Environment Committee on August 30, 2021 to permit the proposed development.

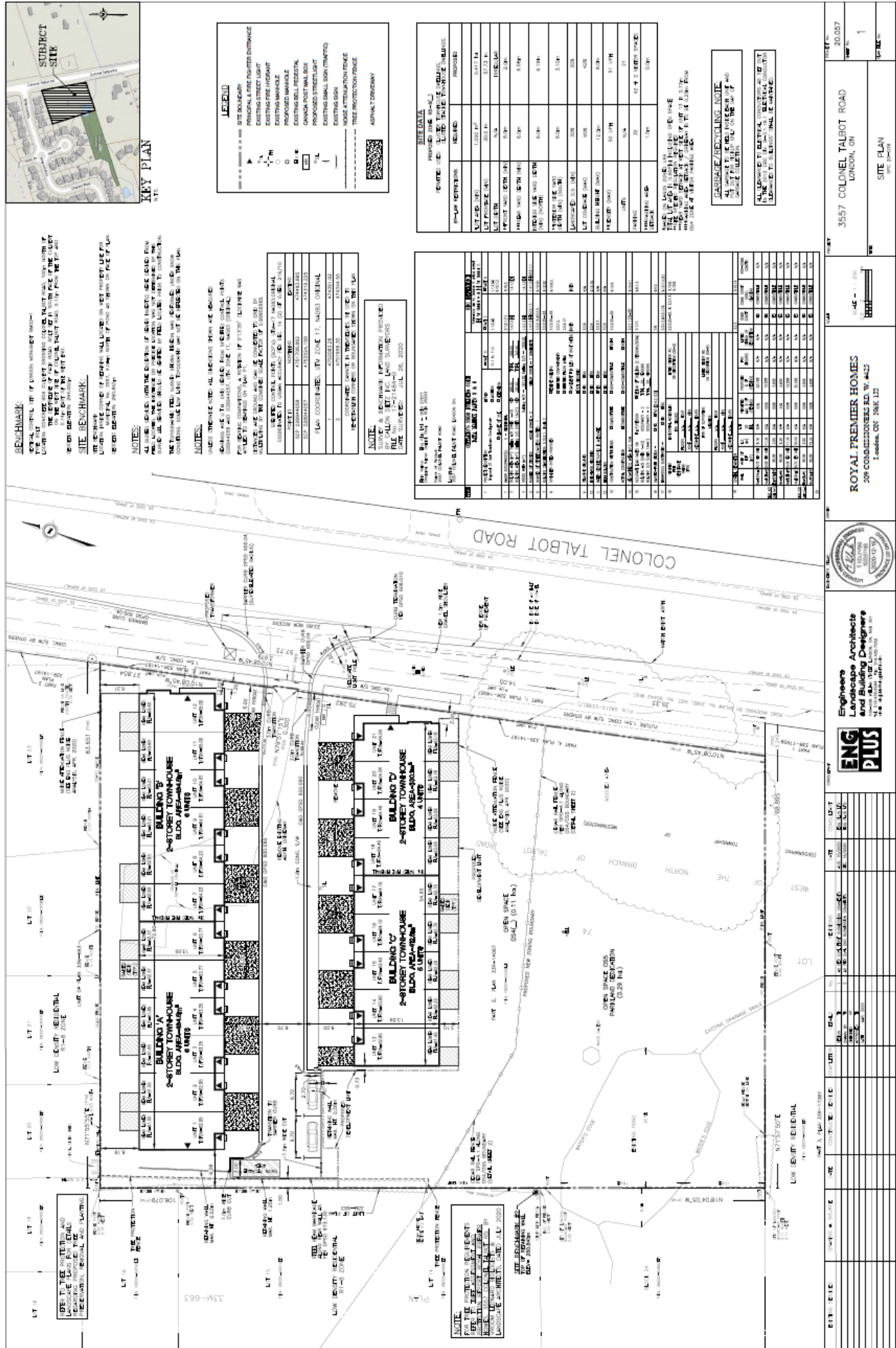


Figure 2: Proposed Site Plan



Figure 3: Proposed Conceptual Elevations

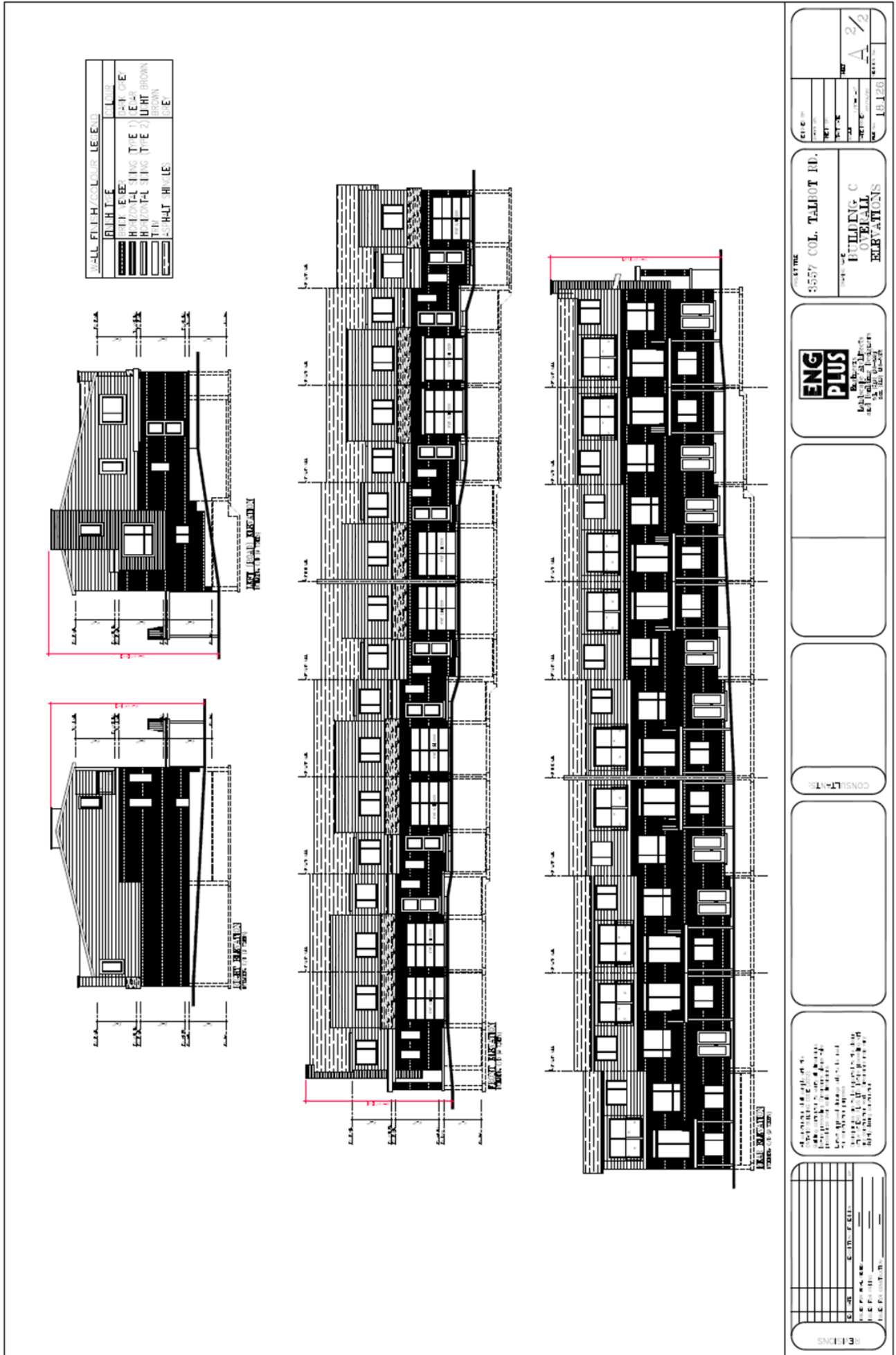


Figure 4: Proposed Conceptual Elevations

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

3.1 Community Engagement (see more detail in Appendix A)

The requested amendment was circulated to the public on December 22, 2021 and advertised in the *Londoner* on December 23, 2021. At the time of preparation of this report, two responses were received from the public in response to the Notice of Application and The *Londoner* Notice. There were no comments/concerns received from the community regarding this application.

There were no significant comments in response to the Departmental/Agency circulation of the Notice of Application.

3.3 Policy Context (See more detail in Appendix B)

Provincial Policy Statement, 2020

The proposal must be consistent with the Provincial Policy Statement (PPS) and land use planning policies and must consider:

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

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk (*) throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council but are not determinative for the purposes of this planning application.

These lands are within the “Neighbourhoods” Place Types. Single detached dwellings up to 2.5 storeys in height are permitted on all Neighbourhood Streets under the Neighbourhoods Place Type policies of The London Plan.

The City Building and Our Tools policies have also been applied in the review of this application. City Design policies regarding the site layout are supportive of the proposed development as the units abut open space to the south which provides access to the trail network, as well as passive surveillance from the residential dwellings with features such as rear covered decks overlooking the Dingman Creek to the south (288). The proposed development promotes connectivity and safe pedestrian movement in the neighbourhood and has convenient access to the pathway located east of the site within the Silverleaf Subdivision which connects to other pedestrian walkways in the area including to a pedestrian bridge (255).

In the Our Tools section of The London Plan, Vacant Land Condominiums are considered based on the following (1709):

1. *The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium;*

The proposed draft plan of vacant land condominium has been evaluated with regards to the review criteria for plans of subdivision. The proposed townhouse units conform to the Official Plan and The London Plan policies, and have access to municipal services. The access and residential uses proposed are appropriate

for the site, and the natural hazard natural heritage features associated with the have been zoned to ensure their retention. The development limit for these lands is outside the lands identified as natural features or hazards. There is open space directly abutting the site to the south, and future residential and convenience commercial uses proposed in proximate distance in the surrounding neighbourhood. Building elevation plans have been reviewed as part of the site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability. All grading and drainage issues will be addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings, Subdivision Agreement and Site Plan Approval process.

2. *The applicant may be required to provide site development concepts and meet design requirement consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium;*

The draft plan of Vacant Land Condominium is being concurrently considered with an active Site Plan Application. The various requirements of the Site Plan Control By-law will be considered and implemented through a Development Agreement for the lands.

3. *Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported;*

The proposed townhouses units do not result in unit boundaries below or above other units.

4. *Only one dwelling will be permitted per unit;*

There is only one dwelling unit proposed per townhouse unit.

5. *At the time of registration, structures cannot cross unit boundaries;*

A signed Development Agreement will be required prior to the final approval of the Vacant Land Condominium that will confirm both the location of structures and unit boundaries.

6. *The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable independent operation of the condominium corporation.*

The proposed townhouse development is to be developed as one condominium corporation.

(1989) Official Plan

The Multi-Family, Medium Density Residential designation of the 1989 Official Plan serves as a suitable transition between Low Density Residential areas and more intense forms of land use (3.3.). Development within areas designated Multi-Family, Medium Density Residential shall have a low-rise form, site coverage and density that, as previously noted, serve as a transition between low density residential areas and more intensive development (3.3.3.). Within the Multi-Family, Medium Density designation, density will not exceed an approximate net density of 75 units per hectare (3.3.3.ii). Furthermore, development within the Multi-Family, Medium Density Residential designations shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood, typically not exceeding 4-stories in height (3.3.3.i)).

The recommended amendment would facilitate the development of townhouses at a density of 51 units per hectare, well under the maximum net density of 75 units per hectare. In accordance with Section 3.3.2., development of the site or area for medium density residential uses shall take into account the surrounding land uses in terms of height, scale and setbacks and shall not adversely impact the amenities and character of the surrounding area. Surrounding land areas within the immediate vicinity are predominately in the form of single detached dwellings ranging from one to two-storeys in height within existing subdivisions. The height of the townhouses are proposed to be 2.5-storeys which is considered to be compatible with the surrounding neighbourhood.

The subject lands are located in an area undergoing an increase in residential development, including the development of a new subdivision just north of the subject lands along Colonel Talbot Road and Pack Road. Section 3.3.2., also notes that the preferred location of Multi-Family, Medium Density Designations is in close proximity to designated Open Space areas and to lands abutting an arterial, primary collector or secondary collector street. In this situation, the subject lands contain an existing Open Space (OS4) Zone on the southern portion of the site. Through the process and determining an appropriate development limit, the proposed townhouses are adjacent to a Open Space Special Provision (OS4(13)) Zone as well as a larger Open Space Special Provision (OS5(17)) Zone which provides a large buffer between the proposed townhouses and the existing lands to the south. Furthermore, Colonel Talbot Road is classified as an arterial road. Based on Staff's review, the proposed use, form and intensity of medium density forms of housing proposed within the draft plan of subdivision conformed to the City's London Plan and Official Plan policies.

Southwest Area Secondary Plan

The site forms part of the Southwest Area Secondary Plan (SWAP) and is subject to the development vision and detailed policies of the SWAP. Additionally, the site forms part of the 'North Lambeth Residential Neighbourhood' within the greater area plan.

New development in North Lambeth is to be a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings within individual subdivisions and throughout the neighbourhood. The residential areas are intended to develop as traditional suburban neighbourhoods, with characteristics similar to those found in the older areas of the City of London, reflecting a compact development, a diversity of building types, and walkable amenities to enhance the day-to-day living experience.

The primary permitted uses in the Multi-Family, Medium Density Residential designation including cluster housing forms. Within the Multi-Family, Medium Density Residential Designation, residential development shall have a minimum density of 75 units per hectare (u/ha) and maximum of 100 units per hectare. The proposed density is 51 units per hectare or 21 units which is slightly less than the minimum 75 units per hectare which would equate to 35 dwelling units. The Southwest Area Secondary Plan allows for minor reductions to the minimum density where they can be demonstrated as appropriate. The proposed vacant land condominium design responds to certain constraints associated with the size and shape of the parcel. The proposal is achieving 51 units per hectare or 21 total units which also requires relief from certain side and rear yard setbacks for those 21 units. The vacant land condominium is appropriate for the site and meets the intent of providing a mix of housing forms and choice in the neighbourhood.

A Draft comprehensive Natural Heritage Study was completed as part of the Secondary Plan process. The Dingman Creek Significant River Corridor is a major component of the natural heritage system in the Southwest Area Secondary Plan. It is considered a significant river and ravine corridor which represents a continuous wildlife linkage and water resources system connecting significant core natural heritage features that extend beyond the limits of the city. The protection, maintenance, enhancement and rehabilitation of the corridor are integral to the sustainability of this unique natural heritage feature and its ecological functions. An ecological buffer was established based upon the recommendations of an approved Environmental Impact Study (EIS) in accordance with

Section 15 of the 1989 Official Plan. Lands delineated as ecological buffers, pursuant to Subsection 20.5.3.6.i)b) and c) will be acquired by the City pursuant to Section 16 of the 1989 Official Plan as parkland dedication.

In order to enhance open space opportunities within the Southwest Area, the City will seek to locate open space corridors adjacent to key natural heritage features. These corridors are intended to provide for uses such as trails, active and passive parkland and stewardship opportunities. (20.5.3.6).

To ensure that the proposed development is not impacted by any flooding, the development limit was identified at the northern portion of the site, the lands located within the flood plain at the southern portion are zoned Open Space Special Provision (OS5(17)). This zone permits conservation lands, conservation works, passive recreation uses which includes hiking trails and multi-use pathways and managed woodlots and will be dedicated to the City for Parkland Dedication and the creation/extension of a pathway on the southern portion of the site.

Z.-1 Zoning By-law

The zoning of this block is Residential R5 Special Provision R5-6(14) which permits cluster townhouse dwellings and cluster stacked townhouse dwellings within the proposed development limit; with special provisions for a minimum front yard depth of 2.0m, rear yard depth of 0.7m from the OS4(13) zone, south interior side yard depth of 3.1m a maximum density of 51 units per hectare and deck encroachment of 0.0m from the OS4(13) zone.

Vacant Land Condominium Application

The City of London Condominium Guidelines have been considered for the proposed Vacant Land Condominium which is comprised of various units and common elements. The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the *Planning Act*. To ensure this Vacant Land Condominium development functions properly, the following may be required as conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common elements and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Confirmation of addressing information and door point numbers;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- Ensure that the end units ('12' and '21') flanking Colonel Talbot Road are oriented to the street with enhanced elevations similar to the front elevations including main entrance(s) with walkway connections to City Sidewalk, wrap around porches, similar amount of windows or openings and articulation in terms of materials, colour etc.
- The maintenance of any stormwater servicing works including on-site works;
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities; and,
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other structures in the common elements.

Conclusion

The application for Approval of Vacant Land Condominium is considered appropriate, consistent with the Provincial Policy Statement, and conforms to The London Plan, 1989 Official Plan, and the Southwest Area Secondary Plan. The proposed vacant land condominium in the form of cluster townhouses also complies with the City's Z.-1 Zoning By-law. An Application for Site Plan Approval has also been submitted and reviewed in conjunction with the application for Vacant Land Condominium. The proposed Site Plan and elevations will result in an appropriate development that is compatible with the area.

Prepared by: Sean Meksula, MCIP, RPP
Senior Planner, Subdivision Planning

Reviewed by: Bruce Page, MCIP, RPP
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

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

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

cc: Bruce Page, Manager, Subdivisions

cc: Michael Pease, Manager, Site Plan

cc: Matt Davenport, Manager, Subdivisions

SM/sm

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Appendix A – Community Engagement

Public liaison: On December 22, 2021, Notice of Application was sent to 57 property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 23, 2021. A “Planning Application” sign was also posted on the site.

Responses: No Responses were received.

Nature of Liaison: The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 21 residential units with a private access driveway, private internal services, and a common element to be registered as one Condominium Corporation.

Agency/Departmental Comments:

No significant comments were received.

Appendix B – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement (PPS), 2020

The proposed development achieves objectives for efficient and resilient development and land use patterns. It represents new development taking place within the City’s urban growth area, and within an area of the City that is currently building out. It also achieves objectives for promoting compact form, mix of uses, and densities that allow for the efficient use of land, infrastructure and public service facilities, supports the use of public transit, supports energy conservation and efficiency, and avoids land use and development patterns which may cause environmental or public health and safety concerns.

The subject lands are within a registered plan of subdivision and are designated and intended for medium density residential uses to accommodate an appropriate affordable, market-based range and mix of residential types to meet long term needs. There are no natural heritage features or natural hazards present, and Provincial concerns for archaeological resource assessment and cultural heritage have been addressed through the rezoning and site plan approval process. Based on our review, the proposed Draft Plan of Vacant Land Condominium is found to be consistent with the Provincial Policy Statement.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk (*) throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council but are not determinative for the purposes of this planning application.

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex, triplex, fourplex, townhouse and stacked townhouse dwellings, and low-rise apartment buildings, as the main uses. The proposed Draft Plan of Vacant Land Condominium in the form of cluster townhouse dwellings conforms with the Place Type policies.

The Our Strategy, City Building and Design, Neighbourhoods Place Type, and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed Draft Plan of Vacant Land Condominium contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #5 - Build a Mixed-Use Compact City

5. *Ensure a mix of housing types within our neighbourhoods so that they are complete and support aging in place.*
7. *Build quality public spaces and pedestrian environments that support walking.*

Key Direction #6 – Place a new emphasis on creating attractive mobility choices.

1. *Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.*

Key Direction #7 - Building strong, healthy and attractive neighbourhoods for everyone

3. *Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

This proposal vacant land condominium contributes to a mix of housing types and tenure. The development will promote a pedestrian-friendly environment that offers opportunities for active mobility choices including walking, cycling and public transit; contributes to a safe, healthy and connected community; and is designed to evoke a sense of neighbourhood character and sense of place.

City Building and Design Policies

202_ Buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood’s character and identity.

229_ Except in exceptional circumstances, rear-lotting will not be permitted onto public streets and side-lotting will be discouraged on Civic Boulevards and Urban Thoroughfares.

259_ Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.

291_ Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access.

The proposed condominium development consists of 21, 2.5-storey cluster townhouse dwellings arranged in blocks of units attached side-by-side, with access from Colonel Talbot Road. The development block fronts Colonel Talbot Road and features a heavily landscaped planting strip. Outdoor amenity spaces and landscaping elements at prominent locations, with privacy fencing planned along the northern, southern and western property boundaries (interfacing with the low-density residential development lands to the north and west. The plans and building elevations have been reviewed for compliance with the City’s Placemaking Guidelines and the Southwest Area Secondary Plan.

Neighbourhood Place Type

Vision for the Neighbourhoods Place Type

916_ In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:

1. *A strong neighbourhood character, sense of place and identity.*
2. *Attractive streetscapes, buildings, and public spaces.*
3. *A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.*
4. *Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.*
5. *Lots of safe, comfortable, convenient, and attractive alternatives for mobility.*
6. *Easy access to daily goods and services within walking distance.*
7. *Employment opportunities close to where we live.*
8. *Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.*

This proposal is generally in keeping with the Neighbourhood Place Type vision and its key elements, including a strong neighbourhood character and sense of identify, neighbourhood connectedness, diversity of housing choices and affordability, safe and convenient alternatives for mobility, close to neighbourhood parks and multi-use pathways planned as part of the subdivision approval process, and also within easy access to goods, services and employment opportunities.

Our Tools

1709_ The following policies will apply to consideration of an application for a vacant land condominium:

- 1. The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium.*
- 2. The applicant may be required to provide site development concepts and meet design requirements consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium.*
- 3. Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported.*
- 4. Only one dwelling will be permitted per unit.*
- 5. At the time of registration, structures cannot cross unit boundaries.*
- 6. The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable, independent operation of the condominium corporation.*

This proposal vacant land condominium contributes to a mix of housing types and tenure. The development will promote a pedestrian-friendly environment that offers opportunities for active mobility choices including walking, cycling and future public transit; contributes to a safe, healthy and connected community; and evokes a sense of neighbourhood character and sense of place.

(1989) Official Plan

The subject lands are designated Multi-family, Medium Density Residential on Schedule A of the City's Official Plan. The primary permitted uses include multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. The proposal to develop this parcel with 21 residential townhouse dwellings will result in an overall density of approximately 51 units per hectare which is within the density limits in the Multi-family, Medium Density Residential designation. The proposed vacant land condominium represents a cluster housing form of development in compliance with the policies for use, form and scale as contemplated by the Official Plan.

Southwest Area Secondary Plan

The Southwest Area Secondary Plan (SWAP) designates the site as Medium Density Residential within the 'North Lambeth Residential Neighbourhood'. The following provides excerpts from the secondary plan highlighting a number of relevant policies to the subject development proposal:

20.5.10 i) Function and Purpose

....The focus for new development is to be on a mix of low to mid-rise housing forms, ranging from single detached dwellings to low rise apartment buildings within individual subdivisions and throughout the neighbourhood.

20.5.10.1 ii) Permitted Uses

The primary permitted uses in the Multi-family, Medium Density Residential designation will be permitted in the Low and Medium Density Residential designations, including low density forms such as single detached, semi-detached and duplex dwellings, triplexes and fourplexes....

20.5.10.1 iii) Built Form and Intensity

b) Within the Medium Density Residential Designation, residential development shall have a minimum density of 30 units per hectare and a maximum density of 75 units per hectare.

e) The Urban Design policies of Section 20.5.3.9 of this Plan shall apply.

20.5.3.9 ii) Public Realm

e) Rear lotting is not permitted along the arterial roads in the Southwest Area Plan. In instances where the City is satisfied that there is no other alternative due to topographic or other site constraints, a range of alternatives such as lanes, service roads, and “window” streets will be used to ensure a high quality of streetscape design. If there is no alternative to rear lotting, landscaping, as well as site and building design, will be used to mitigate the impact on the streetscape.

f) Properties subject to noise impacts shall be buffered through mechanisms such as restrictions on the type of use, building design and location, siting of outdoor living areas and through the provision of landscaping including street trees. Buffering such as noise walls or fences, berms and rear lotting, which restrict visual and physical access to the street, shall be prohibited.

The subject development block is within a new subdivision comprising part of the easterly half of the ‘North Lambeth Residential Neighbourhood’ that has been planned and zoned for a mix of low to mid-rise housing forms including single detached dwellings, street townhouses, and various forms of cluster housing (single detached, semi-detached, duplex, triplex, fourplex, townhouses, stacked townhouses, and low-rise apartment buildings). The proposed density is within the range of minimum and maximum densities for the Medium Density Residential Designation. As previously mentioned above, townhouse units are street facing on Colonel Talbot Road. The proposed development provides a mix of mid-rise housing forms within individual subdivisions and throughout the neighbourhood.

Urban Design Guidelines

Residential design guidelines were prepared as part of the Southwest Area Secondary Plan (SWAP) review. Within the Lambeth Neighbourhood of the Southwest Area Secondary Plan, the direction of the urban design policies regarding the form of the development seek to promote development that is compact, pedestrian-oriented and transit-friendly (20.5.3.9.i)a)). The proposed development provides for a form of intensification that is compact yet compatible with surrounding uses.

The site plan and building elevations incorporate a similar level of architectural detail on the front and rear elevations flanking the public street and walkways. A strong building orientation is achieved with street-facing units having front door entrances oriented to both Colonel Talbot Road.

Vacant Land Condominium Application

The same considerations and requirements for the evaluation of Draft Plans of Subdivision also apply to Draft Plans of Vacant Land Condominiums, such as:

- This proposal is consistent with the objectives and policies of The London Plan, 1989 Official Plan, and Southwest Area Secondary Plan.
- Sewer and water services will be provided in accordance with the subdivision servicing drawings accepted by the City, and the approved Site Plan and Development Agreement in order to service this site.
- The proposed development is in close proximity to employment areas, community facilities, neighbourhood parks, and open space.

- A traffic noise impact assessment has been completed and mitigation measures will be incorporated through site design and warning clauses in the Development Agreement, and in the Condominium Declaration and Description.
- The Draft Plan of Vacant Land Condominium illustrates how these lands are to develop for cluster townhouses. Building elevation plans have been reviewed as part of the site plan submission. The size and style of dwellings are anticipated to meet the community demand for housing type, tenure and affordability.

The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the *Planning Act*. To ensure that this Vacant Land Condominium development functions properly, the following issues at a minimum will be addressed through conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common element and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Installation of fire route signs prior to registration;
- Confirmation of addressing information;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- Agreement, and in the Condominium Declaration and Description.
- Ensure that the end units ('12' and '21) flanking Colonel Talbot Road are oriented to the street with enhanced elevations similar to the front elevations including main entrance(s) with walkway connections to City Sidewalk, wrap around porches, similar amount of windows or openings and articulation in terms of materials, colour etc.
- A warning clause provision in the Condominium Declaration if the water service for the site is determined to be a regulated drinking water system by the MOECC, the Owner or Condominium Corporation may be required to meet the regulations under the Safe Drinking Water Act and the associated regulation O.Reg. 170/03.
- The development of the site under Draft Plan of Vacant Land Condominium shall comply with all final approved site plan conditions and approved engineering drawings. Any conditions identified in the Development Agreement registered on title and any Private Permanent System(s) (PPS) that includes storm/drainage, Low Impact Development (LID) and SWM servicing works must be maintained and operated by the Owner in accordance with current applicable law.
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities.
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other facilities and structures in the common elements.

Z.-1 Zoning By-law

The zoning of this site is Residential R5 Special Provision (R5-6(14)) Zone, which permits cluster townhouse dwellings and cluster stacked townhouse dwellings within the proposed development limit; with special provisions for a minimum front yard depth of 2.0m, rear yard depth of 0.7m from the OS4(13) zone, south interior side yard depth of 3.1m a maximum density of 51 units per hectare and deck encroachment of 0.0m from the OS4(13) zone. Portions of the land are zoned Open Space Special Provision (OS4(13)) Zone to provide for a common amenity area, including the use of one accessory structure as well as recognize a minimum lot frontage and lot area and Open Space Special Provision (OS5(17)) which is to be dedicated to the City as parkland dedication.

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: Application by Craig Linton (Norquay Developments)
1345 Cranbrook Road and 1005 Longworth Road
Public Participation Meeting

Date: May 9, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, based on the application by Craig Linton (Norquay Developments), relating to lands located at 1345 Cranbrook Road and 1005 Longworth Road, the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting to be held on May 24, 2022 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, to change the zoning of the subject lands **FROM** an Urban Reserve UR2 Zone **TO** a Residential R1 Special Provision (R1-8()) Zone.

Executive Summary

Summary of Request

The request is for approval of a zone change from an Urban Reserve UR2 Zone to a Residential R1 (R1-8) Zone to facilitate creation of eight (8) single detached dwelling lots fronting Cranbrook Road and Longworth Road.

Purpose and the Effect of Recommended Action

The purpose and effect is to recommend that Municipal Council approve the recommended zoning by-law amendment.

Rationale of Recommended Action

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 Neighbourhoods Place Type, Our Strategy, City Building and Design, Our Tools, and all other applicable London Plan policies.
3. The recommended zoning conforms to the policies of the (1989) Official Plan, including but not limited to the Low Density Residential designation.
4. The zoning will permit single detached dwellings which are appropriate and compatible with existing and future planned development in the area, and consistent with zoning applied to residential uses along Cranbrook Road and Longworth Road within Crestwood West Subdivision - Phase 2.

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

May 7, 2012 – Report to Planning and Environment Committee – 890 Southdale Road West – Highland Ridge Land Corporation – Request for Extension of Draft Plan Approval (File No. 39T-07503).

November 26, 2007 – Report to Planning Committee – 890 Southdale Road West – Highland Ridge Land Corporation – Crestwood Phase 2 - Application for approval of Draft Plan of Subdivision, Official Plan and Zoning By-law Amendments (39T-07503/OZ-7345/O-7379).

2.0 Discussion and Considerations

2.1 Property Description

The site consists of two vacant blocks within a registered plan of subdivision (Blocks 28 & 29 Plan 33M-657). The topography is gently sloping from north to south (Block 28) and west to east (Block 29). These blocks have previously been graded and serviced for future development and currently there is little to no vegetation. A large stand of mature trees exists on adjacent lands to the west, and to the north is gently rolling topography consisting of open fields with scattered patches of vegetation. Further to the west and north is a former gravel pit that is in the process of being filled in and rehabilitated. Single detached homes exist to the east and south within the now developed Phases 1 & 2 portions of the Highland Ridge (Crestwood) subdivision.

2.2 Current Planning Information (see more detail in Appendix D)

- The London Plan Place Type – Neighbourhoods
- (1989) Official Plan Designation – Low Density Residential
- Zoning – Urban Reserve UR2

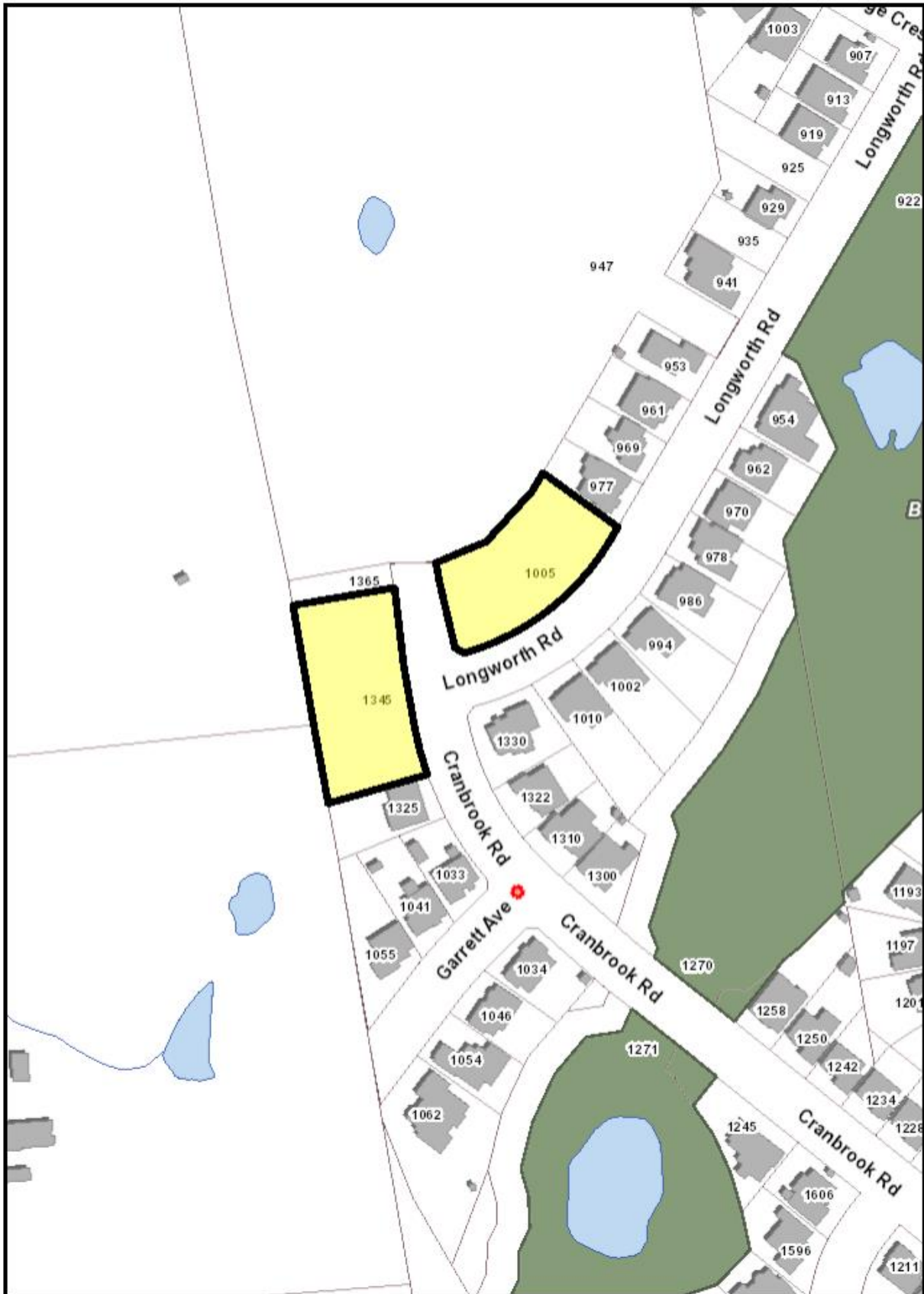
2.3 Site Characteristics

- Current Land Use – vacant
- Frontage – 81 metres on Longworth Road; 75 metres on Cranbrook Road
- Depth – approx. 37 to 41 metres
- Area – approx. 5,628 sq.m.
- Shape – Irregular

2.4 Surrounding Land Uses

- North – vacant lands for future development
- East – residential single detached dwellings
- South – residential single detached dwellings
- West – open space and former gravel pit

2.5 Location Map



Location Map

Subject Property: 1345 Cranbrook Road
 Applicant: Highland Ridge Land Corp
 File Number: Z-9487
 Created By: Larry Mottram
 Date: 3/11/2022
 Scale: 1:2000

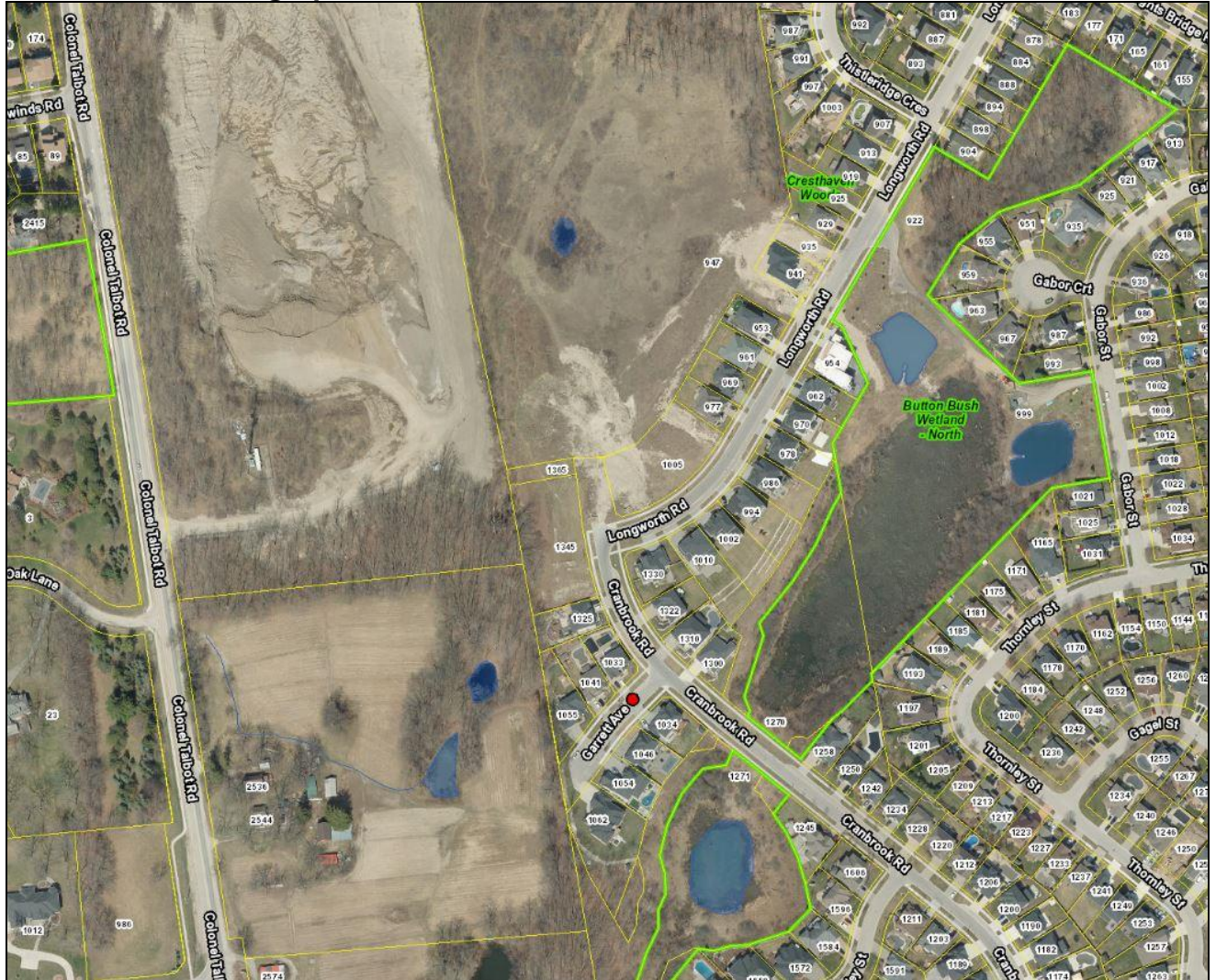
Legend

-  Subject Property
-  Parks
-  Assessment Parcels
-  Buildings
-  Address Numbers

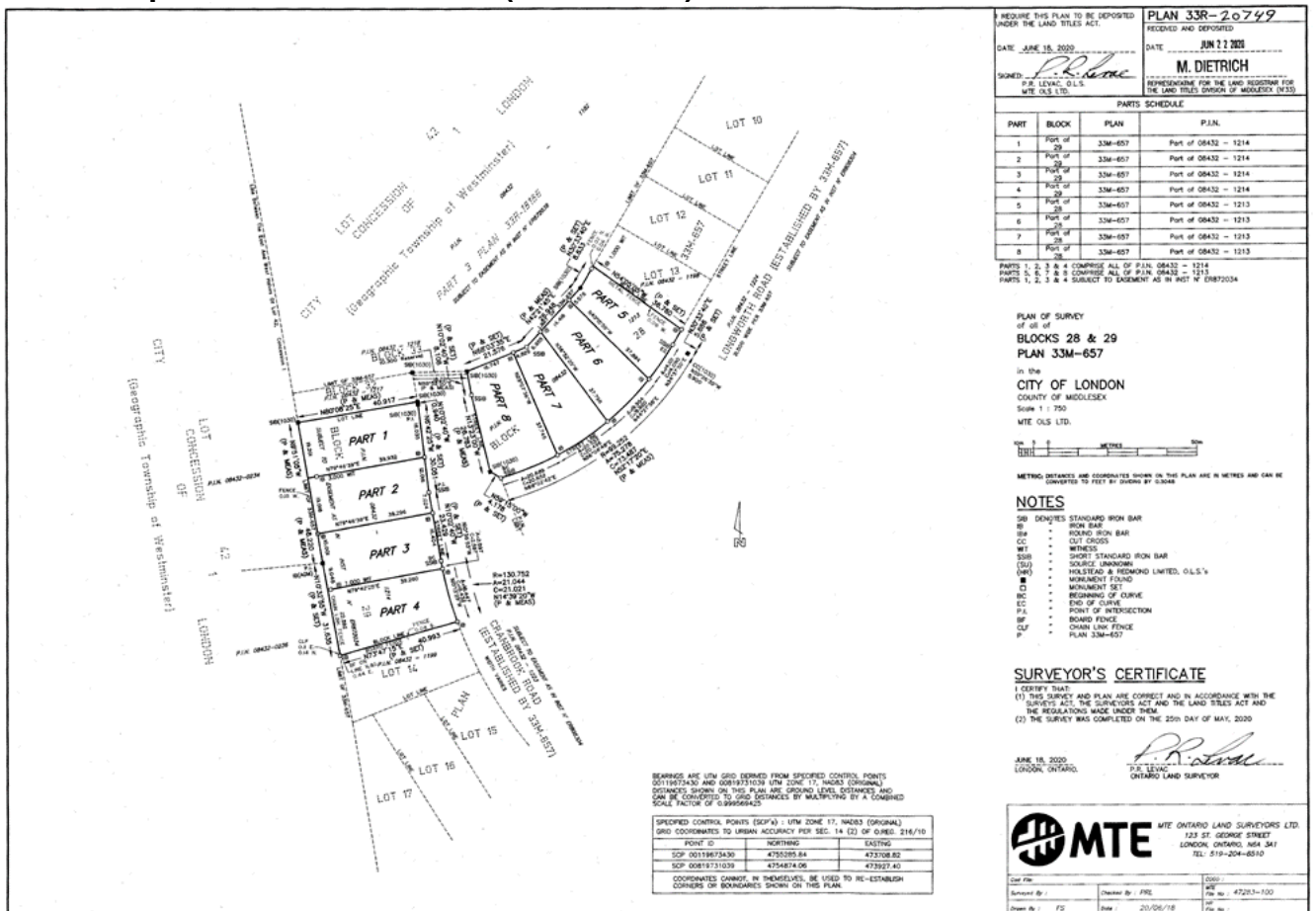


Corporation of the City of London

2.6 Aerial Photograph



2.7 Proposed Residential Lots (Parts 1 to 8)



2.8 Planning History

On March 26, 2007, Highland Ridge Land Corporation submitted a draft plan of subdivision application for a 4.7 ha. (11.6 acre) parcel of land located north of Southdale Road W., east of Colonel Talbot Road. A revised plan was submitted for approval on May 29, 2007. The proposed residential plan included 28 single detached dwelling lots, two open space blocks and three park blocks, served by an extension of Longworth Road and Cranbrook Road, and a secondary collector road.

A report was presented to a public participation meeting at Planning Committee on November 26, 2007. At the request of Council, a follow-up report was submitted to Planning Committee on January 28, 2008, to address issues relating to the open space configuration, adjacent road alignments and claims/revenue information for the subdivision. Council adopted Official Plan and Zoning By-law amendments for the subdivision on February 5, 2008.

On March 6th, 2008, the owner (Highland Ridge Land Corp. appealed the failure by the Approval Authority to draft approve the plan of subdivision within 180 days of submitting the application (the Approval Authority could not make a decision within the prescribed period as the Official Plan Amendment had not yet come into effect).

The Official Plan Amendment (OPA 432) and Zoning By-law Amendment were appealed to the OMB by an area resident, citing concerns with the impact of the proposed development on Provincially Significant Wetlands and woodlands in the area, an flooding in the area. This appeal was subsequently resolved and withdrawn prior to the hearing date. The Ministry of Municipal Affairs was added as a party to the hearing based on concerns that the proposed plan of subdivision could negatively impact the adjacent aggregate operations.

The OMB, in its' decision dated June 4, 2009, approved an amended Official Plan amendment, Zoning By-law amendment and draft plan of subdivision which excluded lots within 150 metres of the limits of aggregate extraction. Blocks 28 & 29 of the Highland Ridge Land Corp. (also known as Crestwood West Subdivision - Phase 2) lands which are the subject of this application for zoning by-law amendment have remained undeveloped since the Phase 2 lands were registered as Plan 33M-657 on April 4, 2013.

2.9 Requested Amendment

Request for consideration of an amendment to the zoning by-law to change the zoning from an Urban Reserve UR2 Zone which permits a range of uses such as existing dwellings, agricultural uses (except for mushroom farms, commercial greenhouses, livestock facilities, and manure storage facilities), conservation lands, and passive recreation uses on lots having a minimum lot area of 6 hectares or as existing on the date of passage of the by-law, whichever is less, and minimum lot frontage of 40 metres or as existing on the date of passage of the by-law, whichever is less, to a Residential R1 (R1-8) Zone which permits single detached dwellings on lots having a minimum lot area of 600 square metres and minimum lot frontage of 15 metres. The requested zoning will facilitate creation of eight (8) single detached dwelling lots, four (4) fronting Cranbrook Road and four (4) fronting Longworth Road. An application has also been submitted for an Exemption from Part Lot Control (File No. P-9488) to be able to divide the blocks into residential building lots.

2.10 Community Engagement (see more detail in Appendix B)

There were no responses from the public received to the Notice of Application.

2.11 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The proposal must be consistent with the Provincial Policy Statement (PPS) policies and objectives aimed at:

1. Building Strong Healthy Communities;
2. Wise Use and Management of Resources; and,

3. Protecting Public Health and Safety.

A few of the policy objectives to highlight here are the importance of promoting efficient development and land use patterns and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4). To meet housing requirements of current and future residents, the policies also direct development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (Sections 1.4.3(c)). The policies promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (Section 1.4.3(d)).

The PPS also addresses the long term protection of mineral aggregate resources (sand and gravel). Mineral aggregate operations shall be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact (Section 2.5.2.4). In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if: a) resource use would not be feasible; or b) the proposed land use or development serves a greater long-term public interest; and c) issues of public health, public safety and environmental impact are addressed. (Section 2.5.2.5)

The development proposal has been reviewed for consistency with the Provincial Policy Statement.

The London Plan

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, as the main uses. The application has been reviewed with the applicable policies of the Our Strategy, City Building and Design, Neighbourhoods Place Type, Environmental Policies, and Our Tools sections. An excerpt from The London Plan Map 1 – Place Types* is found at Appendix D.

(1989) Official Plan

These lands are designated Low Density Residential on Schedule ‘A’ of the 1989 Official Plan. The Low Density Residential designation permits primarily single, semi-detached and duplex forms of housing up to 30 units per hectare. This proposal has been reviewed with the applicable policies of the (1989) Official Plan. An excerpt from Land Use Schedule ‘A’ is found at Appendix D.

As further described in Appendix C – Policy Context, Staff are of the opinion that the recommended zoning is generally consistent with the PPS, The London Plan, and the 1989 Official Plan.

Z.-1 Zoning By-law

The appropriateness of the proposed zone change, permitted uses and regulations have been reviewed against the regulatory requirements of Zoning By-law Z.-1. These lands are currently zoned Urban Reserve UR2 which provides for and regulates existing uses on lands which are primarily undeveloped and intended for future urban uses. A zoning map excerpt from the Z.-1 Zoning By-law Schedule A is found at Appendix D.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application.

4.0 Key Issues and Considerations

4.1 Use

The recommended zoning amendment will facilitate the creation of eight (8) single detached dwelling lots, four (4) fronting Cranbrook Road and four (4) fronting Longworth Road. The R1 (R1-8) Zone permits single detached dwellings on lots having a minimum lot area of 600 square metres and minimum lot frontage of 15 metres. Based on the proposed lotting plan, actual lot areas and frontages will be in the range of 700 to 750 square metres lot area and 18 to 19 metres lot frontage. These lots sizes are generally compatible and consistent with the existing subdivision which is composed of predominantly single detached dwellings to the south and east. Planning staff recommend a special zone provision in order to reinforce The London Plan policies which discourgae projecting garages. Similar to other special provision regulations approved by Council, this special provision would require that garages not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of the lot frontage.

There is an inactive portion of the Byron Gravel Pits on adjacent lands to the west where extraction operations have ceased and for several years the pit excavation has been progressively filled in. In response to initial concerns regarding potential for noise and dust impacts from filling activities (dump trucks and earth moving equipment on-site), an environmental noise and dust assessment was prepared by SLR Consulting (Canada) Ltd. (dated September 20, 2021) and submitted with the application confirming that extraction operations have ceased, there are no operational stationary noise sources present, and the pit has undergone or is undergoing the rehabilitation phase of closing the operation. No adverse impacts from noise and dust are anticipated provided the remaining rehabilitation activities are in compliance with the noise emission levels and day time operation requirements of the Ministry of Environment, Conservation and Parks (MECP) and the City's Noise By-law, and that the owner follows their required Best Management Control Practices for control of dust.

4.2 Intensity

This rezoning will permit single detached dwelling lots and it is expected to maintain continuity and a reasonable level of compatibility and fit within the context of the existing Crestwood West - Phase 2 subdivision, as well as a future phase which will include the extension of Cranbrook Road to the north. The minimum and maximum permitted building heights (shown on Table 11*) are 1 to 2.5 storeys for neighbourhood streets and neighbourhood connectors, and 2 to 3 storeys at the intersection of two neighbourhood connectors (bonus up to 4). As this application represents blocks that were intended for development of single detached dwellings within a residential plan of subdivision, the proposed lots are considered appropriate and compatible in terms of scale and intensity with existing and future development planned for the surrounding area.

4.3 Form

The proposed lot pattern along Longworth Road and Cranbrook Road will maintain building alignment and continuity of the streetscape. The building setback requirements are governed by the zoning by-law. The R1-8 zone requires a minimum front and exterior side yard depth of 5.0 metres to main building and 6.0 metres to garage. Urban design and placemaking principles with respect to requirements for building elevations to provide for street-oriented design and discouraging garages that project beyond the building façade will be implemented through the recommended special provision zoning and conditions for creating the proposed lots through Exemption from Part Lot Control.

Through the Exemption from Part Lot Control process, staff recommend a condition for the corner lot at Cranbrook Road and Longworth Road (identified as Part 8 on the proposed reference plan) that would require concept plans and elevations be provided prior to the application for a building permit which demonstrate that both elevations facing the streets (the front and exterior side elevations) are designed as front elevations. Both elevations should be constructed to have a similar level of architectural details (materials, windows (size and amount) and design features, such as but not limited to porches, wrap-around materials and features, or other architectural elements that provide for street-oriented design) and limited chain link or decorative fencing along no more than 50% of the exterior side-yard abutting the exterior side-yard frontage.

The recommended zoning will permit single detached dwellings on lots which are compatible with existing and planned residential development, consistent with the planned vision of the Neighbourhood Place Type, and a built form that contributes to a sense of place and character.

Conclusion

The recommended zoning amendment is consistent with the Provincial Policy Statement, and conforms to The London Plan and (1989) Official Plan. The zoning will permit single detached dwelling lots that are considered appropriate and compatible with existing and future land uses planned for the surrounding area. Therefore, staff are satisfied the proposal represents good planning and recommend approval.

Prepared by: Larry Mottram, MCIP, RPP
Senior Planner, Subdivisions and Condominiums

Reviewed by: Bruce Page, MCIP, RPP
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

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

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Planning and Development.

CC: Matt Feldberg, Manager, Subdivisions and Development Inspections

May 2, 2022
SM/GB/BP/LM/lm

Y:\Shared\ADMIN1- PEC Reports\2022 PEC Reports\1_Current Cycle (May 9)\FINAL - 1345 Cranbrook Road and 1005 Longworth Road - Z-9487 (LM).docx

Appendix “A”

Bill No. (number to be inserted by
Clerk's Office)
(2022)

By-law No. Z.-1-22_____

A bylaw to amend By-law No. Z.-1 to
rezone lands located at 1345
Cranbrook Road and 1005 Longworth
Road.

WHEREAS Craig Linton (Norquay Developments) has applied to rezone lands located at 1345 Cranbrook Road and 1005 Longworth Road, 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 1345 Cranbrook Road and 1005 Longworth Road, as shown on the attached map, FROM an Urban Reserve UR2 Zone TO a Residential R1 Special Provision (R1-8()) Zone.
- 2) Section Number 5.4 of the Residential R1 Zone is amended by adding the following special provision:
 - R1-8()
 - a) Regulations:
 - i) Garages shall not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

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.

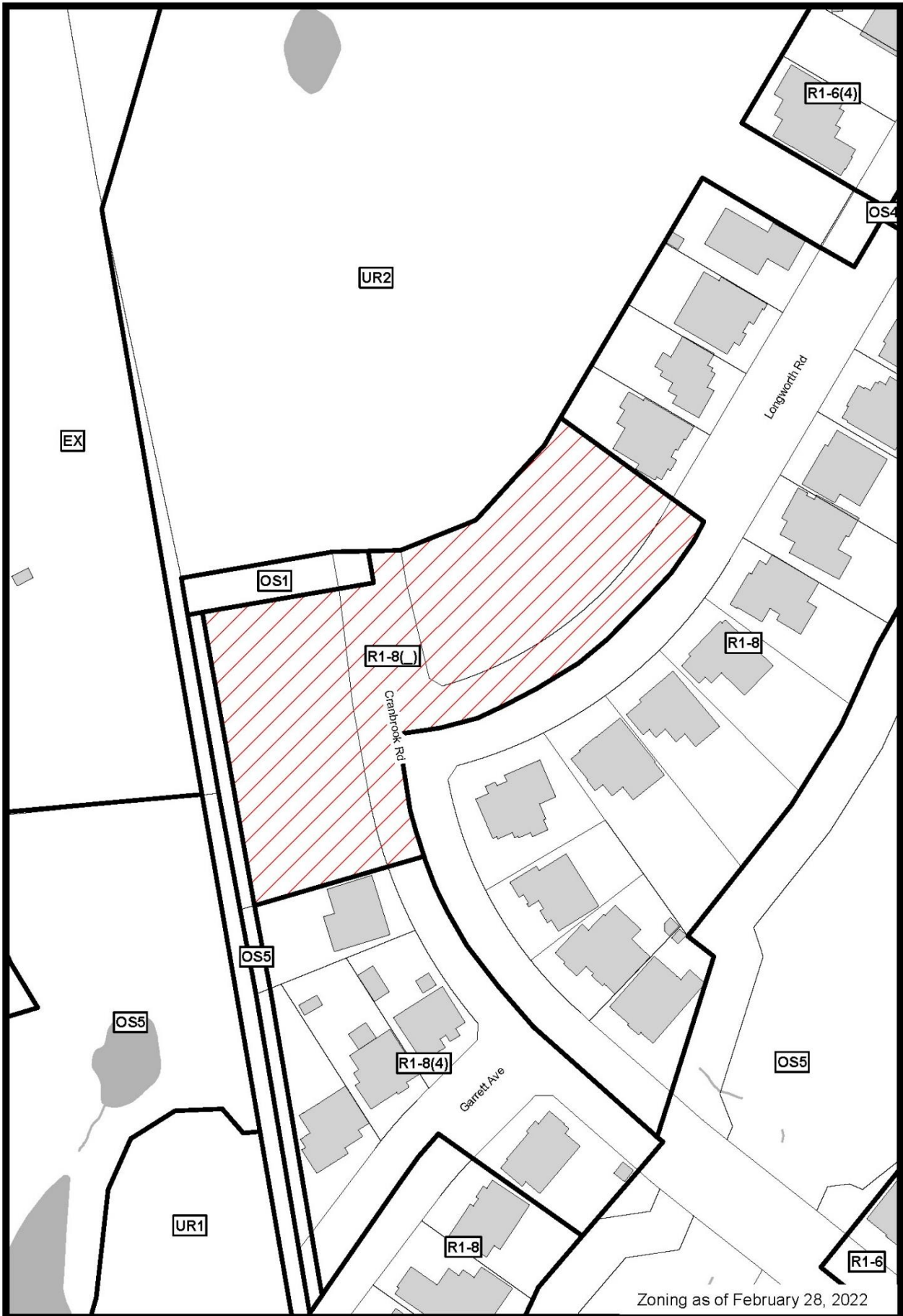
PASSED in Open Council on May 24, 2022

Ed Holder
Mayor

Michael Schulthess
City Clerk

First Reading – May 24, 2022
Second Reading – May 24, 2022
Third Reading – May 24, 2022

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



File Number: Z-9487
 Planner: LM
 Date Prepared: 2022/03/29
 Technician: rc
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40 Meters 



Appendix B – Public Engagement

Community Engagement

Public liaison: On March 22, 2022, Notice of Application was sent to 31 property owners in the surrounding area. A Planning Application sign was also posted on site. Notice of Application was published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 24, 2022. A Notice of Public Meeting was published in *The Londoner* on April 21, 2022.

Responses: No replies received

Nature of Liaison: Application to change the zoning from an Urban Reserve UR2 Zone which permits a range of uses such as existing dwellings, agricultural uses (except for mushroom farms, commercial greenhouses, livestock facilities, and manure storage facilities), conservation lands, and passive recreation uses on lots having a minimum lot area of 6 hectares or as existing on the date of passage of the by-law, whichever is less, and minimum lot frontage of 40 metres or as existing on the date of passage of the by-law, whichever is less, to a Residential R1 (R1-8) Zone which permits single detached dwellings on lots having a minimum lot area of 600 square metres and minimum lot frontage of 15 metres. The purpose and effect of this zone change is to facilitate the creation of eight (8) single detached dwelling lots fronting Cranbrook Road and Longworth Road.

Response to Notice of Application and Publication in “The Londoner”

<u>Telephone</u>	<u>Written</u>
None	None

Agency/Departmental Comments:

City of London - Stormwater Engineering Division:

1. Inlet protection (sediment control) is required for CBs on Longworth Road and Cranbrook Road within vicinity of the blocks/parts.
2. The grading strategy does not appear to accommodate overland flows from the 4.93ha external lands to the west. Please ensure the 250-yr storm event can safely be conveyed from the external lands to the designated OLFR on Cranbrook Road.

Upper Thames River Conservation Authority (UTRCA):

Please be advised that the subject lands are not located within the regulation limit of the UTRCA. As a result, we have no objections to this application and a Section 28 permit application is not required.

Appendix C – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

The land use planning proposal must be consistent with Provincial Policy Statement (PPS) policies and objectives aimed at:

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

The PPS contains policies regarding the importance of promoting efficient development and land use patterns, ensuring effective use of infrastructure and public service facilities, and providing for an appropriate range and mix of housing options and densities required to meet projected market-based and affordable housing needs of current and future residents (Sections 1.1 and 1.4).

There are several policies directed at promoting healthy, livable and safe communities, including the goal of promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (Section 1.1.1 (e)).

To meet housing requirements of current and future residents, the policies also direct development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (Section 1.4.3(c)). These policies promote densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed (Section 1.4.3(d)).

The proposed zoning amendment achieves objectives for efficient and resilient development and land use patterns. It represents development of low density forms of housing in the form of single detached dwelling lots taking place within the City's urban growth area and within a previously draft-approved and registered plan of subdivision. It also achieves objectives for promoting compact form, contributes to the neighbourhood mix of housing and densities that allows for the efficient use of land, infrastructure and public service facilities. The proposed lots are part of a phased subdivision plan which provides a high degree of community connectivity, supports the use of public transit, promotes cycling and pedestrian movement, and provides opportunities for active transportation.

In known deposits of mineral aggregate resources and on adjacent lands, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if: a) resource use would not be feasible; or b) the proposed land use or development serves a greater long-term public interest; and c) issues of public health, public safety and environmental impact are addressed (Section 2.5.2.5). This policy is highlighted as there is an inactive licensed gravel pit on adjacent lands to the west. However, aggregate extraction operations have ceased and for the past several years the pit has been progressively filled in.

In response to initial concerns regarding potential for noise and dust impacts from filling activities (dump trucks and earth moving equipment on-site), an environmental noise and dust assessment was prepared and submitted with the application confirming that extraction operations have ceased, there are no operational stationary noise sources present, and the pit has undergone or is undergoing the rehabilitation phase of closing the operation. No adverse impacts from noise and dust are anticipated provided the remaining rehabilitation activities are in compliance with the noise emission level and time-of-day operation requirements of the Ministry of Environment, Conservation and Parks (MECP) and City's Noise By-law, and that the owner follows their required MECP Best Management Practices for dust control.

There are no other concerns from the perspective of natural heritage, archaeological or cultural heritage resources. Based on our review, the proposed zoning by-law amendment is found to be consistent with the Provincial Policy Statement.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Ontario Land Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk* throughout this

report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

With respect to The London Plan, which has been adopted by Council but is not yet fully in force and effect pending appeals, the subject lands are within the “Neighbourhoods” Place Type permitting a range of uses such as single detached, semi-detached, duplex dwellings, converted dwellings, townhouses, secondary suites, home occupations, and group homes, as the main uses. Where two Neighbourhood Connectors (Cranbrook Road and Longworth Road) intersect the range of permitted uses may be broadened to include mixed-use buildings, fourplexes, stacked townhouses, and low-rise apartments. Zoning on individual sites may not allow for the full range of uses or intensity.

The Our Strategy, City Building and Design, Neighbourhoods Place Type, Environmental and Our Tools policies in the London Plan have been reviewed and consideration given to how the proposed zoning amendment contributes to achieving those policy objectives, including the following specific policies:

Our Strategy

Key Direction #4 – Become one of the greenest cities in Canada

- 4. Protect and enhance the health of our Natural Heritage System.*
- 9. Strengthen our urban forest by monitoring its condition, planting more, protecting more, and better maintaining trees and woodlands.*

Key Direction #5 – Build a mixed-use compact city

- 4. Plan for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.*
- 7. Build quality public spaces and pedestrian environments that support walking.*

Key Direction #6 – Place a new emphasis on creating attractive mobility choices

- 1. Create active mobility choices such as walking, cycling, and transit to support safe, affordable, and healthy communities.*
- 7. Utilize a grid, or modified grid, system of streets in neighbourhoods to maximize connectivity and ease of mobility.*

Key Direction #7 – Build strong, healthy and attractive neighbourhoods for everyone

- 1. Plan for healthy neighbourhoods that promote active living, provide healthy housing options, offer social connectedness, afford safe environments, and supply well distributed health services.*
- 3. Implement “placemaking” by promoting neighbourhood design that creates safe, diverse, walkable, healthy, and connected communities, creating a sense of place and character.*

These strategic directions are generally reflected in the zoning and overall design of the Crestwood Subdivision - Phase 2. As part of the subdivision approval process, a 4.0 metre wide Open Space OS5 buffer strip was implemented along the west side of Block 29 to recognize the presence of existing trees and protect the adjacent wooded area. Infilling of Blocks 28 and 29 with low density residential lotting as proposed is consistent with the previous planning and servicing for the subdivision. The subdivision design includes an open space/walkway block immediately north of Block 29 intended to form part of a continuous multi-use pathway connection to Colonel Talbot Road. There are multiple existing and planned street connections resulting in ease of mobility and a

neighbourhood that is more walkable, healthy, and connected. Urban design and placemaking principles with respect to requirements for building elevations to provide for street-oriented design and discouraging garages that project beyond the building façade will be implemented through the recommended special provision zoning and conditions for creating the proposed lots through Exemption from Part Lot Control.

City Building and Design Policies

197_ The built form will be designed to have a sense of place and character consistent with the planned vision of the place type, by using such things as topography, street patterns, lotting patterns, streetscapes, public spaces, landscapes, site layout, buildings, materials and cultural heritage.

The recommended zoning will permit single detached dwellings on lots which are compatible with existing and planned residential development, consistent with the planned vision of the Neighbourhood Place Type, and a built form that contributes to a sense of place and character.

222A_ The proportion of building and street frontages used for garages and driveways should be minimized to allow for street trees, provide for on-street parking and support pedestrian and cycling-oriented streetscapes.

256_ Buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing buildings. Where a streetscape has not been built out, buildings should be sited with regard for the planned street wall or street line.

260_ Projecting garages will be discouraged.

The proposed lot pattern along Longworth Road and Cranbrook Road will maintain building alignment and continuity of the streetscape. The building setback requirements are governed by the zoning by-law. The R1-8 zone requires a minimum front and exterior side yard depth of 5.0 metres to main building and 6.0 metres to garage. In conjunction with the minimum building setbacks and yard requirements, a special zoning provision is also recommended in order to prevent projecting garages from dominating the streetscape. Parking bays have been incorporated into the road allowance along the south side of Longworth Road and east side of Cranbrook Road, and boulevard street tree planting is provided for under the current Subdivision Agreement.

242_ Public spaces will be designed to support the planned vision of the place type by enhancing views and vistas, providing places to meet and gather, and establishing connections.

The street and lotting pattern in this subdivision phase has been designed to establish neighbourhood connections and access to future multi-use pathways and public open spaces.

261_ Buildings at corner sites should be oriented towards the higher-order street classification.

290_ Buildings located on corner sites should address the corner through building massing, location of entrances, and architectural elements.

Through the Exemption from Part Lot Control process, staff recommend a condition for the proposed corner lot at Cranbrook Road and Longworth Road that would require concept plans and elevations be provided prior to the application for a building permit which demonstrate that both elevations facing the streets (the front and exterior side elevations) are designed as front elevations. Both elevations should be constructed to have a similar level of architectural details (materials, windows (size and amount) and design features, such as but not limited to porches, wrap-around materials and features,

or other architectural elements that provide for street-oriented design) and limited chain link or decorative fencing along no more than 50% of the exterior side-yard abutting the exterior side-yard frontage.

Neighbourhoods Place Type

The subject lands are located within the Neighbourhoods Place Type permitting a range of uses such as single detached, semi-detached, duplex, and converted dwellings, townhouses, secondary suites, home occupations, and group homes as the main permitted uses. The minimum and maximum permitted building heights (shown on Table 11*) are 1 to 2.5 storeys for neighbourhood streets and neighbourhood connectors, and 2 to 3 storeys at the intersection of two neighbourhood connectors (bonus up to 4).

916_1. A strong neighbourhood character, sense of place and identity.

916_2. Attractive streetscapes, buildings, and public spaces.

916_4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.

916_8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.

As noted above, the recommended zoning is consistent with the planned vision of the Neighbourhood Place Type. The proposed lotting will maintain an attractive and continuous neighbourhood streetscape. The subdivision plan also incorporates a high degree of neighbourhood connectivity with a planned cycling and walking route as identified on the Active Mobility Network mapping (Map 4).

935_3. Zoning will be applied to ensure an intensity of development that is appropriate to the neighbourhood context, utilizing regulations for such things as height, density, gross floor area, coverage, frontage, minimum parking, setback, and landscaped open space.*

As discussed below under the Zoning By-law section, the recommended R1-8() special provision zoning provides for an appropriate level of intensity within the neighbourhood context, and is in keeping with the Place Types policies.

Environmental Policies

Byron Gravel Pits and Adjacent Lands

1542_ The development of lands within the vicinity of the extractive industrial areas or aggregate resource areas, as identified on Map 6 for residential uses shall have regard for the mitigation of the noise and dust impact of extraction operations on the proposed residential development. The review of applications for rezoning or plan of subdivision approval will include the following considerations:

1. Prior to a zoning by-law amendment or final approval of a plan of subdivision within 300 metres of lands identified as extractive industrial areas or aggregate resource areas on Map 6, a noise and dust impact study shall be completed and any recommended mitigation measures contained therein will be carried out to the satisfaction of the City of London, the Ministry of the Environment and Climate Change and the Ministry of Natural Resources and Forestry. Furthermore, the subdivider will notify prospective lot purchasers, in agreements of purchase and sale and in notices registered on title that are binding on successors and assigns to the subdivision lands and in a separate agreement with the City, of the potential for new licences in the identified aggregate resource area and of the long-term continuation of active aggregate operations in

the Byron Gravel Pits and of the noise and dust impacts associated with extraction and related operations.

2. Residential subdivisions will be developed in phases so that the maximum possible separation distance between areas of residential development and extraction operations is maintained. A minimum separation distance of 150 metres between residential development and the maximum extent of extraction activity (this separation distance being measured from the limit of extraction, not the licensed area boundary) will normally be required.

3. As peripheral portions of the extraction area are rehabilitated, the separation area could shift to reflect any adjusted limits of active extraction operations. Any deviation from the 150 metre norm will be considered only on the basis of studies undertaken by a qualified consultant which demonstrate to the satisfaction of the City of London, the Ministry of the Environment and Climate Change and the Ministry of Natural Resources and Forestry that the deviation is satisfactory to protect the residential development from adverse impacts of extraction operations.

The current Subdivision Agreement included warning clauses to be registered on title for all lots and blocks with the subdivision regarding sound and dust levels due to the proximity of aggregate extraction operations. Furthermore, a condition required that Blocks 28 and 29 be held out of development since these blocks were located within the 150 metre setback from the limit of extraction of the nearby Aggregate Resource Area known as the Byron Gravel pits. There currently is an inactive licensed gravel pit on adjacent lands to the west where extraction operations have ceased and for the past several years the pit has been progressively filled in.

In response to initial concerns regarding potential for noise and dust impacts from filling activities (dump trucks and earth moving equipment on-site), an environmental noise and dust assessment was prepared by SLR Consulting (Canada) Ltd. (dated September 20, 2021) and submitted with the application confirming that extraction operations have ceased, there are no operational stationary noise sources present, and the pit has undergone or is undergoing the rehabilitation phase of closing the operation. No adverse impacts from noise and dust are anticipated provided the remaining rehabilitation activities are in compliance with the noise emission levels and time-of-day operation requirements of the Ministry of Environment, Conservation and Parks (MECP) and the City's Noise By-law, and that the owner follows their required Best Management Control Practices for dust in accordance with their pit license.

Our Tools

Evaluation Criteria for Planning and Development Applications

1578_5. The availability of municipal services, in conformity with the Civic Infrastructure chapter of this Plan and the Growth Management/Growth Financing policies in the Our Tools part of this Plan.

Development will be required to connect to existing municipal sanitary and storm sewer outlets and watermains. The proposed lots fronting on the built-out portions of Cranbrook Road and Longworth Road have access and ability to connect to existing services. Engineering plans have been submitted and are being reviewed by City staff to determine any required updates to the subdivision servicing drawings.

1578_6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated. Depending upon the type of application under review, and its context, an analysis of potential impacts on nearby properties may include such things as:

- a. Traffic and access management.*
- b. Noise.*
- c. Parking on streets or adjacent properties.*

- d. Emissions generated by the use such as odour, dust, or other airborne emissions.
 - e. Lighting.
 - f. Garbage generated by the use.
 - g. Loss of privacy.
 - h. Shadowing.
 - i. Visual impact.
 - j. Loss of views.
 - k. Loss of trees and canopy cover.
 - l. Impact on cultural heritage resources.
 - m. Impact on natural heritage features and areas.
 - n. Impact on natural resources.
- The above list is not exhaustive.

- There will be multiple access points within the subdivision plan to disperse vehicular traffic evenly and lessen the impact on the neighbourhood. Traffic calming measures will also be implemented to calm traffic and slow vehicle speeds.
- On-site parking will be required as per the Zoning By-law minimum requirements for single detached dwellings. Parking bays on the east side of Cranbrook Road and south side of Longworth Road provide for adequate on-street parking.
- The proposed residential uses are not expected to generate excessive noise and emissions.
- There are no concerns with respect to lighting, garbage, visual and privacy impacts; or any issues with loss of views and tree cover.
- Shadowing is not expected to impact nearby properties.
- An archaeological assessment for the subdivision was previously undertaken and a letter of clearance was issued. In a memo dated May 1, 2005, the Ministry of Culture indicated that they concurred with recommendations prepared by Mayer Heritage Consultants Inc. that no further investigations were warranted for the subject property.
- Open Space (OS5) zoning has been applied to a 4.0 metre wide strip along the west side of Block 29 to protect existing mature trees and to buffer an adjacent wooded area further to the west. Outside of this buffer strip, both Blocks 28 and 29 have undergone preliminary grading for development and there is little to no vegetation or natural heritage features present.

1578_7. The degree to which the proposal fits within its context. It must be clear that this not intended to mean that a proposed use must be the same as development in the surrounding context. Rather, it will need to be shown that the proposal is sensitive to, and compatible with, its context. It should be recognized that the context consists of existing development as well as the planning policy goals for the site and surrounding area. Depending upon the type of application under review, and its context, an analysis of fit may include such things as:

- a. Policy goals and objectives for the place type.
- b. Policy goals and objectives expressed in the City Design chapter of this Plan.
- c. Neighbourhood character.
- d. Streetscape character.
- e. Street wall.
- f. Height.
- g. Density.
- h. Massing.
- i. Placement of building.
- j. Setback and step-back.
- k. Proposed architectural attributes such as windows, doors, and rooflines.
- l. Relationship to cultural heritage resources on the site and adjacent to it.
- m. Landscaping and trees.
- n. Coordination of access points and connections.

This rezoning will permit single detached dwelling lots and is expected to maintain continuity and a reasonable level of compatibility and fit within the context of the existing Crestwood West - Phase 2 subdivision, as well as a future phase which will include the

extension of Cranbrook Road to the north.

Therefore, based on Staff's review of The London Plan policies, this proposal is found to be in keeping and in conformity with the Key Directions, City Building and Design, Place Type, Environmental and Our Tools policies.

(1989) Official Plan

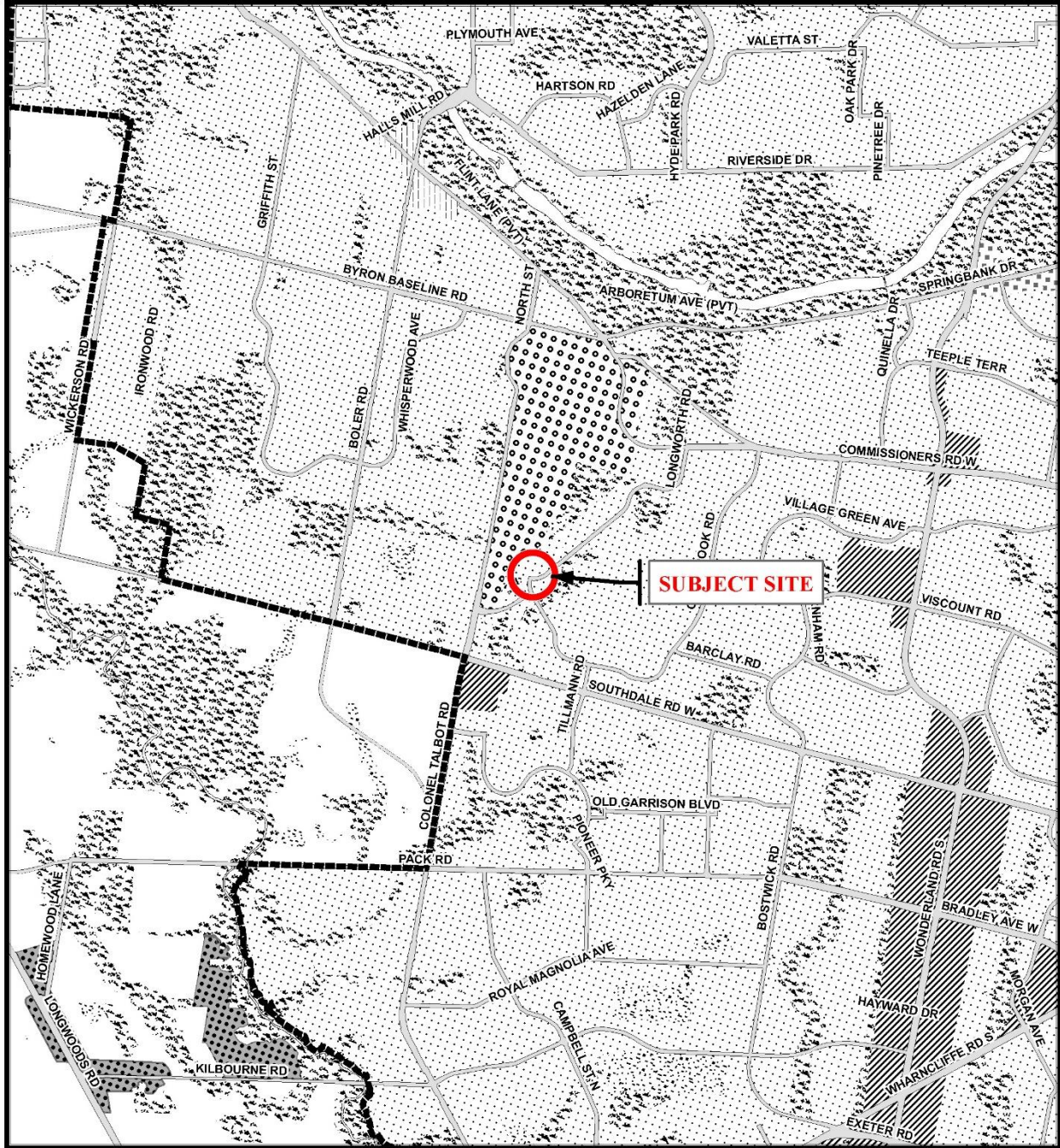
These lands are designated Low Density Residential as shown on Schedule 'A' of the 1989 Official Plan. The Low Density Residential designation permits primarily single, semi-detached and duplex forms of housing up to 30 units per hectare. The recommended zoning to permit single detached dwellings is consistent with and conforms to the 1989 Official Plan.

Zoning By-law

The recommended zoning amendment will facilitate the creation of eight (8) single detached dwelling lots, four (4) fronting Cranbrook Road and four (4) fronting Longworth Road. The R1 (R1-8) Zone permits single detached dwellings on lots having a minimum lot area of 600 square metres and minimum lot frontage of 15 metres. Based on the proposed lotting plan, actual lot areas and frontages will be in the range of 700 to 750 square metres lot area and 18 to 19 metres lot frontage. These lots sizes are generally compatible and consistent with the existing subdivision which is composed of predominantly single detached dwellings to the south and east. Planning staff recommend a special zone provision intended to implement The London Plan policies with respect to projecting garages that they not project beyond the façade of the dwelling or façade (front face) of any porch, and shall not occupy more than 50% of lot frontage.

Appendix D – Relevant Background

The London Plan Map 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 the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

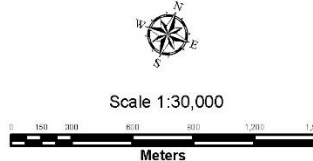
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



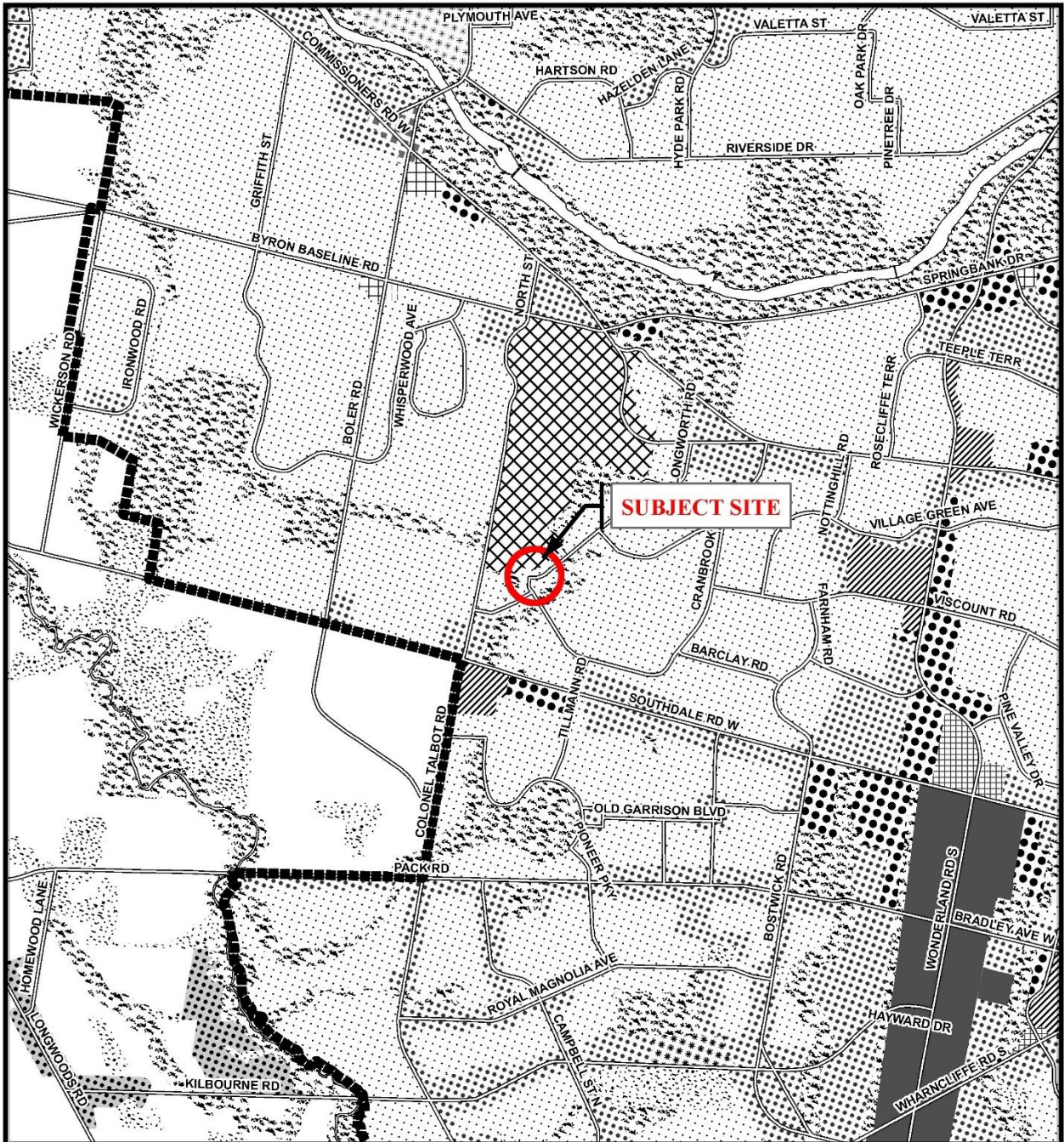
File Number: Z-9487

Planner: LM

Technician: RC

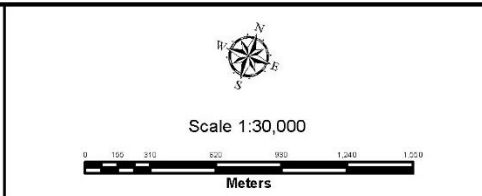
Date: March 29, 2022

1989 Official Plan Map Excerpt



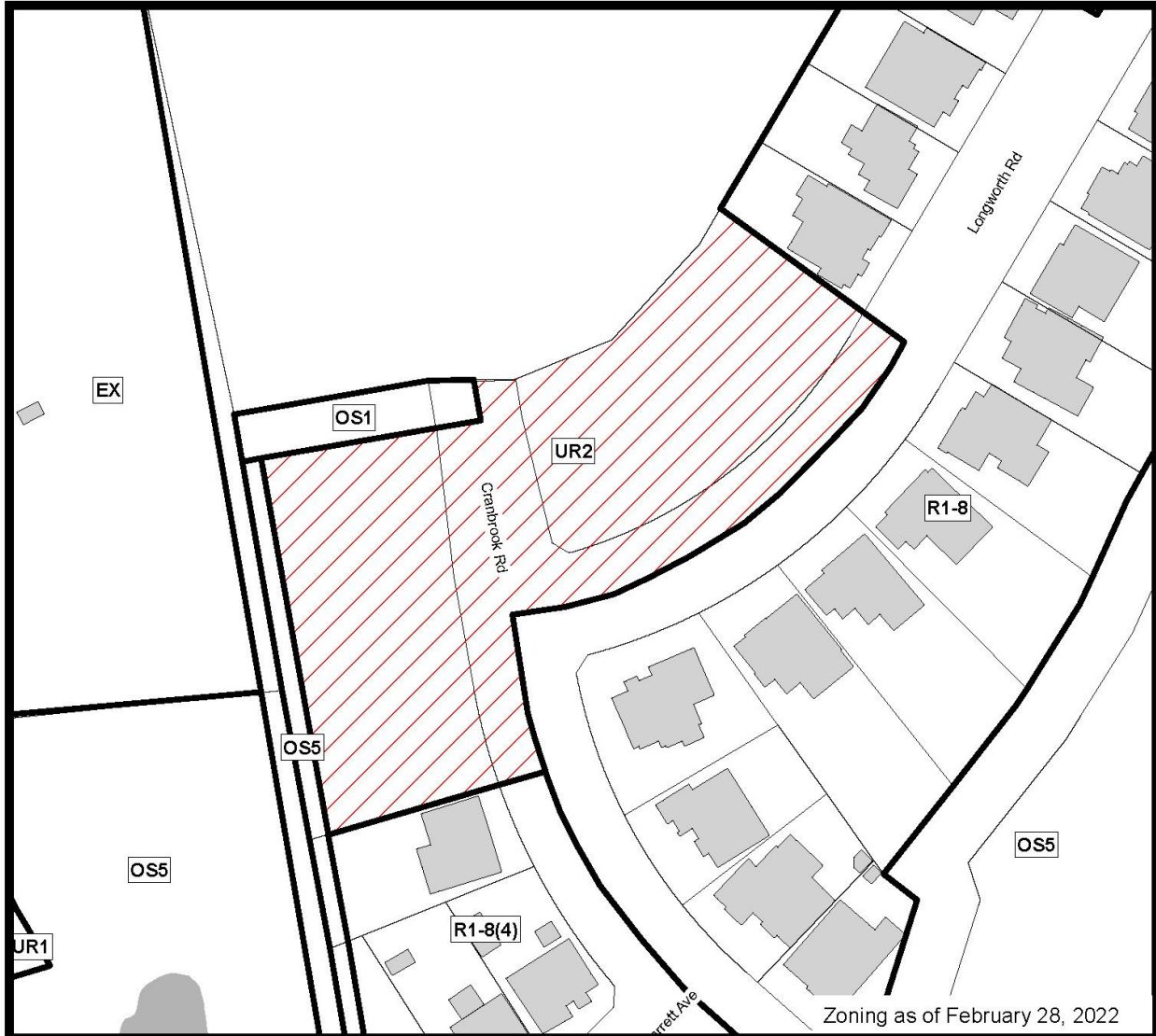
Legend		
	Downtown	
	Wonderland Road Community Enterprise Corridor	
	Enclosed Regional Commercial Node	
	New Format Regional Commercial Node	
	Community Commercial Node	
	Neighbourhood Commercial Node	
	Main Street Commercial Corridor	
	Auto-Oriented Commercial Corridor	
	Multi-Family, High Density Residential	
	Multi-Family, Medium Density Residential	
	Low Density Residential	
	Office Area	
	Office/Residential	
	Regional Facility	
	Community Facility	
	Open Space	
	Urban Reserve - Community Growth	
	Urban Reserve - Industrial Growth	
	Office Business Park	
	General Industrial	
	Light Industrial	
	Commercial Industrial	
	Transitional Industrial	
	Rural Settlement	
	Environmental Review	
	Agriculture	
	Urban Growth Boundary	

CITY OF LONDON
 Planning Services /
 Development Services
 OFFICIAL PLAN SCHEDULE A
 - LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: Z-9487
 PLANNER: LM
 TECHNICIAN: RC
 DATE: 2022/03/29

Zoning By-law Map Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> R1 - SINGLE DETACHED DWELLINGS R2 - SINGLE AND TWO UNIT DWELLINGS R3 - SINGLE TO FOUR UNIT DWELLINGS R4 - STREET TOWNHOUSE R5 - CLUSTER TOWNHOUSE R6 - CLUSTER HOUSING ALL FORMS R7 - SENIOR'S HOUSING R8 - MEDIUM DENSITY/LOW RISE APTS. R9 - MEDIUM TO HIGH DENSITY APTS. R10 - HIGH DENSITY APARTMENTS R11 - LODGING HOUSE
 DA - DOWNTOWN AREA RSA - REGIONAL SHOPPING AREA CSA - COMMUNITY SHOPPING AREA NSA - NEIGHBOURHOOD SHOPPING AREA BDC - BUSINESS DISTRICT COMMERCIAL AC - ARTERIAL COMMERCIAL HS - HIGHWAY SERVICE COMMERCIAL RSC - RESTRICTED SERVICE COMMERCIAL CC - CONVENIENCE COMMERCIAL SS - AUTOMOBILE SERVICE STATION ASA - ASSOCIATED SHOPPING AREA COMMERCIAL
 OR - OFFICE/RESIDENTIAL OC - OFFICE CONVERSION RO - RESTRICTED OFFICE OF - OFFICE | <ul style="list-style-type: none"> RF - REGIONAL FACILITY CF - COMMUNITY FACILITY NF - NEIGHBOURHOOD FACILITY HER - HERITAGE DC - DAY CARE
 OS - OPEN SPACE CR - COMMERCIAL RECREATION ER - ENVIRONMENTAL REVIEW
 OB - OFFICE BUSINESS PARK LI - LIGHT INDUSTRIAL GI - GENERAL INDUSTRIAL HI - HEAVY INDUSTRIAL EX - RESOURCE EXTRACTIVE UR - URBAN RESERVE
 AG - AGRICULTURAL AGC - AGRICULTURAL COMMERCIAL RRC - RURAL SETTLEMENT COMMERCIAL TGS - TEMPORARY GARDEN SUITE RT - RAIL TRANSPORTATION
 "h" - HOLDING SYMBOL "D" - DENSITY SYMBOL "H" - HEIGHT SYMBOL "B" - BONUS SYMBOL "T" - TEMPORARY USE SYMBOL |
|--|---|

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

Z-9487

LM

MAP PREPARED:

2022/03/29

rc

1:1,250

0 5 10 20 30 40

Meters

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: Revised Draft Plan of Vacant Land Condominium on the
Submission by Vision SoHo Alliance c/o Indwell for 346, 370
and 392 South Street and 351, 373 and 385 Hill Street
Public Participation Meeting

Date: May 9, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Vision SoHo Alliance relating to the properties located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street:

- (a) the Planning and Environment Committee **ADVISE** the Approval Authority of the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium relating to a property located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street; and,
- (b) the Planning and Environment Committee **ADVISE** the Approval Authority of the issues, if any, raised at the public meeting with respect to the Site Plan Approval application relating to the property located at 346, 370 and 392 South Street and 351, 373 and 385 Hill Street.

Executive Summary

Summary of Request

This is a request by the Vision SoHo Alliance, to consider a proposed Draft Plan of Vacant Land Condominium. The proposed Plan of Condominium is being reviewed concurrently with applications for Site Plan Approval, Removal of Holding Provisions, Official Plan Amendments and Zoning By-law Amendments. The plan consists of six (6) vacant land condominium units, each unit contains one (1) low rise apartment building or one (1) mid-rise apartment building with underground parking facilities. There is access on Waterloo Street and Colborne Street, and the common elements include: driveways, above-ground shared parking, and at-grade outdoor amenity area. The applicant's intent is to register the development as one condominium corporation.

Purpose and Effect of the Recommended Action

The purpose and effect are to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Draft Plan of Vacant Land Condominium or the Site Plan Approval Process.

Rationale for the Recommended Action

- i) The proposed Vacant Land Condominium is consistent with the Provincial Policy Statement, which directs new development to designated growth areas and areas adjacent to existing development;
- ii) The proposed Vacant Land Condominium conforms to the in-force policies of The London Plan including but not limited to Our Tools, Key Directions, and the Neighbourhoods Place Type policies;
- iii) The proposed Vacant Land Condominium conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Multi-Family, High Density

Residential Designation and will implement an appropriate form of residential development for the site.

Linkage to the Corporate Strategic Plan

This application supports the Building a Sustainable City area of focus in the Corporate *Strategic Plan* by ensuring that the City of London's growth and development are well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

June 13, 2011 – Report to Built and Natural Environment Committee regarding SoHo Community Improvement Project Area and SoHo Community Improvement Plan.

September 25, 2012 – Report to Investment and Economic Prosperity Committee regarding redevelopment of the South Street Campus Lands.

June 9, 2014 – Report to Investment and Economic Prosperity Committee to initiate Request for Proposal for the Old Victoria Hospital Lands.

June 17, 2014 – Report to Planning and Environment Committee regarding Old Victoria Hospital Secondary Plan and Associated Official Plan Amendments and Zoning.

October 7, 2014 – Report to Planning and Environment Committee and Public Participation Meeting regarding Zoning By-law Amendments to implement the Old Victoria Hospital Secondary Plan (Z-8344).

September 21, 2020 – Report to Planning and Environment Committee regarding area-wide amendments to the Old Victoria Hospital Lands Secondary Plan (O-9223 and Z-9224).

November 22, 2021 – Report to Planning and Environment Committee on proposed Official Plan and Zoning By-law Amendments relating to vacant land condominium application (OZ-9418).

November 22, 2021 – Report to Planning and Environment Committee and Public Participation Meeting on proposed Site Plan relating to vacant land condominium application (SPA21-081).

February 7, 2022 – Report to Planning and Environment Committee and Public Participation Meeting on proposed vacant land condominium relating to this application (39CD-21522).

1.2 Planning History

When the South Street (Old Victoria Hospital) closed in 2013, the buildings were owned by London Health Sciences Center (LHSC), but the majority of the lands were owned by the City of London. An arrangement was made between the City and LHSC in which LHSC contributed costs for the demolition and remediation of the site. The lands were transferred back to the City in stages. Phase one included the lands south of South Street and the Colborne Building. This allowed for the development of a residential tower on these lands, which is currently underway. The second phase included the lands subject to this application and the lands at 124 Colborne Street.

The Old Victoria Hospital Secondary Plan was adopted in June of 2014 to guide redevelopment of the former hospital complex. Official Plan and Zoning By-law Amendments (O-9223 and Z-9224) were applied for by the City in June of 2020 to

address bonusing provisions, which could not be implemented due to Provincial changes, and to establish zoning for the subject lands. These amendments were passed by Council on September 29, 2020.

An application for Official Plan and Zoning By-law Amendments were submitted by the SoHo Vision Alliance to help facilitate this proposed development. They included: amendments to the *1989 Official Plan* and *The London Plan* to allow for a Draft Plan of Vacant Land Condominium to proceed as multiple apartment buildings above a underground parking garage; amendments to the Old Victoria Hospital Secondary Plan to allow for apartment buildings no-taller than 5-storeys along Hill Street, re-designated the lands to Mid-Rise Residential and policy changes to The Four Corners designation; and, zoning amendments to allow for the technical details of the proposed design to proceed.

Applications for Site Plan Approval (SPA21-081), Official Plan and Zoning By-law Amendments, and Removal of Holding Provisions have been submitted to facilitate this proposed development. These applications are being processed concurrently with the Draft Plan of Vacant Land Condominium, which was accepted as a complete application on November 22, 2021.

1.3 Previous Report

This application was presented previously at the fourth (4th) meeting of the Planning and Environment Committee on February 7th, 2022. The request was for consideration of a Stratified Vacant Land Condominium with the driveways, above-ground shared parking areas, underground parking facilities and at-grade outdoor amenity areas as common elements. Amendments had been made, as part of a separate application, to the *1989 Official Plan* and *The London Plan* exempting the subject lands from Parts 3 to 5 of Policy 1790 of *The London Plan* and sections iii) to v) of the *1989 Official Plan* in order to permit the Vacant Land Condominium in a stratified form. These exemptions allowed for: units to be above or below one another, more than one dwelling per unit; and, structures to cross unit boundaries upon registration. No issues were identified at the public participation meeting regarding the Vacant Land Condominium Application, and a Council Resolution was issued on February 16, 2022, recommending the Approval Authority be advised that no issues were raised at the public meeting and that the Municipal Council has no issues with respect to the Site Plan.

Following the issuance of the Council Resolution, a Draft Approval Report and Draft Conditions were prepared. It is required as a condition of draft approval that a detailed estimate of 100 per cent of the cost to install and provide the facilities and services shown in the condominium declaration and description to be included in the common elements be calculated and the associated securities be provided to the City, should all facilities and services not be installed and provided prior to final approval. This would allow the City to complete construction of these facilities should the Applicants be unable. The underground parking garage to be included in the common elements required a substantial amount of security to be provided to the City. The Applicant advised that this condition would be difficult to satisfy, and as such, the Applicants have amended their application so that the unit boundaries include the underground parking structure. A description of the underground parking structure and how it will operate is provided in the second section of this report.

1.4 Property Description

The subject property is located north of South Street and West of Colborne Street and was previously the site of the Old Victoria Hospital. The site has low density residential to the north; offices and low density residential to the west; future high-density residential the south; and, proposed residential and existing neighbourhood facilities to the east. The proposal consists of one high density residential block, described as: Lots 21 to 25 and 36 to 40 on Plan 172; Lots 6 to 8 on Plan NIL HSE and SSE; and, Parts 1 and 2 on RP 33RI17942.

The site is approximately 1.89 hectares, and two buildings remain on site, the Victoria Health Services Building and the War Memorial Children's Hospital. Designation under Part IV of the *Ontario Heritage Act* is proposed for the remaining buildings, and they are to be conserved, repurposed, and integrated into the proposed development. The site has full access to municipal services and is in an area which is planned for future growth.

1.5 Current Planning Information

- *The London Plan* Place Type – Neighbourhoods
- (1989) *Official Plan* Designation – Multi-Family, High Density Residential
- Old Victoria Hospital Secondary Plan: Four Corners and Mid-Rise Residential
- Existing Zone – Residential R4/R8 Special Provision (R4-6(13)/R8-4(59)), Residential R8 Special Provision (R8-4(56)), and Residential R8 Special Provision (R8-4(58))

1.6 Site Characteristics

- Current Land Use – Vacant
- Frontage – 203 meters on Hill Street
- Depth – Varies
- Area – 1.89 hectares
- Shape – Irregular, Rectangular

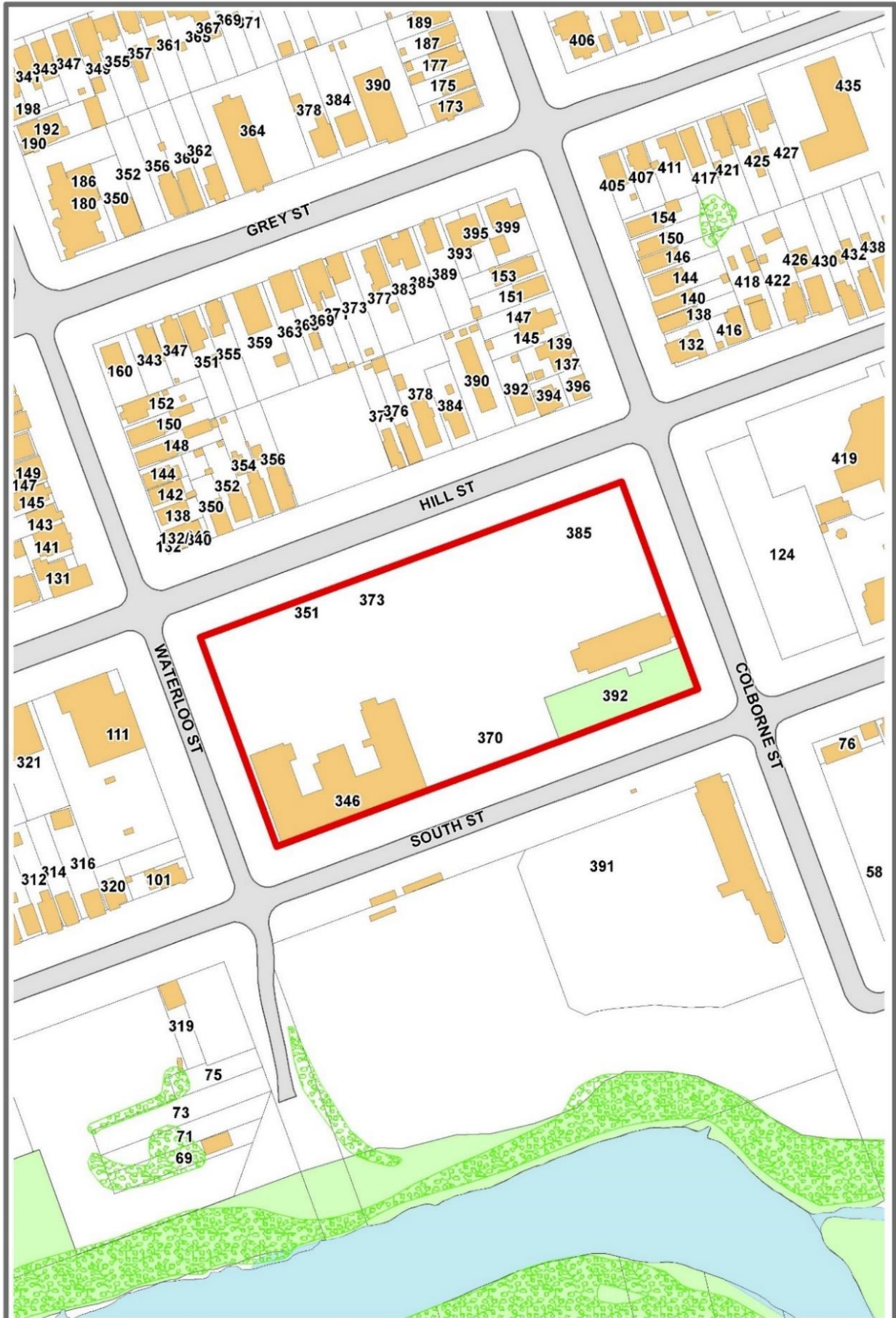
1.7 Surrounding Land Uses

- North – Low density residential
- East – Future residential and existing neighbourhood facilities
- South – Future high-density residential development
- West – Office space and low density residential

1.8 Intensification

- The 6 Vacant Land Condominium units will contain 494 residential apartment units, which is approximately 243 units per hectare. The development is located within the Built-Area Boundary and Primary Transit Area.

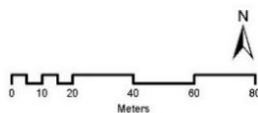
1.9 Location Map



LOCATION MAP

Subject Site: SoHo VLC
 File Number: 39CD-21522
 Planner: Alison Curtis
 Date: 2021/17/02

Corporation of the City of London
 Prepared By: Planning and Development



Scale 1:2000

Legend

- Subject Site
- Assessment Parcels
- Buildings
- Vegetation

2.0 Discussion and Considerations

2.1 Development Proposal

The effect of this application request consideration of vacant land condominium comprised of six (6) units, each containing one low- or mid-rise apartment building. These six (6) units will be owned by the individual members of the Vision SoHo Alliance (Indwell Community Homes, Zerlin Development Corporation, Homes Unlimited (London) Incorporated, London Affordable Housing Foundation; and Chelsea Green Home Society, but the proposal will be registered as one condominium corporation. Common elements will include: driveways, above-ground shared parking areas, and at-grade outdoor amenity areas.

Two of the proposed units will follow the boundaries of the Victoria Health Services Building and the War Memorial Children's Hospital. These buildings will be conserved, repurposed, and integrated into the proposed development as two (2) of the six (6) units. Four (4) additional apartment buildings are proposed, and all six (6) buildings are outlined below. The unit boundaries for the new buildings will include the underground parking facilities. A total of 494 residential units are proposed, which is 243 units per hectare, and the proposal provides for a range of affordable rental options in the SoHo community.

The vacant land condominium approach was chosen by the applicants for the following reasons:

- It is a simpler and more efficient process from an operational perspective as it would only require one single condominium corporation that can move forward through one consolidated process;
- It allows for flexibility in unit boundaries, allowing the boundaries to parallel those of the buildings, meaning the unit is comprised only of the bricks and mortar; and,
- It provides a clear statutory framework on which the parties can rely on to obtain compliance and maintain a consistent community standard for common elements and the units.

2.2 Shared Underground Parking Garage

As previously noted, this Application has been revised as it relates to the underground parking garage, and it is now considered in four sections under separate ownership. Under the Condominium Declaration, the Shared Parking Garage is defined as follows:

“means the underground parking garage to be constructed on the Property, which together shall make up one parking structure, but which shall comprise four sections, each of which are an underground level of Units 1,2,3 and 5 and which have the same unit boundaries as the Unit under which each section is located.”

The Owners of Units 1,2,3 and 5 are the owners of their respective sections of the Shared Parking Garage, and they shall enter in a Shared Parking Garage Agreement to govern the construction, operation, repair, and maintenance of the Garage. These Owners are responsible for any costs incurred by the Corporation for operation, repairs and/or maintenance but major repairs or replacements will be funded through the Shared Parking Garage Reserve Fund, which is exclusively contributed to by the Shared Parking Garage Owners. An easement, in favour of the Corporation, will be registered over the Shared Parking Garage, and, according to the Condominium Agreement, all Owners and their respective Occupants, guests, licensees, and designated others shall have the full right, liberty, privileged and easement for vehicular and pedestrian ingress and egress over and through the portions of each of Units 1,2,3 and 5 necessary to access and to make reasonable use of the Shared Parking Garage.

2.3 Proposed Vacant Land Condominium Units

Figure 1: Proposed Units and Site Plan

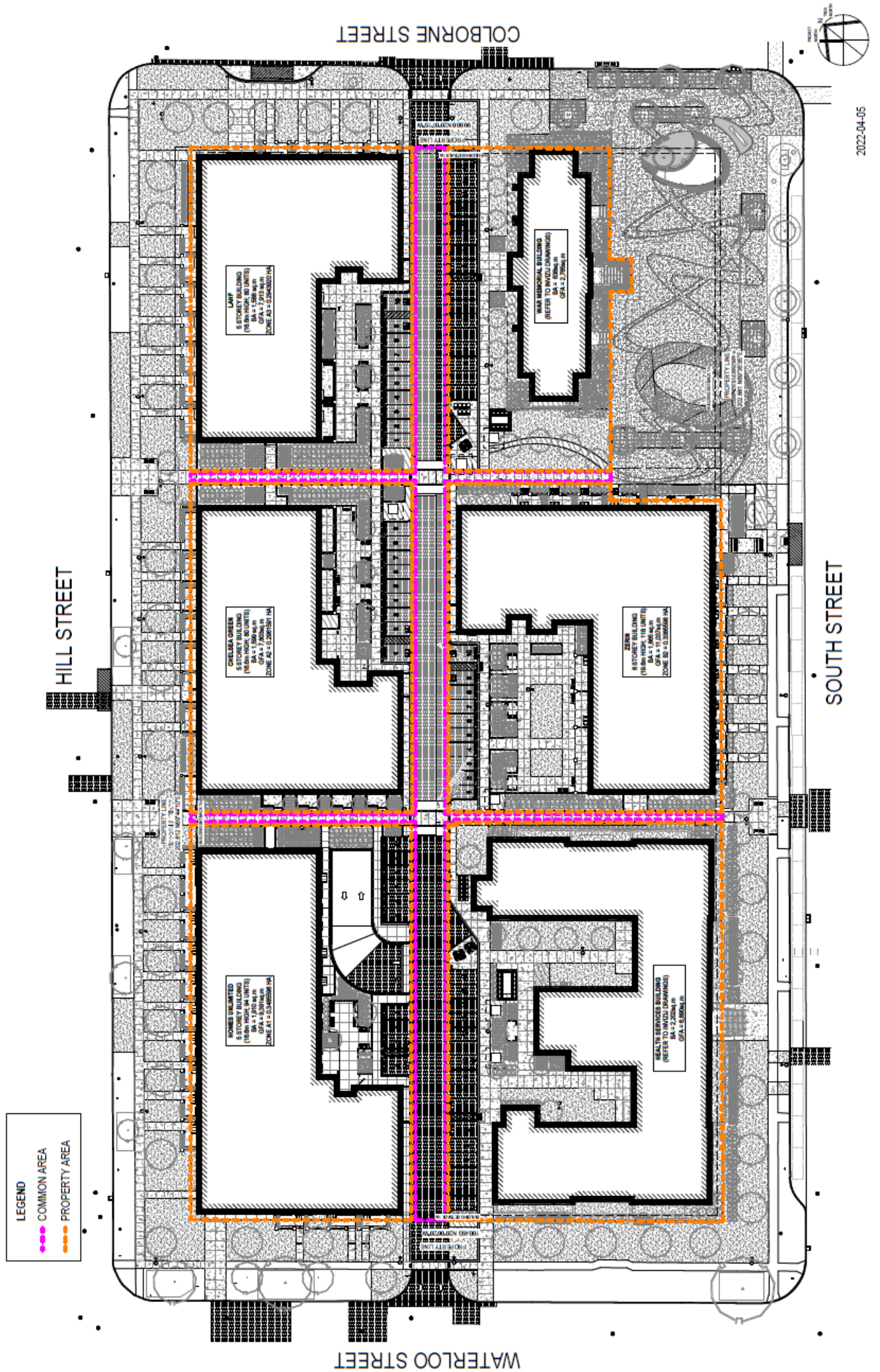


Figure 2: Overall Site 3D View – Southeast

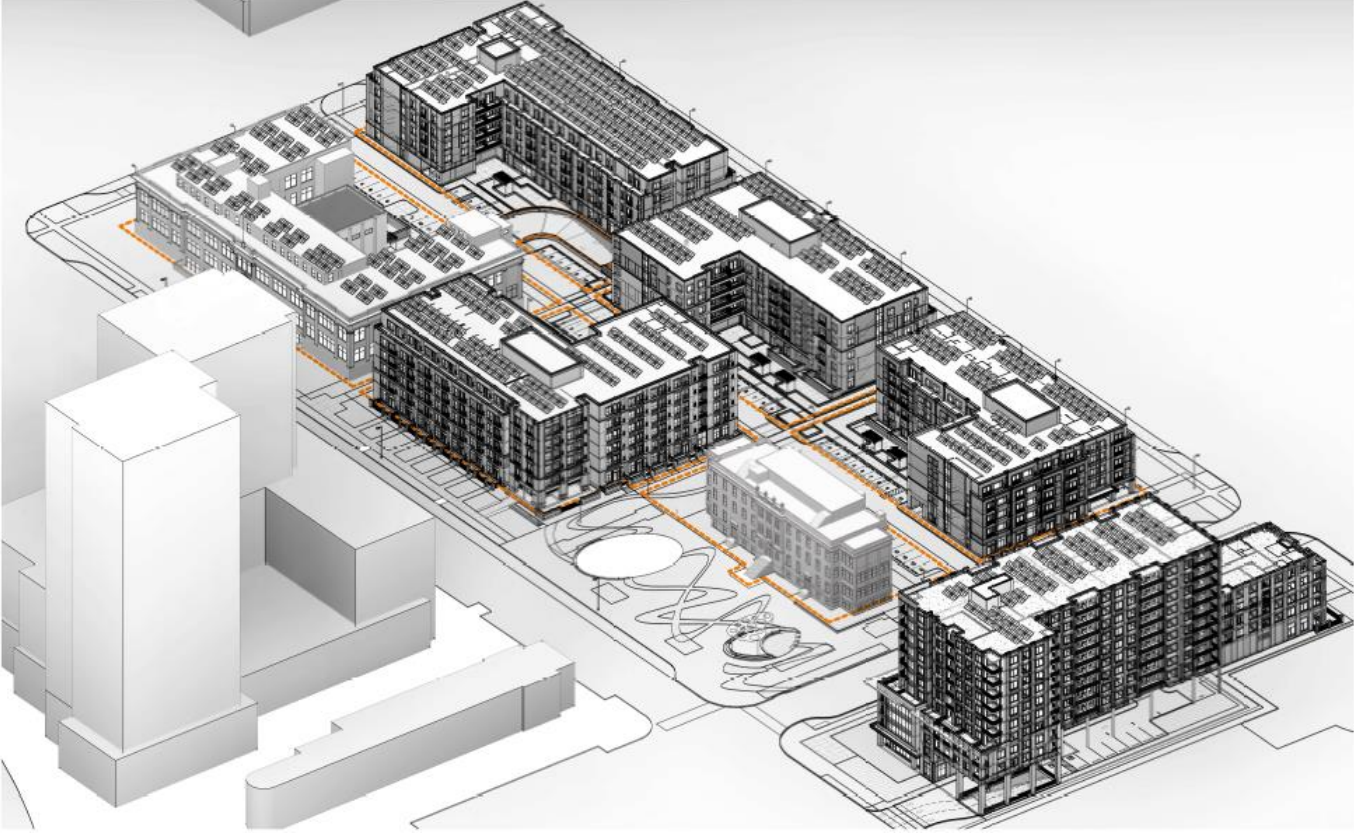


Figure 3: Overall Site 3D View – Northwest

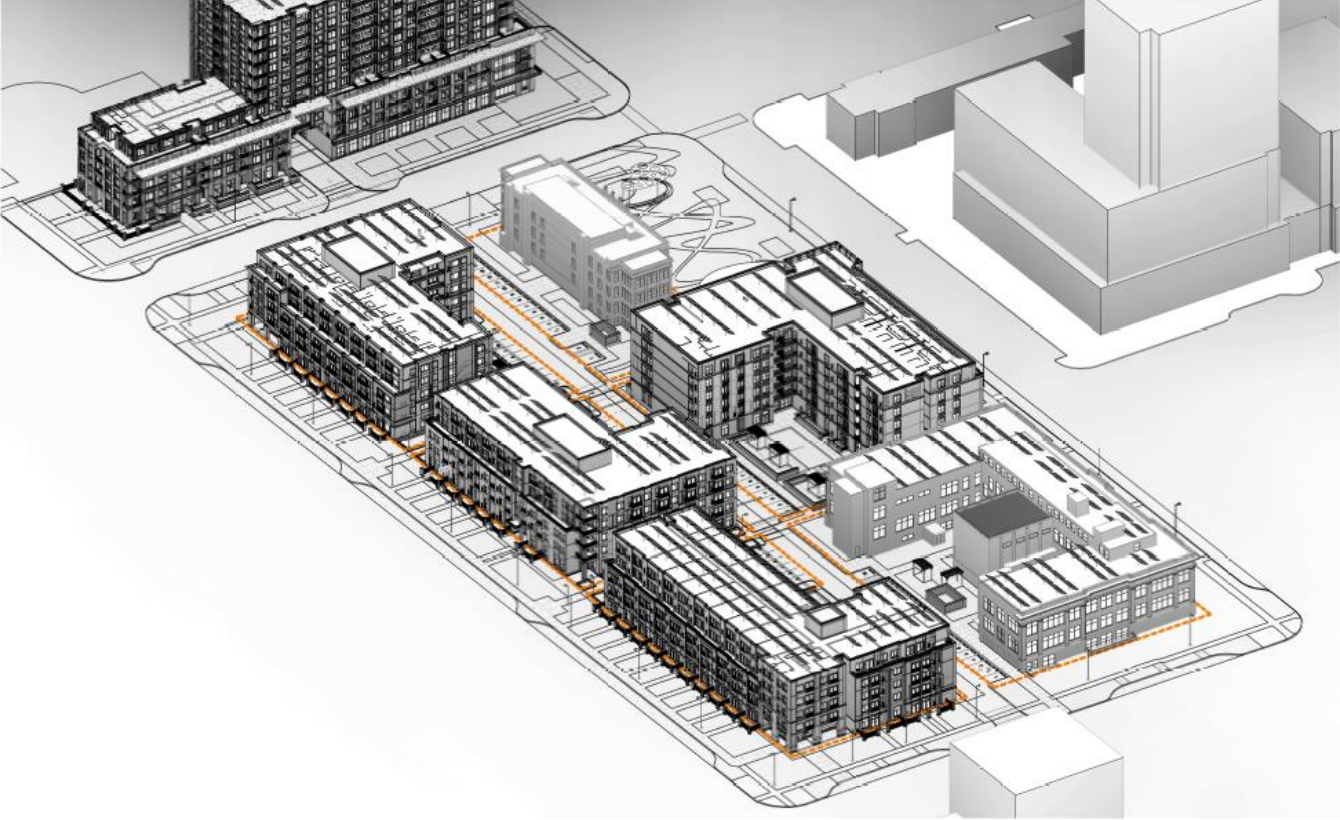


Figure 4: Underground Parking

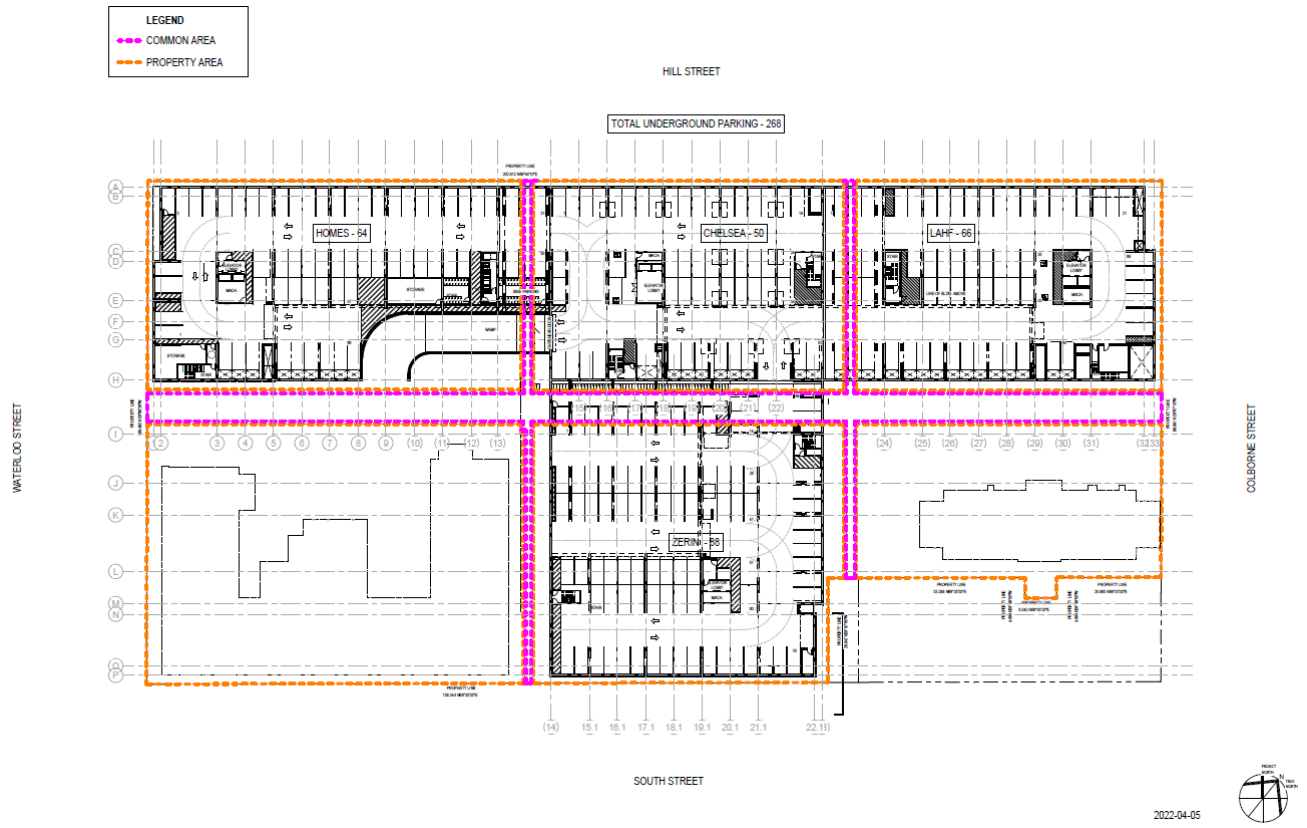


Figure 5: 3D View of Underground Parking

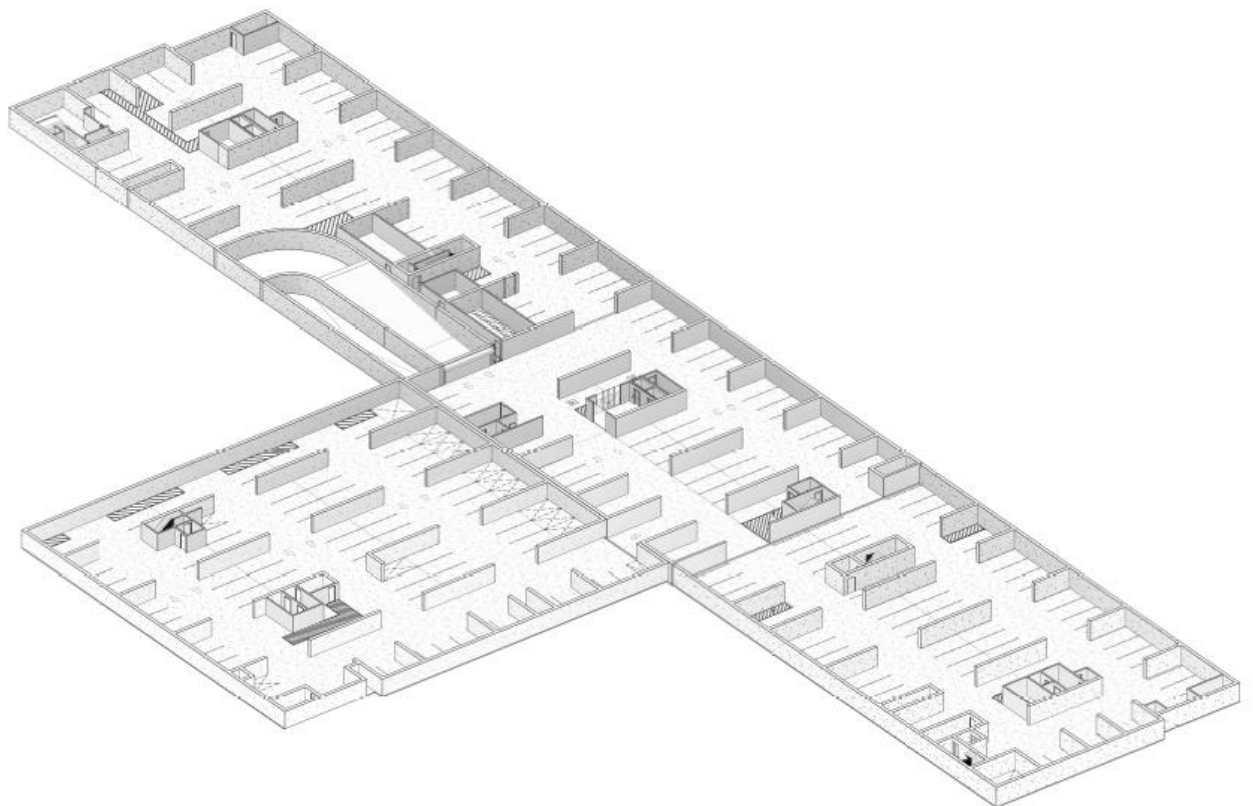
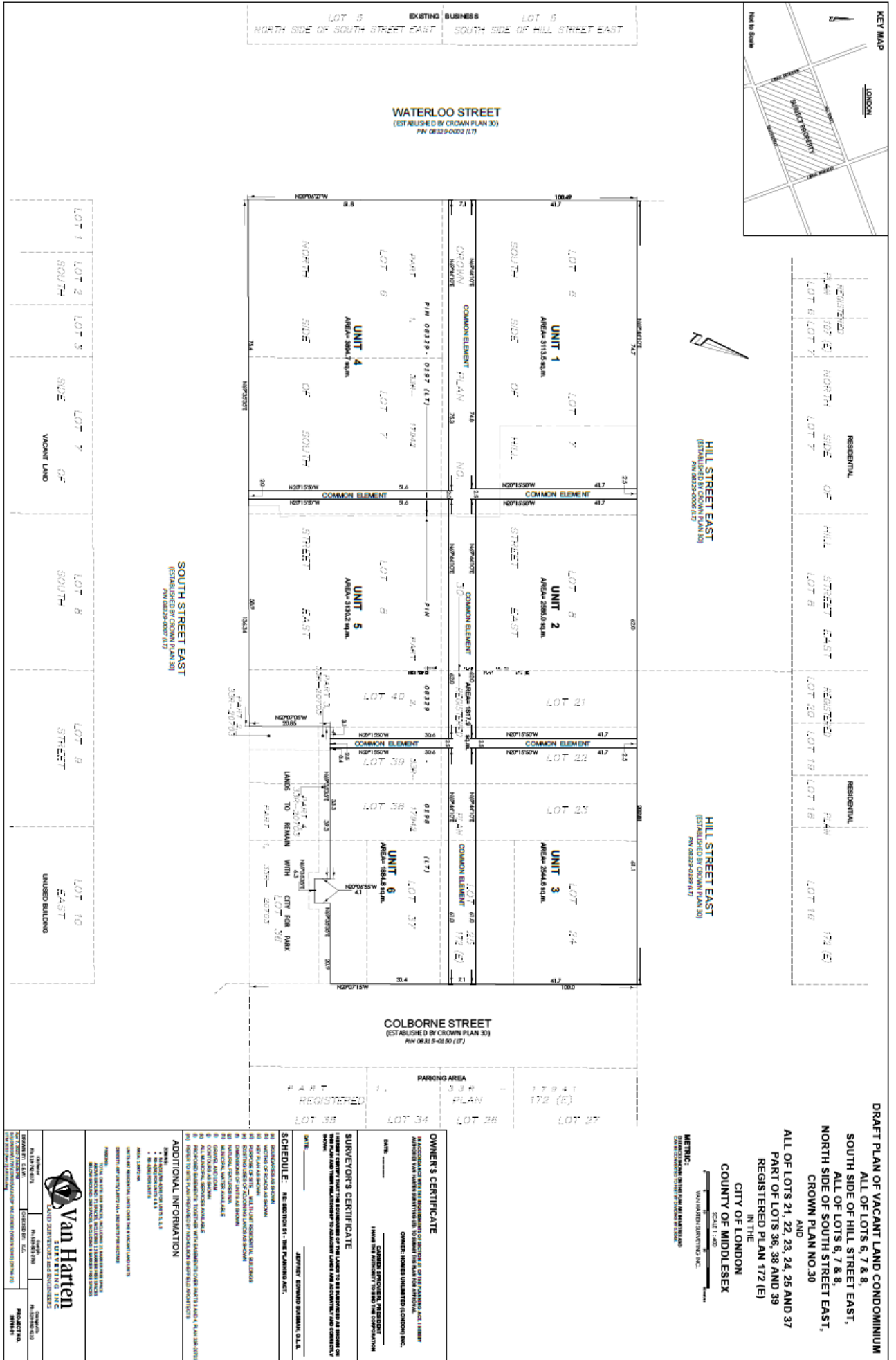


Figure 6: Proposed Draft Plan of Condominium



Outline of Proposed Vacant Land Condominium Units

Homes Unlimited:

- Fronting onto Hill Street to the north and Waterloo Street to the west;
- Apartment building with a height of 5-storeys, or 16 meters; and,
- A unit count of approx. 94 units.



Homes Unlimited Rendering – Looking East from Waterloo Street

Chelsea Green:

- Fronting onto Hill Street to the north;
- Apartment building with height of 5-storeys, or 16 meters; and,
- A unit count of 80 units.



Chelsea Green Rendering – Looking Southeast from Hill Street

London Affordable Housing Foundation (LAHF)

- Fronting onto Hill Street to the north and Colborne Street to the East;
- Apartment building with a height of 5-storeys, or 16 meters; and,
- A unit count of approx. 80 units.



LAHF Rendering – Looking Southwest from Hill Street and Colborne Street

Indwell – Victoria Health Science Building (Existing)

- Fronting onto South Street to the south and Waterloo Street to the west;
- A height of 2-storeys (as existing); and,
- A unit count of 80 units.



Victoria Health Sciences Building Rendering – Looking Northeast from South Street and Waterloo Street

Zerin

- Fronting onto South Street;
- Apartment building with a height of 6-storeys, or 19 meters; and,
- A unit count of 118 units.



Zerin Rendering – Looking Northwest from South Street

Indwell – War Memorial Building (Existing)

- Fronting onto south Street to the south and Colborne Street to the east;
- A height of 3-storeys, or 15.6 meters (as existing); and,
- A unit count of 42 units



War Memorial Building and SoHo Civic Space Rendering – Looking Northwest from South Street and Colborne Street

2.4 Consultation

Information regarding the Draft Vacant Land Condominium application and opportunities to provide comments were provided to the public as follows:

- Notice of Public Participation Meeting for the initial application was sent to property owners within 120 meters of the subject property on December 22nd, 2021, and again on April 21, 2022.
- Notice of Application and Public Participation were published in the Public Notices and Bidding Opportunities section of The Londoner on December 30th, 2021, and again on April 21, 2022.
- Information about the Application was posted on the website on December 22nd, 2021.

No comments were received from the public.

3.0 Financial Impact/Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There are no direct financial expenditures associated with this application

4.0 Key Issues and Considerations

4.1. Policy Analysis

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: Building Strong Healthy Communities; Wise Use and Management of Resources; and, Protecting Public Health and Safety. The *PPS* is to be read in its entirety.

The subject site is in the settlement area, and the proposal is to create 6 Vacant Land Condominium units. There is a mix of residential, open space and agricultural uses adjacent to the property. This Draft Plan of Vacant Land Condominium is consistent with several *PPS* policies, which are outlined below.

Policy Sections 1.1.1, 1.1.3 and 1.6 requires land use with settlement areas to effectively use the land and resources through appropriate densities, range of uses and the efficient use of infrastructure. This contributes to resilient development and the creation of healthy, livable, and safe communities. This proposal will develop a vacant site within the settlement area that has full access to municipal services, as well as provide a range of housing in compact form for current and future residents (Section 1.4). The subject lands are designated and intended, over the long term, to be used for multiple-dwelling, low to medium density residential uses.

The compact form, mix of uses, and density of the proposal result in efficient and resilient development, and this will encourage the use of public and active transportation options. This will help to support energy conservation and help to improve air quality, which is consistent with Section 1.8 of the *PPS*. The remaining buildings on the site are to be designated under the *Ontario Heritage Act* and conserved, which is consistent with Section 2.6 of the *PPS*. The site is also located outside of any natural or man-made hazards, which helps to protecting public health and safety as prioritized in Section 3.0 of the *PPS*.

The London Plan

The *London Plan* is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The *London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170700) and not in force and effect are indicated with an asterisk (*) throughout this report).

Neighbourhood Place Type

The subject lands are located within the “Neighbourhoods” Place Type at an intersection of two neighbourhood connectors, Colborne Street and South Street. This Place Type at this location permits a range of low to medium density residential uses (i.e., single detached, semi-detached, duplexes and townhouses) at a maximum height of 3-storeys or 6-storeys with Bonusing in Central London (Table 10* and Table 11*).

The vision for the Neighbourhood Place Type is to ensure that neighbourhoods are vibrant and exciting places that contribute to community well-being and quality of life. This vision is supported by key elements, some of which include: strong neighbourhood character; diverse housing choices; well-connected neighbourhoods; alternatives for mobility; and, parks and recreational opportunities. The proposal is generally in keeping with the vision for the Neighbourhood Place Type and its key elements. It contributes to a neighbourhood character and a diversity of housing choices. The site is also close to City owned open space and public transportation, which contributes to a connected and strengthened community that offers convenient alternatives for mobility and accessing services

City Building

The proposal is generally supportive of the policies laid out in the City Building section of the *London Plan*, which seeks to set a framework for the shape, form and character of the City. The layout of the proposed development contributes to neighbourhood character and identity by orienting buildings to the street and not using blank walls along the street edge, which contributes to an active street front (202*, 229, 259*, 291*). This layout also helps to create a safe pedestrian environment and promotes connectivity, within the development and the surrounding neighbourhoods, which offers opportunities for active mobility (*255, *259, *285, *291).

Our Tools

Policy 1709 of the *London Plan* outlines the applicable policies when considering vacant land condominium application. Part 1 of this policy outlines that draft plans of vacant land condominiums shall be evaluated by the same requirements and considerations as draft plans of subdivision, which has been done. The proposal conforms with the 1989 *Official Plan* and the *London Plan* policies and has access to municipal services. The access and residential uses proposed are appropriate for the site, and there are no natural features or hazards associated with the site. There are future commercial proposed and existing neighbourhood facility uses in proximity to the site, as well as City owned open space. The proposal provides a range of affordable rental options within the SoHo community. Building elevation, grading and drainage issues will be addressed by the applicant’s consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings, future Development Agreement and Site Plan Approval process.

Policy 1709 outlines the policies applicable to Vacant Land Condominium applications. The proposal is in keeping with Parts 2, 3,5 and 6 of Policy 1709 because: it is being considered concurrently with an active Site Plan Application; there are no units above or below another; no structures cross unit boundaries at the time of registration; and, it is to be registered as one condominium corporation. The proposal is not in keeping with Part 4 of Policy 1709 as it proposes more than one dwelling per unit. However, recent amendments to *The London Plan* under LPA 48 (C.P.-1512(av)-14) exempt the lands located at 370 South Street and 124 Colborne from Part 4 of Policy 1709 and the

development is now in keeping with *The London Plan* policies on vacant land condominiums.

(1989) Official Plan

The subject lands are designated as Multi-Family, High Density Residential (MFHDR) in the *1989 Official Plan*. The permitted uses in this residential designation include: low-rise and high-rise apartments; apartment hotels; multiple-attached dwellings; emergency care facilities; nursing homes; rest homes; homes for the aged; and, rooming and boarding (3.4.1 Permitted Uses). The proposed vacant land condominium is in keeping with these permitted uses.

One of the preferred locations for the MFHDR designation includes: areas near the periphery of the Downtown that are appropriate for redevelopment; lands in close proximity to Enclosed Regional Commercial Nodes or New Format Regional Commercial Nodes or Community Commercial Nodes, Regional Facilities or designated Open Space areas; and, lands abutting or having easy access to an arterial or primary collector road (3.4.2 Location). Development within this designation shall be less than 350 units per hectare in the Downtown Area, 250 units in Central London (this area is bounded by Oxford Street to the North, the Thames River on the south and west, and Adelaide Street on the east), and 150 units per hectare outside of Central London (3.4.3 Scale of Development). This proposal is in keeping with these policies as the lands are appropriate for redevelopment, near designated Open Space and adjacent to a Primary Collector. The proposal also provides a density of 243 units per hectare, which is less than the 250 units per hectare permitted in the Central London area (3.3.3 Scale of Development).

Section 19.15.4 of the *1989 Official Plan* outlines the applicable policies for vacant land condominium applications, which are similar to those in Policy 1709 of *The London Plan*. Part i) of this policy outlines that draft plans of vacant land condominiums shall be evaluated by the same requirements and considerations as draft plans of subdivision, which has been done. The proposal conforms with the *1989 Official Plan* and the *London Plan* policies and has access to municipal services. The access and residential uses proposed are appropriate for the site, and there are no natural features or hazards associated with the site. There are future commercial proposed and existing neighbourhood facility uses in proximity to the site, as well as City owned open space. The proposal provides a range of affordable rental options within the SoHo community. Building elevation, grading and drainage issues will be addressed by the applicant's consulting engineer to the satisfaction of the City through the accepted engineering and servicing drawings, future Development Agreement and Site Plan Approval process.

Parts ii), iii), v) and vi) of Section 19.15.4 outline the following policies for vacant land condominiums: applicants may be required to provide site development concepts and meet design requirements consistent with the Site Plan Control By-law and Policies; units will not be above or below one another; there will be only one dwelling per unit; and, upon registration, no structures will cross unit boundaries. The proposal is in keeping with these policies. Part iv) of this Section sets out that there will be only one dwelling permitted per unit. Amendments were made to the *1989 Official Plan* through OPA 748 (C.P.1284(wm)-11), which exempts the lands located at 370 South Street and 124 Colborne from part iv) of Policy 19.15.4. As such, the proposal is in keeping with the *1989 Official Plan* policies for vacant land condominiums.

Old Victoria Hospital Lands Secondary Plan

The *Old Victoria Hospital Lands Secondary Plan* sets the development vision and policies for the subject lands, which are within the Mid-Rise Residential and The Four Corners Designations. Mid-Rise Residential permits a range of uses, from converted dwellings to apartment buildings up to 8-storeys. This designation is applied to the Homes Unlimited, Chelsea Green, LAHF, Victoria Health Services building and the Zerin building. The Four Corners designation is intended to provide a neighbourhood core for the lands adjacent to the South Street and Colborne Street intersection.

Policies for this designation permit apartment buildings up to 11-storeys and encourage mixed-use buildings with small scale commercial on the ground floor. This designation is applied to the War Memorial Children's Hospital and SoHo Civic Park.

Z.-1 Zoning By-law

The existing zoning for the subject lands is as follows:

- Holding Residential R4/R8 Special Provision (h*h-5*R4-6(13)/R8-4(59))
- Holding Residential R8 Special Provision (h*h-5*R8-4(56))
- Holding Residential R8 Special Provision (h*h-5*R8-4(58))

Both the Residential R4 and R8 zone regulate medium density residential development. The R4 permits street town housing, while the R8 Zone permits apartment buildings; handicapped person's apartment buildings; lodging house class 2; stacked town housing; senior citizen apartment buildings; emergency care establishments; and, continuum-of-care facilities. The proposed vacant land condominium is consistent with the Zoning By-law. Please refer to the Zoning Excerpt in Appendix D.

Vacant Land Condo Application

The City of London Condominium Guidelines have been considered for the proposed Vacant Land Condominium which is comprised of various units and common elements. The City may require applicants to satisfy reasonable conditions prior to Final Approval and registration of the plan of condominium, as authorized under the provisions of subsection 51(25) of the *Planning Act*. In order to ensure that this Vacant Land Condominium development functions properly, the following may be required as conditions of draft approval:

- That site plan approval has been given and a Development Agreement has been entered into;
- Completion of site works in the common elements and the posting of security in addition to that held under the Development Agreement (if applicable), in the event these works are not completed prior to registration of the plan of condominium;
- Confirmation of addressing information and door point numbers;
- Payment of outstanding taxes or local improvement charges, if any;
- Provision of servicing easements for utility providers (such as London Hydro, Union Gas, Bell, etc.);
- The maintenance of any stormwater servicing works including on-site works;
- Arrangements be made dealing with rights of access to and use of joint facilities, and responsibility for and distribution of costs for maintenance of joint facilities; and,
- Ensuring that the Condominium Declaration to be registered on title adequately addresses the distribution of responsibilities between the unit owners and the condominium corporation for the maintenance of services, the internal driveway, amenity areas, and any other structures in the common elements

4.2 Reasoning for Vacant Land Condominium Approach

This proposal and its approach to the vacant land condominium process are unique to the City of London and required amendments to the *1989 Official Plan* and *The London Plan* to ensure the application was consistent with these policies. Both Vacant Land and Common Element Condominiums by the City and the Applicant were considered as options for the redevelopment of these lands. As previously noted, the stratified Vacant Land Condominium approach was chosen by the applicants over the common element condominium as it was a more effective and efficient process that provided flexibility for unit boundaries, as well as a clear statutory framework on which to rely. The common element condo approach would have introduced time and cost inefficiencies to the process as the apartment buildings could not have processed through the same application as the common elements, and owners would not have the statutory

obligations, or ability to enforce requirements, for the repair and maintenance of units and common elements.

4.3 Easements

In addition to easements requested from external agencies (e.g., London Hydro, Bell Canada), the City of London will also require the Applicants to register easements over the SoHo Civic Space. The Zerlin Building and War Memorial Buildings and their entrances are abutting the Civic Space and easements are required for access, maintenance, and liability. City of London staff are working with the applicants to determine the nature and requirements of these easements, which will be included as conditions for Draft Approval.

Conclusion

The proposed Vacant Land Condominium is consistent with the *Provincial Policy Statement*, and in conformity with the *London Plan, (1989) Official Plan*, the *Old Victoria Hospital Lands Secondary Plan*, and the Z.-1 Zoning Bylaw. The proposed apartment use is appropriate for the site and permitted under the existing zoning. Applications for Site Plan Approval and Removal of Holding Provisions have also been submitted and are being reviewed in conjunction with this application.

Prepared by: Alison Curtis, MA
Planner 1, Planning and Development

Reviewed by: Bruce Page
Manager, Subdivision Planning

Recommended by: Gregg Barrett, AICP
Director, Planning and Development

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

CC: Matt Feldberg, Manager, Subdivisions and Condominiums
Michael Pease, Manager, Site Plans

Appendix A: Community Consultation

Public liaison: On December 22, 2021, Notice of Application was sent to property owners in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 30, 2021. The Notice of Revised Application and Public Participation meeting were distributed and published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 21, 2022.

Nature of Liaison: The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 6 units, and each unit contains one (1) low rise or one (1) mid-rise residential apartment building. Consideration of a proposed draft plan consisting of 6 units containing one (1) apartment building and common elements to be registered as one Condominium Corporation. Common elements will include: driveways, above-ground shared parking areas, underground parking facilities and at-grade outdoor amenity areas.

346, 370, and 392 South Street and 351, 373, and 385 Hill Street; located on the west side of Colborne Street, north of South Street; approximately 1.89 hectares –

The purpose and effect of this application is to approve a Draft Plan of Vacant Land Condominium consisting of 6 units, and each unit contains one (1) low rise or one (1) mid-rise residential apartment building and underground parking facilities. Consideration of a proposed draft plan consisting of 6 units containing one (1) apartment building and common elements to be registered as one Condominium Corporation. Common elements include driveways, above-ground shared parking areas, and at-grade outdoor amenity areas. A public meeting will be held no sooner than May 9, 2022, and will not be heard before 4:00 p.m. **For the lands under consideration, the following applications have also been submitted: Site Plan Approval – Application File No. SPA21-081; Removal of Holding Provisions – H-9462; Official Plan and Zoning By-law Amendments – Application File No. OZ-9418 and Z-9224.*
File: 39CD-21522 Planner: A. Curtis x.4497

Appendix B: Agency and Department Comments

External Agency Comments

London Hydro

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a blanket easement.

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 and availability.

Bell Canada

The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.

The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.”

The Owner is advised to contact Bell Canada at planninganddevelopment@bell.ca during the detailed utility design stage to confirm the provision of communication/telecommunication infrastructure needed to service the development.

It shall be noted that it is the responsibility of the Owner to provide entrance/service duct(s) from Bell Canada's existing network infrastructure to service this development. In the event that no such network infrastructure exists, in accordance with the Bell Canada Act, the Owner may be required to pay for the extension of such network infrastructure.

If the Owner elects not to pay for the above noted connection, Bell Canada may decide not to provide service to this development.

Enbridge Gas Inc.

It is Enbridge Gas Inc's request that as a condition of final approval that the owner/developer provide to Union the necessary easements and/or agreements required by union for the provision of gas services for this project, in a form satisfactory to Enbridge.

Department Comments

Water Engineering

Water Engineering has no comment on this Draft Plan of Vacant Land Condominium for the Old Victoria Hospital Lands. Water servicing will be in accordance with the approved site servicing drawings.

Appendix C: Policy Context

The following regulatory documents and policies were considered in their entirety as part of the evaluation of this proposal. The most relevant policies, by-laws, and legislation are identified in the following sections.

Provincial Policy Statement, 2020

Section 1.0 Building Strong Healthy Communities

- 1.1.1 of Managing and directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns
- 1.1.3 Settlement Areas
- 1.4 Housing
- 1.6 Infrastructure and Public Service Facilities
- 1.8 Energy Conservation, Air Quality and Climate Change

Section 2.0 Wise Use and Management of Resources

- 2.2 Water
- 2.6 Cultural Heritage and Archaeology

Section 3.0 Protecting Public Health and Safety

The London Plan

Neighbourhood Place Type

Vision for the Neighbourhoods Place Type

916_* In 2035 our neighbourhoods will be vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Some of the key elements of our vision for neighbourhoods include:

1. A strong neighbourhood character, sense of place and identity.
2. Attractive streetscapes, buildings, and public spaces.
3. A diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so.
4. Well-connected neighbourhoods, from place to place within the neighbourhood and to other locations in the city such as the downtown.
5. Lots of safe, comfortable, convenient, and attractive alternatives for mobility.
6. Easy access to daily goods and services within walking distance.
7. Employment opportunities close to where we live.
8. Parks, pathways, and recreational opportunities that strengthen community identity and serve as connectors and gathering places.

City Building

*202_ Buildings and public spaces at key entry points into neighbourhoods will be designed to help establish a neighbourhood's character and identity.

229_ Except in exceptional circumstances, rear lotting will not be permitted onto public streets and side-lotting will be discouraged on Civic Boulevards and Urban Thoroughfares.

*255_ Site layout will promote connectivity and safe movement between, and within, sites for pedestrians, cyclists, and motorists.

*259_ Buildings should be sited with minimal setbacks from public rights-of-way and public spaces to create a street wall/edge and establish a sense of enclosure and comfortable pedestrian environment.

*285_ To support pedestrian activity and safety, blank walls will not be permitted along the street edge.

*291_ Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish an active frontage and provide for convenient pedestrian access.

** Policy subject to LPAT Appeal PL170100 - November 13, 2019*

Our Tools

1709_ The following policies will apply to consideration of an application for a vacant land condominium:

1. The same considerations and requirements for the evaluation of draft plans of subdivision shall apply to draft plans of vacant land condominium.
2. The applicant may be required to provide site development concepts and meet design requirements consistent with the Site Plan Control By-law as part of the consideration of a draft plan of vacant land condominium.
3. Proposals for vacant land condominiums which will result in units above or below any other unit will not be supported.
4. Only one dwelling will be permitted per unit.
5. At the time of registration, structures cannot cross unit boundaries.
6. The registration of a proposed development as more than one vacant land condominium corporation may be permitted if the proposal is supportive of comprehensive development and planning goals. The minimum number of units to be included in each condominium corporation will be adequate to allow for the reasonable, independent operation of the condominium corporation.

1898 Official Plan

Chapter 3: Residential Land Use Designations

- 3.3 Multi-Family, Medium Density Residential
- 3.3.1 Permitted Uses
- 3.3.2 Location
- 3.3.3 Scale of Development

Chapter 19: Implementation

Z.-1 Zoning By-law

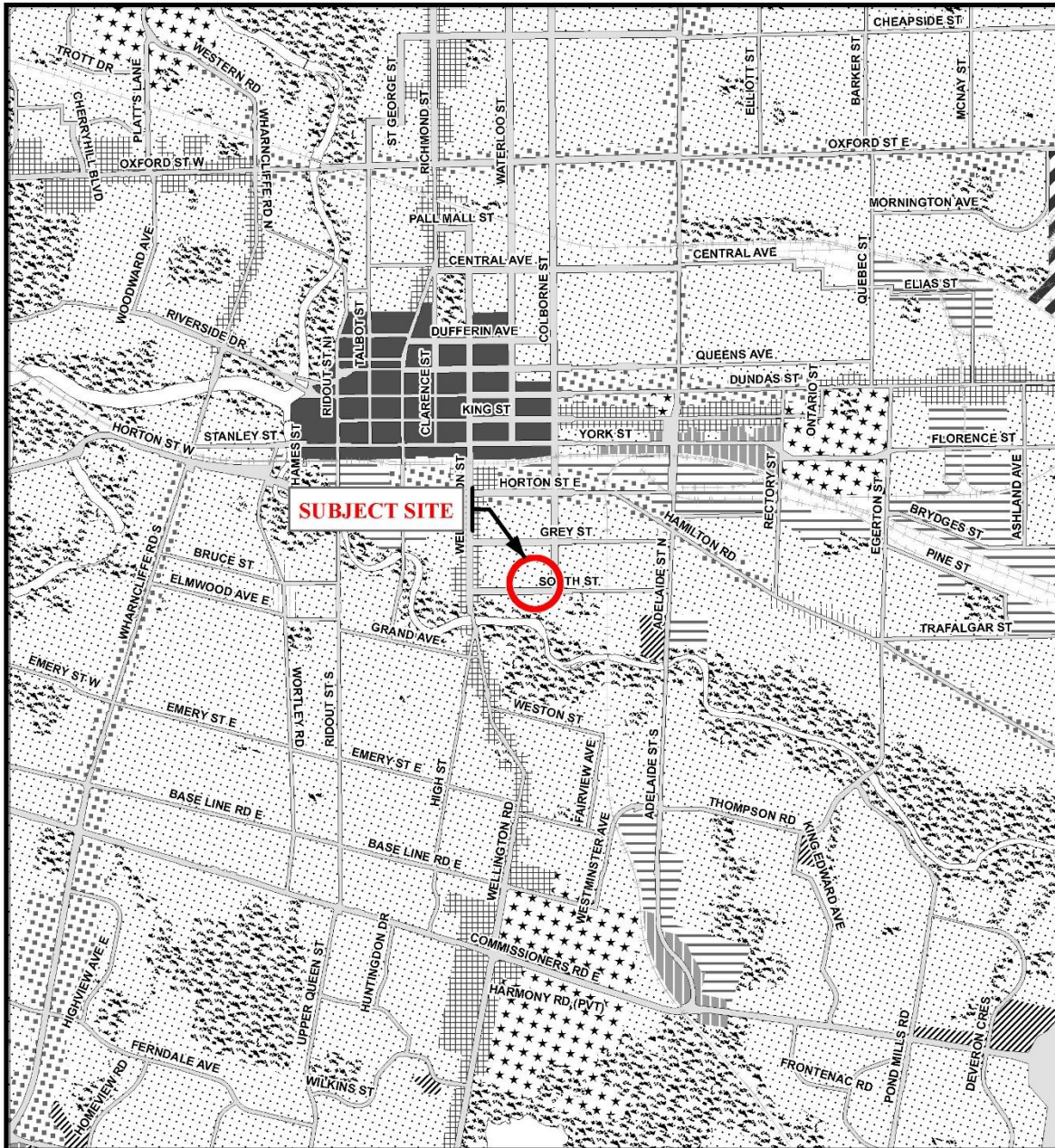
Section 3: Zones and Symbols

Section 8: Residential R4 Zone

Section 12: Residential R8 Zone

Appendix D: Relevant Background

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 the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

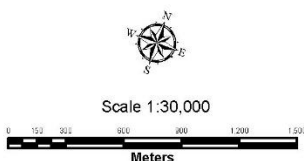
At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON

Planning Services /
Development Services

LONDON PLAN MAP 1 - PLACE TYPES -

PREPARED BY: Planning Services



File Number: 39CD-21522

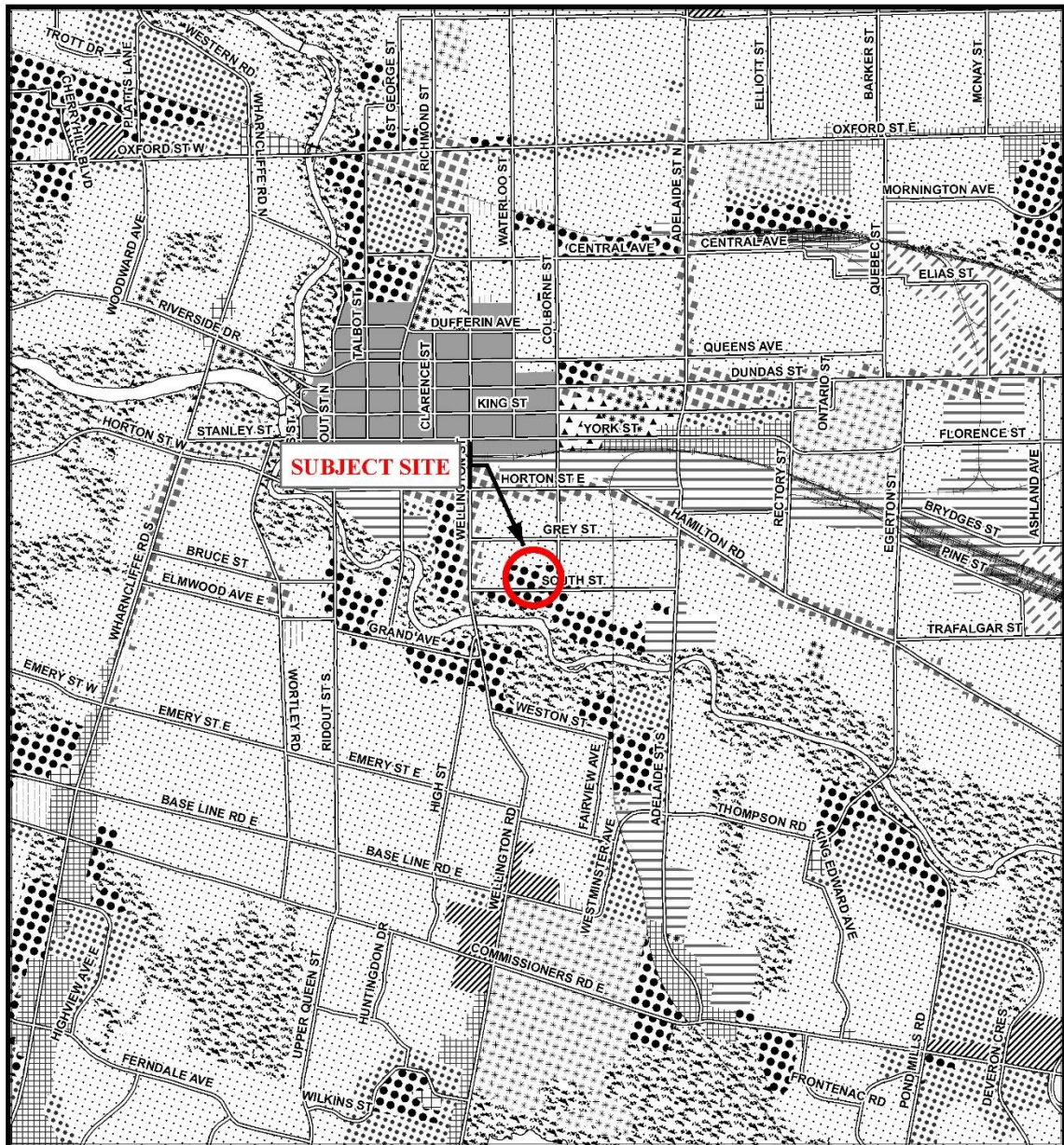
Planner: AC

Technician: RC

Date: December 20, 2021

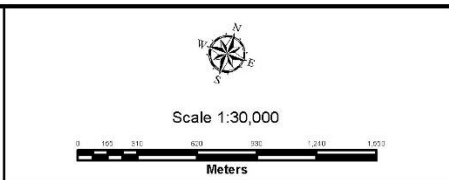
Project Location: E:\Planning\Projects\p_officialplan\workconsol\0\excerpts_LondonPlan\mxd\39CD-21522-Map1-Place Types.mxd

1989 Official Plan Excerpt



Legend		
Downtown	Multi-Family, Medium Density Residential	Office Business Park
Wonderland Road Community Enterprise Corridor	Low Density Residential	General Industrial
Enclosed Regional Commercial Node	Office Area	Light Industrial
New Format Regional Commercial Node	Office/Residential	Commercial Industrial
Community Commercial Node	Regional Facility	Transitional Industrial
Neighbourhood Commercial Node	Community Facility	Rural Settlement
Main Street Commercial Corridor	Open Space	Environmental Review
Auto-Oriented Commercial Corridor	Urban Reserve - Community Growth	Agriculture
Multi-Family, High Density Residential	Urban Reserve - Industrial Growth	Urban Growth Boundary

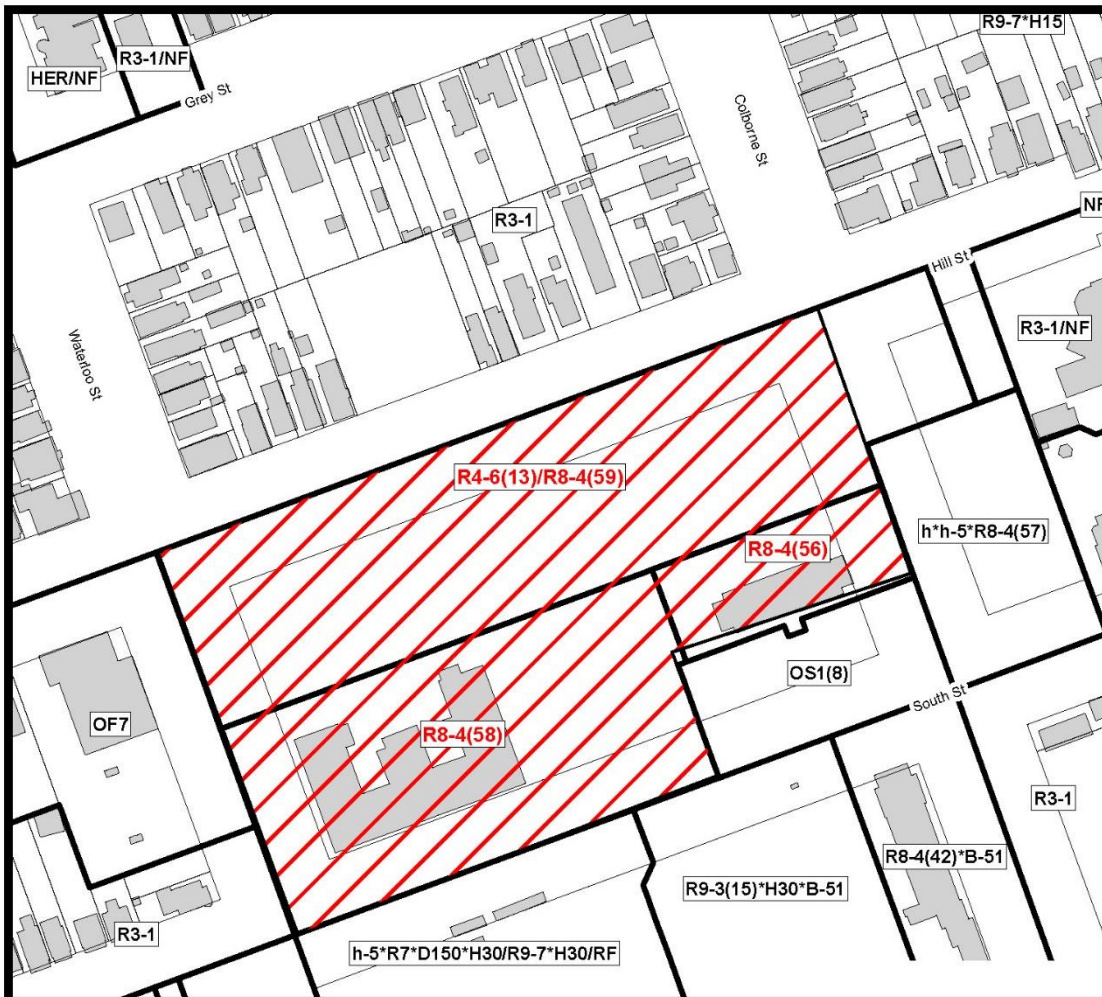
CITY OF LONDON
Planning Services /
Development Services
OFFICIAL PLAN SCHEDULE A
- LANDUSE -
 PREPARED BY: Graphics and Information Services



FILE NUMBER: 39CD-21522
PLANNER: AC
TECHNICIAN: RC
DATE: 2021/12/20

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid00\excerpts\mxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd

Z-1 Zoning By-law Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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 |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| 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**



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

FILE NO:

39CD-21522 AC

MAP PREPARED:

2022/04/08 rc

1:2,000

0 10 20 40 60 80 Meters

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: Application By: Drewlo Holdings
1140 Fanshawe Park Road East
Public Participation Meeting

Date: May 9, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Drewlo Holdings relating to the property located at 1140 Fanshawe Park Road East:

- (a) the request to amend the 1989 Official Plan to change the designation on Schedule "A" – Land Use on a portion of the subject lands **FROM** a Low Density Residential designation along Sunningdale Road East, **TO** a Multi-Family, Medium Density Residential designation, **BE REFUSED**;
- (b) the request to amend the 1989 Official Plan change the designation on Schedule "A" – Land Use on a portion of the subject lands **FROM** a Low Density Residential designation, **TO** an Open Space designation, **BE REFUSED**;
- (c) the request to amend The London Plan to change the designation on a portion of the subject lands **FROM** the Open Space Place Type, **TO** the Neighbourhoods Place Type, **BE REFUSED**;
- (d) the request to amend The London Plan to change the designation on a portion of the subject lands **FROM** the Open Space Place Type, **TO** the Neighbourhoods Place Type, **BE REFUSED**;
- (e) the request to amend The London Plan to change the designation on a portion of the subject lands **FROM** the Neighbourhoods Place Type **TO** the Open Space Place Type, **BE REFUSED**;
- (f) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Holding Urban Reserve (h-2*UR3) Zone, Urban Reserve (UR3) Zone and Open Space (OS5) Zone, **TO** a Bonus Residential R8 Special Provision (B-*R8-4(_)) Zone, Residential R5 (R5-7) Zone, Residential R1 Special Provision (R1-3(_)) Zone, Residential R1 (R1-2) Zone, Residential R1 (R1-3) Zone, Neighbourhood Facility (NF) Zone and an Open Space (OS5) Zone **BE REFUSED**.

Executive Summary

Summary of Request

The request is to permit a subdivision consisting of 18 low density residential blocks; six (6) medium-density, multi-family density blocks; two (2) school blocks; three (3) open space blocks, including one (1) open space block for the compensation and relocation of an existing Provincially Significant Wetland; seven (7) access points at Sunningdale Road East, Savannah Drive, Nicole Avenue, Devos Drive, Blackwell Boulevard, Stackhouse Avenue and Fanshawe Park Road East as well as five (5) internal streets.

Amendments are requested to the 1989 Official Plan to re-designate a portion of the lands along Sunningdale Road East from Low Density Residential to Multi-Family

Medium Density Residential to permit a broader range of residential uses, including higher density forms of housing and allow for Bonus Zoning for greater heights and densities. Amendments also include re-designating a portion of lands from Low Density Residential to Open Space for the proposed wetland relocation and compensation area.

Amendments are requested to The London Plan to redesignate a portion of lands from Open Space Place Type to the Neighbourhoods Place Type on and surrounding the Provincially Significant Wetland. Amendments also include re-designating a portion of the lands from the Neighbourhoods Place Type to the Open Space Place Type for the proposed wetland relocation and compensation area.

Purpose and Effect of the Recommended Action

The purpose and effect of the recommended action is for Municipal Council to refuse the requested Official Plan and Zoning By-law Amendments and Draft Plan of Subdivision as the proposed and recommended amendments are not consistent with the Provincial Policy Statement (2020).

Rationale of Recommended Action

1. The proposed and recommended amendments propose development within a Provincially Significant Wetland.
2. The proposed and recommended amendments do not conform to the in-force policies of *The London Plan*, including but not limited to the policies of the Neighbourhoods and Green Space Place Type and to the Our Strategy, Our City and the Key Directions.
3. The proposed and recommended amendments do not conform to the in-force policies of the *1989 Official Plan*, including but not limited to the Low-Density Residential designation, the Multi-Family Medium Density Residential designation, and the Open Space designation.
4. The proposed and recommended zoning amendments do not conform to *The London Plan* or the *1989 Official Plan*.

Linkage to the Corporate Strategic Plan

This application supports the Building a Sustainable City area of focus in the Corporate *Strategic Plan* by ensuring that the City of London's growth and development are well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

None.

1.2 Planning History

In 2007, an Official Plan and Zoning By-law Amendment application (OZ-7336) was submitted to the City to facilitate the original Draft Plan of Subdivision (39T-07502). As part of a complete application, an Environmental Impact Assessment (EIS) (dated December, 2006) was submitted. In August, 2007, the application was placed on hold until a revised EIS was provided and revised as the original EIS did not mention the wetland on site. The revised EIS was later provided to staff in July, 2008. Through circulation of the revised EIS, concerns were raised by both Parks Planning and Environmental and Ecological Planning Advisory Committee (EEPAC) related to the environmentally significant area limit and the lack of discussion on the Provincially

Significant Wetland on site. The original application was not heard at the Planning and Environment Committee.

1.3 Property Description

The subject lands are located on the south side of Sunningdale Road East, west of Highbury Avenue North. The overall subdivision (39T-07502) is comprised of 48.68 hectares (120.29 acres) of land and includes three (3) irregular shaped parcels along Stackhouse Avenue. Access to the subject lands is provided via Sunningdale Road East, Stackhouse Avenue (via Fanshawe Park Road East), Savannah Drive, Nicole Avenue and Devos Drive. Surrounding land uses include existing low density residential uses to the north, south and west with a place of worship, agricultural and open space lands to the east. The site contains a Provincially Significant Wetland towards the western portion, south of Sunningdale Road East.

1.4 Current Planning Information (see more detail in Appendix D)

- The *London Plan* Place Type – Neighbourhoods and Open Space
- (1989) *Official Plan* Designation – Multi-Family, Medium Density Residential, Low Density Residential and Open Space
- Existing Zone – Holding Urban Reserve, Urban Reserve and Open Space (h-2*UR3/UR3/OS5)

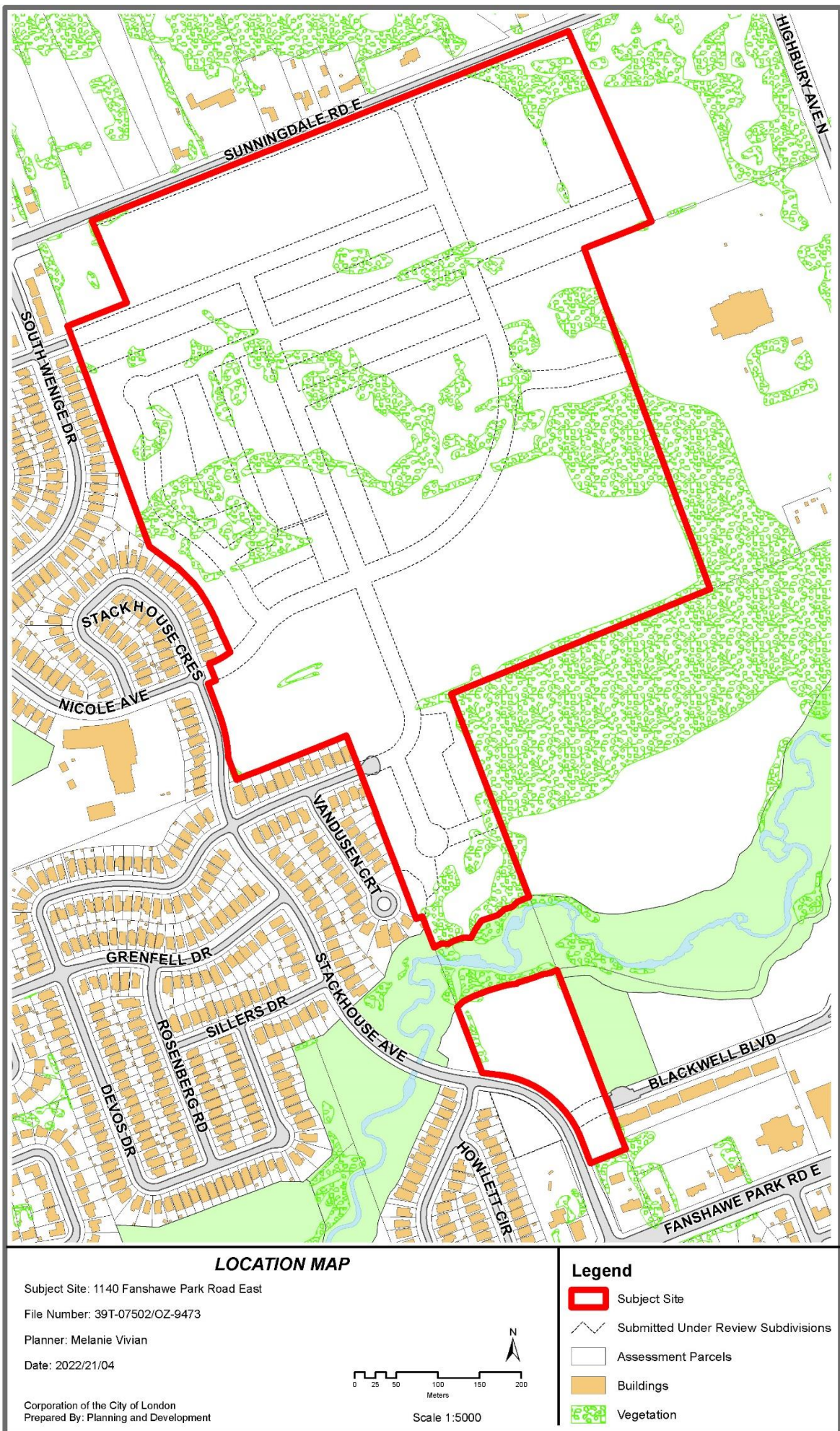
1.5 Site Characteristics

- Current Land Use – vacant
- Frontage – 730.4 metres along Highbury Avenue North, 615.07 along Sunningdale Road East
- Area – 48.68 hectares (120.29 acres)
- Shape –Irregular

1.6 Surrounding Land Uses

- North – Low Density Residential, Agricultural, Open Space
- East – Agricultural, Open Space, Low Density Residential, Place of Worship
- South – Commercial, Low Density Residential, Medium Density Residential, Place of Worship
- West – Low and Medium Density Residential

1.7 Location Map



2.0 Description of Proposal

2.1 Development Proposal

Original Draft Plan of Subdivision

In 2007, the applicant submitted a Draft Plan of Subdivision proposing a range of residential uses, a neighbourhood park, potential school block and provided a buffer from the existing natural heritage features and delineate the Stoney Creek corridor. The proposal included direct access to Fanshawe Park Road East via Stackhouse Avenue and Sunningdale Road East with a proposed future access to Highbury Avenue North. The original draft plan of subdivision proposed development over the existing Provincially Significant Wetland and included an amendment to the Official Plan to delete the Wetland Class 4-7 symbol on Schedule "B". The application was not heard at the Planning and Environment Committee and has been on hold since 2007.

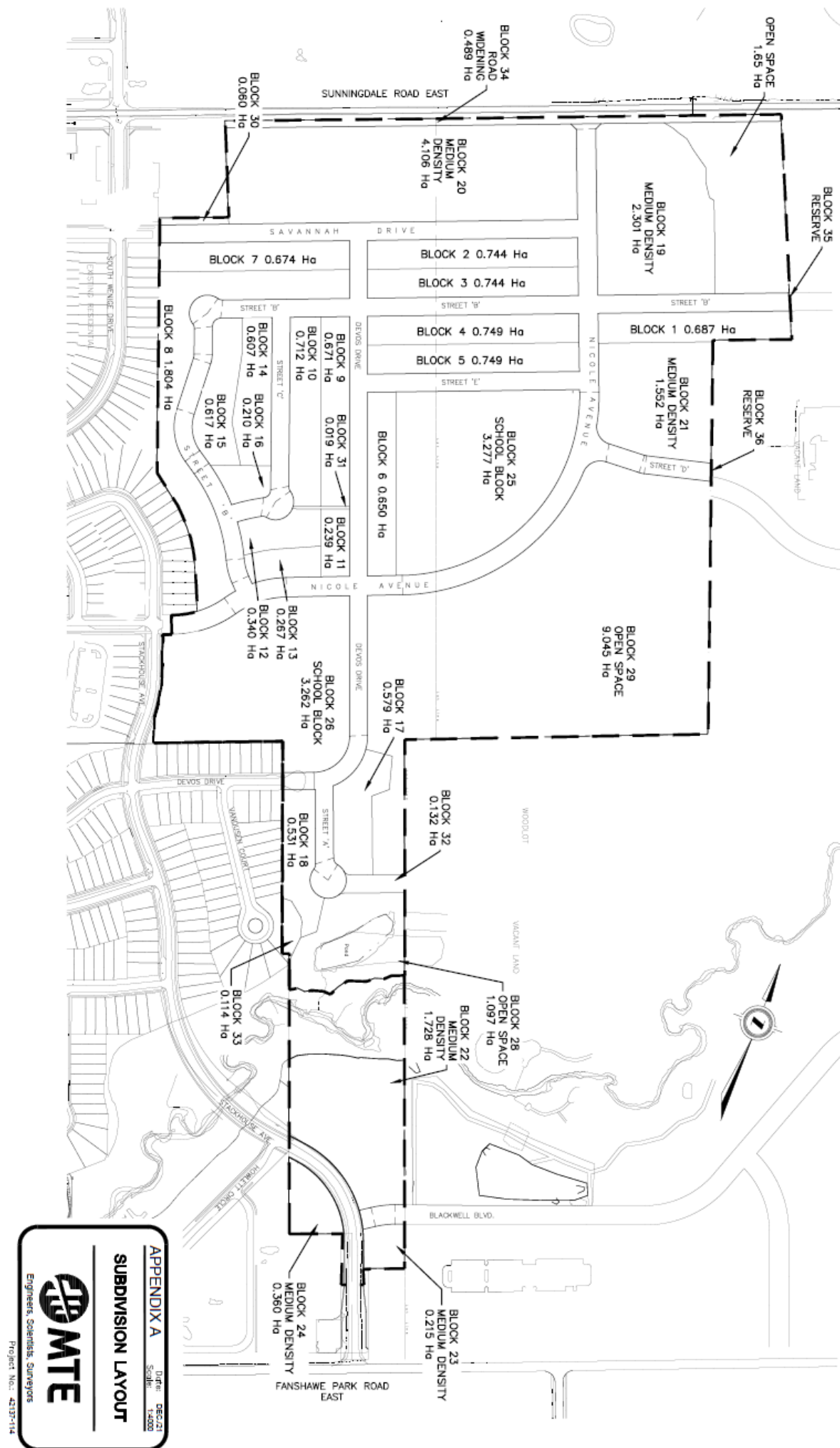


Figure 1: Original Draft Plan of Subdivision.

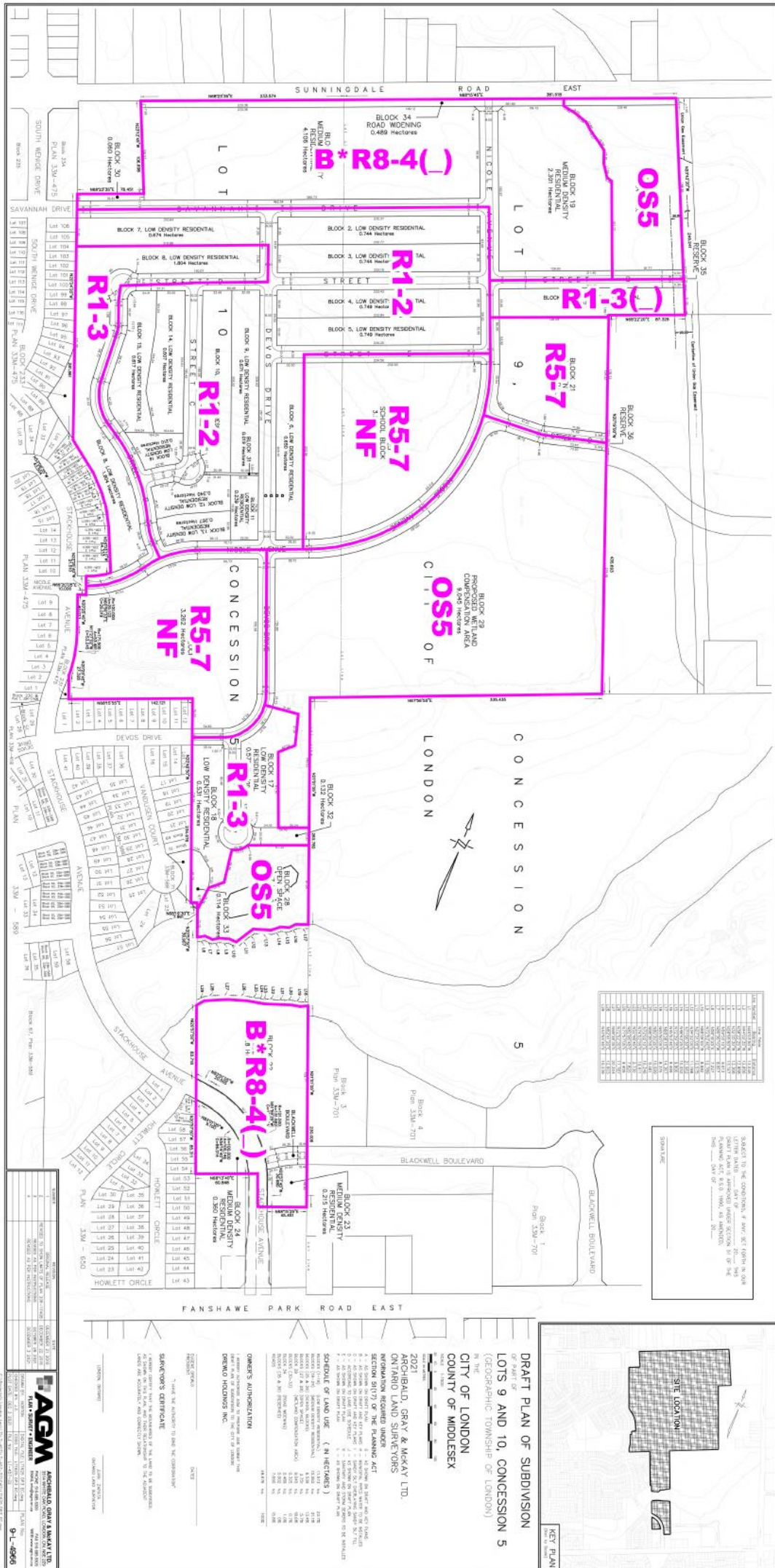
Proposed Draft Plan of Subdivision

In 2022, the applicant submitted the revised Draft Plan of Subdivision consisting of 18 low density residential blocks, six (6) medium density residential blocks, two (2) school blocks, three (3) open space blocks, including one (1) open space block for the compensation and relocation of an existing Provincially Significant Wetland. The revised Draft Plan of Subdivision proposed seven (7) access points at Sunningdale Road East, Savannah Drive, Nicole Avenue, Devos Drive, Blackwell Boulevard, Stackhouse Avenue and Fanshawe Park Road East as well as five (5) new internal streets. Access points also include the extension of Savannah Drive, Nicole Avenue, Devos Drive and Blackwell Boulevard. The proposed draft Plan of Subdivision includes the request for approval of official plan and zoning by-law amendments associated with the blocks within the proposed draft plan.

2.2 Proposed Plan of Subdivision



2.3 Proposed Zoning By-law Amendment Sketch



2.4 Requested Amendments

The applicant has submitted a Revised Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment applications to permit the creation of a residential subdivision consisting of low density single detached dwellings/lots, medium density blocks, parks, school blocks and the extension of existing public roads as well as the creation of new streets.

The applicant has requested to amend the 1989 Official Plan to redesignate on Schedule A – Land Use, a portion of lands currently designated Low Density Residential along Sunningdale Road East (Block 20 and a portion of Block 19) to facilitate higher density forms of housing types and uses. The applicant has also requested to amend the 1989 Official Plan to redesignate the proposed wetland compensation area from Low Density Residential to Open Space (Block 29). The proposed amendments will seek to bring the policies more inline with the permissions of The London Plan.

The applicant has also requested to amend The London Plan to redesignate a portion of the lands from Open Space Place Type to the Neighbourhoods Place Type on Map 1 – Place Types where the identified Provincially Significant Wetland is located (as seen on Map 5 – Natural Heritage). The proposed amendments to The London Plan include redesignating a portion of lands from the Neighbourhoods Place Type to the Open Space Place Type for the proposed wetland compensation area block (Block 29).

The applicant has requested to amend the Zoning By-law Z.-1 to change the zoning from a Holding Urban Reserve/Urban Reserve/Open Space (h-2*UR3/UR3/OS5) Zone to:

Bonus Residential R8 Special Provision (B- *R8-4()) Zone (Part Block 19, Block 20, Blocks 22-24):

The proposed special provisions include: to permit uses such as apartment buildings, stacked townhouse dwellings and cluster townhouse dwellings. Proposed regulations include a maximum density of 100 units per hectare; a maximum height of six (6) storeys; a maximum front and exterior side yard depth of 3 metres (9.8 feet) and a setback from the Open Space Zone (yet to be determined). The proposed Bonus Zone is for the provision of affordable housing units to be secured through agreement at the time of Site Plan Approval at the amount of 10% of the uplift (units greater than 75 units per hectare) for a time period of 20 years at a rate of 85% average market rent.

Residential R5 (R5-7) Zone:

To permit cluster townhouse dwellings and/or cluster stacked townhouse dwellings (Blocks 21, 25 and 26).

Residential R1 Special Provision (R1-3()) Zone:

To permit single detached dwellings with a special provision to permit a reduced minimum interior side yard depth as the lots are adjacent to a gas easement. Enbridge Gas Inc. has provided comments and has not indicated the need for a reduced setback from the easements but rather, have the necessary easements/agreements in place, to the satisfaction of Enbridge.

Residential R1 (R1-2) and (R1-3) Zone:

To permit single detached dwellings (Blocks 2-7, 9-16, Block 31, Block 8, 17, 18, 32 and 33). The various Residential R1 Zones are proposed to provide opportunities for a range of lot sizes.

Neighbourhood Facility (NF) Zone:

To permit new facilities in the community including Places of Worship; elementary schools and/or day care centres (Blocks 25-26). The Neighbourhood Facility (NF) Zone is proposed to be compounded with the Residential R5 (R5-7) Zone to allow for a range of uses on site for alternative development types.

Open Space (OS5) Zone:

To permit conservation lands; conservation works; passive recreation uses which include hiking trails and multi-use pathways; and/or managed woodlots. The proposed OS5 Zone includes the proposed Block for the wetland compensation area, consistent with the existing zone along the Stoney Creek Corridor.

The applicant submitted the following reports in support of the above requested amendments:

1. Final Proposal Report;
2. Environmental Impact Study;
3. Hydrogeological Assessment;
4. Geotechnical Report;
5. Functional Servicing Report; and
6. Preliminary Stormwater Servicing Report.

The submitted reports were circulated and reviewed by City Staff, the UTRCA and EEPAC along with other commenting agencies.

2.5 Community Engagement (see more detail in Appendix C)

Public Circulation

The application was circulated on March 2, 2022 and posted in *The Londoner* on March 3, 2022. Through the public circulation process, staff received six (6) comments from the public with respect to the proposed Draft Plan of Subdivision, Official Plan and Zoning By-law Amendment application. Comments received are attached to Appendix "C" below.

Comments/concerns received from the community include:

- Request for further information on the proposal, including detailed plans;
- Support for the application ;
- Loss of green space, trees and removal of areas for animals;
- Decrease in property values;
- Loss of privacy; and
- Increase of traffic in the area

2.6 Policy Context (see more detail in Appendix D)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides policies to manage and direct land use to achieve efficient and resilient development and land use patterns (1.1). The PPS promotes the sustainability of health, liveable and safe communities by promoting efficient development and land use patterns while accommodating an appropriate affordable and market-based range and mix of residential types (1.1.1.a) and 1.1.1.b)). The PPS further encourages settlement areas to be the main focus of growth and development with densities and a mix of land uses that efficiently use land and resources and are transit-supportive where transit is planned, exists or may be developed (1.1.3.1, 1.1.3.2.e) and 1.1.3.2.f)). New development within settlement areas

is to take place in designated growth areas should occur adjacent to the existing built-up area and should have compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities (1.1.3.6).

As noted, the PPS promotes an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (1.4.1). The PPS further directs planning authorities to permit and facilitate all forms of housing and to direct the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs.

Section 2.0 of the PPS acknowledges that the long-term prosperity, environmental health, and social well-being of Ontario depends upon the conservation and protection of our natural heritage and conservation resources. The PPS directs natural heritage features to be protected for the long term, including the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features (2.1.2). Given the Provincially Significant Wetland on site, a further analysis of Section 2.0 Wise Use and Management of Resources can be found in Section 4.2 of the report below.

The PPS acknowledges that the long-term prosperity, environmental health and social well-being of Ontario depends, in part, on reducing the potential public cost and risk associated with natural or human-made hazards. As such, Section 3.0 of the PPS provides a number of policies designed to direct development away from natural and human-made hazards where there is an unacceptable risk to public health or safety or property damage.

In accordance with Section 3 of the *Planning Act*, all planning decisions “shall be consistent with” the PPS.

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies which are under appeal to the Local Planning Appeals Tribunal (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council but are not determinative for the purposes of this planning application.

The London Plan includes criteria for evaluating plans of subdivision through policy 1688_ that requires consideration of:

1. Our Strategy
2. Our City
3. City Building policies
4. The policies of the place type in which the proposed subdivision is located
5. Our Tools
6. Relevant Secondary Plans and Specific Policies

Neighbourhoods Place Type

The subject lands are located in the Neighbourhoods Place Type (Map 1 – Place Types) where the range of primary and secondary permitted uses that may be allowed based on the street classification to property has frontage along (921_). The proposed blocks along Sunningdale Road East front on to a Civic Boulevard (Map 3 – Street

Classifications) with permitted uses ranging from single detached dwellings, townhouses to low-rise apartment buildings, in accordance with Table 10 – Range of Permitted Uses in Neighbourhoods Place Type. Where the lands intersect with Sunningdale Road East and Nicole Avenue (Neighbourhood Connector), secondary uses, in accordance with Table 10, include mixed-use buildings. Blocks along Stackhouse Avenue and Nicole Avenue front onto a Neighbourhood Connector, permitting a range of uses such as single detached dwellings, townhouses, triplexes and small-scale community facilities.

The London Plan measures intensity based on permitted heights (*935_). In The Neighbourhoods Place Type with frontage along a Civic Boulevard, a minimum height of 2-storeys with a maximum of 4-storeys, 6-storeys with Bonusing, are permitted. Where a property fronts the Neighbourhood Connector, a minimum of 1-storey and a maximum of 2.5 storeys is permitted. It is noted that where there is a Neighbourhood Street, a minimum height of 1-storey and a maximum height of 2.5-storeys is permitted, in accordance with *Table 11 – Range of Permitted Heights in Neighbourhoods Place Type.

Through further applications under the *Planning Act*, staff will review detailed development plans with respect to the proposed form to ensure they conform to the Form policies (936_) of The London Plan.

Open Space Place Type

The subject lands are also located in the Open Space Place Type (Map 1 – Place Types) where lands within the Green Space Place Type vary considerably and the uses that are permitted within these areas will be dependent upon the natural heritage features and areas contained on the subject lands, the hazards that are present, and the presence of natural resources which are to be protected (762_2). Map 5 – Natural Heritage of The London Plan identifies a Provincially Significant Wetland located on site. Given the Provincially Significant Wetland on site, a further analysis on The London Plan policies can be found in Section 4.2 of the report below.

1989 Official Plan

Low Density Residential

The Low Density Residential designation is intended to accommodate low-rise, low density housing forms which includes single detached; semi-detached; and duplex dwellings. Multiple-attached dwellings, such as row houses or cluster housing may also be permitted subject to the policies of this Plan (3.2.1.). Development within areas designated Low Density Residential shall have a low-rise, low coverage form that minimizes problems of shadowing, view obstruction and loss of privacy. The development of low density residential uses shall be subject to appropriate site area and frontage requirements in the Zoning By-law. These requirements may vary in areas of new development according to the characteristics of existing or proposed residential uses and shall result in net densities that range to an approximate upper limit of 30 units per hectare.

Multi-Family Medium Density Residential

The Multi-Family, Medium Density Residential designation is intended to accommodate multiple-attached dwellings, such as row houses or cluster houses; low-rise apartment buildings; rooming and boarding houses; emergency care facilities; converted dwellings; and small-scale nursing homes, rest homes and homes for the aged. These areas may also be developed for single-detached, semi-detached and duplex dwellings (3.3.1.). Development within the designation shall have a low-rise form and a site coverage and density that could serve as a transition between low density residential areas and more intensive forms of commercial, industrial, or high density residential development. Development shall be subject to height limitations in the Zoning By-law which are sensitive to the scale of development in the surrounding neighbourhood and generally do

not exceed four storeys. Medium density developments generally will not exceed an approximate net density of 75 units per hectare (3.3.3.).

Open Space

Lands within the Open Space designation consist of public open space; private open space, including such uses as cemeteries and private golf courses; flood plain lands and lands that are subject to natural hazards; components of the Natural Heritage System, which have been evaluated and which are recognized by Council as being of city-wide, regional or provincial significance; and, lands that contribute to important ecological functions. Public open space uses including district, city-wide, and regional parks; and private open space uses are permitted in the Open Space designation.

Zoning By-law Z.-1

The subject lands are currently zoned Holding Urban Reserve/Urban Reserve/Open Space (h-2*UR3/UR3/OS5). The Urban Reserve (UR3) Zone permits uses such as conservation lands, managed woodlots, passive recreation uses, kennels, riding stables and private outdoor recreation clubs, among others. The Urban Reserve Zone is intended to protect large tracts of land from premature subdivision and development to provide for future comprehensive development on those lands. The Open Space Zone permits uses such as conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways and managed woodlots. The OS5 Zone variation applies to important natural features and functions that have been recognized by Council as being City-wide, regional, or provincial significance and identified as components of the Natural Heritage System of the Official Plan. Development and site alteration is permitted only if it has been demonstrated through appropriate studies that there will be no negative impacts on the features and functions for which the area has been identified.

2.7 Subdivision Analysis

The proposed Draft Plan has been reviewed on the principal elements, found within the City Building policies of the London Plan:

City Design and Placemaking

The London Plan provides policies for designing our city to ensure it is shaped by both its natural setting and built form. The built form includes elements such as streets, streetscapes, public spaces, landscapes and buildings (189_). The focus of the City Design policies are to encourage a well-designed built form throughout the City; development that is designed to be a good fit and compatible within its context; development that supports a positive pedestrian environment; a mix of housing types to support ageing in place and affordability; and healthy, diverse and vibrant neighbourhoods that promote a sense of place and character (193_).

Subdivision Design and Connectivity

One of The London Plan's key principles is the mobility of people and goods through the City. Within these principles, neighbourhoods are encouraged to be designed in a manner that use public spaces and parks to serve as mobility linkages through and between neighbourhoods (333_). The London Plan also provides direction on connectivity and design through City design policies. The Plan encourages street networks to be designed in a manner which ensure high-quality pedestrian environments and maximized convenience for mobility along with street patterns that are easy and safe to navigate by walking and cycling; requiring grid or modified grid configurations in neighbourhoods to minimize cul-de-sacs and dead-end streets (211_ to 213_). Public spaces should be designed and located as part of, and to support, the active mobility network (246_).

Trees and Natural Heritage

The Forest City section of the London Plan (382_ to 401_) outline the goals, strategies and policies to help London live up to its name as the 'Forest City'. Three main strategies include policies to protect more trees; maintain and monitor the health of the urban forest; and plant more trees to enhance the function and value of the urban forest. To encourage the protection of existing trees and ensure that tree cover is maintained where they must be removed, it is a requirement of the London Plan that trees shall be generally replaced at a rate of 1 new tree for every 10 centimetres of tree diameter that is removed.

The London Plan includes Environmental Policies to provide clear direction for the long-term protection and conservation of our Natural Heritage System and our Natural Heritage Resources and to ensure that development is directed away from Natural and Human-made Hazards (1295_). Natural heritage features in London include environmentally significant areas, provincially significant wetlands and wetlands, significant woodlands, habitat of endangered and threatened species and significant areas of natural and scientific interest, which are all important for their environmental and social values as a legacy of the natural landscapes of the City of London and the surrounding area (1299_).

Parks and Recreation

The London Plan strives to develop facilities, amenities and programming that are flexible, serve multiple users and can be linked to broader community strategies and initiatives related to health, economy, development, mobility, education, sustainability, and growth management. Parks spaces are meant to be beautiful, functional, evenly distributed in size and shape throughout the City, accessible, and connected (408_). The London Plan also provides a focus on mobility, by encouraging cycling routes and pedestrian pathways that will provide linkages between open space areas, neighbourhoods, centres, corridors, employment areas and the public transit services and will enhance the convenience, safety and enjoyment of walking and cycling (357_). Neighbourhood Parks are intended to function as a focal point within a neighbourhood and are designed to serve the needs of local neighbourhood residents (412_). Further, street layouts within the subdivision will be designed to allow for easy, safe, and attractive pedestrian access from all parts of a neighbourhood to each park space (422_3).

Civic Infrastructure

The London Plan requires reliable, coordinated, and cost-effective civic infrastructure as a primary function of the municipality. Civic infrastructure is critical to the City's prosperity as it facilitates growth and development (450_). The City shall manage the timing and budgeting for the extension of infrastructure in conformity with the growth management policies in the Our City part of the Plan and according to the *Growth Management Implementation Strategy* (451_3). Additional, civic infrastructure is to be planned to protect the natural environment and natural resources.

Homelessness Prevention and Housing

The London Plan provides direction on affordable housing and identifies that secondary plans and larger residential development proposals should include a 25% affordable housing component through a mix of housing types and sizes (517_). Through the Bonus Zoning policies, building height and densities may be increased to support the provision of affordable housing (521_).

Culture and Cultural Heritage

The subject lands are identified as having archaeological potential on the City's Archaeological Mapping. A Stage 1 and Stage 2 archaeological assessment was completed in November, 2006 as a standard condition of development approval imposed by the Province of Ontario. The Ministry of Tourism, Culture and Sport provided clearance of archaeological significance through the letter dated February 16, 2007.

3.0 Financial Impact and Considerations

Through the completion of the works associated with this application fees, development charges and taxes will be collected. There will be an increase in the operating and maintenance costs once the City assumes the planned public roads and other infrastructure and public facilities in the planned subdivision. The City will also be responsible for the long-term capital renewal costs associated with these works.

4.0 Key Issues and Considerations

4.1 Previous Board (OMB/LPAT/OLT) Decisions

Following appeals to the Ontario Municipal Board relating to the Arva Moraine Wetland Complex in 1999 and the Stoney Creek Community Plan in 2000, it was determined that the wetland did not play a significant role in the overall natural heritage system. As such, the PSW was removed from the 1989 Official Plan, Schedule B-1 – Natural Heritage Features.

In 2008, the Wetland (PSW), listed as Class 4-7, was added back onto the subject lands through updated reviews by the Ministry of Natural Resources and Forestry (MNRF). In 2010, when Schedule B of the 1989 Official Plan was split into 'B1' and 'B2' separating Natural Heritage Features and Natural Resources and Natural Hazards, the PSW was removed from the mapping. Through the implementation of The London Plan Map 5- Natural Heritage, shows the PSW on site. Wetlands are evaluated using the Ontario Wetland Evaluation System are classified on the basis of scores determined through the evaluation. If the wetland meets the criteria set forth by the MNRF are confirmed by the Ministry and mapped as PSW's on Map 5 – Natural Heritage and included in the Green Space Place Type on Map 1 (1332_). Through the implementation of The London Plan, during the appeal stages, no appeals were made to Map 5 – Natural Features. As such, Map 5 of The London Plan is in force and effect identifying the subject lands as having a PSW on site.

4.2 Provincially Significant Wetland

As indicated, the subject lands contain a Provincially Significant Wetland (PSW) (Map 5 – Natural Heritage) in The London Plan. Notwithstanding the PSW was removed from the Natural Heritage Features schedule, as per Section 4.1 above, the wetland was still present on site and a Subject Land Status Report (SLSR)/Environmental Impact Study (EIS) was required as part of the original draft plan of subdivision application.

The Provincial Policy Statement (PPS) defines significant in regards to wetlands as an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry through using evaluation procedures established by the Province. The PPS directs for Natural features and areas to be protected for the long term (2.1.1). Section 2.1 – Natural Heritage of the PPS notes that development and site alteration shall not be permitted in significant wetlands in Ecoregions 5E, 6E and 7E (2.1.4.a)). The subject lands are located in Ecoregions 6E and 7E for the purposes of the above policy (Figure 1 – Natural Heritage Protection Line). The protection of the PSW contributes to Ontario's long-term prosperity, environmental health and social well-being on conserving biodiversity and protecting natural heritage resources for their economic, environmental and social benefits (2.0).

The London Plan defines wetlands as lands that are seasonally or permanently covered by shallow water, as well as lands where the water is close to or at the surface (1330_). The City's Natural Heritage System is defined as a system of natural heritage features, areas and linkages intended to provide connectivity at the regional or site level and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of native species, and ecosystems, including natural heritage features (1298_). Similar to policies provided in the PPS (2020), The London Plan seeks to provide for the protection, rehabilitation and management of the natural heritage features and areas and their ecological functions as

well as protecting, maintaining and improving surface and groundwater quality and quantity by protecting wetlands (1308_2 and 1308_3). The wetland provides for important habitat for plants, fish and wildlife that are fully dependent on the presence of a wetland, and for wildlife that need wetlands to complete some life cycle requirements. Wetlands are also important for their cultural values including such activities as hunting, recreation, education and research, and cultural heritage (1331_). Further, wetlands and their surrounding areas are subject to regulation under the Conservation Authorities Act (1336_). The lands are regulated by the Upper Thames River Conservation Authority (UTRCA) and any development on site is subject to the approval of the UTRCA.

Policies within The London Plan identify that development and site alterations shall not be permitted in provincially significant wetlands as identified on Map 5 – Natural Heritage (1332_ and 1390_). The London Plan provides policies noting that the development and site alteration shall not be permitted in significant wetlands unless it has been demonstrated that there will be no negative impacts on the natural heritage features or their ecological functions (1391_). As part of a complete application, a Subject Land Status Report/Environmental Impact Assessment and Hydrogeological Study was submitted. Comments received can be found in Appendix 'C' below. A summary of the comments can be located in Section 4.1.1 and 4.1.2. below. It is noted that through the submitted reports and studies, the applicant has not sufficiently addressed the status of the wetland in their OPA, ZBA and draft plan submission.

In accordance with previous Board decisions and map amendments to Schedule 'B' in 2010 as noted above, the PSW is not longer present on Schedule B-1 – Natural Heritage Features of the 1989 Official Plan, however policies of the Plan note that development and site alteration shall not be permitted in Provincially Significant Wetlands (15.3.2.i)).

4.1.1 Ecological

As part of a complete application, the applicant submitted an Environmental Impact Assessment which included a proposal to relocate the wetland and provide a compensation area in Block 29. Ecology staff have completed their review of the EIS and detailed comments can be found in Appendix 'C' below. In summary, the SLSR/EIS completed by MTE Consultants (dated December 20th, 2021), that was submitted to the City of London as part of a complete application in February, 2022, is not consistent with the Provincial Policy Statement (PPS 2020), The London Plan policies (2021), and the City of London Environmental Management Guidelines (2021).

4.1.2 Hydrogeological

A Hydrogeological Assessment Report was submitted as part of a complete application. Detailed comments on the Report can be found in Appendix 'C' below. In summary, based on a review of City of London files, the confirmation of a scoping meeting for hydrogeological was not completed to City standards. The report was also missing required elements based on the City of London's current submission requirements for hydrogeological assessment as outlined in Section 6 of the City of London Design Specifications & Requirements Manual (2019).

4.1.3 Environmental and Ecological Planning Advisory Committee

As part of the application circulation, comments were received from the Environmental and Ecological Planning Advisory Committee (EEPAC). The full comments received from EEPAC can be found in Appendix 'C' below. In summary, EEPAC noted that the existing Grenfell wetland is to be maintained the is not in support of the proposed relocation and creation of a new wetland and identifies that the wetland must be maintained and preserved. Through maintaining the wetland, the existing ecological/environmental water resource functions and features will be preserved and maintained and no loss of wetland features and functions will occur. Comments

received from EEPAC also noted that habitat for several species that are protected under the Endangered Species Act have been reported within or in close proximity to the study area, being the Grenfell Wetland. Lastly, with respect to the proposed Zoning By-law Amendment on the subject lands, EEPAC recommends the lands include special provisions to preserve and maintain the existing wetland.

4.1.4 Conclusion

The proposed removal and relocation of the PSW will not protect the natural heritage feature, is not consistent with the Provincial Policy Statement (2020) and does not conform to The London Plan policies.

Following circulation and review of the submitted SLSR/EIS and Hydrogeological Study, City staff and EEPAC have noted that the documents are not satisfactory to City Standard and do not meet the intent of the Provincial Policy Statement (2020) and The London Plan.

Given the proposal is not consistent with the Provincial Policy Statement (2020) and does not conform to The London Plan, staff are recommending refusal of the proposed Plan of Subdivision as the layout will impact the PSW.

4.2 Subdivision Design

The London Plan

The London Plan provides policies for how the City is designed as the way in which our neighbourhoods, buildings, streetscapes, public spaces and landscapes are designed will play a major role in supporting and shaping the image of our city and creating a sense of place (190_). To achieve this vision, a mix of housing types to support ageing in place and affordability and development that is designed to be a good fit and compatible within its context are strived for (193_2 and 193_7). City Design policies in The London Plan provide a objectives including the character, street network, streetscapes, public space, site layout and buildings (194_). Through these policies, natural heritage is an important contributor to the character of an area and influences the overall street network where neighbourhoods should be designed to preserve or create views to natural heritage features through lotting patterns, street patterns or building placement (204_). Policies in the Neighbourhoods Place Type also note that neighbourhoods will be designed to protect the Natural Heritage System adding to the neighbourhood health, identity and sense of place (918_12). The current draft plan of subdivision proposes both the creation of new streets and singled detached dwellings lots over the PSW (an identified natural heritage feature). While part of the applicant's proposal is to relocate the natural heritage feature, being the PSW, the feature is still identified as a PSW by the Ontario Ministry of Natural Resources and Forestry.

The London Plan also seeks to provide neighbourhood parks that function as a focal point within the neighbourhood and are designed to serve the needs of local neighbourhood residences (412_). Currently, one (1) park block (Block 29) abutting an existing woodland area is proposed. In accordance with the Stoney Creek Community Plan, a two (2) hectare neighbourhood park is to be located in the northeast corner of Nicole Avenue and Street D (Block 21). Block 21 is proposed to be utilized for medium density residential development within the plan of subdivision and therefore, is not in conformity with the Stoney Creek Community Plan.

The proposed plan consists of a road network that includes Neighbourhood Street (i.e., Savannah Drive, Devos Drive, Street A, Street B, Street C and Street E) and Neighbourhood Connector (i.e., Nicole Avenue, Blackwell Boulevard, and Street D) street classifications. The London Plan requires that the design of streetscapes support the planned vision for the place type(s) and defines parameters for street character in Table 6 – 'Street Classification Design Features' (221_). The proposed Neighbourhood Connectors are not in conformance with the planned street widths as specified in Table 6, which are intended to ensure that the goals, function, and character for each street

classification are achieved (372_). Furthermore, staff have identified that the sections of the road layouts proposed are not consistent with technical requirements (centreline radii, tangents, etc.) outlined in the City's Design Specifications and Requirements Manual (2022).

1989 Official Plan

Similar to policies identified above in The London Plan, the 1989 Official Plan provides direction and policies for the creation of subdivisions. The 1989 Official Plan encourages the development of subdivision that provide for the retention of desirable natural features (3.1.2.ii). As previously noted, the draft plan of subdivision proposes development over a natural heritage feature (being the PSW). As part of the Small Lot Study completed by staff in April 2000, a lot mix is encouraged including small lot frontages, within the subdivision as a mix of lot frontages provides opportunities for different housing forms and helps provide a varied streetscape. The Study also identifies that entire blocks of small lot single detached dwellings can result in on-street parking problems and create a homogeneous streetscape with garages as the focal point. Without the mix of lot frontages, difficulties with servicing and landscape planting may occur.

Zoning By-law Z.-1

The Plan of Subdivision proposes single detached dwellings within the Residential R1 Zone variation of R1-2 and R1-3. In accordance with the Zoning By-law Z.-1, The R1-2 and R1-3 Zone apply to existing inner-City smaller lot single dwelling developments. Staff have concerns that the smaller lots will not provide for a mix of housing choice throughout the subdivision as the R1-2 Zone permits a minimum lot frontage of 9.0 metres and the R1-3 Zone permits a minimum lot frontage of 10.0 metres. Although a minimum, there is no mechanism in terms of zoning regulations to provide for larger lot frontages. The Zoning By-law Z.-1 notes that the Residential R1 Zone variation of R1-4 to R1-9 are zones to be applied to most suburban single dwelling developments. The R1-4 to R1-9 Zone variations provide minimum lot frontages ranging from 12.0 metres to 18.0 metres. Establishing either an R1-4 or R1-5 Zone variation throughout the subdivision would allow for a minimum lot frontage of 12.0 metres.

The Plan of Subdivision also proposes the use of Bonus Zones on five (5) blocks within the draft plan of subdivision to achieve a greater height and density in exchange for affordable housing at the time of site plan approval. As noted above, the proposed affordable housing component is 10% of the uplift (unit greater than 75 units per hectare) for a time period of 20 years at a rate of 85% average market rent. Current rates are 80% for 50 years with a tenant placement agreement with HDC, and a unit mix reflecting the unit mix of the building. No development concepts were submitted by the applicant in support of the bonus zones. Additionally, one of the proposed bonus zone regulations was to establish a setback from the open space zone as per the accepted EIS and/or slope stability report. It is difficult to determine a setback from the Open Space Zone as the EIS has not been accepted.

Conclusion

The proposed amendments are not consistent with the Provincial Policy Statement 2020 as alterations and development are proposed on a Provincially Significant Wetland. The proposed amendments are not consistent with the 1989 Official Plan, The London Plan or Stoney Creek Community Plan and does not conform to the Zoning By-law Z.-1. As such, staff are recommending refusal as the amendments propose development and alteration to an existing Provincially Significant Wetland.

Prepared by: Melanie Vivian
Site Development Planner

Reviewed by: Bruce Page
Manager, Subdivision Planning

Recommended by: **Gregg Barrett, AICP**
Director, Planning and Development

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

Note: The opinions contained herein are offered by a person or persons qualified to provide expert opinion. Further detail with respect to qualifications can be obtained from Development Services.

cc: Matt Feldberg, Manager, Subdivisions and Development Inspections

BP/mv

Y:\Shared\DEVELOPMENT SERVICES\4 - Subdivisions\2022\OZ-9473 - 1140 Fanshawe Park Road East (M. Vivian)\0.2
WORKING\1_ Draft Approval\7_PEC\DRAFT_1140 Fanshawe Pk Rd E- 39T-07502-OZ-9473 (MV)

Appendix C – Public Engagement

Community Engagement

Public liaison: On March 2, 2022, Notice of Application was sent to 371 property owners and 65 tenants in the 120 metre radius surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 3, 2022. A “Planning Application” sign was also posted on the site.

On April 20, 2022, Notice of Public Meeting was sent to 392 property owners and 56 tenants in the 120 metre radius surrounding area. Notice of Public Meeting was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on April 21, 2022.

Six (6) replies were received

Nature of Liaison: The purpose and effect of this application is to consider a proposed Revised Draft Plan of Subdivision, Official Plan Amendments and Zoning By-law Amendments to allow for a residential subdivision consisting of low-density residential uses, medium-density residential uses, neighbourhood facility uses and open space uses serviced by five (5) new streets. **Revised Draft Plan of Subdivision** – Consideration of a Revised Draft Plan of Subdivision consisting of 18 low-density residential blocks, six (6) medium-density residential blocks, two (2) school blocks and three (3) open space blocks, including one (1) open space block for the compensation and relocation of an existing Provincially Significant Wetland and five (5) internal streets. **Official Plan Amendment** – Consideration of possible amendments to the 1989 Official Plan, including amendments to Schedule ‘A’ – Land Use Map to redesignate lands from “Low Density Residential” to “Multi-Family, Medium Density Residential” and from “Low Density Residential” to “Open Space”. Consideration of possible amendments to The London Plan, including amendments to Map 1 to redesignate a portion of lands from the “Open Space Place Type” to the “Neighbourhoods Place Type” surrounding the identified Provincially Significant Wetland” and to redesignate a portion of lands from the “Neighbourhoods Place Type” to the “Open Space Place Type”. **Zoning By-law Amendment** – Consideration of an amendment to the Z.-1 Zoning By-law to change the zoning from a holding Urban Reserve (h-2*UR3) Zone, Urban Reserve (UR3) Zone and Open Space (OS5) Zone to a Bonus Residential R8 Special Provision (B-_*R8-4(_)) Zone for Blocks 20, Part Block 19, Blocks 22-24; Residential R5 (R5-7) Zone for Blocks 21, 25 and 26, permitting cluster townhouse dwellings and/or cluster stacked townhouse dwellings; Residential R1 Special Provision (R1-3(_)) Zone for Block 1, permitted single detached dwellings with possible special provision for reduced setbacks to a gas pipeline; Residential R1 (R1-2) Zone for Blocks 2-7, 9-16 and Block 31, permitting single detached dwellings; Residential R1 (R1-3) Zone for Block 8, 17, 18, 32 and 33, permitting single detached dwellings; Neighbourhood Facility (NF) Zone for Blocks 25-26, permitting Places of Worship, elementary schools and/or day care centres; and an Open Space (OS5) Zone for Blocks 28, 29 and Part Block 19 permitting conservation lands, conservation works, passive recreation uses which include hiking trails and multi-use pathways and/or managed woodlots and provide for future parkland/open space corridors . The proposed Bonus Residential R8 Special Provision (B-_*R8-4(_)) Zone have proposed bonus zoning to provide for affordable housing in exchange for increased height and density with an increase in density of up to 100 units per hectare and permits apartment buildings; handicapped person’s apartment buildings; lodging house class 2; stacked townhousing; senior citizen apartment buildings; emergency care establishments; and/or continuum-of-care facilities. The City may also consider additional special provisions, different zone variations and the use of holding provisions.

File: 39T-07502/OZ-9473 Planner: M. Vivian x 7547

Responses: A summary of the comments received include the following:

Concern for:

- Request for further information on the proposal, including detailed plans;
- Support for the application ;
- Loss of green space, trees and removal of areas for animals;
- Decrease in property values;
- Loss of privacy; and
- Increase of traffic in the area

Response to Notice of Application and Publication in “The Londoner”

Telephone	Written
Don DeJong	Don DeJong
	Tim Chan 1833 Devos Drive London, ON
	Ihsan Akbar 1399 South Wenige Drive London, ON
	Jaysree Paul
	KeriLyn Lewis
	Ligia Lasman

From: Tim Chan
 Sent: Monday, March 7, 2022 3:47 PM
 To: Vivian, Melanie <mvivian@london.ca>
 Cc: Frances Tong; 冼慧玲
 Subject: [EXTERNAL] About the plan for 1140 Fanshawe park road east

Dear Sir/Madam,

I receive the notice of planning application (1140 Fanshawe Park Road East). I am the landlord of 1833 Devos Drive. I would like to see the plan facing my backyard. It helps us to comment. For the draft, it seems like the builder will build school/day care centre and townhouse close to my house. I would like to see the detailed plan and related information in that area.

Looking forward to hearing from you.

Regard,

Tim

From: Tim Chan
Sent: Tuesday, March 15, 2022 9:12 PM
To: Vivian, Melanie <mvivian@london.ca>
Cc: Frances Tong; 冼慧玲; ERIN HUANG
Subject: Re: [EXTERNAL] About the plan for 1140 Fanshawe park road east

Hi Melanie,

Thank you for your reply. Please let me know if there are any related future planning meetings, I would like to attend.

Here are some of my thoughts and contributions, please help to fill and give to the related parties:

1. According to the proposal received so far, I have concerned about the school and the townhouse will be built too close to my house (1833 DEVOS DRIVE) without any road/ street in between. I am afraid it will be too noisy for us during the school time.
2. I suggest if the school will be built, the field part of the school located back on my house.

3. I suggest to plant a row of trees to line on my back fence to give us some privacy and distance.

Regards,

Tim

From: i AKBAR
Sent: Saturday, March 12, 2022 9:47 AM
To: Cassidy, Maureen <mcassidy@london.ca>
Cc: Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] Revised draft plan of Subdivision

Good morning Maureen Cassidy,

My name is Ihsan Akbar .I'm located at 1399 south wenige drive. I got a notice from city of London regarding revised draft plan of subdivision. Your name is mentioned as our Ward Councillor. Could you please give me some more information like what is this and how could it effect our neighborhood?

Your response will be appreciated.

Thanks,
Ihsan Akbar

From: Jaysree Paul
Sent: Friday, March 18, 2022 9:11 AM
To: Development Services <DevelopmentServices@london.ca>; Doc Services <DocServices@london.ca>
Subject: [EXTERNAL] Seeking clarity on proposed plan

Hello,

Thank you for informing us about the development proposal.

I'd like to seek some clarity on the development across the street on Stackhouse avenue between Devos Drive and Nicole Ave (houses on lot 1 to 9)

The proposed plan says 'concession R5-7 NF' area. Can you give some clarity on what this means? Is there potentially another school coming there? Community centre? Will there be a parking lot there and then a building? I am trying to gauge the development plan as there's already a school behind these lots and I presume we will have an increase in traffic depending on what that areas traffic will look like.

I would also like to be notified about the approval of proposed plan and about any changes in the approved plan. If my address is needed, I will respond to this email.

Further will the development trigger a consideration to place traffic light at the intersection of Fanshawe RD E and Stackhouse Ave?

Thank you kindly for clarifying my queries.

Jaysree Paul
Resident on Stackhouse Ave

From: Ligia Lasman
Sent: Tuesday, March 22, 2022 2:51 PM
To: Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] 1140 Fanshawe Park Road East - Draft Plan

Hello Mrs. Vivian,

I recently received a Notice of Planning Application from the City of London (File:39T-07502/OZ-9473) . I am a resident of the area and I would like my opinion to be heard in regards to this plan. Could you please let me know how to proceed? Maybe I should simply wait for a Public Meeting to express my opinion, I don't know, but if that's the case, can I be notified when one occurs?

Thank you and have a lovely day,

Ligia Lasman

From: Ligia Lasman
Sent: Friday, March 25, 2022 11:17 AM
To: Vivian, Melanie <mvivian@london.ca>
Subject: Re: [EXTERNAL] 1140 Fanshawe Park Road East - Draft Plan

Hi Melanie,

My concern is with the animals and the green area right behind my house. We have a beautiful fauna with deers, wild turkeys, geese, coyotes, and numerous birds. Where would these animals go is my question and why do we have to destroy this beautiful strip of nature. London North is becoming overpopulated and green-less while London South is full of old deserted warehouses and abandoned plants. We should build new houses there in the South, this way we would revitalize the area, instead of deforesting the little we have left in the North.

Sorry, I am just venting here. Please keep me posted on any meetings.

Have a wonderful day,

Ligia

From: Kerilyn Lewis
Sent: Thursday, March 24, 2022 5:35 PM
To: Cassidy, Maureen <mcassidy@london.ca>; Vivian, Melanie <mvivian@london.ca>
Subject: [EXTERNAL] File #39T-07502OZ-9473 - 1140 Fanshawe park road east

Good evening.

I am a resident of howlett circle. I back onto block 24.

First, I am extremely annoyed that the green space behind our property has been distorted. The reasoning hasn't happened, but all trees but one have been removed due to the current building that has commenced on Stackhouse/Fanshawe. In the zoning request we received for that area, the zone behind our house not not included. How can the property and green space be destroyed without city approval???

Secondly, this space in zone 24 is small. We have already lost the green space we had. We had many animals who would flock to that area into the summer time. I 🙄 do not agree with proposed building behind my house. The building will essentially be right at my backyard and my space will not offer any privacy any longer. There of a few of us with pools, which were put in place based on the green space and privacy. And investment that was made. My property value will decrease dramatically.

I'd like a full outline of what the building plan will be. At this point I am disputing the zone request.

Mrs Lewis

From: Kerilyn Lewis
Sent: Monday, March 28, 2022 10:50 AM
To: Vivian, Melanie <mvivian@london.ca>; Cassidy, Maureen <mcassidy@london.ca>
Subject: [EXTERNAL] Re: File #39T-07502OZ-9473 - 1140 Fanshawe park road east

Appreciate your response, however it does not address my concern at the fact that block 24 was not part of the 1150 Fanshawe zoning and all the trees behind my property; except for 1 are still standing. I'm extremely annoyed and frustrated that this

has happened. My back yard is now a huge mountain of dirt, which will now cause issues with my pool. I'm beyond mad at the fact this is happening and has happened my view use to be all trees everything has been destroyed on a piece of property that I was advised of, that would be happening. They even destroyed the vines coming over my fence and almost broke my bird feeder. Total disregard for the land owners



KeriLyn

From: Kerilyn Lewis

Sent: Monday, March 28, 2022 11:17 AM

To: Vivian, Melanie <mvivian@london.ca>; Cassidy, Maureen <mcassidy@london.ca>

Subject: [EXTERNAL] Re: File #39T-07502OZ-9473 - 1140 Fanshawe park road east

Unfortunately I work during the day, with no access to phones and can only respond with email.

I expressed my frustrations with the original building purpose for 1150 Fanshawe and it fell on deaf ears. And now my property value will decrease because of block 24 being destroyed. My privacy has been invaded. I look at a huge dirt pile. I will probably have pool issues because of all the dirt blowing into my yard. Our area is EXTREMELY windy. They need to tarp the hill or remove the dirt. All of this needs to be passed along. Our neighbourhood is so angry.

KeriLyn

From: Kerilyn Lewis

Sent: Wednesday, March 30, 2022 10:29 AM

To: Vivian, Melanie <mvivian@london.ca>; Cassidy, Maureen <mcassidy@london.ca>

Subject: [EXTERNAL] Re: File #39T-07502OZ-9473 - 1140 Fanshawe park road east

No worries Melanie. I appreciate you looking into the dirt issue. We are in a wind tunnel in our area - it is bad daily because it's so open and I know the hill is going to cause major issues. It's about 6 feet higher than the top of my fence currently, so there is nothing to stop it from blowing over. If the hill was fence height or lower, the dirt blowing wouldn't go over the fence. I don't think they took into consideration the impact that the high hills will have on the properties behind. The hill is only about 4 feet away from my fence, so there isn't much space. The hills should have been more towards Stackhouse area and lower than fence height, to allow folks to comfortably and reasonably enjoy their property. We don't have huge spruce trees like the house do in the other zone, to create a blockage.

Appreciate your assistance in trying to help us and the other neighbours.

KeriLyn

From: Kerilyn Lewis
Sent: Wednesday, March 30, 2022 11:09 AM
To: Vivian, Melanie <mvivian@london.ca>; Cassidy, Maureen <mcassidy@london.ca>
Subject: [EXTERNAL] Re: File #39T-07502OZ-9473 - 1140 Fanshawe park road east

Sorry Melanie,
My husband would also like it to be noted that he is very concerned about drainage issues because there isn't anyway for the water to go between the hill and our yard.

KeriLyn

From: Don de Jong
Sent: Wednesday, March 30, 2022 11:21 AM
To: Vivian, Melanie <mvivian@london.ca>
Cc: Projects
Subject: [EXTERNAL] 1140 Fanshawe rd east 39t-07502 OZ-9473

Hi Vivian,

We support Drewlo holdings inc. in its application for revision and OPA & ZB. It is important for us to state in that support we are observing block 33 is to be with an r1-3. As such, this does negate our concerns here and that no road connection is being created to VanDusen court.

Please ensure we are on all future notices for this project please.

Thank you again

Don de Jong



519-657-5989 Office
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Departmental and Agency Comments

Urban Design Comments (March 16, 2022)

General Urban Design Comments:

- An Urban Design Brief is required as part of a complete application.
- Provide concept plans to show how each of the blocks will function. Further comments may be provided upon the receipt of the concept plans.

Urban Design Comments to be incorporated as Zoning:

- i. Front yard depth (minimum) on arterial roads: 1.0 m
- ii. Front yard depth (maximum) on arterial roads: 4.5 m
- iii. The front façade and primary entrance of dwelling units shall be oriented to adjacent public streets and/or open spaces with direct pedestrian connections to the public sidewalk.
- iv. Attached garages shall not contain garage doors that occupy more than 50% of the unit width and shall not project beyond the façade of the dwelling or the façade of any porch.
- v. Minimum shared outdoor amenity space for medium density residential blocks: 5m² per unit. Provide a private amenity space in the form of roof terrace or balcony.

Urban Design requirements to be addressed through the SPA process:

- i. Medium density blocks shall be structured generally on a grid with enhanced pedestrian connectivity (including mid-block connections). The existing street network should be extended and connected with new streets.
- ii. All buildings and dwelling units shall front the highest order street and/or open space with primary entrances and active building elements with enhanced articulation (i.e., windows or openings, porches, canopies, architectural details and materials) along the street and/or open space and direct pedestrian connections to the public sidewalk. Provide more intense residential building forms (i.e., low-rise apartment building) along arterial streets.
- iii. Blocks should be designed facing front-to-front. Rear yard condition facing any public street or open space shall be avoided.
 - i. The 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.
- iv. New development should maintain and incorporate existing topography and natural features.
- v. Window streets and garages shall be avoided along arterial streets.
- vi. Surface parking in medium density blocks shall be broken into smaller areas along the internal roads to reduce the amount of hard-surface area.
- vii. Servicing, loading, waste collection and utilities should be designed within the buildings and away from view from public realm. Parking garage ramps and access stairs shall be incorporated into the buildings.
- viii. Noise walls and non-transparent fencing (i.e., board on board) shall not be permitted adjacent to public street and public open space. Fencing will be limited to only decorative transparent fencing with a maximum height of 4ft (1.2m) with openings for pedestrian access along public streets or open space.

Ecology Comments (April 6, 2022)

As part of a complete application, the applicant submitted an Environmental Impact Assessment which included a proposal to relocate the wetland and provide a compensation area in Block 29. Ecology staff have completed their review of the EIS and detailed comments can be found in Appendix 'C' below. In summary, the SLSP/EIS completed by MTE Consultants (dated December 20th, 2021), that was submitted to the City of London as part of a complete application in February, 2022, is not consistent with the Provincial Policy Statement (PPS 2020), The London Plan policies (2021), and the City of London Environmental Management Guidelines (2021).

There are significant issues with the EIS based on the implementation of current planning policies, use of an older version of the Environmental Management Guidelines (EMG) and the field work conducted to support the SLSR / EIS and associated analysis. Detailed comments on the SLSR / EIS are presented below and are required to be addressed as part of an updated SLSR / EIS. Please note that the following comments focus on the key larger issues surrounding this potential development and further comments on other sections of the EIS will be provided once these have been addressed and text/ figures are updated.

- 1) The Proposal Review Meeting Summary & Record of Consultation (April 4, 2017, Appendix 'A'), under Parks Planning Natural Heritage section, it is clearly indicated that a SLSR and EIS would be required as part of the submission and that both were to be scoped with the City. While an initial scoping meeting was held on October 2, 2018 for the SLSR/ EIS and Hydrogeological Study, it does not appear that the scoping checklists were finalized. Therefore, an updated joint scoping meeting for the SLSR/ EIS and Hydrogeological Study are required to confirm the scope of all required studies prior to the next submission.
- 2) Appendix 'A' also contains a EIS scoping checklist from 2006, this is outdated and not acceptable to use as the basis of scoping the current study, as indicated in the Proposal Review Meeting Summary & Record of Consultation, the EIS from 2008 was not accepted and associated data is not applicable to this current application.
- 3) The EIS proposes to remove the PSW from its current location and relocate it to another location within the subject lands. The PPS (2020) and London Plan (2021) policies do not support development within a PSW., The MNRF considers the Wetland to be part of a PSW complex and therefore no development is permitted within this feature. While London Plan wetland policies do support the relocation of non-PSW Wetlands in certain circumstances, this does not pertain to PSWs, which currently must be protected in-situ. As the MNRF has the final authority on the status of a wetland being identified as a PSW, and that the MNRF has not indicated that it is changing the status of the PSW, the EIS must proceed with the feature as a PSW. Therefore, the proposed Draft Plan needs to be significantly changed and a new SLSR/EIS provided to be consistent with all planning policies and the EMG. Some specific requirements that must be addressed as part of an updated SLSR/ EIS regarding the PSW and other Wetlands are the following:
 - a. Must be consistent with PPS (2020), London Plan Policies (2021), EMG (2021)
 - b. The exact boundary of the PSW needs to be staked and confirmed with the MNRF, City and UTRCA present.
 - c. Any additional Wetlands identified within the subject site also need to be staked and boundaries confirmed with the City and UTRCA present
 - d. Any additional identified Wetlands need to be evaluated and confirmed by the MNRF if they should be complexed with the existing PSW, non-PSW wetlands may be considered for relocation, however justification over in-situ protection will be required and further discussion would be needed with the City and UTRCA having jurisdiction. Furthermore, if wetlands are to remain in-situ, sufficiently sized vegetated upland corridors will be required to maintain connectivity on the landscape between NHFs to ensure their long-term protection and functions.
 - e. The PSW needs to be zoned OS5, along with the critical function zone and with a minimum 30m buffer applied (or greater) from the critical function zone depending on sensitivities as per the EMG.
 - f. The additional Wetlands identified within the subject site need to be zoned OS5, along with the critical function zone and with minimum buffers applied (or greater) from the critical function zone depending on sensitivities as per the EMG.

- 4) The SLSR/ EIS references the 2007 version of the EMG throughout the document, the EIS must follow the updated EMGs approved by Council in 2021 as the date of the complete application was in February 2022. Update the SLSR and EIS to reference the City's 2021 EMGs and review the document to ensure the SLSR/ EIS implements all the relevant sections of the Council approved EMGs for this proposed development.
- 5) MTE provided the OWES evaluation sheets they completed as an appendix and Section 1.4 of the EIS indicates that NRSI completed a peer review of the evaluation, the NRSI peer review documents need to be included along with MTE's evaluation in the appendix.
- 6) Section 5.1.1 Provincially Significant Wetlands indicates that wetland expansion beyond the PSW boundary is due to drainage inlets on adjacent lands being set at a higher elevation than the original flow path for the adjacent site. However, a site visit conducted by the City's Ecologist on Thursday March 31, 2022 found two drainage inlets located on the subject property adjacent to Community 5a/ 4b (photos taken during site visit) that were not indicated on MTE's figures. As both appeared to be set at the elevation or lower of the adjacent PSW and other Wetlands on the subject site, their function was not obstructed, and were actively taking flows from the site during the visit. It should be noted that Wetlands that are identified as per London Plan policies are to be treated as per the policies and any applicable UTRCA regulation.
- 7) Air photo interpretation together with the site visit conducted by the City's Ecologist identified potential additional Wetlands beyond what MTE has shown on the EIS figures, these areas will need to be further discussed and reviewed in the field with the City and UTRCA as part of the SLSR/ EIS component boundary delineation requirements. Additional potential Wetlands were primarily identified in communities 4a, 4b, 4c, 6b and, 3.
- 8) No ELC soil data and analysis were collected as part of the ELC field work according to the EIS and associated ELC data sheets located in the Appendix 'B'. Further data collection will be required particularly throughout areas of additional potential wetland habitat identified in Comment #7.
- 9) There are concerns with how some of the vegetation communities were described in the EIS. For example, in Community # 7 (a, b and c), it is indicated that they are dominated by Common Buckthorn, however the site visit by the City's Ecologist did not encounter Buckthorn at the same level the EIS indicates. This will require further review and a joint site visit to clarify the community composition in these areas
- 10) The ESA identified on the subject lands and on the adjacent lands requires a 30m minimum buffer from the dripline as per the EMG.
- 11) The 'south pond' is not an ELC code, please apply the proper ELC code to the south wetland feature that accurately describes the community and update the figures/ text.
- 12) The south Wetland requires a minimum 30m buffer from an identified critical function zone. The critical function zone is determined through the application of the EMGs.
- 13) The south Wetland and associated woodland surrounding the feature need to be evaluated to determine if they should be considered part of the ESA. The ESA evaluation provided in the EIS does not follow the EMG guidelines for determining if this should be included as part of the existing ESA patch. Please refer to the EMG (2021) process for the evaluation methodology. Minimum buffers from the edge of the dripline/ critical function zone will need to be properly identified.

- 14) A 30m minimum Significant Valleyland corridor is needed on both sides of the Significant Valleyland and minimum buffer needed from any Significant Woodland and Wetlands located within the Significant Valleyland and/or on the tablelands. Significant Woodland evaluation criteria will need to be applied to these areas.
- 15) Community 8 had multiple debris piles including rocks and wood, these potential hibernacula were not identified; the foundations of the removed structures also were not identified as potential SWH. Hibernaculum compensation within the existing NHF/ buffers will be required. Animal burrows found throughout the site also could function as Hibernaculum and this will have to be addressed in the EIS.
- 16) It does not appear that community 8 was assessed for Bat Habitat, this will require further field work. Bat habitat assessments are also needed for other areas such as hedgerows where trees are proposed for removal.
- 17) The EIS indicated that only small groundhog burrows were encountered, however during the City's Ecologist site visit two large animal burrows were identified on the edge of Community 7a, that also had soil cast a considerable distance from the burrows (pictures taken during site visit). This will require additional field work to evaluate the potential presence of Endangered American Badger, or use by other larger mammal, and more thorough site investigations for additional large burrows within the subject site.
- 18) The data collected for amphibian surveys does not sufficiently capture the site, surveys were not completed for sections of the PSW (including 5a, the SWT2-2, and the SWD3 associated with Community 10). Additional field work (survey locations) will be required in these areas.
- 19) The amphibian data provided identifies breeding amphibians in Community 7c, but no analysis is provided on its status as Significant Wildlife Habitat according to MNRF Ecoregion 7E Criteria (2015), the SWH table in Appendix 'C' simply states that it does not meet the criteria. However, this does not appear to be accurate. As previously confirmed by the MNRF, the criteria identify that the presence of 2 or more listed species with a combined total of 20 or more individuals would be sufficient to identify the wetland as SWH for breeding amphibians (woodlands). According to Table 4 of the EIS, 6-14 individual Spring Peepers were heard in April along with 2 Wood Frogs and 3 Chorus Frogs, in May an additional 7-9 Spring Peepers were identified. These add up to a total of 20 or more individuals from 2 or more listed species. It should be noted that the number of individuals is likely higher as the survey did not include looking for other male individuals in the area not actively calling nor did it look for and count female individuals, as female frogs do not call and can only be identified through thorough observational site investigations during the calling surveys. A combination of observation studies and call count surveys are required in order to thoroughly investigate the presence of Amphibian Breeding Habitat. Community 7c should be identified as SWH for breeding amphibians (woodlands) as per the MNRF Ecoregion 7E Criteria (2015).
- 20) Remnant common Milkweed stems were found throughout the site during the City's Ecologist site visit and numerous stems were found in Community 6a, these areas should be identified as SWH for Monarch as the habitat is present and individual Monarchs were confirmed on the subject site.
- 21) Given the current focus of the SLSR/ EIS that has development being shown within a PSW and that has not used the updated Council approved EMGs as part of the SLSR/ EIS structure, formatting, patch delineation, evaluation criteria, critical function zone applications, and buffers etc., further comments on the EIS would not be useful at this stage. The City will need to provide another full

review of the SLSR/ EIS that has addressed the City's initial comments, conducted additional field work, and finalized the scope of the SLSR/ EIS and Hydrogeological study and Water Balance. Joint site visits are also required to be held with the various stakeholders to stake feature boundaries which is a requirement of the SLSR reporting component prior to completing the EIS.

Hydrogeological Comments (April 6, 2022)

1. Based on a cursory review of the report, there are required elements missing from the report based on the City of London's current submission requirements for hydrogeological assessments as outlined in Section 6 of the City of London Design Specifications & Requirements Manual (2019), which reflect the absence of an appropriate scoping meeting between the applicant, the City of London, and UTRCA. An appropriate scoping meeting should occur with the appropriate approval authorities to outline the requirements for a complete report, prior to any re-submission of the report.
2. Based on a review of City of London's files, confirmation of a scoping meeting was not satisfactory completed by the applicant and their consultant to support the development application process. Given the size of the site and the presence of significant natural heritage features on the site, the elements of a complete hydrogeological assessment should have been scoped with the appropriate approval and regulatory authorities (i.e., City of London and UTRCA). Submission of this report to the City of London for review and comment in the absence of a scoping meeting and agreed upon Terms of Reference (TOR) is premature and not appropriate at this time. As a result, the City of London will defer the complete review of this report until the status of the natural heritage features present on the site are determined by the appropriate regulatory authorities.
3. Section 1.1 of the report indicates that the natural heritage consultants on the file for this development (MTE) have reviewed the wetland classification for the Grenfell Wetland, which is currently classified as a Provincially Significant Wetland (PSW) complex and have determined that this wetland should be reclassified to locally significant. EXPs hydrogeological assessment has treated the wetland complex as such for the purposes of the report and development application. As a result, MTE and EXP have assumed that the wetland area can be removed and/or relocated. If the wetland classification is proposed to be challenged by the proponent then it is not within the City's scope of review to approve. The MNRF and UTRCA must assess for significance and take appropriate steps to update the City's Official Plan mapping.
4. Based on the current information provided in the hydrogeological assessment, in terms of the distribution of monitoring well installations, the completion depth of these monitoring wells, and the groundwater/surface water sampling completed to date, the City is not in agreement with EXP's current conclusion that there is no contribution from shallow groundwater sources to the surface water features present on the site.
5. The water balance contained in the report is a site-based approach. This approach is not considered acceptable to sustain the form and function of the natural heritage features present at the site, and a feature-based water balance will be required to be completed. .

Environmental Ecological Planning Advisory Committee (EEPAC) (April 20, 2022)

**Proposed Residential Land Development/Ross Farm Subdivision
1140 Fanshawe Park Road East London, ON**

Official Plan Amendment and Rezoning Planning Act Applications' review comments for the submitted Environmental Impact Assessment (EIS), Preliminary Stormwater Management (SWM)

Servicing Report, Preliminary Geotechnical Investigation & Final Hydrogeological Assessment, Functional Servicing Report that were received by EEPAC in March and April 2022.

Reviewers: Ian Arturo, Katrina Moser, Susan Hall and Berta B. Krichker

Submitted April 19, 2022

Summary: *EEPAC reviewed the proposed Official Plan Amendment and Rezoning Planning Act Applications to Minimize and Mitigate Potential Ecological/Environmental Adverse Impacts and Specifically related to identified existing wetland and all environmental areas, Flood lands, water resources management related to the protection of existing conditions that associated with proposed Residential Land Development/Subdivision at 1140 Fanshawe Park Road East London. Based on our review EEPAC makes the following recommendations to the City of London:*

1. Ensure that the portions of the study area that include significant wetlands (>6.35 ha), woodlands, valleylands, significant wildlife habitat, fish habitat, habitat of endangered and threatened species, water resource systems and environmentally significant areas (Table 6 of the EIS) are protected and preserved. The City Plan recognizes the importance of such areas and ensures that “Development and site alteration shall not be permitted in provincially significant wetlands as identified on Map 5 or determined through environmental studies consistent with the provincial policy statement and in conformity with this plan” [Section 1332] and “Development or site alteration shall not be permitted within a wetland. There shall be no net loss of the wetland features or functions”. [Section 1334] Development and site alteration shall not be permitted in significant woodlands, significant valleylands, significant wildlife habitat, wetlands and significant areas of natural and scientific interest unless it has been demonstrated that there will be no negative impacts on natural heritage features or their ecological functions” [Section 1392]. Therefore, EEPAC recommends the presently proposed development not be approved, and notes that each of these natural features is connected to and supported by other features in the study area. To protect the integrity of the entire ecosystem and its function and features requires the protection of all components; wetlands, woodlands, ponds, valleylands and others.
2. Ensure that the existing wetland (Grenfell Wetland) will be preserved and the proposed relocation of the existing wetland and a creation of a new wetland will **not** be permitted. Ensure that the existing wetland ecological/environmental condition, water resources functions and features will be preserved and maintained (i.e., there shall be no loss of wetland features and functions), as well make every effort to minimize potential adverse impacts that may occur from the proposed land development and construction activities associated with this proposed development. EIS and all servicing reports shall include all required references and modifications/changes that will incorporate the recommendations to preserve and protect the Grenfell.
3. Ensure that sufficient natural buffers/setbacks are identified and implemented in accordance with the City’s EMG, London Plan, the UTRCA and provincial guidelines regulations and requirements to protect and maintain the existing wetland functions and features, as well as maintain all identified environmental areas that are required to be protected at the subject site. The technical justifications in the EIS and other submitted applicable reports will need to be modified and expanded to identify all required justifications and support information for the recommended required setback from the subject development to all identified environmental areas and wetlands to ensure no adverse impacts on the existing wetland functions and features (shall be no loss of wetland features and functions) related to the ecological and water resources system, adjacent lands and surface/subsurface/groundwater functions, features, connections and correlation with the Stoney Creek system functions and performance.
4. Ensure that the existing species, specifically the Significant Wildlife Habitat (SWH), Habitat of Threatened and Endangered Species, or other species (that required protection) will be protected and all required measures, MNRF, DFO applicable ecological protocols will be implemented for handling these works on the subject lands. The EIS needs to include all required references for the proposed changes and justifications (proposed approach and applicable protocols) that will be implemented.
5. Ensure that the proposed Rezoning Application for the subject development land should include, but should not be limited to, the special provisions, which will identify the existing wetland protections related to ecological, water resources functions and features; existing SWH, Habitat of Threatened and Endangered Species, and other species that require protections identified in the EIS; sufficient buffers/setbacks to maintain and protect existing ecological/environmental functions, features of the existing wetland and identified environmental areas; and the detailed design of storm/drainage utilities

and SWM services to deal with the water quality, quantity control and erosion protection control that will be in compliance with the Stoney Creek Subwatershed requirements and Municipal Class EA, MECP, MNRF, UTRCA and City's standards and requirements for this system.

Item #2 - The Existing Grenfell Wetland will be maintained and the proposed relocation and creation of a new wetland will not be permitted and approved by the City.

The proposed development plans include the proposed relocation of an existing wetland, Grenfell Wetland, and the creation of a new "wetland". The proposed location for the new wetland is to be located in a part of the environment protected block (s). Although the OMB for this wetland concluded that the present wetland evaluation information "does not meet the threshold for PSW", MNRF still show this wetland as a PSW. Also, PPS and London Plan contained policies and requirements that prevent development from occurring on lands deemed as significant wetland (locally and/or provincially significant). For example, from the London Plan, "Development, site alteration should not be permitted within wetland. There shall be no loss of wetland features and functions "

Taking in consideration the following critical factors:

- The Grenfell Wetland includes the Terrestrial Crayfish species which provides food for Queensnake, which have been observed in the area and is an endangered species. The EIS also notes SWH for the Queensnake in the subject area.
- The provincial and City's policies and requirements, which stipulate that there shall be no loss of wetland features and functions. The relocation of this 6.35 ha PSW will undoubtedly lead to a loss of wetland species, ecosystem services and functions.
- This wetland is located immediately adjacent to the Stoney Creek ecosystem and needs to function in connection with the Stoney Creek system; and
- The size of this wetland is significant and represents a size of 6.35 ha (pg. 42 of the EIS) plus buffers/setbacks land areas,

this wetland must be maintained and preserved.

EEPAC recommends that the existing wetland be preserved and the proposed wetland relocation not be permitted and/or approved. By maintaining and protecting the Grenfell wetland, the existing wetland ecological/environmental, water resource functions and features be preserved and maintained, no loss of wetland features and functions will occur. EEPAC further recommends that the EIS and all servicing reports shall include all required references to the proposed recommendations and justifications be incorporated. The proposed land development planning and servicing design components will incorporate all required works and measures to protect the existing ecological/environmental and water resource conditions for the subject and surrounded lands.

Item #3 - SWH, Habitat of Threatened and Endangered Species, or other Required Protection

Habitat for several species that are protected under the Endangered Species Act have been reported within or in close proximity to the study area. Specifically protections of Fish Habitat and aquatic life are critical for the Silver Shiner and Black redhorse, within the Stoney Creek, live Butternut trees, SWH for the Queensnake and spiny softshell turtles. As well, two provincially rare species, *Erigenia bulbosa* and *Viola striata* were identified to be widespread.

EEPAC recommends that all identified SWH, Habitat of Threatened and Endangered Species, or species or their habitat requiring protection species will be:

- confirmed in the detailed field review prior to any final design report submission for any proposed development in the study area; and
- *protected, by identifying all required measures and required ecological MNRF, DFO and UTRCA protocols that will be implemented for handling these works for the subject lands, ensuring no adverse impacts on the species and the health of their habitat. EIS shall include all required references for the proposed changes and justifications (proposed approach and applicable protocols) that are recommended to be implemented.*

Item #4 - Buffers Setbacks for Existing Wetland and Identified Environmental Areas

Based on the presented information in the EIS report (specifically in section 5.0 and Table 6) that provided a list of Significant natural heritage features identified on the subject lands (36.8 ha) that are: Provincially Significant Wetlands, Significant Woodlands, Significant Valleylands, Significant Wildlife Habitat, Fish Habitat, Habitat of Threatened and Endangered Species, Water Resources Systems, Environmental Significant Areas (ESA), Potential Naturalization Areas and Nests of NBCA-protective birds as well as in others noted in the Hydrogeological, Geotechnical and servicing reports for the subject site, the sufficient natural buffers are extremely important and critical to preserve/maintain the existing ecological/environmental and water resources functions and features of the existing wetland and all identified environmental areas.

EEPAC recommends the proposed natural buffers/setbacks for each of these areas will be identified and be sufficient., based on the existing provincial, UTRCA and City's requirements and regulations. The technical justifications need to be provided to support the setback recommendations for this development and the proposed buffers/set backs need to be identified between the proposed development the existing wetland and all identified significant environmental areas.

The recommended *buffers/setbacks requirements shall be consistent with the City's London Plan Policies and requirements, completed and accepted by the City Council Subwatershed and Municipal Class EA studies for the subject area, MECP, MNRP and UTRCA Acts, Regulations and requirements. In accordance with the OWRA definitions, storm drainage and SWM systems, including the SWM Facilities, are considered to be sewer systems.*

Item #5 - Rezoning Application's Special provisions for the Subject Lands

EEPAC recommends that the proposed Rezoning Application for the subject properties should include the special provisions, which will be required for the proposed detailed design for the proposed subject site, to preserve and maintain the existing wetland, identify the required natural buffers/setbacks for the wetland and all environmental areas, identify measures/protocols to protect Significant Wildlife Habitat, Fish Habitat, Habitat of Threatened and Endangered Species, Potential Naturalization Areas and Nests of NBCA-protective birds, erosion sediment control, as well as possible substantial dewatering process and MECP, MNRP, UTCA and potential DFO approvals requirements and water discharges that will be in compliance with the Stoney Creek Subwatershed system requirements, MECP, MNRP, DFO, UTRCA and City's standards and requirements for this system.

EEPAC recommends additional details on monitoring protocols that show that monitoring will adequately assess and evaluate the continuation of the function and features of the wetlands and other significant features listed in the study area.

EEPAC requires to review the requested designs and monitoring designs

Upper Thames River Conservation Authority (UTRCA) Comments (April 26, 2022)

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 & PROPOSAL

The subject lands are approximately 123 ac/50 ha in size and are being utilized for agricultural and natural environment uses. The subject lands are currently:

- Designated Low Density Residential, Medium Density Residential and Open Space within the Official Plan (1989);
- Located within the Neighbourhoods and Green Space Place Type of the London Plan (2016);
- Contain Provincially Significant Wetland, Unevaluated Wetlands, Environmentally Significant Areas (ESA), Significant Valleylands, and Unevaluated Vegetation Patches as shown on Map 5 of the London Plan (2016); and,

- Zoned Urban Reserve (UR3), Open Space (OS5) and contain a holding provision h-2 within the Zoning By-law Z-1.

The purpose of this application is to establish the designations/place types and zoning to support a proposed draft plan of subdivision. The proposal includes a residential subdivision comprised of low and medium density residential blocks, 2 school blocks and 3 open space blocks. The proposed amendments include the re-orientation of some of the existing designations/place types and zone boundaries to accommodate the development concept and relocate existing natural hazard/natural heritage features.

The re-orientation of the open space designation/place type and zoning is in relation to the removal and relocation of a Provincially Significant Wetland – Arva Moraine Provincially Significant Wetland Complex (Grenfell Wetland). The applicant's consulting team has studied this feature and is of the opinion that this wetland should be classified as locally significant based on how it functions. Using this justification, the proposal includes the relocation of this feature from the central portion of the property to the southeastern area adjacent to the existing Stoney Creek Environmentally Significant Area (ESA).

Prior to current conditions, historic applications have been made to alter the designations and zones on these lands. The resulting decisions of these applications were escalated to the Ontario Municipal Board in 1999 (PL990552, Order/Decision No., 1610, Issued August 30, 1999) and 2000 (PL980859, PL980845, PL981096, PL981097, PL990079, Order/Decision No., 0143, Issued February 3, 2000):

- OMB Order/Decision No. 1610 was in relation to proposed Official Plan Amendments (OPA) concerning the Arva Moraine Wetland Complex, located between Richmond Street and Highbury Avenue, and Fanshawe Park Road and Sunningdale Road. The outcome of this decision resulted in agreement that the wetlands located within this area were of local significance (Class 4 to 7), not provincial (Class 1 to 3). Despite the change in significance, it was recognized that there was not a substantial change in the level of protection. Additionally, as this matter was in relation to the OPA, the evaluation remained open at the MNRF as new work was being done and evaluations were to be revisited through future processes. The decision noted that resulting scores of the evaluation were near the dividing line and may change the classification upon further investigation.
- OMB Order/Decision No. 0143 was in relation to proposed OPAs concerning the Stoney Creek Community Planning Area, located between Adelaide Street and Highbury Avenue, and Fanshawe Park Road and Sunningdale Road. The issues list included, but was not limited to, flood plain, patch 2017, patch 2019, and natural heritage linkages and enhancements. Various outcomes came as a result of this hearing which included the Board identifying the Northdale Forest wetland as locally significant (Class 4 to 7), as agreed to by all parties, and being satisfied with OMB Decision No. 1610 as it relates to the Grenfell wetland classification (Class 4 to 7). In addition, discussion occurred in relation to the maintenance of various tributaries and not allowing stormwater management infrastructure to be located within the floodplain. Lastly, it was recognized that some aspects must be dealt with through undertaking Environmental Impact Study(s) at the subdivision stage.

Despite these orders/decisions, the Ministry of Natural Resources and Forestry (MNRF) continues to recognize these features as provincially significant. It is our understanding that the applicants ecologist has attempted to contact MNRF regarding this classification and no further information has been obtained nor has a decision on re-classification been made.

Various UTRCA staff have met with the applicant and consulting team over the years to continue discussions on development of these lands. Most recently, a virtual meeting was held on November 17, 2021 to review the policy application followed by a site visit

on April 21, 2022. The UTRCA can preliminarily advise that policy does not permit development in wetlands regardless of classification as Provincially Significant, Locally Significant or other wetlands.

DELEGATED RESPONSIBILITY & STATUTORY ROLE

The UTRCA represents the provincial interest in commenting on development applications with respect to natural hazards ensuring that applications are consistent with the PPS. This responsibility has been established in a Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry (MNRF) and the Ministry of Municipal Affairs and Housing.

The UTRCA's role in the development process is comprehensive and coordinates our planning and permitting interests. Through the plan review process, we ensure development applications meet the tests of/have regard for the Planning Act, are consistent with the PPS, conform to municipal planning documents, and align with the policies in the UTRCA's Environmental Planning Policy Manual (UEPPM, 2006). Permit applications must meet the requirements of Section 28 of the Conservation Authorities Act and the UTRCA's policies (UEPPM, 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.

PROVINCIAL POLICY STATEMENT 2020

The PPS sets the policy foundation for regulating the development and use of land across the Province, while protecting important resources and the quality of the natural environment. Natural heritage resources provide important environmental, economic and social benefits and must be managed to protect essential ecological processes and minimize environmental impacts. Additionally, the PPS directs development away from areas of natural and man-made hazards.

Applications for development shall be consistent with the policies contained within the PPS, specifically as it relates to Section 2.1 Natural Heritage and Section 3.1 Natural Hazards:

- Natural features and areas shall be protected for the long term (2.1.1);
- The diversity, connectivity and ecological function of natural heritage systems should be maintained, restored, or where possible, improved (2.1.1);
- Development and site alteration shall not be permitted in significant wetlands, significant woodlands, significant valleylands or significant wildlife habitat or on adjacent lands unless there are no negative impacts (2.1.4, 2.1.5 and 2.1.8);
- Development and site alteration shall be directed to areas outside of hazardous lands impacted by flooding and/or erosion hazards (3.1.1); and,
- Consideration for the impacts of a changing climate that may increase the risk of natural hazards (3.1.3).

These policies have regard for and aid in the implementation of matters of provincial interest as noted in the *Planning Act* (Part I, Provincial Administration, 2 (a)).

CONSERVATION AUTHORITIES ACT

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

- Provincially Significant Wetlands (known as the Arva Moraine Wetland Complex and/or Grenfell and Ballymote Wetlands) and the surrounding areas of interference;
- Unevaluated Wetlands and the surrounding areas of interference;
- Riverine flooding hazards associated with Stoney Creek and other tributaries; and,
- A riverine erosion hazard associated with Stoney Creek.

Please refer to the enclosed mapping for the approximate extent of the features listed above. 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 minimize the risk to life and property. The UTRCA's natural hazard policies are consistent with the PPS and the applicable policies 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, floodplain planning approach, and uses that may be allowed in the flood plain subject to satisfying UTRCA permit requirements.

3.2.4 Riverine Erosion Hazard Policies

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

There is a riverine erosion hazard present along the Stoney Creek corridor. Blocks 22 and 28 are located adjacent to this feature. It is recognized that Block 28 (north side of the creek) is proposed as Open Space and appears to capture this hazard within the limits shown. However, Block 22 (south side of the creek) is proposed for medium density residential development and sufficient information pertaining to the stable slope features in this area have not been provided. In keeping with Recommendation 18 from the EIS, a slope stability assessment is required to identify the limits of the hazard lands and establish the development limit outside of this area.

The Preliminary Geotechnical Investigation prepared by EXP, dated December 2021, does not contain any slope stability information. This information will be required prior to approval to ensure an appropriate development limit is set for Block 22.

3.2.5 Watercourse Policies

The UTRCA discourages the conversion of open surface watercourses and/or drains to closed drains. It appears that the applicant is proposing to remove open watercourses. In considering any proposed channel removal/enclosure, the following matters need to be addressed to the satisfaction of the UTRCA:

- Downstream and upstream flooding
- Loss of floodplain
- Water chemistry – nutrients

- Flow and velocity
- Overland erosion
- Capacity
- System failures
- Adjacent land use
- Habitat biodiversity
- Pollution (sediment and nutrient conveyance)
- Loss of stream functions
- Loss of groundwater infiltration
- Species at Risk
- Loss of buffers – corridors and terrestrial habitat
- Linkages (natural heritage)
- Increased maintenance and chance of blockage

OMB Order/Decision No. 0143 also provides seven (7) reasons why piping a tributary can result in degradation to the feature. Further information/justification should be included in an EIS to ensure a net environmental benefit is achievable and implemented. We request that the applicant provide additional information on the existing watercourses present on the subject lands and how they will be managed as a result of this proposal.

3.2.6 Wetland Policies – Natural Hazards

New development and site alteration is not permitted in wetlands. New development and site alteration may only be permitted in the area of interference and/or adjacent lands of a wetland if it can be demonstrated through the preparation of an Environmental Impact Study (EIS) that there will be no negative impact on the hydrological function of the wetland feature and no potential hazard impact on the development. A Hydrogeological Assessment and Water Balance Analysis was also required to evaluate the potential impacts of the proposed development on the regulated wetlands.

As required, an Environmental Impact Study was prepared by MTE, dated December 20, 2021 to summarize the data collected on these lands throughout 2020, while also providing references to earlier data collected through the preparation of past EIS reports on these lands. The scoping meeting for this report was completed in November 2018, prior to the approval and implementation of the 2020 PPS and City of London Environmental Management Guidelines 2021.

In addition, the required Hydrogeological Assessment and Water Balance prepared by EXP, dated December 20, 2021, has also been prepared. UTRCA technical review comments are provided below.

Natural Heritage

The UTRCA provides technical advice on natural heritage to ensure an integrated approach for protecting the natural environment consistent with the PPS. The linkages and functions of water resource systems consisting of groundwater and surface water features, hydrologic functions and the natural heritage system are necessary to maintain the ecological and hydrological integrity of the watershed. The PPS also recognizes the watershed as the ecologically meaningful scale for integrated and long-term planning which provides the foundation for considering the cumulative impacts of development. The UTRCA's natural heritage policies that are applicable to the subject lands include:

3.3.2 Wetland Policies – Natural Heritage

New development and site alteration may only be permitted in the area of interference and /or adjacent lands of a wetland if it can be demonstrated through the preparation of an Environmental Impact Study (EIS) that there will be no negative impact on the feature or its ecological function.

3.3.3.1 Significant Woodlands Policies

The UTRCA does not permit new development and site alteration in woodlands considered to be significant. Furthermore, new development and site alteration is not permitted on adjacent lands to significant woodlands unless an EIS has been completed to the satisfaction of the UTRCA. The woodland which is located on the subject lands as well as on the adjacent lands has been identified as being significant in the Middlesex Natural Heritage System Study (2014).

TECHNICAL REPORTS & COMMENTS

The UTRCA has received the following technical reports alongside the Planning Act applications:

- Environmental Impact Study (EIS)
- Hydrogeological Assessment and Water Balance
- Preliminary Stormwater Servicing Report (SWM)
- Preliminary Geotechnical Investigation
- Final Proposal Report and Planning Justification Report (PJR)

UTRCA staff have reviewed these documents with regard for evaluation of completeness, sufficient data collection and representation, and achieving a net environmental benefit. We offer the following comments:

ENVIRONMENTAL IMPACT ASSESSMENT

Environmental Impact Assessment (EIS) prepared by MTE dated December 20, 2021

1. Community 3 has been classified as Dry Moist Old Field Meadow (CUM1-1) although the description of this community suggests that it could contain wetland habitat based on the following:

- there are wetland pockets, scattered areas of moist soil conditions and pooled water in small, isolated puddles throughout the community;
- the ELC sheet in Appendix B includes a red osier mineral thicket swamp as a vegetation type for this community;
- over 25% of the herbaceous species have a wetness rank of -3 to -5, and two of them are groundwater indicators; and,
- the community has not been cultivated for over 15 years.

Please discuss whether the wetland indicator species are scattered throughout the community, or concentrated in a particular area? A site visit to confirm this community's classification may be warranted.

2. Amphibians (spring peepers) were heard in Community 4 (classified as a gray dogwood cultural thicket). Approximately 50% of the species in Community 4 have a wetness rank of -3 to -5, suggesting that portions of this community could be wetland habitat. A site visit to confirm this community's classification may be warranted.

3. Community 7 is described as "invasive species dominant", yet the vegetation community has 83.3% native species, a high floristic quality index, and possibly contains a regionally rare sedge species. It is also considered significant wildlife habitat (SWH) for terrestrial crayfish. Based on this description of Community 7 in the EIS, we do not agree that a compensation ratio less than 1:1 is justifiable. Please revise.

4. Community 8 has been classified as a plantation, yet it contains several butternut and has 70% native species. Was this community surveyed for bat habitat? A site visit to confirm this community classification may be warranted.

5. There were no surveys conducted to determine if turtles are nesting in the communities adjacent to the south pond. Given that turtles have been observed basking near the pond and that the pond is confirmed turtle wintering area, please assume that turtle nesting habitat is present in the adjacent vegetation communities and provide recommendations for an appropriate buffer from the communities. Please delineate this buffer on Figure 14.

6. How were the locations of the amphibian monitoring stations determined, as shown in Figure 7? Please explain why the majority of the Grenfell wetland (Communities 5a, 7) and associated wetland inclusions were not monitored for amphibians.

7. Please show all wetlands identified on the subject lands in Figure 8, not just the ones identified in 2020 (for example, the SWD and SWT wetland inclusions in Community 10).

8. Does the area adjacent to Community 10 have a suitably high water table to support terrestrial crayfish?

9. In Section 6.2, please discuss water balance in terms of the natural features (feature based) and not the development (site based) in the EIS. What is the impact of the proposed stormwater management system and its servicing to the natural features being retained / created / mitigated on site post development?

10. Please overlay the development limit (red line in Figure 11) onto the following boundaries shown on Figure 9 to assist in evaluating statements in Section 7:

- Buffers - with dimensions;
- Valleylands;
- SWH;
- Reptile hibernaculum;
- Potential turtle wintering areas;
- Wetland naturalization areas; and,
- Vegetation communities.

11. Sections 7.1.2 discusses the provision of part of a setback within development blocks 299 and 309 to ensure minimum setback distances are maintained from wetland communities. It is unclear where the setbacks in blocks 299 and blocks 309 are located. The limits of development for all blocks should be located outside/along the boundary of the setbacks to ensure that these setbacks are not developed by future private landowners.

12. Please confirm if Street D is appropriately buffered from Community 10.

13. Block 22 encroaches into the wetland buffer/setback. Please revise.

14. Figure 14 identifies a 6.5m setback for lots 275, 276 and 277. Please revise the lot boundaries for these lots to remain outside of the 10m buffer from the woodland. Should encroachment be required, please provide adequate justification.

15. Block 32 is shown as a future street block to provide access to the neighbouring agricultural field. This area connects into mineral meadow marsh communities and woodland to reach the agricultural area. Additional studies will be required prior to establishing new road networks into this area.

16. Block 19 is shown encroaching into the 30m setback from the northeast wetland. Please ensure the development limits respects all buffers/setbacks.

17. Please show the 10m buffer from the stable top of slope in the open space block north of Stoney Creek valleyland on Figure 14 to ensure that any permitted activities for open space blocks that could have negative impacts on the natural features are not placed in this area.

18. Please explain how the harm/killing of butternut trees will be compensated to ensure there is suitable area/ habitat for compensation post development.

19. Various sections of the EIS speak to the removal of wetlands, however it is unclear what the total area being considered for relocation/compensation is as there are various calculations mentioned within the technical reports. To state a few:

- Section 6.2 refers to a wetland relocation of ~6.6ha;

- Section 7.3 refers to various wetland communities totaling 7.25ha; and,
- Section 8 refers to 6.61ha wetland compensation and enhancement area.

Differing again from these two calculations, Table 7 lists direct impacts by vegetation community. Based on manual calculations of wetland features listed in Table 7, it would appear that the actual area of wetlands being impacted is 7.5ha.

Furthermore, based on Comments 1 and 2 above, additional wetland features may be present on site that were not accurately represented in the ELC classifications.

Additional information is required to determine the actual amount of wetland being impacted/removed/relocated as a result of this proposal.

20. In addition to Comment 19, we suggest that this approach does not meet the current Provincial Policy “systems based” approach, and would argue that many of the features and functions that wetlands either rely on, and / or are heavily influenced by, are the surrounding natural features that support them. It is our opinion that the removal of wetland and the supporting habitat should be included in the compensation calculations, not just the wetland habitat, given:

- the diversity of vegetation communities and of species;
- the ratio of native to non-native species;
- the numbers of species at risk and regionally rare species;
- the SWH; and,
- the groundwater features and functions found in those communities. According to our calculations, the total removal of communities 3 - 8 may be 17.4 ha.

21. Figure 15 provides a wetland design concept for Block 29, the proposed wetland compensation area. The EIS has recommended 30m setbacks from the existing wetlands, however only a 15m buffer is shown/referenced on the figure. Please depict the recommended buffer distance on the concept and ensure that the calculations for the wetland relocation area are not impacted as a result.

- a) Please confirm if the wetland compensation area includes a buffer within this calculation, or if the 6.61ha referenced on Figure 13 is solely devoted to wetland.
- b) While it is recognized that this concept is very preliminary in nature, insufficient information has been provided that details if this wetland relocation can succeed in this location.

22. Section 8 speaks to a number of factors that demonstrate a net gain. However, the retention of water balance functions and the salvage of regionally rare floral species is not considered “net gain” of wetland function. “Net gain” means that the natural features and functions are better post development than they were predevelopment. For example:

- Net gain in SWH for terrestrial crayfish could mean that the area of terrestrial crayfish habitat post development is either being enhanced to make the habitat more suitable to crayfish without diminishing its other natural features or functions; or is greater than predevelopment size. Note that transferring terrestrial crayfish into a habitat that is already protected or retained for its natural features and functions is not considered a net benefit;
- Net gain in wetland function could mean that the newly created wetland scores higher in any of the OWES components without diminishing scores in other OWES components. The evaluation of the Grenfell wetland (Appendix I) identified a number of hydrological functions that the wetland currently provides, such as flood attenuation, water quality improvement, groundwater recharge and presence of clay loam soils. While we encourage the creation of a wetland with increased biodiversity and habitat connectivity, it is important to demonstrate that the newly created wetland will maintain or improve upon the functions identified in the evaluation; or,
- Net gain in water balance functions could mean a greater area of wetland and supporting habitat being created in a suitable location. Typically, we encourage a compensation ratio of at least 3:1, not less than 1:1, unless it can be

demonstrated that a large net benefit can be gained with the smaller replacement ratio.

- a) How will net gain such as improved wildlife habitat, increased structural and biological diversity, contiguous wetland habitat and linkage opportunities of relocated wetlands be measured, monitored and guaranteed? At a minimum this would require rationale as to how these conditions would be maintained or improved in the smaller wetland feature, as well as monitoring and mitigation details to demonstrate that the recreated wetland will maintain or improve the hydrological functions of the existing Grenfell Wetland.
- b) Section 7.7 speaks to Net Effects, however the table reference is incorrect.

23. Section 2.5 claims incorrect information is shown on the UTRCA regulation mapping specifically in relation to the name a drainage feature, which is attached within the EIS as Figure 5. Our current mapping, which is enclosed today and the proponent has received various updated versions of since 2006, has been updated to reflect the current drainage pattern.

- a) The EIS does not speak to the existing watercourses within the subject lands. Please ensure these additional features are considered within the revised EIS.

24. Editorial Comments:

- a) Section 4.2.2.1 states that only spring and early summer inventories (April 4, June 5, and June 22 2020) were conducted, yet section 4.2.2.2 says floral site investigations were conducted on April 15, June 5, June 22, August 10, and October 20, 2020. Please confirm dates of field investigations with a table showing the date, weather condition and type of survey conducted.
- b) Section 4.2.2.1 says that Community 9 is associated with the Stoney Creek floodplain. Please change this to Ballymote Tributary. Furthermore, Section 7.1.6 states that Stoney Creek and Ballymote are connected to downstream fish habitat in Dingman Creek. Please change this to Thames River.
- c) The EIS states that Harbinger-of-Spring (S2S3) is found in Community 10, yet it is not shown in this community on Figures 8 and 9, nor in Table 6 under SWH.
- d) Please note that the Stoney Creek subwatershed also supports Rainbow Mussel (SC). Please use treed vegetation for shade if conditions are suitable (i.e. soils and slope support full grown trees).
- e) Please correct Section 7.1.3 that states "Tree protection fencing is recommended where development is directly adjacent to proposed development".
- f) The EIS references the City of London's 2007 Environmental Management Guidelines (EMGs). The 2021 EMGs should be applied and referenced in the analysis.

In closing, there are several natural heritage features that require compensation in addition to the wetland features. It is the UTRCA's opinion that additional information is needed to confirm these features and their functions in order to determine if a net environmental benefit will be achieved with the proposed compensation.

HYDROGEOLOGICAL ASSESSMENT

Final Hydrogeological Assessment prepared by EXP dated December 20, 2021
The aforementioned report meets the majority of UTRCA's expectations; however, Page 1 of the report notes that MTE reviewed the wetland classification through the EIS process and determined the wetland should be reclassified from Provincially Significant to Locally Significant. Resulting, EXP treated Wetland Unit 14 as a Locally Significant Wetland. As this finding has not yet been accepted by the MNRF, we recommend that EXP consider the wetland as Provincially Significant until the re-evaluation has been completed.

20. Section 3.5.3 notes that “discontinuous pockets of silt are found at various depths within the glacial till”. Review of the elevations of these silt units indicates these silt beds lie at similar elevations and they may be more continuous than interpreted on the EXP (2021) cross-sections (see Figure 1). Similarly, the continuity of lower sands beneath the site may also be under-represented by EXP (2021) and may contradict the comment “The thick sequence of sand underlying the Arva Moraine discharges to wetland features off site. This sand does not extend to the Site” (see Figures 1 and 2). The silty and sand beds may be continuous beneath the Site and are interpreted to transmit shallow groundwater into the Wetland Unit 14 (see Figures 1 and 2). Please also provide the borehole logs for all boreholes and wells illustrated on the cross-sections so the lithology in those wells can be compared to the interpretations on the cross-sections provided.

21. The last sentence of Section 3.5.3 notes that “Groundwater infiltration is limited into weathered zones and pockets with higher sand contents, resulting in discontinuous pockets of shallow groundwater, perched within the predominately silt till soils”. Please clarify which wells are interpreted to have perched conditions.

22. Section 4.4.2 (subsection Station 5 Hydrograph) notes “The surface water and shallow groundwater found within Wetland Unit 14 is influenced from precipitation events and local runoff and shows no evidence of influence from deeper groundwater sources”. While there may not be a connection between the deep groundwater flow system the data below indicates there is a component of shallow groundwater flow discharging into the wetland.

- a) Station 5 located in the eastern portion of Wetland Unit 14: Upward gradients were observed between piezometer P5 and Staff Gauge 5 from Nov 2019 to June 2020 and October 2020 to June 2021 (Table F3 of EXP, 2021). Staff Gauge 5 was dry through June to Sept of 2020; however, water levels in Piezometer P5 remained at or above ground surface elevations throughout this period. Overall, upward gradients between the piezometer and Staff Gauge were observed in 16 out of 24 field visits (five field visits had a dry or frozen Staff Gauge, and two field visits recorded downward gradients during periods of high runoff to the surface water features. (The water level elevation cited for March 31, 2020 is higher than the top of pipe elevation so considered erroneous).
- b) Station 2 located in the western portion of Wetland Unit 14: The only water level measuring point located at Station 2 is Piezometer 2, which is screened 0.73 m below surface. Water level elevations in this piezometer were measured 31 times between December 2018 and October 2021. During these field visits, groundwater in the piezometer was measured to lie at or above ground surface in 24 field visits; three visits the piezometer was frozen or dry (Table F3). Slight downward gradients were noted in 4 field visits (Table F3 of EXP, 2021). Piezometer P2 was visited nine times in winter months and was only frozen twice. This suggests warmer groundwater is discharging into the wetland at a sufficient rate to prevent freezing of the piezometer.

Outside Wetland Unit 14, vertical gradients and groundwater discharging conditions were also observed between Piezometer 3 and Staff Gauge 3 in winter, spring, and fall throughout the field 2019 and 2020 field season at Station 3 (Aquatic Pond) located south of Wetland 14 and observed water level elevations were consistently observed at elevations above ground surface. Similarly, water level elevations in Piezometer 1 near the Ballymote Tributary were also above ground surface in all field visits except two instances in December 2019 and February 2020 when the piezometer was frozen. The water table lies close to surface and is groundwater interpreted to discharge into these sensitive surface water features.

23. Section 4.6 notes exceedances of aluminum, iron, and other metals. What are the interpreted sources of these metals in groundwater samples collected on the Site? How will groundwater chemistry beneath the Site change during construction and post-development? How will changes in groundwater quality post-development impact the wetland and woodland features on the Site? What mitigative measures will be put in

place to avoid degraded groundwater quality impacts on Stoney Creek, Ballymote Tributary and the Aquatic Pond?

24. Groundwater chemistry data was not collected in the upper, shallow groundwater flow system, and as such, the chemistry data provided cannot be used to make definitive statements about the interaction between the shallow groundwater flow system and Wetland Unit 14. Please collect groundwater quality data from the shallow groundwater flow system to inform the groundwater-surface water interactions at Wetland Unit 14. Temperature data was not collected but data could be used to help inform the groundwater-surface water interactions near the Wetland Unit 13, Stoney Creek, or the Aquatic Pond.

25. Section 5.3 outlines the Water Balance for the Site (Pre and Post Development) and does not include discussion or estimate of local groundwater discharge to surface water, including Wetland Unit 14 or the Aquatic Pond. Please provide an estimate of groundwater discharge to these existing features. Please also explain how groundwater discharge is expected to change post-development, and provide details regarding the location and type of mitigative measures that will be implemented to maintain groundwater discharge to these features.

26. The last paragraph of this section notes: "Although not currently included in the preliminary development plan for the Site, possible LID options could include rooftop leader discharge and designated surface infiltration areas". Please provide additional discussion on the proposed locations for enhanced recharge including infiltration areas, as the water table is within 4m of ground surface across most of the Site and the infiltration capacity of the till beneath the site is limited. Please give consideration for infiltrating clean water in the vicinity of the Aquatic Pond and Ballymote Creek to maintain groundwater discharge conditions.

27. Section 6. 2 notes "Wetland Unit 12 is sourced from surface water and overland flow". While a component of water may be derived from surface water and overland flow, the piezometer and staff gauge water level elevation data indicate groundwater is discharging into the wetland supporting wetland habitat.

28. There is little data provided to characterize the shallow groundwater levels and vertical gradients in the proposed wetland compensation area due to the lack of monitoring wells screened in the upper and intermediate groundwater flow horizons. Monitoring wells MW-3A and MW-3B are the closest monitoring wells to the proposed wetland compensation area, and these wells indicate strong downward gradients between the intermediate (3 m below ground surface; MW-3B) and lower (9 m below ground surface; MW-3A) overburden groundwater flow system throughout the year. Wetland communities present in Wetland Unit 14 that are reliant on local groundwater discharge would not survive in this groundwater recharge area. For example, terrestrial crayfish are proposed to be introduced to the compensation wetland, and these species need intermittent groundwater discharge conditions to survive. Please collect shallow groundwater level data in the proposed wetland compensation area to show that the groundwater-surface water interactions present in Wetland Unit 14 are also present in the proposed wetland compensation area so similar wetland species can survive and thrive.

29. Section 6.4 notes that shallow dewatering will be required for construction in the southern limits of the Site where thick sands are present at surface. A permit to take water for dewatering will be required; please comment on how dewatering during construction will impact groundwater discharge into Stoney Creek and the nearby Aquatic Pond, how potential impacts to these environmental features will be mitigated, and when the dewatering is proposed to occur to minimize impacts on the flora and fauna living in the Aquatic Pond and Stoney Creek.

PRELIMINARY STORMWATER MANAGEMENT SERVICING

Preliminary Stormwater Servicing Report prepared by MTE Consultants Inc., dated December 15, 2021

30. Please consider the effects of urbanization on the reach of Stoney Creek adjacent to the proposed development.

31. Please consider the effects of groundwater recharge on the proposed SWM strategy, including LIDs and their function.

32. Section 1.1 states that the existing SWM facilities in the neighbouring subdivision are intended to provide SWM quantity, quality and erosion controls for the proposed development. Please confirm that this development was considered in the catchment areas of the existing infrastructure and ensure there is sufficient capacity.

33. Section 3.2.2 states that the preliminary estimate of quantity control requirements based on AxC. The final quantity control and storage requirements should be determined for the proposed conditions at the detailed design stage of the project based on the proposed imperviousness and the quantity control should be provided accordingly.

34. There are at least three (3) catch basins located along the western extent of the lands connecting the remaining wetland and drainage features to the Weninge SWM facility located to the southwest. Limited information was provided in relation to existing surface drainage. Please provide further details on the existing conditions and connections into the overall system. This strategy may need to be revisited pending the outcome of the wetland classification and relocation discussion.

WATER BALANCE

Section 5 of the Final Hydrogeological Assessment prepared by EXP, dated December 20, 2021

35. The purpose of the water balance is to maintain base flow to the existing wetland from pre to post development conditions. How will base flows be compensated for if the wetland is relocated? Please provide catchment areas supported by grading/contour under the proposed conditions contributing flows to the relocated wetland.

36. Section 5.3 state that opportunities to capture runoff and provide secondary infiltration in greenspace areas will be required to increase post-development infiltration. With mitigation measures the post-development infiltration is estimated to be over 80% across the lands. Please ensure infiltration is designed to capture only clean runoff.

37. Table 6 shows estimated values of runoff and infiltration under the pre-development, post-development without mitigation, and post- development with mitigation. The runoff decreases with the proposed mitigation measures and the infiltration increases under the proposed post-development with mitigation, however no details are provided. The decrease in runoff and increase in infiltration should be supported by SWM design to the lands to support the water balance.

38. Please check the calculated annual volume values of the infiltration and runoff calculated from the surplus water under the pre-development conditions. Please incorporate the infiltration factor of 0.6 in the calculations.

GEOTECHNICAL INVESTIGATION

Preliminary Geotechnical Investigation prepared by EXP, dated December 2021

39. This report does not contain any slope stability information. This information will be required prior to approval to ensure an appropriate development is set for Block 22 on the south side of Stoney Creek as medium density residential development is proposed. As per Recommendation 18 of the EIS, a 10m setback from the stable top of slope should be respected.

FINAL PROPOSAL REPORT & PLANNING JUSTIFICATION

Final Proposal & Planning Justification Report prepared by Zelinka Priamo Ltd., dated December 2021

40. Section 2 (pg. 3) of the report states that “additional studies have been undertaken to ensure the wetland feature remains non-significant, which permits it to be relocated as part of the application”. The wetland should be studied to re-evaluate the current state of the feature and determine if it remains non-significant. Regardless, wetlands remain protected by policy and are not permitted to be relocated based on this criteria alone.

41. Policy 1334 of the London Plan states that some instances may allow for the consideration of replacement of the wetland rather than in situ protection, in consultation with the Conservation Authority.

- a) UTRCA staff met with the applicant on various occasions, most recently in November 2021. It was expressed through these discussions that the proposal cannot be supported by Conservation Authority staff. We recommend that the applicant study additional subdivision designs that consider protection of the features in their current location and provide adequate linkages.
- b) Furthermore, Policy 1334 states that such replacement will be on at least a one-to-one basis. The UTRCA has been working with other small scale wetland relocation projects, and have required replacement at a rate of 3:1.

42. Section 3 (pg. 6) states that existing SWM facilities will handle most of the stormwater with a small amount captured within the wetland compensation area. SWM infrastructure is to be located outside of natural hazard and natural heritage lands. Further information will be required to ensure that any stormwater entering features will retain water quality and quantity.

43. Section 4 (pg. 13) speaks to healthy and active communities. A trail and/or pathway system has not been delineated on the proposed draft plan. Please ensure consideration is given to the location of the trail/pathway outside of the features and their buffers. A conceptual plan would aid in the review of a pathway by both the consulting ecologist and agency staff.

44. Section 4 (pg. 13 and 14) speaks to protecting natural features and areas for the long term. The opinion provided by the author states that retaining the wetland in its current location will result in isolation of the feature and creating isolation from surface connections. Many existing developments within the City and other geographic jurisdictions have continued to maintain and build around wetland features present on the landscape. We encourage the applicant to study additional subdivision designs that consider protection of the features in their current location and provide adequate linkages. Insufficient information has been provided to support the relocation of the wetland features.

45. Section 8 (pg. 27) states that the existing conditions of the subject lands include cash crop agricultural while the remainder are “vacant of any use”. It should be noted that the existing conditions largely contain natural hazard and natural heritage features.

46. Section 14.1 (pg. 41) states that the design of the compensation block will be provided in the future using Ministry, City and UTRCA guidelines for relocation.

- a) First and foremost, the UTRCA’s policies direct development to be located outside of hazard and natural heritage lands. While it is recognized that extenuating circumstances can result in minor modifications to the existing hazard and heritage systems, the applicant has not satisfied UTRCA staff that alternative subdivision designs are not feasible, and that the proposed relocation/compensation area is suitable.
- b) The UTRCA has draft policies for “Natural Heritage Compensation Policy & Guidelines for Achieving Ecological Net Gain”. These policies direct compensation ratios to initiate at a rate of 3:1, and increase depending on the severity and sensitivity of the feature to ensure a net gain.

47. The UTRCA's Environmental Planning Policy Manual (2006) contains technical policies pertaining to the Municipal Plan Review process and Section 28 Permit process. As identified at the onset of this letter, plan review is undertaken to establish the principle of development prior to initiating the Section 28 permit process.

- a) A summary of relevant UTRCA policies has not been provided within the submission materials of this application. Please ensure a thorough review of the Conservation Authority's policies is undertaken and considered.
- b) A Section 28 permit application will be required to implement the proposed design of this residential subdivision. If an application were to be submitted in its' current state three major issues would arise:
 - i. A portion of the wetlands proposed to be removed/relocated are currently classified as Provincially Significant. The UTRCA does not have approval authority over features of Provincial significance and would refer this issue back to MNRF to determine the classification of this feature;
 - ii. The application would be considered incomplete as we await responses to the aforementioned comments and revisions to the submission material. In addition, a permit application form and associated fee would be required; and,
 - iii. Should revisions to the submission material continue along the current path/proposal for wetland location, this application cannot be supported/approved at a staff level. The application would proceed before the UTRCA's Hearings Committee for a decision under the Conservation Authorities Act. UTRCA staff will provide a recommendation to the Hearing's Committee based on if the application confirms to/complies with policy.

SUMMARY

As indicated, the subject lands are regulated by the UTRCA due to the presence of a Provincially Significant Wetland (PSW) and the surrounding area of interference, unevaluated wetlands and the surrounding areas of interference, and riverine flooding and erosion hazards associated with Stoney Creek and other tributaries. Development and site alteration within the regulation area requires approval from the UTRCA under Section 28 of the Conservation Authorities Act.

The applicant is requesting that the MNRF re-classify the PSW based on the OWES evaluation completed as a part of the EIS, alongside the previous decisions made by the OMB Order/Decision No. 1610 and Order/Decision No. 0143 that recognize this feature to be of Local Significance. The current classification of the wetland remains under the jurisdiction of the MNRF, whereas wetlands located outside of the PSW boundaries that do not meet the criteria for complexing, fall under the jurisdiction of the UTRCA.

As part of the proposed draft plan of subdivision application, the applicant is seeking to remove/relocate 6.35ha of Provincially Significant Wetland and an undetermined amount of other classifications of wetlands. This amount remains underdetermined at this time as information contained with the EIS suggests that additional lands may also meet the criteria for wetland that are not currently shown on the Ecological Land Classification mapping or calculated within the compensation rate. The applicant is proposing to compensate for the totality of these losses through a wetland compensation area of 6.61ha located at the southeast portion of the lands, adjacent to the Stoney Creek ESA.

The PPS does not permit development within or adjacent to Provincially Significant Wetlands. Similarly, UTRCA policies do not permit development within or adjacent to wetland of Provincial Significance, Local Significance or other wetlands. While a policy exists within the London Plan (No. 1334) that may permit the replacement of wetlands, sufficient evidence to support this proposal has not been provided to satisfy the Conservation Authority.

Despite the policy within the London Plan (No. 1334), UTRCA policies do not currently consider relocation/compensation of wetlands. Staff have utilized policies from other Conservation Authorities and municipalities to begin drafting a policy that would allow for the consideration of compensation under certain circumstances. The current proposal does not qualify for compensation as the wetland is classified as Provincially Significant, and sufficient information in the form of justification and compensation rates have not been provided should a re-classification be approved.

The comments provided herein further detail the insufficiencies of the supporting technical information. The UTRCA will require formal written responses to the comments provided, alongside revised technical reports that implement the requested revisions.

RECOMMENDATION **PLANNING ACT**

The UTRCA is of the opinion that the natural hazard and natural heritage features which are located on the subject lands have not been sufficiently evaluated and protected. We contend that the 6.35ha wetland should be protected in situ with an appropriate buffer of no less than 30 metres, and that the wetland compensation area of 6.61ha is insufficient. As this proposal:

- i. Is not consistent with Provincial policy,
- ii. Does not conform to or comply with Local policy; and,
- iii. Does not have regard for Conservation Authority plan review policies

The UTRCA recommends that the proposed applications for Draft Plan of Subdivision, Official Plan Amendment and Zoning By-law Amendment (39T-07502/OZ-9473) be **REFUSED**.

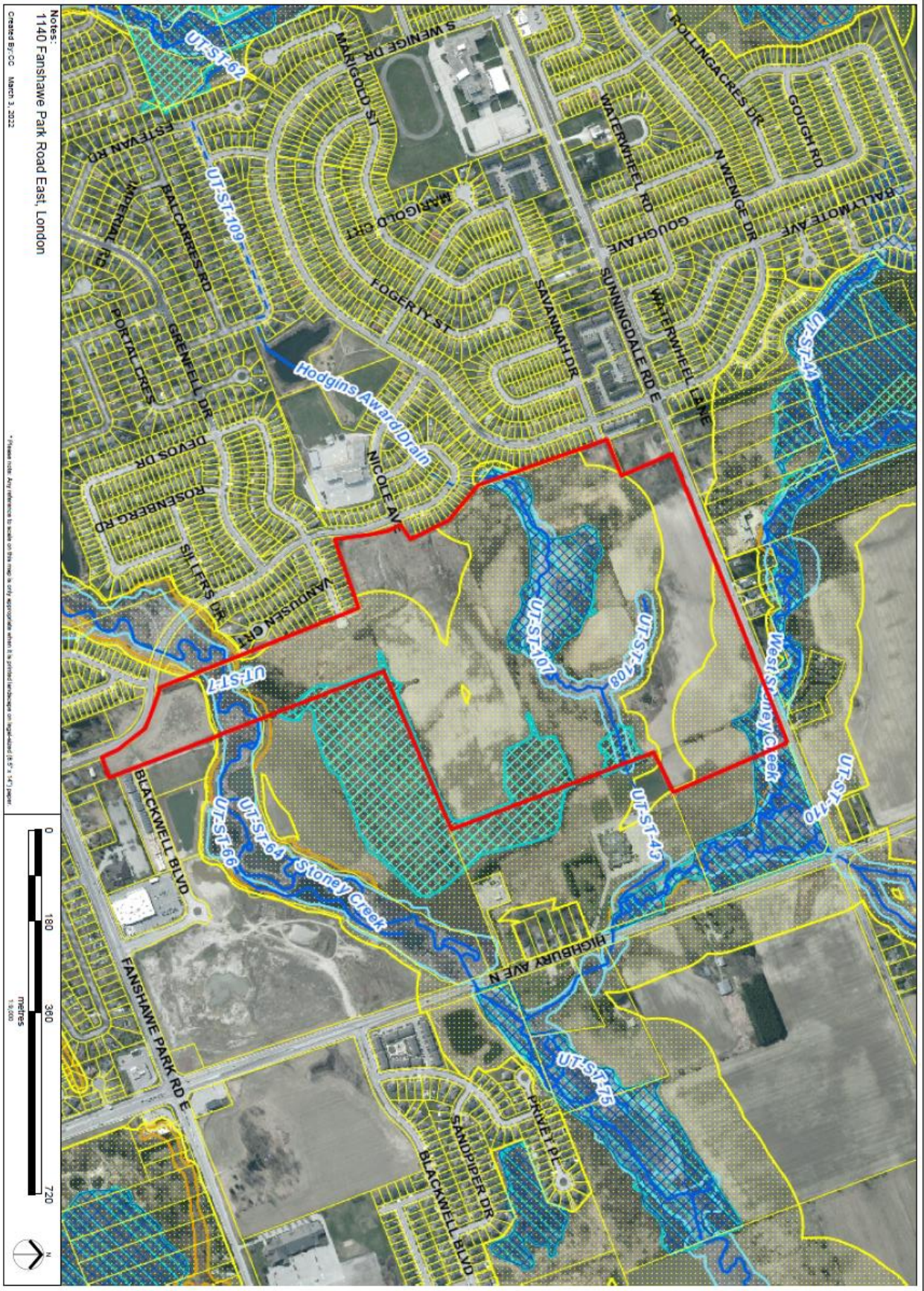
CONSERVATION AUTHORITIES ACT

The proposed development and associated site alteration will require a permit under Section 28 of the Conservation Authorities Act. Although an application for a Section 28 permit has not yet been submitted, the UTRCA can advise that the current state of the application would not satisfy the requirements of a complete application. Additionally, the proposal cannot be approved at a staff level and would require escalation to the UTRCA Hearing's Committee. In its' current state, a UTRCA Land Use Regulations Officer would recommend that the application be refused and a Section 28 permit should not be granted.

UTRCA REVIEW FEES

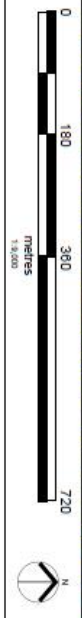
Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of Planning Act applications. Our fee for the review of these applications is \$14,970 and will be invoiced to the applicant under separate cover.

UTRCA Regulated Areas Map:



Notes:
1140 Fanshawe Park Road East, London
Created By: CO March 3, 2022

*Please note: Any reference to scale on this map is only approximate when the printed landscape is regulated. 1:5,000



Regulated Areas

Regulation under s.28 of the Conservation Authorities Act
Development, interference with wetlands, and alterations to shorelines and watercourses. O.Reg. 157/06, 97/04.

- Legend**
- Assessment Parcel (MPAC)
 - Watercourse (UTRCA)
 - Open
 - Tied
 - Wetlands (MNR)
 - Evaluated-Provincial
 - Evaluated-Other
 - Not Evaluated
 - Regulated Wetland
 - Flooding Hazard Limit
 - Erosion Hazard Limit
 - Regulation Limit 2021

The mapping is for information screening purposes only, and does not constitute a final determination of regulated areas. Regulation 157/06 supersedes the mapping as represented by the data layer. This mapping is subject to change. A site specific determination may be made by the UTRCA.

This layer is the approximate limit for areas regulated under Ontario Regulation 157/06 - Upper Thames River Conservation Authority: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, which came into effect on August 1, 2006.

The UTRCA assumes no liability for any errors, omissions or inaccuracies in the information provided herein and further assumes no liability for any actions made or actions taken or not taken by any person in reliance upon the information and data provided herein.

This map is not a substitute for professional advice. Please consult UTRCA staff for any changes, updates and amendments to the information provided.

This document is not a Plan of Survey.

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UPPER THAMES RIVER
CONSERVATION AUTHORITY
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Parks Planning and Design Comments (April 29, 2022)

Parks Planning and Design has reviewed the submission for the above noted plan of subdivision and offers the following comments:

- The lands contain a Provincially Significant Wetland (PSW) feature. As per Provincial Policy all PSW's shall be protected and enhanced as they exist. The submitted proposed Draft Plan of Subdivision does not have regard for the existing PSW. All the following PP&D comments are for the consideration of a Draft Plan of Subdivision that excludes the PSW.
- 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 dedicated parkland, and the payment of cash-in-lieu of parkland.
- Consistent with the Stoney Creek Community Plan a Neighbourhood Park is required to be located at on the northeast corner of Nicole Avenue and Street "D" (Block 21) at a minimum of 2 ha (see attached).
- A pathway connection is required along the south side of the Stoney Creek corridor (in conformity with the City of London Cycling Master Plan and Map 4 of the London Plan) and shall be located wholly outside of any ecological feature and located outside of any required staple slope setbacks. As per the proposed new Environmental Management Guidelines, the pathway is expected to be located within the required (and adequately sized) buffer to the adjacent ESA lands and will be taken at a 1:16 rate consistent with open space land dedication and subject to EIS, if buffer is less than 15m any table land required to complete the corridor will be taken at 1:1 (see attached sketch).
- Subject to the City Ecologist for the existing Natural Heritage features on Blocks 27, 28 and 29 and the proposed wetland compensation lands, compensations for parkland dedication for natural features of 1:16 and hazard lands of 1:27 will be finalized. Portions of Block 27, 28 and 29 will be considered as a portion of the parkland dedication based on the Council approved rate of 16:1 for lands deemed significant woodland and if a significant hazard (wetland) is identified through the EIS these lands will be compensated at the Council approved 27:1 rate.
- Consideration should be given to dedicate lands along the easterly boundary of Block 22 to preserve existing trees and to add to Blackwell Park. These lands would be acquired at table land rate of 1:1. (see attached sketch)
- PP&D will be seeking to review all required tree preservation and tree hazard assessment studies and reports as it relates to the neighbourhood park block and any pathway alignments.
- The Official Plan requires neighbourhood parks to be flat and well drained in order to accommodate recreational activities. However, in certain situations Council may accept parkland dedication that contains significant vegetation and topography. The Official Plan notes that these lands will be accepted at a reduced or constrained rate. By-law CP-9 establishes and implements these rates as follows:
 - **2.1.3 Land - for park purposes - conveyance – Hazard, Open Space and Constrained Land**
The Corporation retains the right not to accept the conveyance of land that

is considered not suitable or required for park and recreation purposes including but not limited to the size of the parcel, hazard lands, wet lands, hydro lands, easements or other encumbrances that would restrict the Corporation's use of the land. Where the Corporation does not request the Owner to convey table land, the Corporation may in lieu accept constrained land at the following ratios:

- 1) Hazard land - 27 hectares of hazard land for every 1 hectare of table land.
- 2) Open space or other constrained lands - 16 hectares of open space or constrained lands for every 1 hectare of table land.

- The table below summarizes the parkland information as per the submitted plan of subdivision.

Developers IPR Land Breakdown (1ha/300 units)			
Land Type	Ha	Units/Ha	Parkland Calc.
Low Density	11.573	30	1.1573
Med. Density (includes Blocks 25 and 26)	16.861	75	4.22
High Density		150	0.00
Table Land Dedication Required (ha):			5.37

Provided Parkland Dedication	
Parks	0.0
Hazard Lands (Block 27, 28 and 29)	0.436
Parkland Provided	0.436
Outstanding Balance (ha):	4.934

- All proposed pathway corridors and walkway blocks are to be 15m wide, as per Section 1750 of the London Plan

Proposed Conditions

- In conjunction with Focused Design Studies, the Owner's Landscape Architect shall prepare and submit a conceptual plan for the Park Block and all pathway alignments.
- 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.
- 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.
-
- 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.

- Prior to construction, site alteration or installation of services, robust silt fencing/erosion control measures must be installed all along all park and open space Blocks, in accordance with the approved engineering drawings and City Standards and certified with site inspection reports submitted to the satisfaction of the City.

Subdivision Engineering Comments (April 29, 2022)

Please find comments below for the revised draft plan relating to engineering matters for the above-noted subdivision application. These comments represent the consolidated comments of Planning and Development (Subdivision Engineering), the Transportation and Planning Design Division, the Sewer Engineering Division, the Water Engineering Division, the Stormwater Engineering Division.

Zoning By-law Amendment

Planning and Development (Subdivision Engineering) and the above-noted engineering divisions 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, 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 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 available, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.
3. holding provision is implemented with respect to Block 30 in this plan until lands to the north (1343 Sunningdale Road East) are combined to create developable lots and/or blocks, to the satisfaction of the City.
4. holding provision is implemented with respect to Block 8 in this Plan until lands can be combined with Block 233 in Plan 33M-475 to create developable lots and/or blocks, to the satisfaction of the City.
5. holding provision is implemented with respect to Block 33 in this Plan until lands can be combined with Block 71 in Plan 33M-588 to create developable lots and/or blocks, to the satisfaction of the City.
6. holding provision is implemented with respect to Block 26 in this Plan until lands can be combined with Block 231 in Plan 33M-475 to create developable lots and/or blocks, to the satisfaction of the City.
7. holding provision is implemented until such time as any required addendum to the Municipal Class Environmental Assessment (EA) Study Schedule B for Storm/Drainage and Stormwater Management (SWM) Servicing Works for Stoney Creek Undeveloped Lands (Delcan Corporation – May 2011) is finalized.
8. holding provision is implemented until any required regional stormwater management pond(s) are constructed and operational.

Official Plan Amendment

Planning and Development (Subdivision Engineering) and the above-noted engineering divisions 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) Remove pavement widths from draft plan. Pavement widths will be identified in conditions.
- ii) Identify all road widths. Red-line to update to London Plan widths and to taper over 30 metres, to the satisfaction of the City.
- iii) Provide 10 metre straight tangents as per City standards.
- iv) Provide 10 metre straight tangent on Street 'D' at Nicole Avenue.
- v) Connect street connections at 90 degrees as per City standards.
- vi) Revise centreline radii as per City standards.
- vii) Provide 0.3 metre reserve along the entire frontage of Sunningdale Road East
- viii) Revise Nicole Avenue and Street 'D' to be 23.0 metres in width as a Neighbourhood Connector.
- ix) The Owner shall provide 6.0 metre x 6.0 metre daylighting triangles at Nicole Avenue and Sunningdale Road East intersection.
- x) The Owner shall provide 3.0 metre x 3.0 metre daylighting triangles at the intersection of Neighbourhood Connectors (i.e., Nicole Avenue at Street 'D', and Blackwell Boulevard at Stackhouse Avenue).
- xi) Remove the bulges on Street 'B' and Street 'C'.
- xii) 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.
- xiii) Revise right-of-way widths, tapers, bends, intersection layout, daylighting triangles, etc., and include any associated adjustments to the abutting lots, if necessary, to City standards.
- xiv) The Owner shall provide a minimum of 5.5 metres (18') along the curb line between the projected property lines of irregular shaped lots around the bends and/or around the cul-de-sacs on streets in this Plan.
- xv) The Owner shall eliminate the deflection(s) shown in the street line along Street 'D' by providing a radius in accordance with City standards.
- xvi) Nicole Avenue and Street 'D' are to be constructed with a centreline radius of 110 metres as per City standards.
- xvii) 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 |
- xviii) The Owner shall construct a gateway (without island) treatment on Nicole Avenue at the intersection of Sunningdale Road with a right of way width of 28.0 metres for a minimum length of 45.0 metres tapered back over a distance of 30 metres to the road right of way width of 23.0 metres, to the satisfaction of the City.
- xix) Provide a 0.3m reserve 75 metres back from the centreline of Sunningdale Road East on Nicole Avenue.
- xx) Identify taper of Devos Street over 30 metres from existing Devos Street of 19.0 metres to 20.0 metres in this Plan.
- xxi) Remove the cul-de-sac on Street 'A' and revise Street 'A' to have a 90 degree bend with a future road block to the east. Street 'A' shall require a temporary turning circle.

Please include in your report to Planning and Environment Committee that there will be increased operating and maintenance costs for works being assumed by the City.

Note that any changes made to this draft plan will require a further review of the revised plan prior to any approvals as the changes may necessitate revisions to our comments.

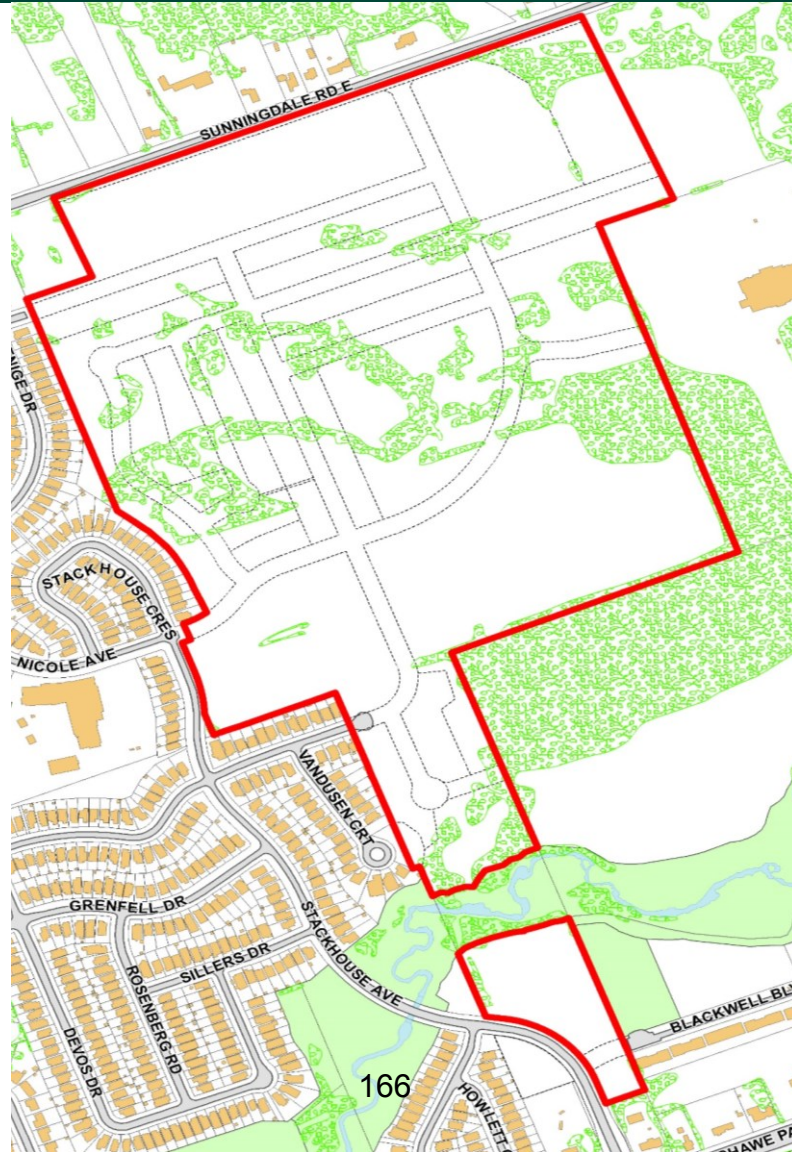


39T-07502/OZ-9473: 1140 Fanshawe Park Road East



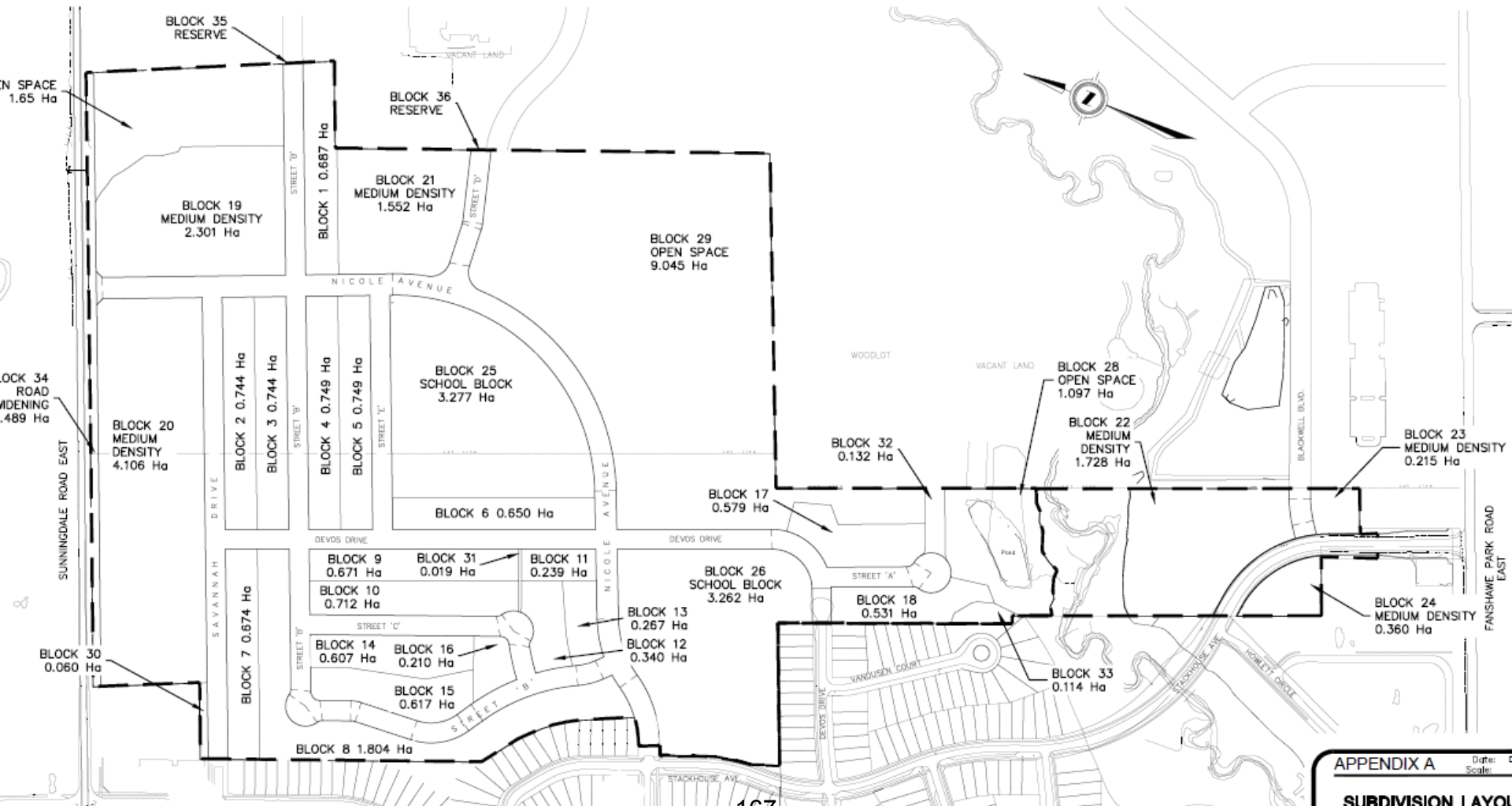
City of London
May 9, 2022

Slide 2 - Subject Site



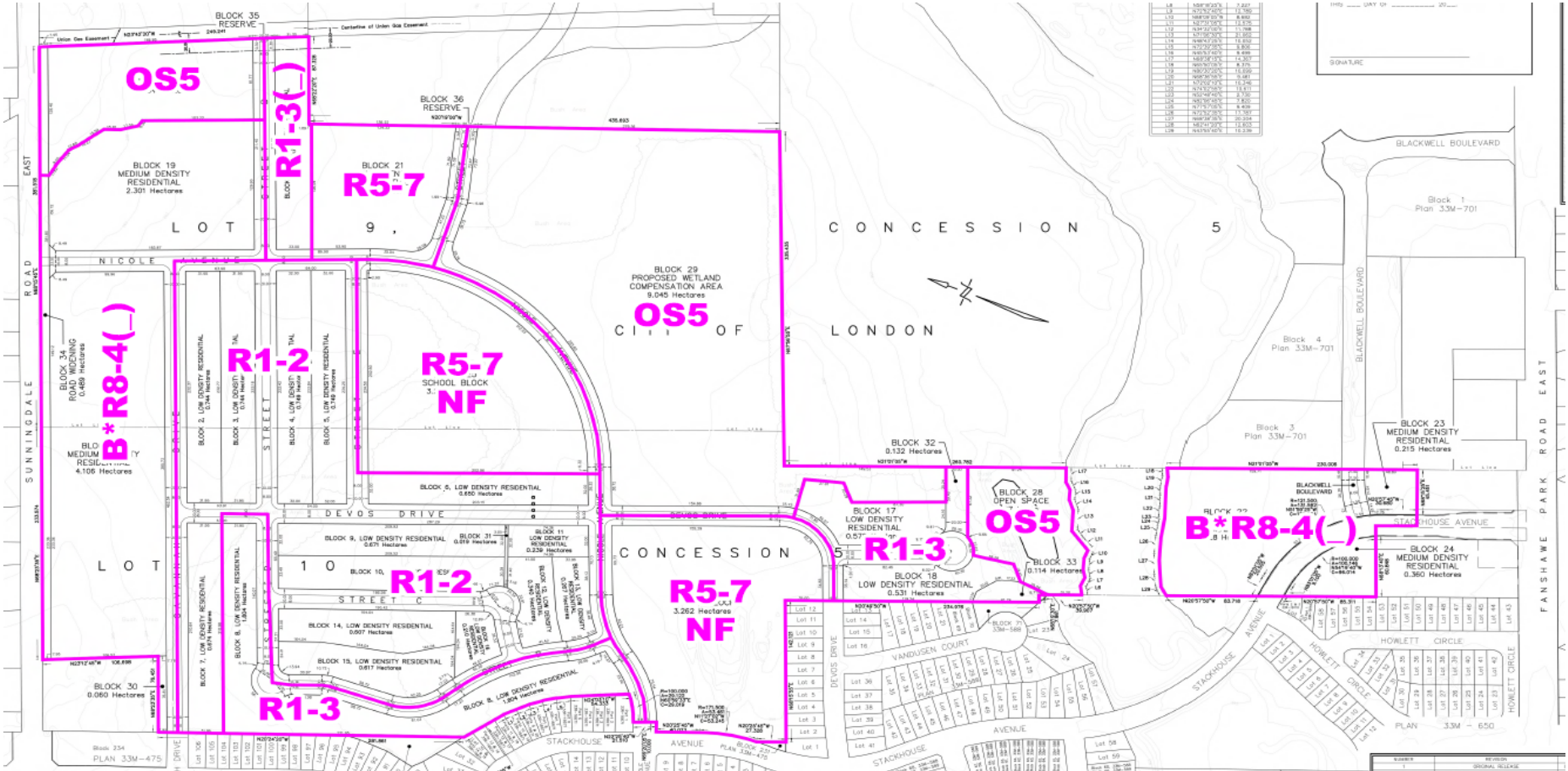


Slide 3 – Proposed Draft Plan of Subdivision





Slide 4 – Proposed Amendments

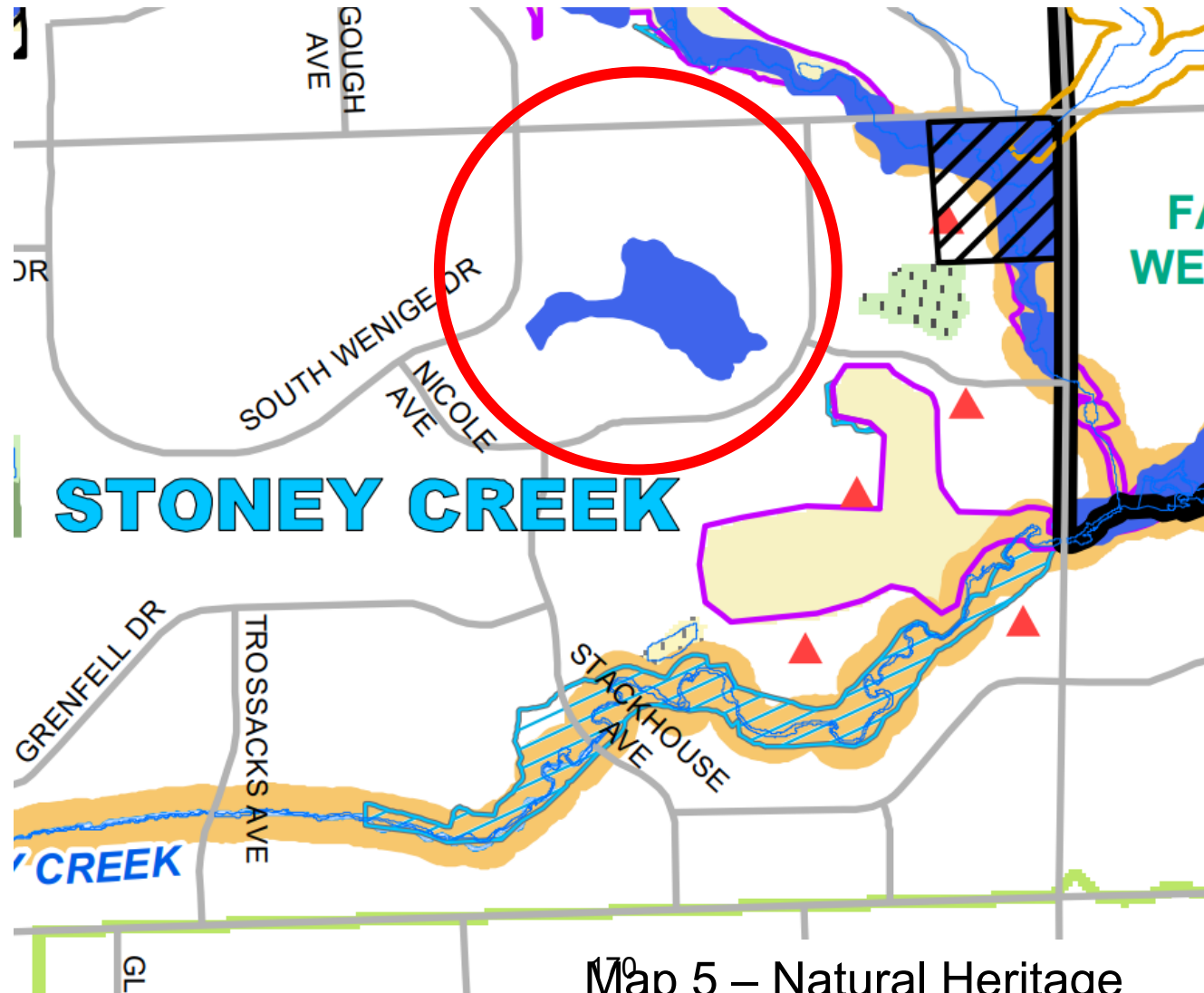


Slide 5 – Site History

- OMB - appeals relating to the Arva Moraine Wetland Complex (1999) and Stoney Creek Community Plan (2000) determined the wetland did not play significant role
- PSW was removed from the 1989 Official Plan, Schedule B-1 – Natural Heritage Features
- 2008 – PSW listed as Class 4-7 added back to the subject lands by MNRF
- 2010 – Schedule B of 1989 Official Plan was split into B1 and B2, the PSW was removed
- London Plan – Map 5 Natural Heritage shows PSW on site



Slide 6 – Provincially Significant Wetland



Map 5 – Natural Heritage

Slide 7 - PPS (2020)

2.1 Natural Heritage

2.1.1 Natural features and areas shall be protected for the long term

2.1.4 Development and site alterations shall not be permitted in significant wetlands in Ecoregions 5E, 6E and 7E



Slide 8 – Policy Context

Provincial Policy Statement (2020)

- Natural heritage features be protected for the long-term
- Development and site alteration shall not be permitted in significant wetlands
- PSW contributes to Ontario's long-term prosperity, environmental health and social-well being on conserving biodiversity and protecting natural heritage resources

The London Plan

- Protection, rehabilitation and management of natural heritage features
- Development and site alteration shall not be permitted in PSW's as identified on Map 5 – Natural Heritage
- Natural heritage is an important contributor to the character of an area and influences the overall street network

1989 Official Plan

- Policies note that development and site alteration shall not be permitted in PSW's
- Development of subdivisions provide for retention of desirable natural features

Slide 9 – Subdivision Design

- Road networks
 - Neighbourhood Connectors not in conformance with planned street widths
- Lot Width Variations
 - Greater variation of lot widths required to provide for a mix of housing choices
- Bonus Zoning
 - Proposed on 5 Blocks to achieve a greater height and density in exchange for affordable housing
 - Proposed rate does not meet current rates (80% for 50 years)
 - No development concepts submitted
 - Requested setback based on accepted EIS and/or slope stability report



Slide 10 – Neighbourhood Comments

- *Loss of privacy*
- *Decrease in property values*
- *Increased traffic*
- *Loss of green space*
- *Support for the application*

Slide 11 - Recommendation

Requested Amendments:

- The London Plan – Refusal
- 1989 Official Plan – Refusal
- Zoning By-law Z.-1 – Refusal
- Plan of Subdivision - Refusal

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: Application By: Drewlo Holdings Inc
1140 Fanshawe Park Road East
Public Participation Meeting

Date: May 9, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Drewlo Holdings Inc. relating to the property located at 1140 Fanshawe Park Road East:

- (a) the request to amend the 1989 Official Plan to change the designation on Schedule "A" – Land Use on a portion of the subject lands **FROM** a Low Density Residential designation along Sunningdale Road East, **TO** a Multi-Family, Medium Density Residential designation, **BE REFUSED**;
- (b) the request to amend the 1989 Official Plan change the designation on Schedule "A" – Land Use on a portion of the subject lands **FROM** a Low Density Residential designation, **TO** an Open Space designation, **BE REFUSED**;
- (c) the request to amend The London Plan to change the place type on a portion of the subject lands **FROM** a Green Space Place Type, **TO** a Neighbourhoods Place Type, **BE REFUSED**;
- (d) the request to amend The London Plan to change the place type on a portion of the subject lands **FROM** a Neighbourhoods Place Type **TO** a Green Space Place Type, **BE REFUSED**;
- (e) the request to amend Zoning By-law No. Z.-1 to change the zoning of the subject property **FROM** a Holding Urban Reserve (h-2*UR3) Zone, Urban Reserve (UR3) Zone and Open Space (OS5) Zone, **TO** a Bonus Residential R8 Special Provision (B-_*R8-4(_)) Zone, Residential R5 (R5-7) Zone, Residential R1 Special Provision (R1-3(_)) Zone, Residential R1 (R1-2) Zone, Residential R1 (R1-3) Zone, Neighbourhood Facility (NF) Zone and an Open Space (OS5) Zone **BE REFUSED**;
- (f) the Approval Authority **BE ADVISED** of the issues, if any, raised at the public meeting with respect to the application for Draft Plan of Subdivision submitted by Drewlo Holdings Inc. relating to the property located at 1140 Fanshawe Park Road East; and,
- (g) the Approval Authority **BE ADVISED** that Municipal Council **DOES NOT SUPPORT** issuing draft approval of the proposed plan of subdivision as submitted by Drewlo Holdings Inc. (File No. 39T-07502), prepared by MTE, which shows 18 low density blocks, six (6) medium-density residential blocks, two (2) school blocks, and three (3) open space blocks including one (1) open space block for the compensation and relocation of an existing Provincially Significant Wetland, seven (7) new access points at Sunningdale Road East, Savannah Drive, Nicole Avenue, Devos Drive, Blackwell Boulevard, Stackhouse Avenue and Fanshawe Park Road East as well as five (5) internal streets.

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: Revised Victoria Park Secondary Plan
Date: May 9, 2022

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the Victoria Park Secondary Plan:

- (a) The proposed by-law, attached hereto as Appendix “A” **BE INTRODUCED** at the Municipal Council meeting to be held on May 24, 2022 to amend the Official Plan, 2016, *The London Plan* **TO ADOPT** the *Victoria Park Secondary Plan*, attached hereto as Appendix “A”, Schedule 1;
- (b) The proposed by-law, attached hereto as Appendix “B” **BE INTRODUCED** at the Municipal Council meeting on May 24, 2022 to amend the Official Plan, 2016, *The London Plan* **TO ADD** the *Victoria Park Secondary Plan* to Policy 1565, the list of adopted Secondary Plans;
- (c) The proposed by-law attached hereto as Appendix “C” **BE INTRODUCED** at the Municipal Council meeting on May 24, 2022 to amend the Official Plan, 2016, *The London Plan* by **ADDING** the *Victoria Park Secondary Plan* to Map 7 – Specific Policy Areas;
- (d) The proposed by-law attached hereto as Appendix “D” **BE INTRODUCED** at the Municipal Council meeting on May 24, 2022 to amend the Official Plan, 2016, *The London Plan* **TO AMEND** Policy 1038 to add clarity for the application of the *Victoria Park Secondary Plan* to the lands in the Woodfield Neighbourhood Specific Policy Area;
- (e) The proposed by-law, attached hereto as Appendix “E” **BE INTRODUCED** at the Municipal Council meeting on May 24, 2022 **TO AMEND** the *Official Plan (1989)*, as follows:
 - i) **AMEND** Section 20.2 **TO ADD** the *Victoria Park Secondary Plan* to the list of adopted Secondary Plans;
 - ii) **ADD** Section 20.10 the *Victoria Park Secondary Plan*;
 - iii) **ADD** the naming and delineation of the “Victoria Park Secondary Plan” to Schedule “D” – Planning Areas.
- (f) The proposed by-law attached hereto as Appendix “F” **BE INTRODUCED** at a the Municipal Council meeting on May 24, 2022 to amend the *Official Plan (1989)* **TO AMEND** Section 3.5.4 – Woodfield Neighbourhood to add clarity to the application of the policy for the area subject to the *Victoria Park Secondary Plan*;
- (g) Civic Administration **BE DIRECTED** to evaluate the properties in the block bounded by Richmond Street, Central Avenue, Wellington Street, and Hyman Street for designation pursuant to the *Ontario Heritage Act*;

Executive Summary

Summary of Request

The purpose and effect of the recommended action is for Municipal Council to adopt the *Victoria Park Secondary Plan*, and to add the *Victoria Park Secondary Plan* to the list of

adopted Secondary Plans in *The London Plan*. The *Victoria Park Secondary Plan*, based on extensive public and stakeholder input, will provide more specific direction for the growth and development of the area than the general policies of the Official Plan..

It is also recommended that Civic Administration be directed to evaluate the properties in the block bounded by Richmond Street, Central Avenue, Wellington Street, and Hyman Street for designation pursuant to the *Ontario Heritage Act*. Many of the properties on this block are listed on the City's *Register of Cultural Heritage Resources*.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is to adopt a Secondary Plan to establish a policy framework to provide direction on land use, built form, public realm design, cultural heritage, connections, view corridors, sustainable development, housing mix and affordability, and compatibility with park activities that are unique to the lands around Victoria Park. Further, evaluation of the properties in the block bounded by Richmond Street, Central Avenue, Wellington Street, and Hyman Street will help to give clarity to the potential cultural heritage value of the properties.

Rationale of Recommended Action

The revised *Victoria Park Secondary Plan* provides policy direction for the lands surrounding Victoria Park based on their unique relationship to the park. It represents good planning as it seeks to provide a balance between encouraging intensification within and adjacent to Downtown while ensuring compatibility with cultural heritage resources, transition to the adjacent low-rise neighbourhood, and providing a high standard of design. This Secondary Plan provides a framework for how the area can grow in the future. Amendments to existing policies that are specific to the Woodfield Neighbourhood help to provide clarification about the application of the *Victoria Park Secondary Plan* in the event of a conflict between these policies.

The recommended amendment is consistent with the *Provincial Policy Statement, 2020*, and the policies in the Secondary Plan are supportive of the policies in *The London Plan* and the *Official Plan (1989)*.

The recommended evaluation of the properties in the block bounded by Richmond Street, Central Avenue, Wellington Street, and Hyman Street will aid in the implementation of the policies in the *Victoria Park Secondary Plan* as it will help to give clarity to their potential heritage value(s). Evaluation will work to ensure that significant cultural heritage resources are conserved in a manner consistent with the *Provincial Policy Statement, 2020* and conforming to the policies of *The London Plan* and the *Official Plan (1989)*.

Linkage to the Corporate Strategic Plan

The preparation of the *Victoria Park Secondary Plan* contributes to implementing the Strategic Plan through Building a Sustainable City and Strengthening Our Community. The area surrounding Victoria Park is partially within and directly adjacent to the Downtown and is considered a strategic location for growth and intensification. The preparation of the *Victoria Park Secondary Plan* coordinates growth and development in a well-planned and sustainable manner over the long term. The Secondary Plan will promote the efficient use of land, prioritize active transportation, and ensure that new development is of the highest design standard and will fit within and enhance the surrounding community.

Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. The *Victoria Park Secondary Plan* supports the City's commitment to reducing and mitigating climate change by providing compact development forms that will encourage land use intensification and 'inward and upward' residential growth at an appropriate location. It also encourages active transportation and supports the inclusion of sustainable development practices. The *Victoria Park Secondary Plan* supports and efficient use of existing urban lands to

manage growth and reduce the demand for sprawl.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

March 7, 2022 – PEC – Revised Draft Victoria Park Secondary Plan (O-8978)

November 1st, 2021 – PEC – Application by GSP Group Inc. re properties located at 560 and 562 Wellington Street (OZ-8462)

September 10, 2021 – PEC – Application for Site Plan Approval by Great-West Life 556 Wellington Street (SPA19-046)

February 3, 2020 - PEC – *Victoria Park Secondary Plan* (OZ-8978)

June 17, 2019 - PEC – *Victoria Park Secondary Plan – Draft Secondary Plan* (OZ-8978)

April 29, 2019 - PEC – *Victoria Park Secondary Plan: Status update and Draft Secondary Plan Principles* (OZ-8978)

April 30, 2018 - PEC – Application by GSP Group Inc. 560 and 562 Wellington Street – Status update and request to undertake further study (OZ-8462)

May 8, 2017 - PEC – Application by GSP Group Inc. re properties located at 560 and 562 Wellington Street (OZ-8462)

1.2 Purpose of the Victoria Park Secondary Plan

Secondary Plans provide an opportunity for more detailed, area-specific policy guidance that go beyond the parent policies of the Official Plan. In the case of the *Victoria Park Secondary Plan*, the intent is to provide a more comprehensive vision for future development and redevelopment within the Secondary Plan area, expanding on the general policies of *The London Plan*. Existing plans, policies, regulations, and guidelines applying to properties around the park have been considered to create the development framework and to provide clarity and consistency in reviewing future applications.

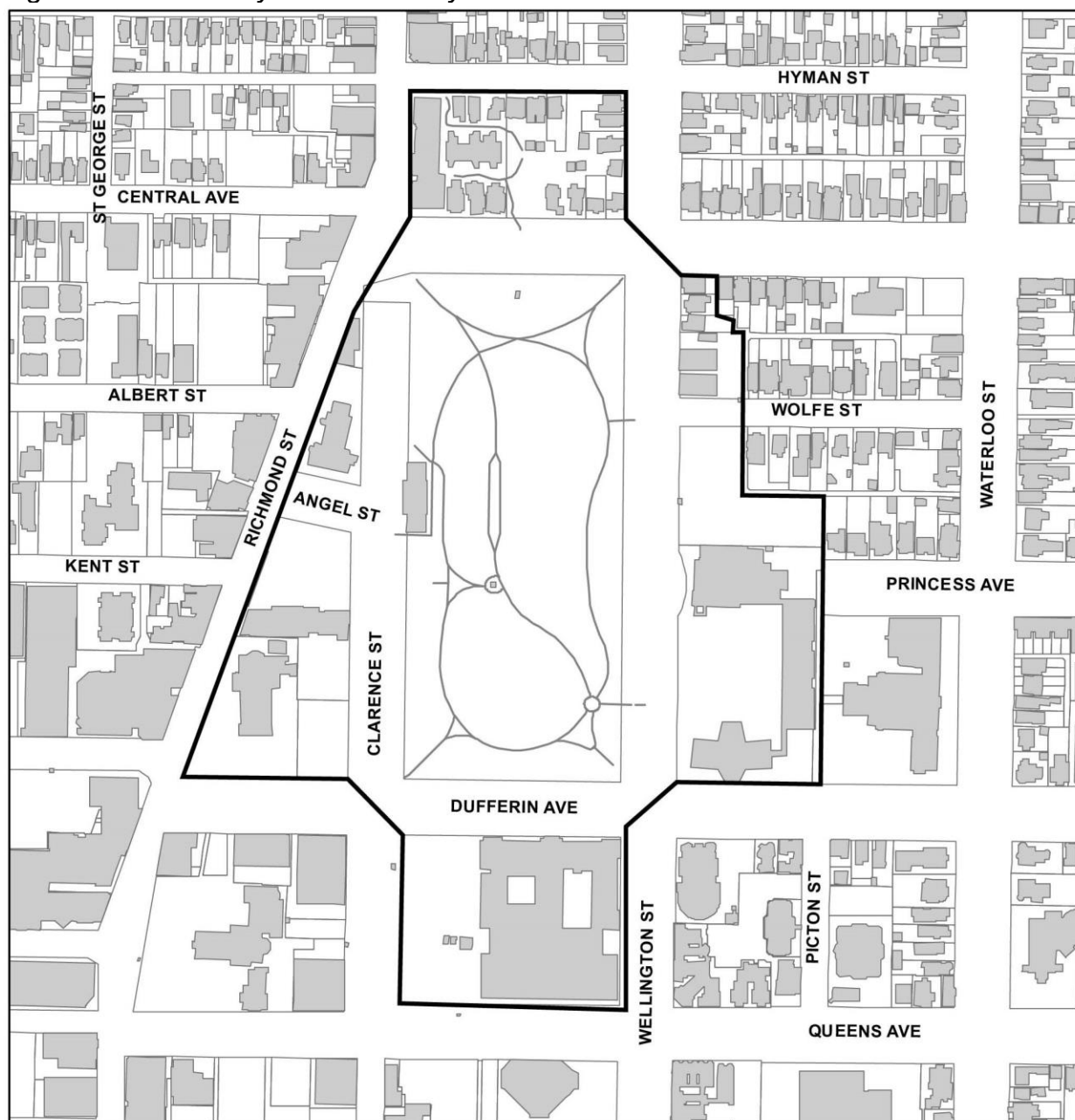
The policies in the *West Woodfield Heritage Conservation District Plan* and the *Downtown Heritage Conservation District Plan* will continue to apply to many properties within the *Victoria Park Secondary Plan* boundary and are evaluated under the framework of the *Ontario Heritage Act*.

Any future development application will be evaluated on a site-by-site basis for conformity to the applicable Official Plan policies, Secondary Plan policies, and Heritage Conservation District Plans. Additionally, site-specific technical studies, and the general regulations of the Zoning By-law and Site Plan Control By-law will also be considered in the evaluation of future development applications.

1.3 Study Area

The Victoria Park Secondary Plan applies to properties around Victoria Park as identified in Figure 1 below. This area has been defined to include properties surrounding Victoria Park and properties that are anticipated to be consolidated for future development around the park. The surrounding context was considered in the preparation of the Secondary Plan, however the policies in the Secondary Plan will only apply to properties within this boundary.

Figure 1 – Secondary Plan Boundary



1.3 Referral back to Civic Administration

On February 3, 2020 a public participation meeting was held at the Planning and Environment Committee and a previous version of the *Victoria Park Secondary Plan* was presented with a recommendation for adoption.

At its meeting on February 11, 2020, Council resolved:

- a) *the Victoria Park Secondary Plan BE REFERRED back to the Civic Administration for further public consultation and consideration, with a report back to a future meeting of the Planning and Environment Committee, with the report back to include consideration to include, but not be limited to, the following matters:*
 - i) *permitted heights and the relationship with the proposed 45 degree angular plane;*
 - ii) *Housing affordability within the proposed Secondary Plan;*
 - iii) *sound mitigation from noise generated from festivals held at Victoria Park; and,*
 - iv) *other issues raised by the public during the public participation meeting held on this matter;*

- a) *the Civic Administration BE REQUESTED to provide 3D modelling of different permitted heights and related shadow impacts with the report back;*

Further technical studies, analysis and consultation have been undertaken related to the issues raised at the Planning and Environment Committee and Council. Recent planning and development approvals related to properties within the Secondary Plan area, as well as new applicable policies and regulations have also been considered. These additional considerations are included in Section 4.0 Discussion and Considerations below, and have informed revisions to the *Victoria Park Secondary Plan*, attached to this report as Appendix A.

The current version of the Secondary Plan that incorporates the changes identified above was presented to the Planning and Environment Committee in draft form on March 7, 2022. Following that meeting Council received the report and directed that it be circulated for public comment. Through this circulation no new issues were identified so it is now recommended that the *Victoria Park Secondary Plan* be adopted.

2.0 Community Engagement

2.1 Summary of Consultation

The *Victoria Park Secondary Plan* has involved extensive community engagement. A Get Involved webpage was created with project information and relevant documents publicly available. To date, more than 200 interested parties have provided their contact information to stay updated about the *Victoria Park Secondary Plan*.

The following section outlines major engagement opportunities for the *Victoria Park Secondary Plan*:

- Home County Music and Art Festival - July 16-18, 2018
- Sun Fest - July 4-7, 2019
- Ribfest including Virtual Reality (VR) visualization - August 1-6, 2019
- Community Information Meeting #1 - October 1, 2018
- Community Information Meeting #2 - January 24, 2019
- Public Participation Meeting at the PEC - April 29, 2019
- Public Participation Meeting at the PEC - June 17, 2019
- Community Information Meeting #3 - September 4, 2019
- Public Participation Meeting at the PEC - February 3, 2020
- Community Information Meeting #4 (virtual) - November 11, 2020
- Various meetings (both in-person and virtually), telephone calls, and emails from community members, landowners, and other stakeholders, including Friends of Victoria Park, Woodfield Community Association, Architectural Conservancy of Ontario (ACO), Downtown London BIA, Woodfield Ratepayers.
- Release of Revised Draft Victoria Park Secondary Plan at the PEC – March 7, 2022.

2.2 Summary of Comments and Themes

The feedback received during the Secondary Plan process was varied. The high level of public response indicate that Londoners across the City are passionate about the future of the *Victoria Park Secondary Plan Area* and want to ensure the continued vitality and functionality of the park. The feedback received has informed the development of the *Victoria Park Secondary Plan*. A more detailed summary of how specific themes of comments have been addressed in this revised *Victoria Park Secondary Plan* is attached in Appendix G.

The overarching themes from various consultation events include the following:

- Opportunities for intensification in certain locations.
- Need to transition to low-rise development and existing character.
- Pedestrian environment needs improvement.
- Concern about traffic and congestion as a result of increased development.
- Desire for information about sustainable development.
- Desire for consideration about affordable housing.
- Sound mitigation for noise from festivals.
- Consider active transportation.
- Impact of development on trees and green space.

- Opportunities to consider existing uses, character and context of surrounding areas.
- Concerns about permitted heights and related shadow and wind tunnel impacts.
- Impact of view corridors on development potential.
- Relationship of new development with St. Peter's Basilica Cathedral.
- Loss of parking in the area.
- Application and clarity of angular plane and other policies.

The feedback received from the public and stakeholders has helped inform the development of, and revisions to, the *Victoria Park Secondary Plan*. Substantive changes to the plan since the February 2020 version are outlined in section 5.0 – Revisions to the Victoria Park Secondary Plan.

3.0 Policy Framework

3.1 Provincial Policy Statement, 2020 (PPS)

The *Provincial Policy Statement (PPS), 2020* provides policy direction on matters of provincial interest related to land use planning and development. The policies support the integration of land use planning, growth management, transit-supportive development and optimization of transit investments to minimize land consumption and servicing costs (1.1.1.e)).

The policies in the Victoria Park Secondary Plan are consistent with the PPS, including direction that healthy, liveable, and safe communities are sustained by promoting efficient development and land use patterns, accommodating an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and opens space and other uses to meet long-term needs (1.4.3). The PPS identifies that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. The PPS promotes appropriate development standards which facilitate intensification, redevelopment, and compact form, while avoiding or mitigating risks to public health and safety. Further, the PPS establishes that Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

The PPS promotes healthy, active communities by planning public streets, spaces and facilities to be safe, meet the needs pedestrians, foster social interaction and facilitate active transportation and community connectivity. The PPS also encourages a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes (1.7.1). Long-term economic prosperity is also supported by minimizing negative impacts from a changing climate. Finally, the PPS promotes economic development and competitiveness by encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

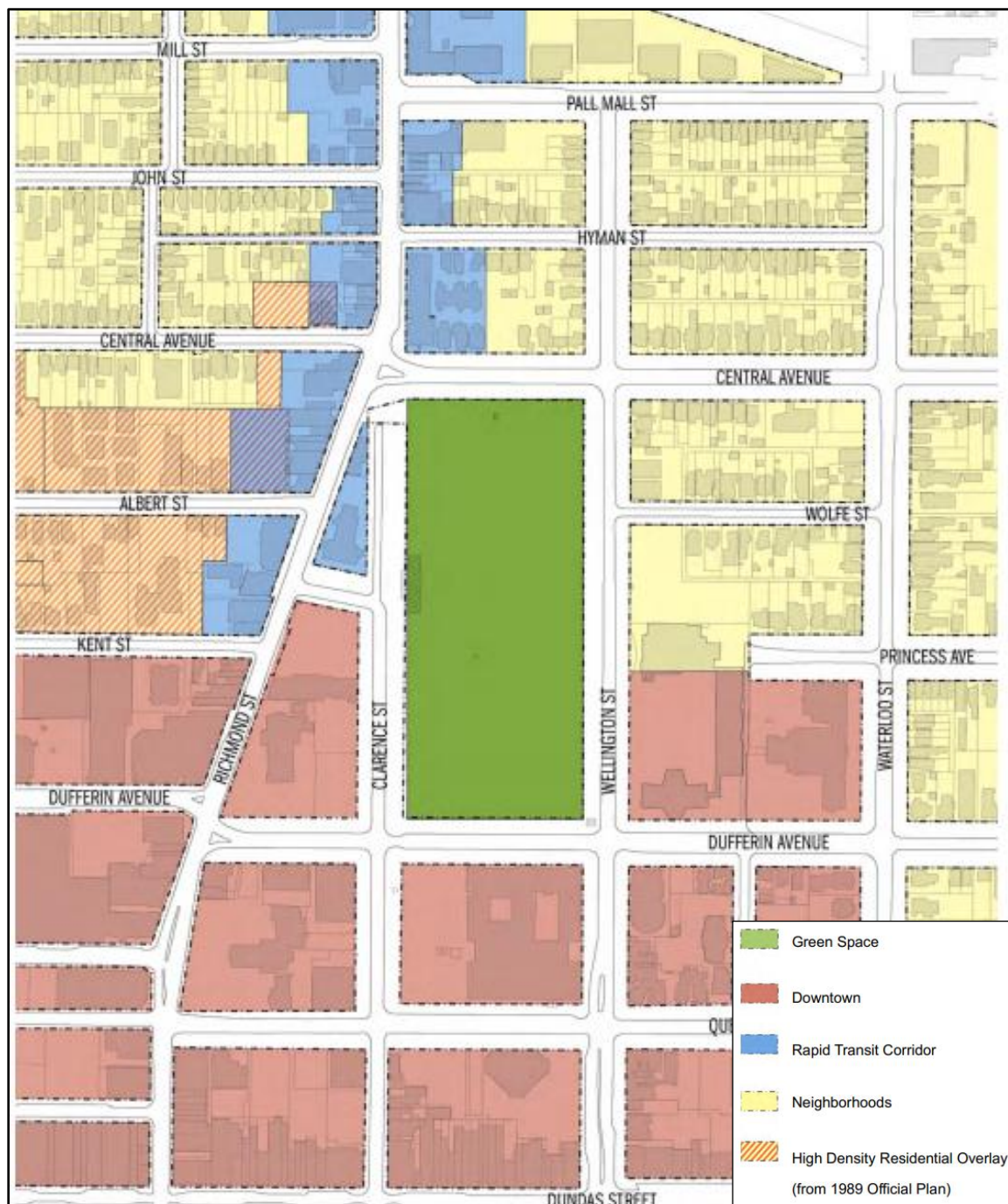
3.2 The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). *The London Plan* policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. *The London Plan* policies under appeal are included in this report for informative purposes indicating the intent of City Council but are not determinative for the purposes of this planning application.

The lands within the study area have a variety of Place Types including: Downtown, Rapid Transit Corridor and Neighbourhoods. The various Place Types permit a wide range of commercial, retail, shopping, office, mid-rise and high-rise residential forms.

The Victoria Park Secondary Plan will build on the planning direction from *The London Plan*, but also help to establish effective transitions between the different uses, intensities and forms permitted in the different Place Types to create a comprehensive vision for the overall area.

Figure 2 – London Plan Place Types



Downtown

The properties located south of Angel Street and Princess Street, making up approximately the lower half of the plan area are designated Downtown in The London Plan. Downtown is the highest-order mixed-use activity centre in the city and contemplates a broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational and other related uses. The London Plan permits standard maximum heights of up to 20 storeys. Heights up to 35 storeys are permitted using bonus zoning. The Downtown is also subject to the minimum densities in the Protected Major Transit Station Areas (PMTSA) policies to support higher-order transit ridership and the possible implementation of Inclusionary Zoning.

Rapid Transit Corridor

The properties located along Richmond Street, north of Angel Street in the north-west quadrant of the plan area are designated Rapid Transit Corridor in The London Plan. The vision for the Rapid Transit Corridors is to create vibrant mixed-use and transit-oriented neighbourhoods that support walkability and transit ridership, particularly in

locations adjacent to planned station areas. The Rapid Transit Corridor policies include a framework for lot consolidation which allows the Place Type boundary to be expanded to accommodate more viable development parcels, as well as transition to adjacent Neighbourhoods.

The Rapid Transit Corridor Place Type contemplates a broad range of residential, retail, service, office, cultural, recreational, and institutional uses. The area along Richmond Street from Oxford Street to Kent Street is further defined by special policies as the Richmond Row Main Street. This segment allows for standard maximum heights up to 12 storeys, and extends up to 16 storeys with bonusing. The Rapid Transit Corridor is also subject to the minimum densities in the PMTSA policies to support planned higher-order transit and the possible implementation of Inclusionary Zoning.

Neighbourhoods

The properties located north of Princess Ave and the east portion of the block north of Central Avenue, making up the north-east quadrant of the plan area are designated Neighbourhoods Place Type in *The London Plan*. The vision for Neighbourhoods is to create vibrant, exciting places to live, that help us to connect with one another and give us a sense of community well-being and quality of life. Key elements of Neighbourhoods are attractive streetscapes, buildings and public spaces, with a diversity of housing choices allowing for affordability, and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Neighbourhoods will be well-connected with lots of safe, comfortable, convenient mobility options, and attractive amenities such as parks, and recreational opportunities.

The Neighbourhoods Place Type contemplates an appropriate range of residential, retail, service and office uses. The permitted heights in the Neighbourhoods Place Type depend on the street classification, and are generally up to 4 storeys, and extends up to 6 storeys with bonusing.

Guidelines and Special Policy Areas with The London Plan

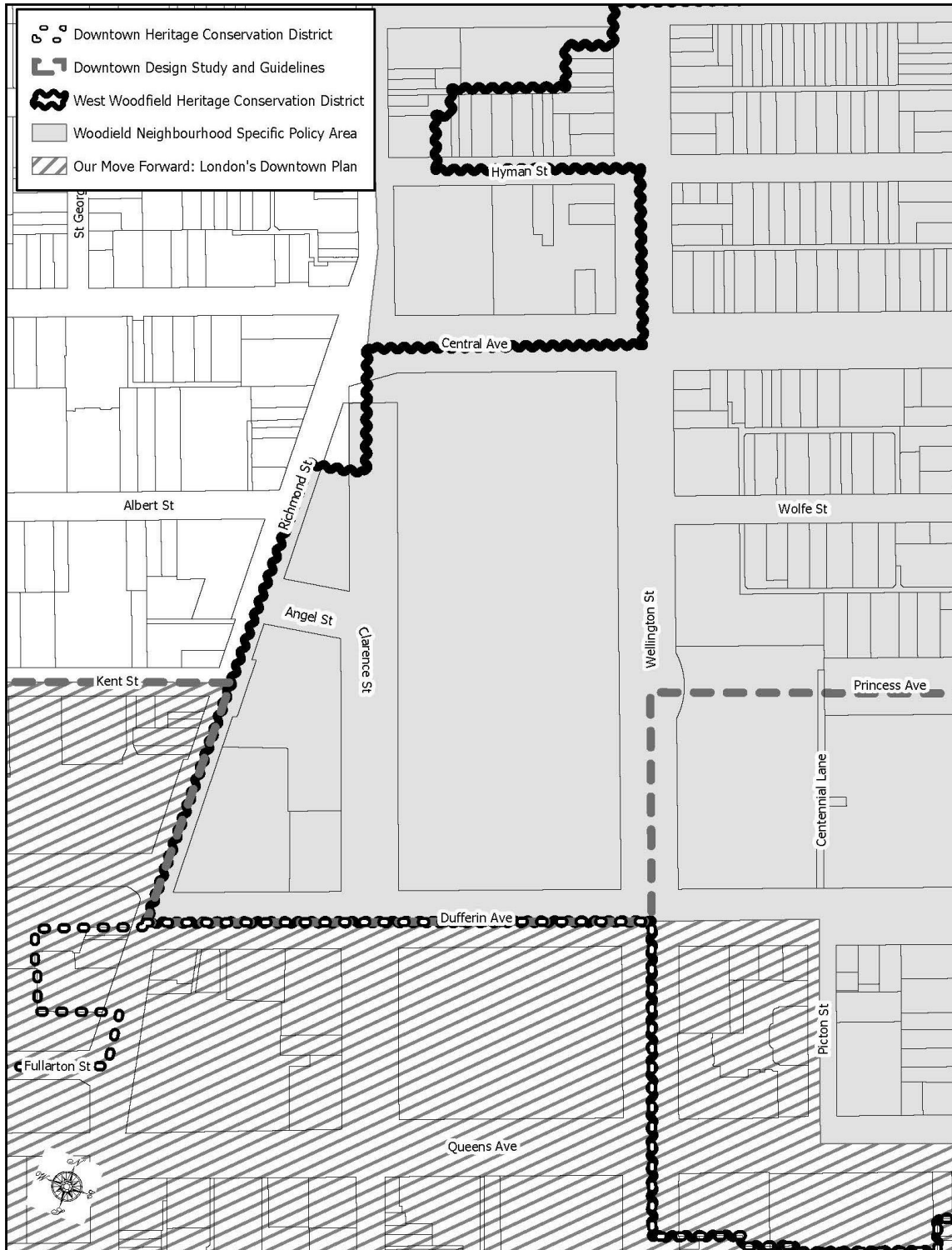
Our Move Forward: London's Downtown Plan and the *Downtown Design Study and Guidelines* are both guideline documents adopted under policy _1717 of The London Plan and apply mainly to the southern portion of the study area. The Woodfield Neighbourhood Specific Policy Area (policy _1033) is also part of *The London Plan* and applies to all properties within the Secondary Plan area except the property south of Dufferin Avenue and the most northerly property west of Clarence Street along Richmond Street. A map demonstrating the overlapping planning framework for the lands surrounding Victoria Park can be found in Figure 3 below.

3.3 1989 Official Plan

The lands within the study area have a variety of designations in the 1989 Official Plan including: Downtown Area, Low Density Residential, Multi-Family Medium Density, Community Facility, Office Area, and Main Street Commercial Corridor. The various designations permit a wide range of commercial, retail, shopping, office, mid-rise and high-rise residential forms.

With the Downtown and Rapid Transit Corridor Place Type policies being in force and effect, the 1989 Official Plan policies mainly apply within the under-appeal Neighbourhood Place Type in the north-east portion of the study area.

Figure 3 – Overlapping policy and guideline documents around Victoria Park



3.4 Cultural Heritage Legislative and Policy Framework

Cultural heritage resources are to be conserved and impacts assessed as per the fundamental policies of the *Provincial Policy Statement (2020)*, the *Ontario Heritage Act*, and *The London Plan* and the *Official Plan (1989, as amended)*.

Ontario Heritage Act

Section 42 of the *Ontario Heritage Act* requires that a property owner not demolish, erect, alter, or permit the alteration of, the property without obtaining Heritage Alteration Permit approval. The *Ontario Heritage Act* enables Municipal Council to give the applicant of a Heritage Alteration Permit: a) the permit applied for; b) notice that the council is refusing the application for the permit; or, c) the permit applied for, with terms and conditions attached (*Ontario Heritage Act*, Section 42(4)).

As a result, any future development applications for a property located in the *Victoria Park Secondary Plan* area that is designated Part IV or Part V (pursuant to the *Ontario Heritage Act*) will still be required to receive Heritage Alteration Permits prior to

development. A Heritage Impact Assessment will also be required for any planning or development application.

West Woodfield Heritage Conservation District Plan (2008)

The West Woodfield Heritage Conservation District (WWHCD) is primarily bounded by Richmond Street, Pall Mall Street and Central Avenue, Maitland Street, and Dufferin Avenue and Queens Avenue. The majority of properties south of Central Avenue and north of Dufferin Avenue are within the WWHCD with the exception of the northern most property west of Clarence Street.

Downtown Heritage Conservation District Plan (2013)

The Downtown Heritage Conservation District is primarily bounded by the Thames River, Blackfriars Bridge, Fullarton Street, Dufferin Avenue and mid-block between Wellington and Waterloo, north of Dundas. The properties south of Dufferin Avenue are located within the Downtown HCD.

4.0 Discussion and Considerations

Further technical studies, policy review, analysis and consultation have been undertaken related to the issues raised at the Planning and Environment Committee and Council. Recent planning and development approvals related to properties within the Secondary Plan area, as well as new applicable policies and regulations have also been considered. These additional considerations are summarized below, and have informed revisions to the *Victoria Park Secondary Plan*, attached to this report as Appendix A.

4.1 Additional Community Consultation

Within the limitations and restrictions presented by the Covid-19 pandemic, City staff undertook additional community consultation related to the *Victoria Park Secondary Plan*. This consultation included a Community Information Meeting, which was held virtually using Zoom, as well as several meetings, telephone calls and emails with community groups, property owners and individuals.

The following summarizes the consultation that has occurred since the February 3, 2020 public participation meeting before PEC:

- November 11, 2020 - Community Information Meeting #4 (virtual)
- January 21, 2020 – Friends of Victoria Park
- February 28, 2020 – Woodfield and Friends of Victoria Park
- November 2, 2020 – Architectural Conservancy of Ontario (ACO)
- November 11, 2020 – Downtown BIA
- November 16, 2020 – Woodfield Ratepayers
- Various dates – Meetings with Property Owners

The issues and concerns raised through community engagement were consistent with those that had been previously raised and considered. A detailed summary of consultation themes and responses is provided in Appendix G: Public Engagement.

4.2 Heights and Angular Plane

Angular planes are an effective tool to address transition between existing low-rise neighbourhoods and areas for intensification to minimize shadowing and privacy impacts. An angular plan essentially provides a horizontal setback in relation to the vertical height of a building, pushing taller portions of the building further away from the low-rise area.

Through analysis of the Secondary Plan area, and different building typologies, it was found angular planes are most effective at shaping the massing of slab-type low-rise and mid-rise buildings, as well as the podium or base of high-rise development. However, angular planes are less effective at shaping high-rise buildings, or determining height of high-rise buildings, in the absence of other regulations. For tall buildings impacts such as privacy, shadowing, and sky-view are better controlled

through restrictions on the width and size of tower floorplates, tower separation and setbacks that allow shadows to move quickly across impacted properties.

The use of angular planes can also have unintended consequences when applied in the absence of other massing restrictions, including incentivizing lot consolidation and redevelopment deeper into adjacent neighbourhoods than anticipated, and permitting large slab-type development with terraces overlooking the adjacent low-rise area.

The policies of the Secondary Plan have been revised to add clarity around the permitted heights for each Policy Area, removing cross-references to angular planes from Table 1: Permitted Heights and Schedule 4: Permitted Heights. The permitted heights are based on the underlying policy framework of *The London Plan*, the existing development permissions on various sites, and the ability to provide sensitive and compatible infill development within each site's unique context.

The most significant change to permitted heights in the recommended version of the Secondary Plan is for the 556 Wellington Street property. To acknowledge the existing height and density permissions in the Zoning By-law and development agreement, the heights for this property have been revised from a maximum height based on an angular plane on the north portion and 30 storeys on the south portion, to 16 storeys and 25 storeys respectively. An additional change to the permitted heights is for the 560-562 Wellington Street property. An appeal has been received in relation to a site-specific development proposal and the permitted height for the property will be determined by a future decision of the Ontario Land Tribunal. Once a final decision is rendered and in-force, the Secondary Plan will be updated to reflect the permitted heights.

The *Victoria Park Secondary Plan* has been revised to ensure appropriate policy guidance is in place to shape the height and massing of new buildings to minimize shadow, privacy, sky-view, streetscape character, scale and other impacts for both mid-rise and high-rise buildings in all Policy Areas. Policies guiding the shape of development are included in chapters 3.7 Heights and 3.8 Built Form. Where more detailed information is required to assess the impact of a site-specific development proposal, additional technical studies have been outlined in 4.7 Required Studies and will be required for any planning and development application to address such things as wind shear and noise impacts. Achieving the full range of heights permitted in the Secondary Plan will be based on a developments' ability to conform to the other policies of the Secondary Plan, in particular the Built Form policies.

A shadow study is provided in Appendix H demonstrating the maximum permitted heights, and the application of the Built Form policies. It is important to note that many of the properties in the *Victoria Park Secondary Plan* area could accommodate a variety of different configurations, building locations and sizes. Individual shadow studies will still be required for specific development proposals to assess shadow impacts and mitigative design measures. The shadow study in Appendix H is illustrative of one potential build-out scenario.

4.3 Surrounding Context and Character

Staff conducted a figure ground analysis as well as more detailed in person assessment of the area within and surrounding the *Victoria Park Secondary Plan* area to better understand the existing context and character of both public and private land. The figure ground analysis included looking at aerial photography to differentiate areas where buildings, hard surfaces (pavement), and soft surfaces (landscaping) were located within the area. In addition, a review of the existing land uses including conversions to multi-unit and office uses was undertaken.

The analysis found that the large majority of green and soft surfaces were within Victoria Park itself, on the St. Peter's Basilica Cathedral property and in the front yards and city boulevards. Some areas of green space were present in the rear yards of the surrounding neighbourhoods, mostly north of Central Avenue. Hard surfaces in the area included the roads and sidewalks, but a significant amount of hard surface was attributed to the large surface parking lots to the east, south and west of the park, as

well as Reg Cooper Square. Outside of the Secondary Plan area, the London Central Secondary School yard, and a number of large and small rear yard parking areas are hard surfaced.

Through visual assessment, as well as reviewing zoning, residential rental licenses and business license data in the surrounding area, it is apparent that many of the buildings in the area have been converted to either multi-unit residential properties, businesses or offices. Based on the above review, it's evident the surrounding area is functioning in a different way than it was originally developed and could be considered as a transitional mixed-use area, rather than an exclusively residential neighbourhood. However, despite the change in use, the majority of additions and alterations to the properties have occurred to the rear of buildings and in rear yards, and the defining heritage character and build form of the neighbourhood is still evident on the front facades of buildings and in areas visible from the public realm, which also still retain a predominantly residential character.

Chapter 3.8 Built Form in the *Victoria Park Secondary Plan* has been revised to strengthen policies related to compatibility with adjacent buildings, streetscapes and character. These revised policies direct new development to provide a consistent scale and composition as adjacent streetscapes including elements such as rhythm of façade openings (i.e. windows and doors), continuation of datum lines (i.e. floor heights), façade articulation (i.e. recesses and projections) and setbacks above the existing defined street wall. The mid-rise and high-rise building policies also direct the design of buildings and sites to ensure residential amenity is being protected and created for both new and existing developments.

4.4 Noise Assessment

City staff retained RDWI Consulting Engineers to conduct a preliminary noise assessment for the Secondary Plan area, to address 1) how the development that the *Victoria Park Secondary Plan* envisions affects the sound distribution from festivals and events in Victoria Park, and 2) noise mitigation concepts for future development in the *Victoria Park Secondary Plan* to support the continued role of the park as a location for summer festivals and events. Modification of park structures to increase noise mitigation is not contemplated due to the heritage designation.

Screening level modelling illustrates the changes in sound between the existing conditions and future development based on the contemplated built form. Large areas of decreased sound level are located to the east of the park, with smaller areas of reduction to the north and south. There is a lack of significant change to the west due to the directionality of the sound path and the barrier effect that the bandshell provides. The future mid-rise and high-rise buildings to the east, north and south would provide large areas with noticeable to very noticeable sound level reductions of 5 to 10 db. A narrow area to the east of the park shows a sound level increase of 5 to 10 db. where existing buildings are built close to the Wolfe Street sidewalk and future buildings will be set back further from Wolfe Street, providing less of a sound barrier.

RDWI provided preliminary recommendations to ensure residents are adequately separated from the sound of activity in the park, in particular residential building façades that are visible from the park. A building envelope itself provides acoustic separation, but includes weaker elements such as windows, doors, passive and active ventilation. Possible façade upgrades include reducing the proportion of the façade that is window, reducing sliding patio doors and using windows with sound-reducing glass combinations.

Section 3.8.6 High-Rise Building policies were revised to not require windows and doors for the minimum glazing requirement on towers, allowing flexibility for spandrel and to not conflict with the noise assessment recommendations. Given the variety of innovative building technologies available and to balance the other policies of the Secondary Plan, the *Victoria Park Secondary Plan* includes a requirement that noise studies shall be submitted for new mid-rise or high-rise residential development. These studies will consider how noise from festivals will be mitigated through sound dampening building practices. As the submission of noise studies and a warning clause for future tenants

and purchasers advising about the possibility of noise from festivals were already included in *the Victoria Park Secondary Plan*, no further changes are proposed.

4.5 Traffic

Victoria Park is centrally located in the City of London, adjacent to Downtown and a planned Rapid Transit Corridor. *The London Plan* policies identify these Place Types as highly walkable areas that support active transportation as well as transit ridership, and reduce automobile dependence. Future rapid transit and active mobility choices will provide a real and attractive alternative to the car for residents and visitors in the *Victoria Park Secondary Plan* area. Increased intensification and more people living in proximity to downtown is conducive to increased usage of public transit and discourages additional traffic and congestion.

To address the potential for additional traffic, *the Victoria Park Secondary Plan* requires a Traffic Impact Assessment be submitted for any development proposal within the Secondary Plan area. The Sustainable Development policies of the Secondary Plan have also been enhanced to encourage and prioritize active transportation through the design of development. The results of an ongoing city-wide review of parking standards will also inform future development applications.

4.6 Parking

A parking count was conducted as part of the review of the Victoria Park Secondary Plan. The total number of parking spaces within the Secondary Plan area is approximately 1,150 spaces. This number includes approximately 2/3 on street and surface parking lots spaces and 1/3 of all spaces are within the Reg Cooper parking garage. Most existing parking lots within the Secondary Plan area are privately owned, dedicated to monthly parking passes for employees or residents, and available as metered spaces for public use. It's difficult to gauge how many spaces are available and accessible to the public versus private employees or residents. *The Downtown Parking Strategy* considers the provision of parking in Downtown and ensures adequate quantities of parking through various initiatives. Additionally, there are three Municipally owned parking lots in proximity to Victoria Park on Queens Ave (lot 5) and on Kent Street (lot 6 and lot 20).

No changes to the required parking rates are proposed within the Secondary Plan area. Section 3.8.4 Parking of the Secondary Plan includes policies that direct the location, access and visibility of parking. A policy has been added to encourage the provision of publicly accessible parking spaces and the potential need for a parking study for individual development proposals has also been added to section 4.7 Required Studies.

4.7 Impacts to Trees and Environment

Concerns were raised during public consultation regarding the impact of development and increased population on the park and trees. Further consultation has occurred with the Urban Forestry division on potential shadow, reflection, wind and compaction impacts to trees and is summarized below.

The impact of shadows on trees varies by species, and trees will grow best in whichever conditions are appropriate to the species. Shade tolerant species can grow in quite intense shade while intolerant species prefer full sun. Intolerant species that are not immediately adjacent to structures or other trees would likely continue to grow as sufficient ambient light is bounced or refracted off other structures. The ongoing management of trees in the park, including removals and replacements, will continue to select the right tree for the right location.

Trees adapt as they grow and are adapted to their growing conditions including weather which would include wind, heat and sun exposure. An abrupt change to wind levels without mitigative measures may result in snapping of stems, crowns, and large branches, or rotation at the roots. However, trees will adapt gradually over time to intensified winds from new directions. The impact of sunlight reflection on trees is short term and where leaves and parts of trees are newly exposed to heat and light, the next

year's leaves will adapt to these conditions. Long-term intense exposure, if not mitigated, may contribute to drier soils and the heat island effect.

The daily passive use of the pathways and lawn area in the park is not a significant contributor to tree decline. Large events where the public or vendors are permitted under the tree canopy and over rooting zones are a contributor to premature tree removals.

A Victoria Park Tree Health Assessment has been finalized and will help to understand impact on trees and inform potential mitigating solutions. This could include identifying trees that are more susceptible to decline due to compaction and limit foot traffic and the use within the root zone of the tree, or implementation of decompaction plans prior to park events, removal of turf underneath trees and substituting with mulch and decompaction practices such as aeration.

While operational and tree management considerations are outside of the scope of the *Victoria Park Secondary Plan*, the Secondary Plan policies do acknowledge that new development in the area can impact the health of trees and the design of development can help to mitigate those impacts. Sections 3.9 Compatibility with Park Activities and 4.7 Required Studies in the *Victoria Park Secondary Plan* have been updated to include considerations of tree impacts as part of wind studies for future development proposals.

4.8 Affordable Housing

Municipal Council resolved at its meeting of February 11, 2020 that further consideration of housing affordability be incorporated into the *Victoria Park Secondary Plan*. The following outlines new city-wide policy considerations related to affordable housing, as well as how housing mix and affordability are being addressed with the revised Secondary Plan.

Bonusing

Bonusing under section 37 of the *Planning Act* contemplates greater heights and densities for developments in exchange for the provision of certain services, facilities or matters provided as community benefits. Bonusing has been one of the primary tools used to secure affordable housing units through the development review process. Recent changes under Bill 108 to the *Planning Act* removed section 37 Bonusing and the tool will not be available beyond September 2022. Bonusing policies are therefore not included within the Secondary Plan.

Protected Major Transit Station Areas (PMTSAs)

The *Planning Act* defines Protected Major Transit Station Areas (PMTSAs) as areas “surrounding and including an existing or planned higher order transit station or stops” (S.16(15)). Municipal Council approved the designation of PMTSAs in the city of London on December 8, 2020, which align with the Downtown and Rapid Transit Corridor Place Types, within the Secondary Plan area. The PMTSA policies and designations in *The London Plan* will continue to apply to lands within the Secondary Plan area. Planning and development applications within the PMTSAs will be evaluated to ensure that they provide for an adequate level of intensity to support transit, utilize existing infrastructure and services, and ensure that the limited amount of land within this area is used efficiently.

Inclusionary Zoning

As a designated PMTSA, a large portion of the lands within the Secondary Plan area are eligible for the future consideration of Inclusionary Zoning. Inclusionary Zoning could require that a certain number of units or gross floor area within residential development be set aside as affordable housing for a set period of time. The terms of reference for Inclusionary Zoning were brought forward in January of 2021, and work is underway as per Provincial requirements.

An updated report to the Planning & Environment Committee regarding Inclusionary Zoning was received on February 7th, 2022. The report outlined how Inclusionary Zoning contributes to achieving the “Roadmap to 3,000 affordable units” by 2026 and

requests the Province to consider the City's Assessment Report evaluating the potential for and feasibility of Inclusionary Zoning on a city-wide basis.

The *Victoria Park Secondary Plan* area is anticipated to experience residential growth during the planning horizon, which makes it an appropriate and desirable area to integrate Inclusionary Zoning. Inclusionary Zoning within the Secondary Plan area will be implemented through the Official Plan policies within *The London Plan*.

Housing Mix and Affordability

As demonstrated above, the planning tools available to implement affordable housing through development applications can change over time. The *Victoria Park Secondary Plan* policies have been updated to include Section 3.10 Housing Mix and Affordability that outline the overarching goals for inclusion of affordable housing within the Secondary Plan area and can be implemented through the tools available at the time of a development application. Another piece of providing affordable housing beyond regulated affordable units is to plan for a mix of housing types, sizes and configurations that support a variety of different household structures within the plan area. The Housing Mix and Affordability section includes policies related to supporting a diverse population to live in the area, including the provision of amenities geared to a wide variety of demographics. Additionally, each new development proposal will be assessed on its ability to contribute to housing mix and affordability and will be required to submit a statement addressing the housing policies of the Secondary Plan.

4.9 Sustainable Development

The Victoria Park Secondary Plan contributes to sustainability and addressing the climate emergency by promoting a compact form of development in Central London that reduces urban sprawl. The Secondary Plan recognizes the importance of climate change mitigation, adaption and the need for a more sustainable and resilient city. Sustainable development policies are included in the Secondary Plan that will assist in addressing the Climate Emergency.

Section 3.11 Sustainable Development of the *Victoria Park Secondary Plan* has been revised to strength the existing policies of the plan, as well as introduce additional policies related to bird-friendly development practices and supporting active transportation within the building design and layout.

4.10 Planning and Development Approvals

Since the previous iteration of the *Victoria Park Secondary Plan*, two notable development applications within the Secondary Plan area have been considered and approved by Council and are summarized below.

556 Wellington Street (SPA19-046)

A Public Participation Meeting was held before the Planning and Environment Committee on September 21, 2021 regarding the Site Plan Approval of 556 Wellington Street.

This property is designated Office Area in the *Official Plan (1989)* and Neighbourhood Place Type in *The London Plan*. The existing zoning on the site is Downtown Area DA1(1) with a special provision to permit a convention centre. The application was to implement the existing zoning through a Site Plan.

Development proposal summary:

- Two apartment buildings with a total of 405 residential units.
- The first building fronting onto Wellington is 18 storeys tall with 17-storeys of residential above one-storey of retail, and 264 underground parking spaces.
- The second building in the rear of the site is 12 storeys tall with 7-storeys of residential above a 5-storey parking structure, containing 286 parking spaces.
- The buildings are proposed in a tiered formation with step-backs to distinguish the tiers and a number of material changes.

The existing policy and zoning framework on this property allows for the height and density contemplated in the development proposal. The permitted heights in the Secondary Plan have been revised to reflect the existing zoning on the site.

291 Wolfe Street / 560 & 562 Wellington Street (OZ-8462)

A Public Participation Meeting was held before the Planning and Environment Committee on November 1, 2021 in regard to the Official Plan and Zoning By-law amendment for 560 and 562 Wellington Street.

This property was designated Low Density Residential in the *Official Plan (1989)* and Neighbourhood Place Type in *The London Plan*. The existing zoning on the site is Office (OF1). The planning application was to amend the 1989 Official Plan to a Multi-Family, High Density Residential designation, and add a Specific Area Policy in Chapter 10, as well as change the zoning to a holding Residential R10 Special Provision zone.

Development proposal summary:

- 17 storey, mixed-use residential/commercial apartment building containing 173 residential apartments and 1 commercial unit.
- Reductions to yard depths for all sides between the building and property lines.
- Maximum height of 61m and lot coverage of 95%.
- Minimum landscaped open space of 20% including roof-top areas.
- Minimum 0 meter parking area setback from the road.

The proposal was approved by Council and subsequently appealed to the Ontario Land Tribunal and is awaiting a hearing.

As this proposal is currently subject to an appeal, the permitted heights for this site have been left out of the Secondary Plan and will be determined based on the decision of the Ontario Land Tribunal. Once a final decision is rendered and in-force, the *Victoria Park Secondary Plan* will be updated to reflect the permitted heights.

4.11 Cultural Heritage

The Cultural Heritage resources surrounding Victoria Park are foundational to its character. As such, the policies in *Victoria Park Secondary Plan* are intended to support the conservation of significant heritage resources. These cultural heritage policies complement the cultural heritage policies in *the London Plan*, the *Official Plan (1989)*, the *Downtown Heritage Conservation District Plan*, and the *West Woodfield Heritage Conservation District Plan*. In addition, the Secondary Plan policies conform with the Provincial Policy Statement (2020) policies for built heritage as follows:

- *Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*
- *Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.*

London Advisory Committee on Heritage

At the September 11, 2019 meeting of London Advisory Committee on Heritage (LACH), the Committee indicated support for the vision, principles and policies of the draft *Victoria Park Secondary Plan*. *“It is being noted that the proposed policies outlined in Section 3.5 of the above-noted Secondary Plan continue to support the objectives and policies of the West Woodfield and Downtown Heritage Conservation Districts and promotes the conservation of on-site cultural heritage resources and compatibility of new development with on-site and adjacent cultural heritage resources.”*

Heritage Peer Review

The City of London retained E.R.A Architects to conduct a heritage peer review of the *Victoria Park Secondary Plan* prior to the last iteration of the Secondary Plan in 2020. All the resulting recommendations from the review were incorporated into the *Victoria Park Secondary Plan* that was presented to Council in February 2020. Policies related

to cultural heritage have not been revised since the previous version of the Secondary Plan.

The Cultural Heritage policies in the *Victoria Park Secondary Plan* are consistent with the *London Plan*, the *Official Plan (1989)*, the *Downtown Heritage Conservation District Plan*, the *West Woodfield Heritage Conservation District Plan* and *Ontario Heritage Act*. The Heritage review and LACH indicate that the Cultural Heritage policies in the Secondary Plan do not conflict with applicable policies and promote the conservation of on-site cultural heritage resources and compatibility of new development with on-site and adjacent cultural heritage resources. Staff are satisfied that no changes in the cultural heritage policies of the *Victoria Park Secondary Plan* are required.

5.0 Revisions to the Victoria Park Secondary Plan

5.1 Major Revisions to the Secondary Plan

Since the Secondary Plan was tabled in March, 2022 no changes have been made and no new issues identified through the circulation of the Plan. As reported on the March 7, 2022 PEC report, the following substantive changes have been incorporated into the *Victoria Park Secondary Plan* since the February 2020 version:

Section 3.7 Heights

The permitted heights have been revised for the East Policy Area to reflect the recent decision and appeal for 560-562 Wellington Street, and the existing height and density zoning permissions for 556 Wellington Street. More information about these approvals can be found in section 4.2 Heights and Angular Plane and section 4.10 Planning and Development Approvals of this report. The language around permitted heights has been revised for added clarity and cross-references to angular plane have been removed for simplicity. Table 1: Permitted Heights and Schedule 4: Permitted Heights have been updated.

Section 3.8 Built Form

The Built Form policies were reviewed and revised to ensure appropriate policies were included to address contextual fit and mitigation of development impacts. The language in this section was also revised to ensure flexibility was provided where necessary to address site-specific constraints without the need for an Official Plan amendment.

Section 3.10 Housing Mix and Affordability

A new section was added to guide the provision of diverse and affordable housing options and supportive amenities.

Section 3.11 Sustainable Development

The Sustainable Development policies were revised and enhanced to encourage the provision of electric vehicle charging stations, car share facilities, bird-friendly design and green building technologies. Additional policies to prioritize active transportation in the design of new development were also included.

Section 4.7 Required Studies

Section 4.7 has been expanded to provide more detail regarding the required studies, plans, reports and assessments that may be required prior to consideration and approval of development applications within the Secondary Plan area. Consideration of tree impacts has been included for wind studies. Section 4.0 Our Tools has been revised to clarify that site-specific special provisions may be required to implement the policies of the plan during development application review.

5.2 Minor Revisions

A number of minor revisions have been incorporated into the Secondary Plan since the 2020 draft Secondary Plan including the following:

- Formatting changes for consistency with other secondary plans
- Spelling, grammar, and language review for added clarity and readability
- Stylistic mapping changes
- Reordering of chapters and sections for better flow and readability
- Additional housekeeping changes

5.3 Amendments to the Woodfield Neighbourhood Policies

This report recommends amending the policies that apply specifically to the Woodfield Neighbourhood in both the *Official Plan (1989)* and *The London Plan* to give clarity about the application of the *Victoria Park Secondary Plan*. The recommended amendments identify that the *Victoria Park Secondary Plan* applies to certain properties that are also subject to policies specific to the Woodfield Neighbourhood, and that where the policies that apply specifically to the Woodfield Neighbourhood and the *Victoria Park Secondary Plan* are inconsistent, the Secondary Plan shall prevail. References to existing policies to guide development of the block bounded by Richmond Street, Central Avenue, Wellington Street, and Hyman Street, are also proposed to be removed as this area comprises the North Policy Area in the *Victoria Park Secondary Plan*, which provides detailed direction for any future development of the block.

The recommended amendments can be found in Appendix “D” (*The London Plan*) and Appendix “F” (*Official Plan (1989)*).

Conclusion

This report recommends that Municipal Council adopt the *Victoria Park Secondary Plan*. The *Victoria Park Secondary Plan* has undergone an extensive community engagement process. While views of how the lands around the park should evolve in the future are varied, what is universal is that Victoria Park is a cherished resource within the City of London. The recommended *Victoria Park Secondary Plan* has considered the feedback that has been received throughout the study process, and provides policies to direct the future of these lands.

This Secondary Plan represents good planning and is consistent with the PPS as it provides a framework to allow the lands around the park to evolve in a way that balances the need to grow inward and upward in a world facing a climate emergency with heritage conservation, the transition to low-rise residential neighbourhoods and the continued enjoyment of Victoria Park as a City-wide resource. This Secondary Plan requires that any future development is of a high standard of design that reflects the importance of its location around the “jewel” of the City’s park system. The *Victoria Park Secondary Plan* provides a detailed and coordinated approach for how the area surrounding Victoria Park can evolve in the future.

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Submitted by:

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Development**

Appendix A – Adoption of the Secondary Plan – The London Plan

Bill No. (number to be inserted by Clerk's Office)
2022

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

A by-law to amend The Official Plan for the City of London, 2016 relating to the Victoria Park Secondary Plan area.

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

1. The Victoria Park Secondary Plan, as contained in Schedule 1 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 XXXX.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2022
Second Reading – May 22, 2022
Third Reading – May 22, 2022

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To adopt the Victoria Park Secondary Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands generally surrounding Victoria Park in the City of London.

C. BASIS OF THE AMENDMENT

Victoria Park is cherished by Londoners and is the “jewel” of the City’s park system. Despite the prominence of Victoria Park as a feature within the City of London, the planning framework for the lands around the park has not been considered holistically based on the unique relationship of these properties to the park. The *Victoria Park Secondary Plan* provides a framework to evaluate future development and presents a consistent vision for the evolution of the properties surrounding the park.

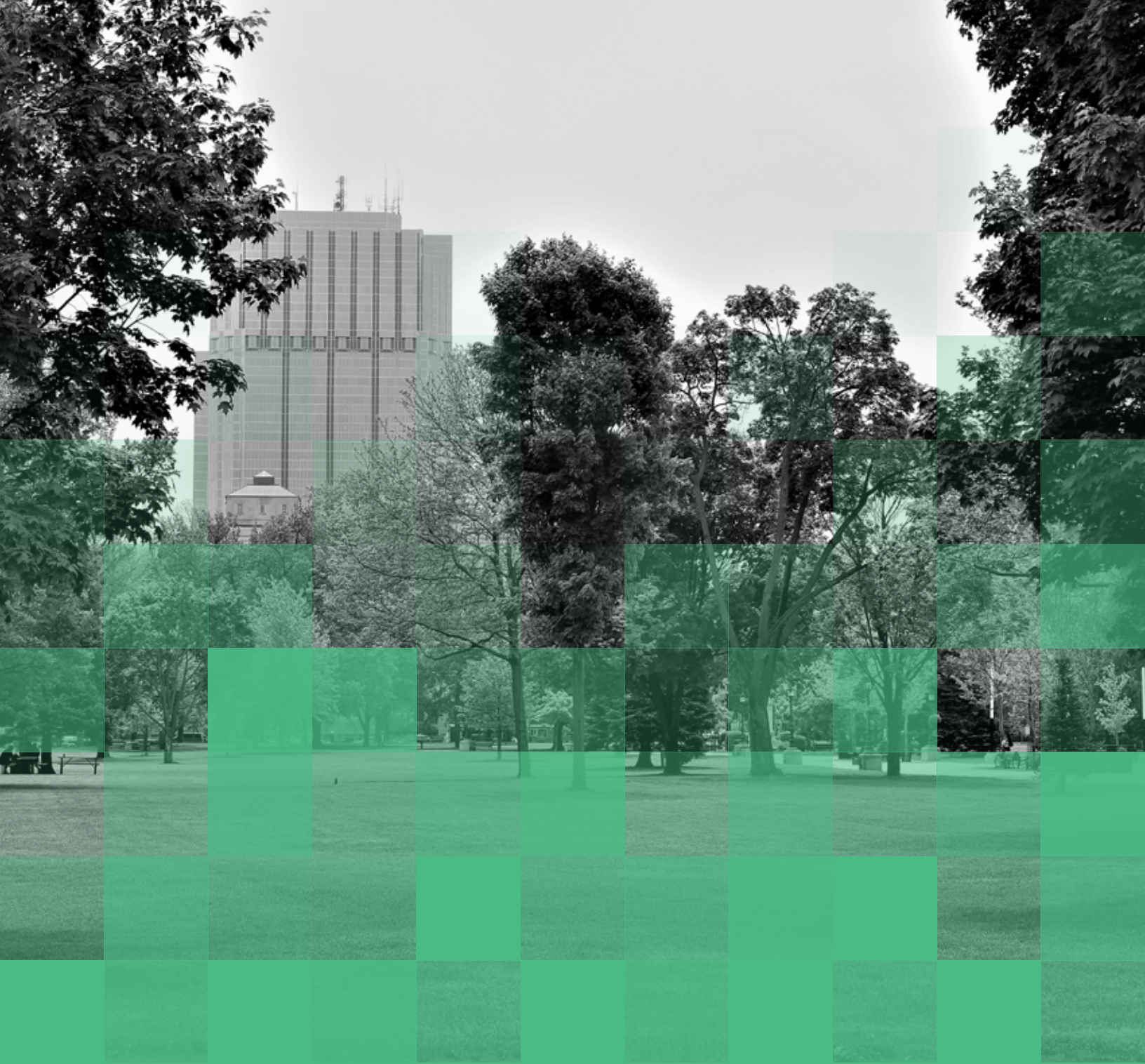
The *Victoria Park Secondary Plan* provides policy direction for the lands surrounding Victoria Park based on their unique relationship to the park. It seeks to provide a balance between encouraging intensification in the Downtown and Central Area to help address the climate emergency, heritage conservation, transition to low-rise residential neighbourhoods, and the continued enjoyment of Victoria Park while ensuring that all future development is of a high standard of design that reflects the importance of its location around the “jewel” of the City’s park system. This Secondary Plan provides a framework for how the area can grow in the future. The City of London undertook significant public engagement throughout the secondary plan process. The background studies, community and agency input, and proposed policies were, in turn, reviewed and assessed in the context of the *Provincial Policy Statement* and *The London Plan*, and used in the finalization of the Secondary Plan. This background work forms the basis and rationale for amendments to The London Plan.

The Secondary Plan will be used in the consideration of all applications including Official Plan amendments, zoning by-law amendments, site plans, consents, minor variances and condominiums within the Planning Area.

D. THE AMENDMENT

The Official Plan, 2016, The London Plan is hereby amended as follows:

Victoria Park Secondary Plan, attached as Schedule 1.



Victoria Park

Secondary Plan

May 2022



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1.0 Introduction

1.1 Background

Victoria Park is centrally located in the City of London, adjacent to the downtown. The park is an important feature at the heart of the city as a central gathering place for events and celebrations of city-wide significance, as well as an open space for active and passive recreation.

Development pressure on lands surrounding Victoria Park has warranted the creation of a comprehensive vision for future growth. The purpose of this Secondary Plan is to establish a policy framework to guide the future of the lands surrounding Victoria Park, recognizing that the existing overlapping policy framework is complex and has not yet considered the properties surrounding the park based on their unique relationship to the park.

This Secondary Plan considers how future development and redevelopment will relate to existing buildings, adjacent neighbourhoods, the downtown, and Victoria Park. Existing plans, policies, and guidelines applying to properties around the park have been taken into account to create the development framework and to provide clarity and consistency in reviewing future development applications.

The policies in the *West Woodfield Heritage Conservation District Plan* and the *Downtown Heritage Conservation District Plan* will continue to apply to properties within the Secondary Plan boundary. Future development applications will be evaluated on a site-by-site basis for conformity to the applicable Official Plan policies and the Heritage Conservation District Plans for the conservation of cultural heritage resources within the Secondary Plan boundary.

Schedule 1: Secondary Plan Area



Legend

 Victoria Park Secondary Plan Boundary



1.2 Location

The *Victoria Park Secondary Plan* applies to properties around Victoria Park as identified in Schedule 1: Secondary Plan Area. This area has been delineated to include properties surrounding Victoria Park and properties that are anticipated to be consolidated for future development around the park. The surrounding context was considered in the preparation of the Secondary Plan, however the policies in the Secondary Plan will only apply within this boundary.

1.3 Cultural Heritage Resources

The cultural heritage resources within the Secondary Plan boundary are foundational to the character of the area. Cultural heritage resources within the Secondary Plan boundary include the West Woodfield Heritage Conservation District, the Downtown Heritage Conservation District, and a number of properties that are individually designated under Part IV of the *Ontario Heritage Act* or are listed on the City's Register. Appendix A: Cultural Heritage identifies cultural heritage resources within and adjacent to the Secondary Plan boundary.

Victoria Park is designated under Parts IV and V of the *Ontario Heritage Act*, as it is individually designated and also designated as part of the West Woodfield Heritage Conservation District. The individual designation under Part IV of the *Ontario Heritage Act* is based on Victoria Park's significant historic, architectural, and cultural heritage landscape importance. The Part IV heritage designation that applies to Victoria Park also recognizes that it has assumed a role as the "jewel of the parks system" in the city of London. Appendix B: Reasons for Designation - Victoria Park includes the reasons for designation for Victoria Park.



1.4 Purpose and Use

The Secondary Plan presents a vision for the development and redevelopment of properties surrounding the park and provides a consistent framework to evaluate future development applications. It provides comprehensive built form and land use direction that consider how future development should relate to the park and enhance the surrounding context, while ensuring conservation of the cultural heritage resources in the area.

Policies in the *Victoria Park Secondary Plan* apply to all properties in the Secondary Plan boundary unless where specifically noted as only applying to a specific property or Policy Area. The policies of this Secondary Plan provide a greater level of detail than the policies of the Official Plan. Where the policies of the Official Plan provide sufficient guidance to implement the vision of this Secondary Plan, these policies were not repeated. As such, the policies of this Secondary Plan should be read in conjunction with the Official Plan, the applicable Heritage Conservation District Plans, and any other applicable policy documents. In instances where the overall policies of the Official Plan and the *Victoria Park Secondary Plan* are inconsistent, the Secondary Plan shall prevail.

The policies of this Secondary Plan that use the words “will” or “shall” express a mandatory course of action. Where the word “should” is used, suitable alternative approaches to meet the intent of the policy may be considered.

The policies of this Secondary Plan will be implemented through mechanisms set out in this Secondary Plan, public investments in infrastructure and public realm improvements, as well as other tools available to the City including, but not limited to, the *Zoning By-law*, and the *Site Plan Control By-law*.

The schedules form part of this Secondary Plan and have policy status whereas other figures and photographs included in the Secondary Plan are provided for graphic reference, illustration, and information.

1.5 Vision

The Victoria Park area is a prominent destination that is cherished by Londoners. The area will develop in a way that balances the desire to grow inward and upward with the need to conserve significant cultural heritage resources, be compatible with the surrounding context, and foster Victoria Park's continued use as a city-wide destination for recreation, relaxation and events.

Future development of the area will celebrate the prominence of Victoria Park through design excellence and sympathetic development, contributing to the continued success of this area as a destination for Londoners both now and in the future.





1.6 Principles

The development of this Secondary Plan has been guided by the following principles:

- Identify opportunities for compatible and sensitive intensification
- Design buildings to celebrate the prominence of Victoria Park as a city-wide gem
- Enhance and conserve cultural heritage resources within and surrounding Victoria Park
- Respond to climate change by encouraging sustainable development, building design, and active transportation options
- Frame Victoria Park with an appropriately-scaled base that creates a comfortable and animated pedestrian environment
- Protect the residential amenity of the Woodfield neighbourhood by mitigating impacts of new development
- Preserve and strengthen visual and physical connections to Victoria Park and create new connections where possible
- Continue to enhance the amenity of Victoria Park as a neighbourhood green space, as well as a destination for all Londoners to attend festivals and events
- Preserve and enhance the landscaped edges around Victoria Park

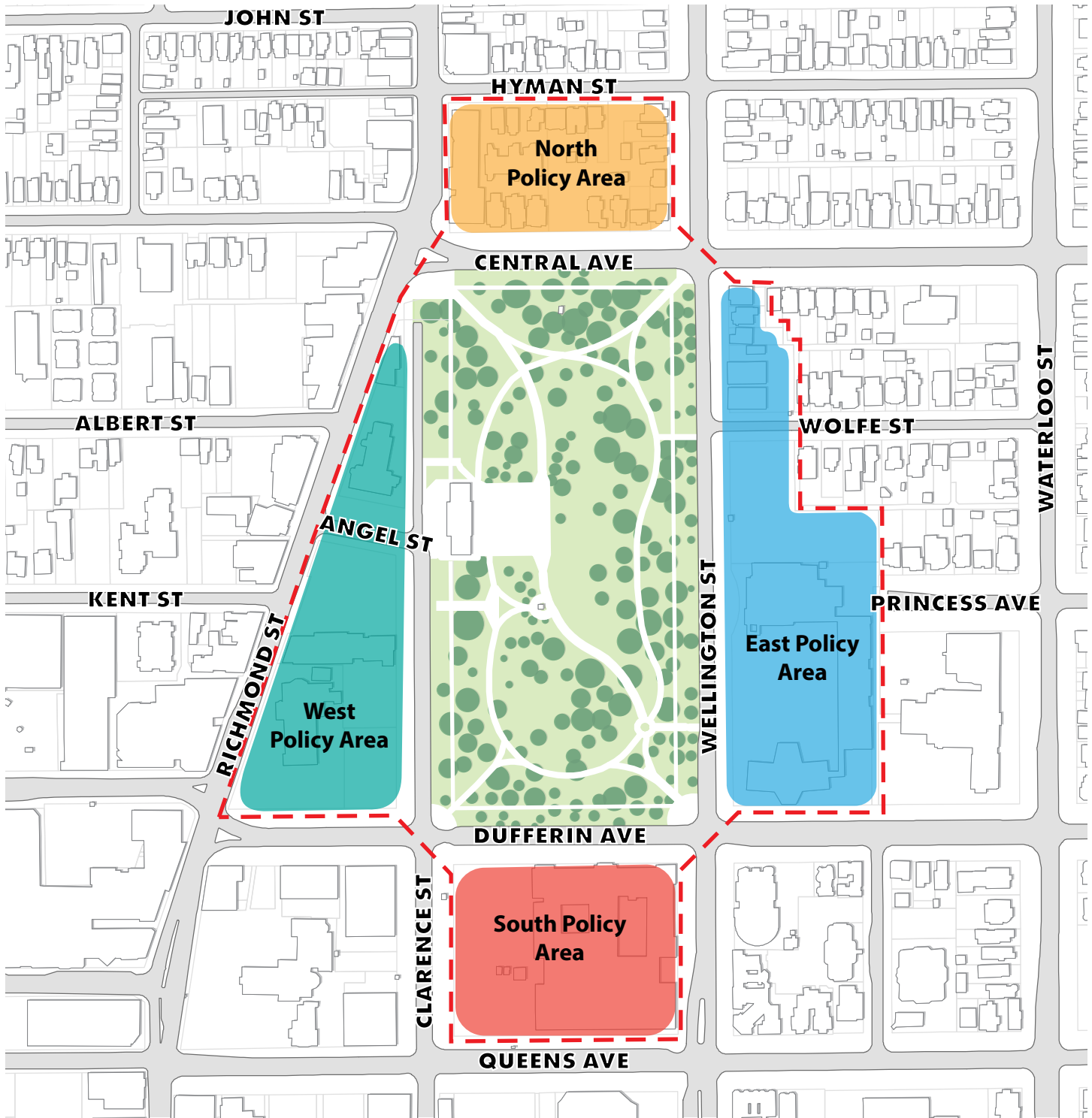


2.0 Policy Areas

2.1 Overview

The area subject to the *Victoria Park Secondary Plan* has been divided into four Policy Areas, each encompassing a different side of the park: North, East, South, and West, as identified in Schedule 2: Policy Areas. Most of the policies in the Secondary Plan apply to the entire area within the *Victoria Park Secondary Plan* boundary. However, some identified policies address the unique characteristics of one particular side of the park and therefore only apply to properties within the associated Policy Area. The boundaries and the unique characteristics of each of the four sides surrounding Victoria Park are detailed in the following sections.

Schedule 2: Policy Areas



Legend

-  Victoria Park Secondary Plan Boundary
-  North Policy Area
-  South Policy Area
-  West Policy Area
-  East Policy Area

2.2 North Policy Area

The North Policy Area adjacent to Victoria Park is lined by 2.5-storey house-form buildings, many of which have been converted for office uses or multi-unit dwellings, with the exception of the Richmond Street frontage, which is occupied by a 4-storey mixed-use building and forms part of Richmond Row. A 3-storey residential building is located on the western portion of the interior of the block. While this Policy Area is not within a Heritage Conservation District, many of the properties in this Policy Area are listed on the City's Register of Cultural Heritage Resources.

The western portion of this Policy Area is in the Rapid Transit Corridor Place Type, while the eastern portion of this Policy Area is in the Neighbourhoods Place Type. There is opportunity for intensification in the North Policy Area, primarily on the interior of the block.





2.3 East Policy Area

The East Policy Area is characterized by a broad mix of uses including City Hall, Centennial Hall, surface parking, and R.H. Cooper Square. A mix of other uses are also found, including professional offices, a multi-unit residential building, and a single-detached dwelling. The southern portion of this block is located in the Downtown Place Type, and the northern portion is in the Neighbourhoods Place Type and is also subject to the provisions of the Woodfield Neighbourhood Specific Policy Area. The entirety of this Policy Area is in the West Woodfield Heritage Conservation District.

There is opportunity for intensification of underutilized sites in the East Policy Area, primarily south of Wolfe Street.

2.4 South Policy Area

The South Policy Area includes the iconic Great West Life Insurance Company building, which is a character defining feature of the block, and a surface parking lot. The Policy Area is located entirely in the Downtown Place Type. This Policy Area is also entirely within the Downtown Heritage Conservation District.

The large surface parking lot in the west portion of the block presents an opportunity for intensification.



2.5 West Policy Area

The West Policy Area includes the triangular area bounded by Richmond Street, Dufferin Avenue and Clarence Street. Richmond Street is a main street commercial corridor connecting to downtown. Clarence Street runs immediately adjacent to the park and is a planned transit corridor. The West Policy Area consists of places of worship, including St. Peter's Basilica Cathedral and First Baptist Church, as well as a small amount of commercial uses and surface parking. The majority of this area is in the Downtown Place Type. This block is also in the West Woodfield Heritage Conservation District, with the exception of the northern most property.

Portions of this Policy Area present opportunities for intensification, particularly the surface parking lots north of St. Peter's Basilica Cathedral.





3.0 Policies

3.1 Overview

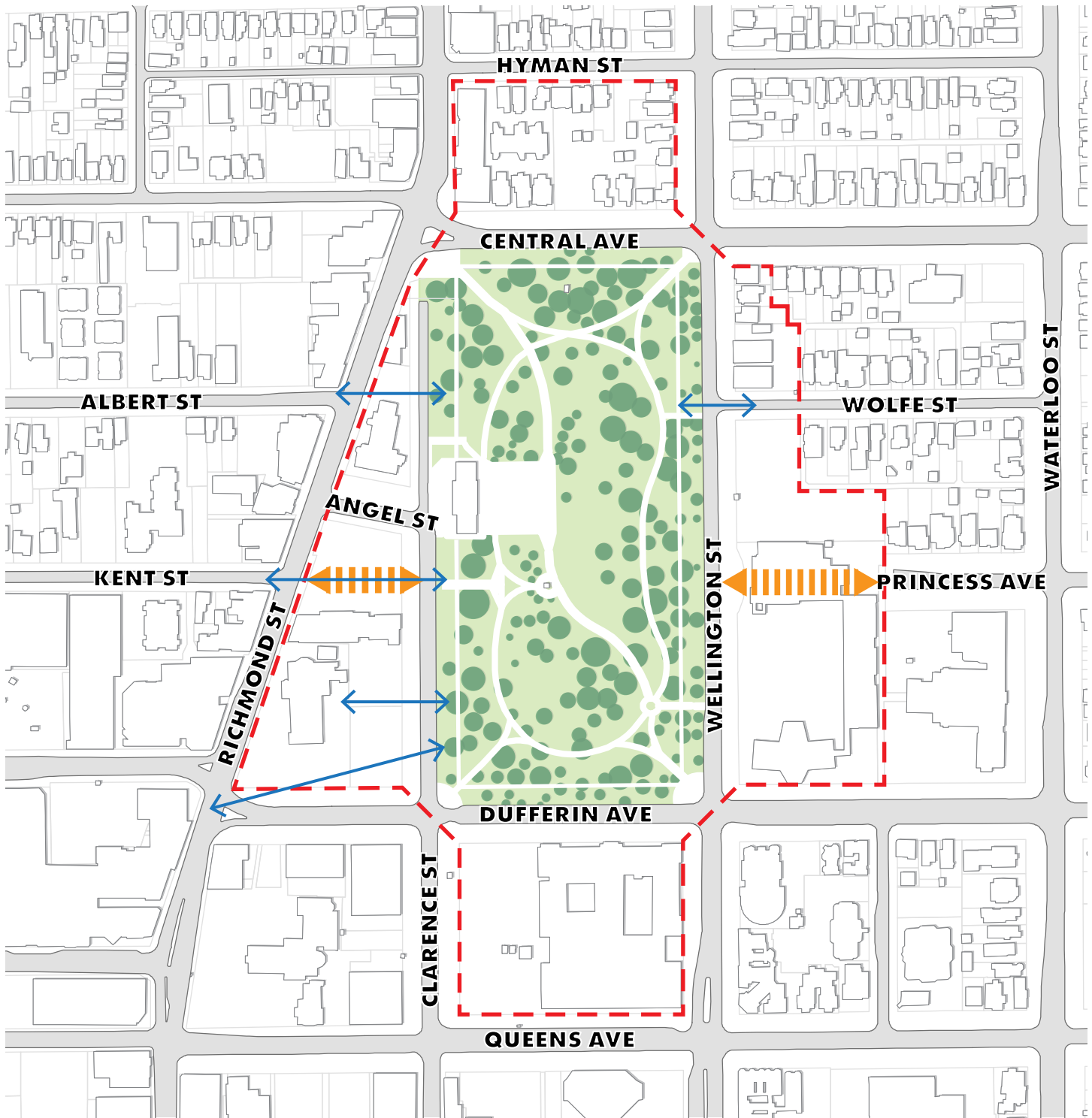
The intent of the *Victoria Park Secondary Plan* is to provide a policy framework to guide future development and public projects within the Secondary Plan boundary. Policies in this Secondary Plan support the vision by providing guidance on view corridors, connections, public realm, cultural heritage, land use, height, built form, compatibility with park activities, housing mix and affordability, and sustainable development.

3.2 View Corridors




Victoria Park is a prominent civic landmark and cultural heritage resource in the city of London and is an important part of the identity and image of the city. The preservation of existing view corridors, and the creation of new view corridors, will aid in orientation and help to maintain strong visual connections between Victoria Park and the surrounding area. Views to Victoria Park from Richmond Street are of particular importance as they help to connect the popular pedestrian corridor to Victoria Park.

- i) Public works and private development will maintain and frame current views, and where possible through design, create new views to and from Victoria Park, as well as to and from St. Peter's Basilica Cathedral.

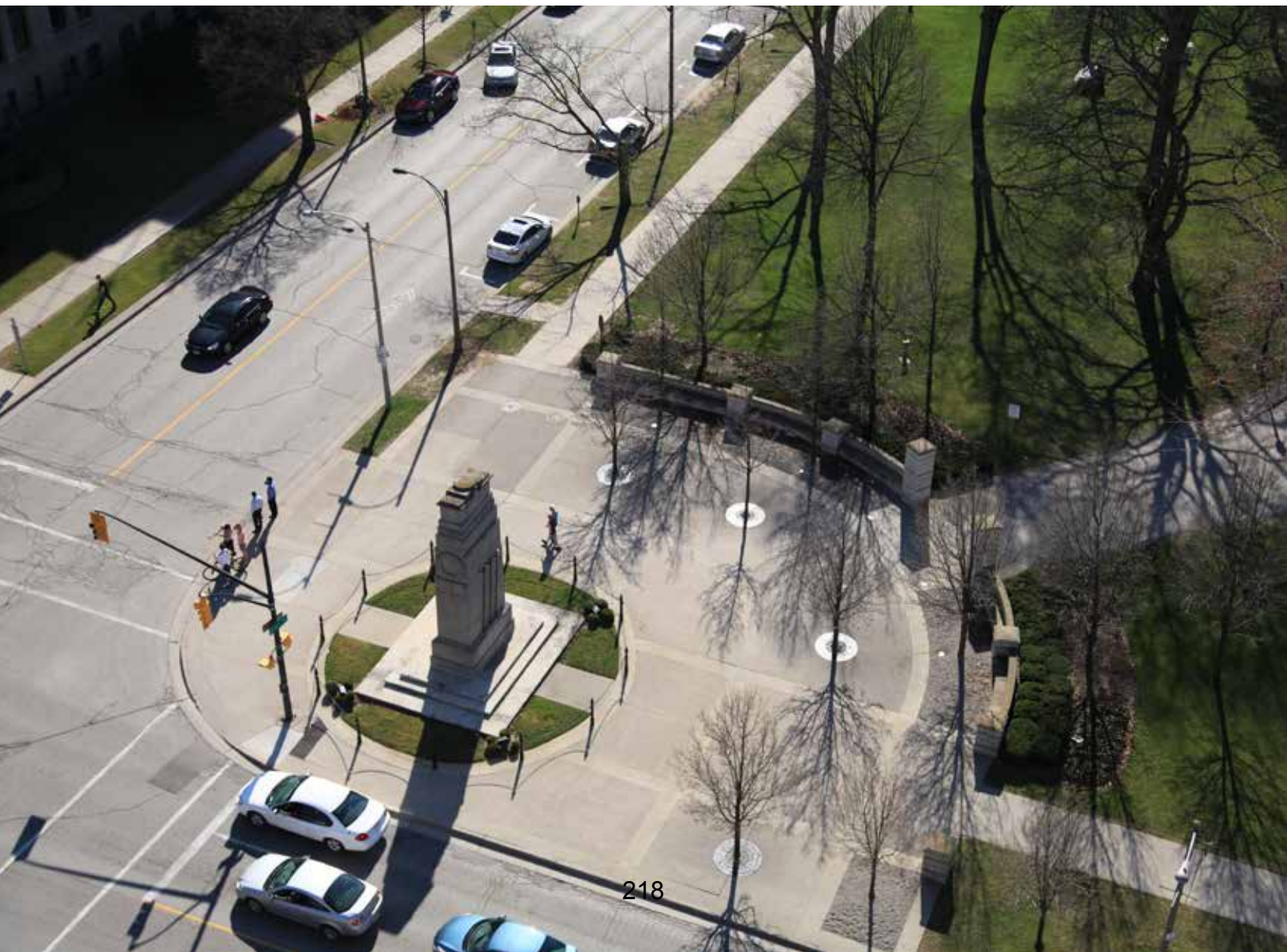
Schedule 3 – View Corridors and Connections



Legend

-  Victoria Park Secondary Plan Boundary
-  Physical Connection
-  View Corridor

- ii) Unobstructed view corridors to and from Victoria Park as identified below and illustrated in Schedule 3 – View Corridors and Connections, will be maintained, as viewed from a pedestrian perspective at street level.
 - a) The northwest corner of Albert Street and Richmond Street
 - b) The northwest and southwest corners of Kent Street and Richmond Street
 - c) The northwest and southwest corners of Richmond Street and Dufferin Avenue
 - d) The northeast and southeast corners of Wolfe Street and Wellington Street
 - e) The eastern elevation of St. Peter’s Basilica Cathedral, including the east aisle and the Lady Chapel
- iii) Any applications for Official Plan amendments, Zoning By-law amendments, and/or Site Plan Control on lands within the Secondary Plan area will consider the potential for adding new view corridors and, implementing creative or innovative designs to enhance existing view corridors, if applicable.





3.3 Connections

Connections to Victoria Park help improve access to the park and enhance the relationship of the park to its surroundings. Priority locations for new connections to Victoria Park are identified in Schedule 3: View Corridors and Connections.

- i) New connections to Victoria Park from Kent Street and Princess Avenue should be considered to improve access to the park if development occurs on lands that could facilitate these connections.
- ii) Connections will prioritize pedestrian access, but may incorporate flex-street or shared street design elements. Innovative approaches to connectivity may be considered such as enclosed or covered walkways through buildings.
- iii) Wide sidewalks should be provided and maintained on streets adjacent to and leading to the park as part of any future public works projects to create a comfortable pedestrian environment and promote accessibility.
- iv) Pedestrian amenities, such as benches, will be provided as part of redevelopment projects.
- v) Additional high quality pedestrian connections, that are clearly defined, well-lit and safe should be provided to connect Richmond Street to Victoria Park, if development occurs on lands that could facilitate these connections.



3.4 Public Realm

Improvements to the streetscape and public realm around Victoria Park will help to strengthen the connection between Victoria Park and its surroundings, enhance pedestrian amenity, and expand the green landscaping of the park into the surrounding area. These green edges are anticipated to primarily be located on public land within the wide right-of-way due to the minimal setbacks of existing buildings to property lines.

- i) Landscaping and green space on public and private land will be maintained and, where possible, enhanced. Hard surfaces should be limited to pedestrian entryways, benches, patios, and framed with landscaping/planters to soften their appearance.
- ii) The preservation of existing street trees and the planting of new large canopy trees is encouraged.
- iii) The green edge between St. Peter's Basilica Cathedral and Dufferin Avenue should be maintained.
- iv) The public realm around Victoria Park will continue to exhibit a high standard of design, featuring high-quality pedestrian environments.
- v) Boulevards should be maintained as sod and soft landscaping.
- vi) The City Hall block will continue to include a publically-accessible open space with a civic focus that compliments the architectural significance of City Hall and provides a link between City Hall and Victoria Park.



3.5 Cultural Heritage

The cultural heritage resources surrounding Victoria Park are foundational to its character. In addition to the cultural heritage policies in this Secondary Plan, the objectives and policies in the *Downtown Heritage Conservation District Plan* and *West Woodfield Heritage Conservation District Plan* will continue to apply. Appendix A: Cultural Heritage identifies cultural heritage resources within and adjacent to the Secondary Plan boundary.

- i) On-site and adjacent cultural heritage resources and their heritage attributes will be conserved.
 - a) Any new development must be both physically and visually compatible with the surrounding cultural heritage resources.
 - b) New and renovated buildings shall be designed to be sympathetic to the heritage attributes through measures including, but not limited to, massing, rhythm of solids and voids, significant design features, and high-quality materials.
- ii) New development shall be compatible with the heritage character of the surrounding Heritage Conservation Districts through consideration of height, built form, setback, massing, material, and other architectural elements.
- iii) The policies and design guidelines in the *Downtown Heritage Conservation District Plan* and the *West Woodfield Heritage Conservation District Plan* will be used to review and evaluate proposals for new development in these Heritage Conservation Districts, where applicable, to ensure compatibility with the surrounding context.
- iv) Heritage Impact Assessments will be required for new development within the Secondary Plan boundary.



3.6 Land Use

Land uses around Victoria Park will be supportive of the active pedestrian realm around the park, while recognizing the prominence of Richmond Street as a main street. The Zoning By-law will provide more detail on individual permitted uses, which may not include the full range of uses identified in this Secondary Plan.

- i) A broad range of residential, retail, service, office, community facility and other related uses may be permitted within the Secondary Plan boundary.
- ii) For buildings fronting Richmond Street, a minimum of 60% of the Richmond Street frontage at grade should be street-related retail and service uses oriented toward Richmond Street. Community facility and institutional uses may be permitted where they provide for a street-oriented, active ground floor.
- iii) Auto-oriented uses and drive through facilities are prohibited within the Secondary Plan boundary.
- iv) Residential lobbies should take up no more than 30% of the ground floor façade, to a maximum of 15 metres.



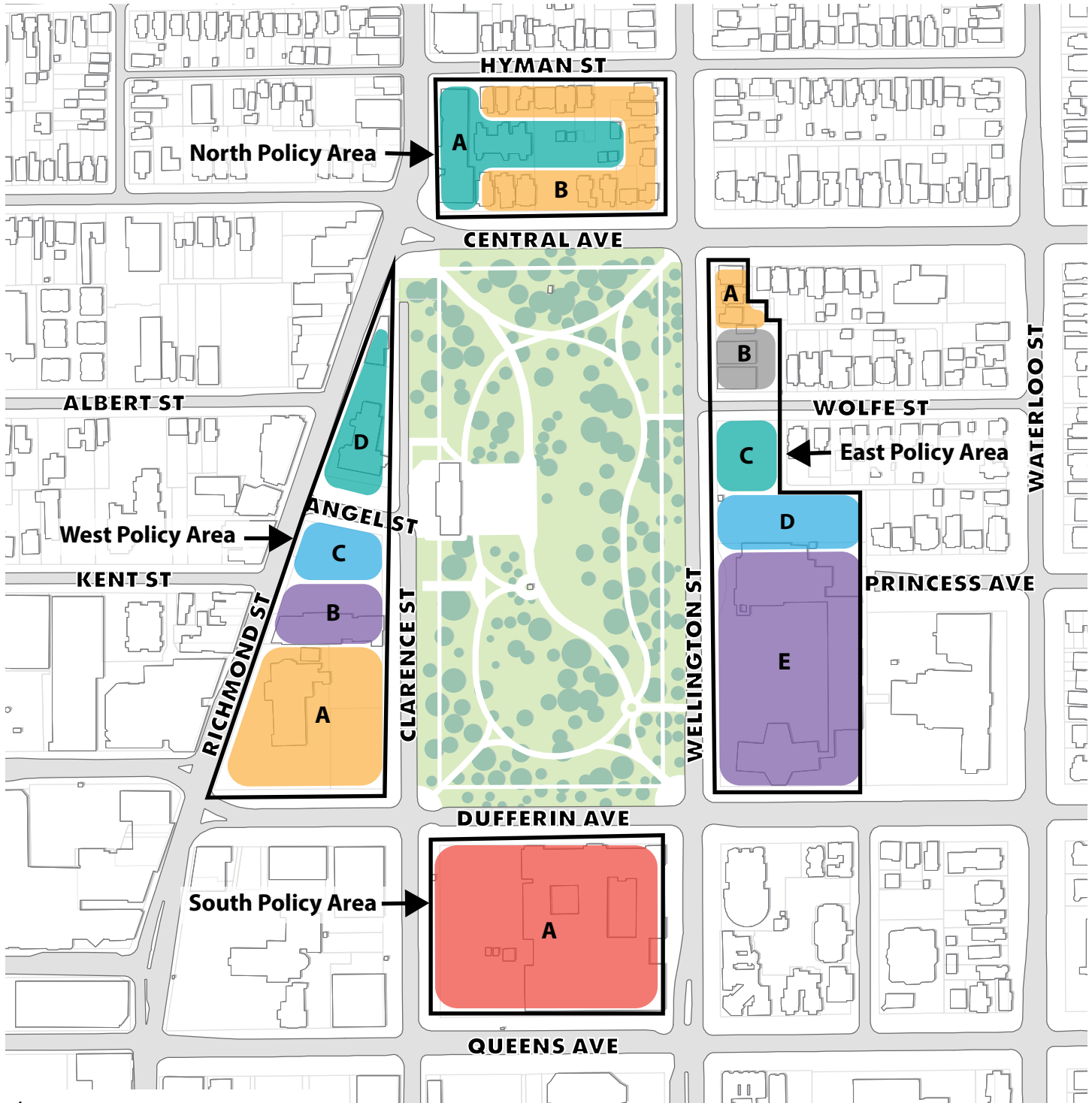
3.7 Height

Minimum and maximum permitted heights for new development within the Secondary Plan boundary are described below and identified in Schedule 4: Permitted Heights and Table 1: Permitted Heights. The Zoning By-law will provide more detail on individual permitted heights, which may not include the full range of heights identified in this Secondary Plan.






- i) The full range of heights identified in Table 1 and Schedule 4 will only be achieved through a site-specific Zoning By-law amendment, where it can be demonstrated that measures are put in place to support or mitigate this height and density, subject to the other policies of this plan.
- ii) Development proposals will require technical studies identified through consultation and outlined in Section 4.7: Required Studies. The results of these studies may influence the maximum height and density that is permitted through zoning.



Schedule 4- Permitted Heights



Legend

-  Policy Areas - as labeled
-  Maximum 4 Storeys
-  Maximum 16 Storeys
-  Maximum 25 Storeys
-  Maximum 30 Storeys
-  Maximum 35 Storeys
-  Determined by OLT*

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.



Table 1: Permitted Heights

Part	Minimum Height	Maximum Height
North Policy Area		
Part A	2 storeys	16 storeys
Part B	2 storeys	4 storeys
East Policy Area		
Part A	2 storeys	4 storeys
Part B	2 storeys	determined by Ontario Land Tribunal*
Part C	2 storeys	16 storeys
Part D	2 storeys	25 storeys
Part E	2 storeys	30 storeys
South Policy Area		
Part A	3 storeys	35 storeys
West Policy Area		
Part A	2 storeys (or 8 metres)	4 storeys
Part B	2 storeys (or 8 metres)	30 storeys
Part C	2 storeys (or 8 metres)	25 storeys
Part D	2 storeys (or 8 metres)	16 storeys

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.

3.7.1 North Policy Area

- i) The minimum permitted height is two storeys for the entire North Policy Area.
- ii) The maximum permitted height for the Richmond Street frontage and the interior of the block, identified as Part A, is 16 storeys. This height is consistent with the maximum height permitted in the Rapid Transit Corridor Place Type and may only be achieved through the Rapid Transit Corridor boundary interpretation policies of *The London Plan* (833, 834, 835).
- iii) The height and massing of new development in Part A will be contained within a 45-degree angular plane taken from three storeys above the closest property line of any properties not consolidated with Rapid Transit Corridor Place Type, and remaining as Neighbourhood Place Type.
- iv) The maximum permitted height for approximately 20 metres of depth along the north, east and south sides of the block's perimeter, identified as Part B, is four storeys. This height recognizes the scale of existing desirable buildings along these streetscapes.



3.7.2 East Policy Area

- i) The minimum permitted height is two storeys for the entire East Policy Area.
- ii) The maximum permitted height for the north half of the Central Avenue to Wolfe Street block, identified as Part A, is four storeys. This height acknowledges the existing built form and property constraints on these smaller lots.
- iii) The maximum permitted height for the south half of the Central Avenue to Wolfe Street block, identified as Part B, will be determined based on the decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824. Once a final decision is rendered and in-force, this plan will be updated to reflect the permitted heights.
- iv) The maximum permitted height for the north half of the Wolfe Street to Princess Avenue block, identified as Part C, is 16 storeys.
- v) The maximum permitted height for the south half of the Wolfe Street to Princess Avenue block, identified as Part D, is 25 storeys.
- vi) The maximum permitted heights for Part C and Part D indicated above, acknowledge the existing height and density permissions in the Zoning By-law for the property. New development will require a site-specific Zoning By-law amendment, subject to the built form policies of this Secondary Plan, which will shape the height and density to be more sensitive to and compatible with the surrounding context, than the existing setback provisions of the Zoning By-law.
- vii) The maximum permitted height for the City Hall block, identified as Part E, is 30 storeys. This height is lower than the maximum height permitted in the Downtown Place Type, and will begin the transition of heights, stepping down from the downtown core towards the north.



3.7.3 South Policy Area

- i) The minimum permitted height is three storeys for the entire South Policy Area.
- ii) The maximum permitted height for the South Policy Area is 35 storeys. This height is consistent with the maximum height permitted in the Downtown Place Type.
- iii) New high-rise buildings are only anticipated to be developed on the west portion of the property and any redevelopment or additions to the existing buildings may be limited by the evaluation of heritage impacts.

3.7.4 West Policy Area

- i) The minimum permitted height for the entire West Policy Area is two storeys or eight metres. This minimum height acknowledges the desire to create a sense of enclosure around the park and along the Richmond Row commercial corridor, while providing flexibility to accommodate community facility, institutional and other compatible uses in single storey buildings with the volume of two storeys.
- ii) The maximum permitted height to the south and east of St. Peter's Basilica Cathedral, identified as Part A, is limited to four storeys, in order to retain the prominence of the Cathedral and its important relationship to Victoria Park. The location of new development is also subject to the view corridor policies of this plan in order to protect the visual connections between Victoria Park and Richmond Street and to the building's east façade.
- iii) The maximum permitted height north of St. Peter's Basilica Cathedral and south of Kent Street, identified as Part B, is 30 storeys. This height is lower than the maximum height permitted in the Downtown Place Type, and will begin the transition of heights, stepping down from the downtown core towards the north.
- iv) The maximum permitted height for the Angel Street to Kent Street block, identified as Part C, is 25 storeys. This height provides a transition between the Downtown and Rapid Transit Corridor Place Types.
- v) The maximum permitted height for the Central Avenue to Angel Street block, identified as Part D, is 16 storeys. This height is consistent with the maximum height permitted in the Rapid Transit Corridor Place Type.



3.8 Built Form

The following built form policies will help to shape future development in a way that balances intensification and compatibility with the surrounding context. New development will be designed to minimize impacts on Victoria Park and the adjacent low-rise residential neighbourhoods. New development will be of a high standard of urban and architectural design, to complement and celebrate the prominence of the Victoria Park as the “jewel of the parks system”.

The following built form policies will be implemented through site-specific zoning provisions.

3.8.1 General Built Form

- i) New buildings will be designed to express three defined components - a base, middle and top. Alternative design solutions that address the following intentions may be permitted:
 - a) The base should establish a human-scale façade with active frontages including windows, canopies, pedestrian scale lighting, and the use of materials and architectural details that reinforce a human scale
 - b) The middle should be visually cohesive with, but distinct from, the base and top
 - c) The top should provide a finishing treatment, such as a sculpted roof or a cornice, and will serve to hide and integrate mechanical penthouses
- ii) The front and exterior side yard setbacks of new development, including additions, will respond to the setbacks of adjacent buildings to maintain the existing street wall. Where context does not exist, new development should include a minor setback to frame the park, while ensuring building elements such as canopies, porches and steps do not encroach into the right-of-way.



- iii) The height and massing of new development at the street wall (i.e. most forward facade), will respond to the existing scale and rhythm of adjacent buildings and streetscapes through articulation, stepbacks and other architectural responses.
- iv) New development should be set back a minimum of six metres from properties outside of the Secondary Plan boundary that are within the Neighbourhood Place Type in *The London Plan*, to ensure privacy for new and existing residential dwellings.

3.8.2 Facade Design

The design of building façades is important to ensuring development is pedestrian scale and fits within the character of the Victoria Park area.

- i) New development shall be designed so that the rhythm of façade articulation and proportional size of façade openings (i.e. windows and doors) responds to adjacent buildings and/or streetscapes, particularly cultural heritage resources. Grade-related façade articulation should generally occur every eight to 12 metres and projections and recesses should be at least 0.5 metres deep.
- ii) New development shall respond to existing datum lines of adjacent buildings, particularly cultural heritage resources, including the continuation of storey heights and other defining features, such as porches.
- iii) High quality materials, such as brick and natural stone, will be used to complement the character and quality of buildings around the park and within adjacent areas. The use of stucco and exterior insulation and finishing system (EIFS) will not be permitted.



3.8.3 Activation

Active building façades provide passive surveillance, encourage social interaction, and create a walkable, pedestrian-friendly environment surrounding the park.

- i) Attractive and active frontages shall be located around all edges of the park. All building façades oriented towards the park should exhibit a high level of pedestrian amenity including pedestrian-scale features and fixtures, weather protection and large transparent windows.
- ii) Main building entrances shall front onto the park, unless the building also has frontage on Richmond Street, in which case the main building entrance will be located on Richmond Street with a secondary entrance fronting the park.
- iii) Multiple building entrances are encouraged at a pedestrian-scale rhythm. Corner buildings and buildings with two street frontages should have entrances onto both streets.
- iv) Entrances to lobbies, and retail and commercial units should be flush with grade and accessible directly from the public sidewalk.
- v) Residential units on the ground floor should have individual front entrances accessible directly from the public sidewalk. Entrances to individual residential units should be raised to a maximum of 1.2 metres above grade to provide privacy for residents. A landscape buffer between the building and the public sidewalk is encouraged for privacy and separation. Access to units from below-grade will not be permitted.

- vi) Regardless of the intended use, the ground floor of new buildings should be designed with the height and flexibility to accommodate conversion to non-residential uses in the future. This may be achieved by providing a raised floor over the slab that can be removed to provide additional ground floor height in the future, or through other strategies.
- vii) Blank walls, parking, and service and utility areas should not be visible from the park or Richmond Street.
- viii) Glazing should be maximized for non-residential uses located at-grade, while ensuring compatibility with heritage resources.

3.8.4 Parking

While parking is recognized as a continued need in proximity to Victoria Park, it should be provided in a way that does not detract from the pedestrian realm or existing character surrounding the park.

- i) Parking and service entrances should not front directly onto Victoria Park or Richmond Street, and should be accessed from side streets and laneways where possible, to minimize their appearance and the amount of pavement within the green boulevards surrounding the park.
- ii) Despite policy i) above, in the event a site only has frontage on Victoria Park and/or Richmond Street, parking and service entrances may be provided from one of the frontages. In these instances, the access points shall be minimized as much as possible and incorporate design features to ensure pedestrian safety.
- iii) Parking should be located underground.
- iv) Structured parking on the ground floor shall be fully wrapped on all street frontages with active uses including residential, retail, service, community facility and/or office uses to limit the visual impact of parking on the public realm.
- v) Structured parking above the ground floor should be wrapped with active uses on all street frontages. Where it is unavoidable due to building constraints, structured parking that is visible above grade shall be designed to appear as active space and be fully wrapped with a high level of architectural detail, large transparent windows, and high-quality materials, consistent with the rest of the building's facade.
- vi) New surface parking will not be permitted, except to accommodate required accessible, visitor and drop-off spaces.
- vii) The provision of new publicly-accessible parking is encouraged.

3.8.5 Mid-Rise Buildings

In addition to the general built form policies of this Secondary Plan that apply to all new development, the following direction is provided specifically for mid-rise buildings.

- i) Mid-rise buildings are buildings with heights of four storeys up to and including eight storeys.
- ii) New mid-rise buildings shall step back at the second, third or fourth storey, depending on the built form context, along public rights-of-way to mitigate downward wind shear, support the existing character at street level and allow the street wall to be the primary defining element of the site. Minimum stepbacks should be as follows:
 - a) Five metres for frontages facing Victoria Park and Richmond Street.
 - b) Three metres for frontages facing all other streets and pedestrian connections.
 - c) Larger stepbacks are encouraged and may be required in specific locations.
- iii) The massing of new mid-rise buildings will be contained within a 45-degree angular plane taken from three storeys above the closest property line of any properties outside of the Secondary Plan area.
- iv) Mid-rise buildings shall be located and designed with sufficient rear and interior yard setbacks and building separation to achieve the following:
 - a) Provide access to natural light and a reasonable level of privacy for occupants of new and existing buildings;
 - b) Provide adequate on-site amenity space;
 - c) Provide safe and clear pedestrian circulation from building entrances to the public sidewalk;
 - d) Protect the development potential of adjacent sites; and,
 - e) Provide pedestrian-level views of the sky between buildings particularly as experienced from adjacent streets and Victoria Park.



3.8.6 High-Rise Buildings

In addition to the general built form policies of this Secondary Plan that apply to all new development, the following direction is provided specifically for high-rise buildings.

- i) High-rise buildings are buildings nine storeys in height or taller.
- ii) High-rise buildings will be designed with a podium base and tower above. The tower will consist of all storeys above the maximum podium height.
- iii) Podiums of new high-rise buildings shall have a maximum height of five storeys in the South Policy Area and East Policy Area to frame the park, and a maximum height of three storeys in the North Policy Area and West Policy Area to respond to the existing scale and character.



- iv) Residential tower floor plates in high-rise buildings shall be a maximum of 750 square metres for all portion of the building above the podium to ensure shadows move quickly, to allow pedestrian-level sky views, and to be less visually massive from neighbouring properties and the surrounding public realm. The length to width ratio of tower floorplates should be no more than 1:1.5, and oriented north-south, where possible, to minimize shadow impacts.
- v) Office uses in high-rise buildings may have larger floor plates based on operational requirements, up to a maximum of 1,000 square metres for all portions of the building above the podium containing office uses, but will be designed to limit large shadows on streets, the park, and nearby properties.
- vi) The tower portion of new high-rise buildings shall be set back above the podium to reduce the visual and physical impacts of the building on adjacent properties and the public realm. Minimum tower setbacks should be as follows:
 - a) Five metres for frontages facing Victoria Park and Richmond Street.
 - b) Three metres for frontages facing all other streets and pedestrian connections.
 - c) 10 metres from properties outside of the Secondary Plan area.
 - d) 10 metres from St. Peter's Basilica Cathedral.
 - e) Larger tower setbacks are encouraged and may be required in specific locations.



- vii) The towers of high-rise buildings should have a minimum separation distance of 25 metres between towers on the same site, and 12.5 metres between towers and adjacent properties that could accommodate a high-rise building. This separation distance is intended to:
- a) Protect development potential of adjacent sites;
 - b) Provide access to sunlight on surrounding streets and Victoria Park;
 - c) Provide access to natural light and a reasonable level of privacy for building occupants;
 - d) Provide pedestrian-level views of the sky between buildings, particularly as experienced from adjacent streets and Victoria Park; and,
 - e) Limit the impacts of uncomfortable wind conditions on streets, Victoria Park, and surrounding properties.

viii) New development in the West Policy Area will be designed and located to limit the amount of shadow cast on the concrete pad, east of the Victoria Park band shell so that no more than 50% of the pad is in shadow between the hours of 08:00 and 16:00, from June 1 to August 31.

- ix) The top of high-rise building towers shall be articulated using setbacks, terracing, differences in articulation or other architectural features to contribute to a varied and interesting skyline. The mechanical penthouse shall be integrated into the design of the tower.
- x) Towers shall not have any blank facades, and a minimum proportion of 70% of each tower face should be glazing. Glazing should be spread across the building faces rather than concentrated in one area.
- xi) Balcony materials should be selected to minimize the visual mass of the building.
- xii) The design of high-rise buildings should include materials and techniques that limit bird-strikes.



3.9 Compatibility with Park Activities

Victoria Park serves as an important city-wide resource for active and passive recreational activities. It is important to ensure the continued vitality and functionality of Victoria Park as a destination for Londoners.

- i) New mid-rise and high-rise multi-unit residential developments shall provide indoor and/or outdoor communal amenity space for residents to help mitigate the impacts of increased intensification on the grounds of Victoria Park.
- ii) Noise studies will be required with all development applications for new mid-rise or high-rise residential developments which will demonstrate how noise from festivals will be mitigated through sound dampening design and construction practices. Purchasers and/or tenants should be advised of the possibility of noise from festivals though the addition of a warning clause to the lease or agreement of purchase and sale and registered on title.
- iii) Wind studies will be required with all development applications for new mid-rise or high-rise developments to provide information on the existing wind conditions and demonstrate how the expected wind conditions are being mitigated to maintain a comfortable environment for pedestrians on sidewalks and within the park. Wind studies will also consider adverse impacts on existing tree and mitigative measures.



3.10 Housing Mix and Affordability

The Secondary Plan area is located at the edge of downtown and along a planned rapid transit corridor. This area is a priority for intensification and provides an opportunity to increase housing supply within Central London. Development within the Secondary Plan area will contribute to providing accessible, affordable, and quality housing options. The following policies apply to all lands within the Secondary Plan area:

- i) A 25% affordable housing component should be achieved within the Secondary Plan area through a mix of housing types and sizes to contribute to a balanced residential community in the core.
- ii) Available tools and provisions under the *Planning Act*, will be used to secure affordable housing units at the time of development applications.
- iii) New development shall include a mixture of unit sizes and configurations, including a mix of bachelor, 1, 2, and/or 3-bedroom units, to allow for a variety of families to live in the core and provide units that are inherently more affordable.
- iv) The utilization of innovative design features, construction techniques, or other tenure arrangements for residential developments, to broaden the provision of affordable housing will be encouraged.
- v) Affordable housing units within market housing buildings shall be integrated with shared lobbies and amenities.
- vi) Grade-related multi-level and townhouse-style units are encouraged to be incorporated into the base of new residential developments to promote walkability, activation and different dwelling style choices.
- vii) The indoor and outdoor communal amenity spaces included in new developments should support a variety of age groups, including children, adults, seniors and families.
- viii) Secure and convenient storage areas are encouraged for strollers, mobility aids and other equipment to support the needs of a diverse population.
- ix) Each site-specific development proposal will be assessed on its ability to contribute to a mix of housing options and supportive amenities.

3.11 Sustainable Development

The policies in this Secondary Plan that promote the construction of new mid-rise and high-rise development within the Secondary Plan boundary will contribute to sustainability and addressing the climate emergency by providing a compact form of development in Central London that reduces urban sprawl, in a way that is compatible with the surrounding area. The use of green building technologies will also help to contribute to sustainability.

- i) New development shall be designed to prioritize active transportation access and circulation over automobiles, through the orientation of primary building entrances, location of supportive amenities and other building design elements.
- ii) Development is encouraged to reduce impacts on the environment through achieving green building best practices such as LEED certification, net-zero or net-positive greenhouse gas emissions, and through efficient design and energy usage.
- iii) Building construction is encouraged to minimize the waste of materials, water and other limited resources.
- iv) Development should use durable materials that help to conserve energy by lowering maintenance and replacement costs. Development is encouraged to use locally harvested, recovered, manufactured or extracted building materials.
- v) Green roofs or cool roofs should be installed on all new mid-rise and high-rise developments, including surface materials with high solar and thermal reflectivity to help reduce the impact of buildings on the climate. Integrated rooftop areas featuring green roof elements and outdoor amenity space is encouraged.





- vi) The use of alternative green energy sources such as district energy and solar is encouraged where available.
- vii) Short-term bicycle parking shall be provided and should be located in a highly visible and publicly accessible location.
- viii) Secure and covered bicycle parking should be included in all new mid-rise and high-rise buildings. The provision of shower and change facilities for tenants and patrons of non-residential uses are encouraged.
- ix) Electric vehicle charging stations should be included in all new mid-rise and high-rise buildings. The provision of car share facilities are encouraged.
- x) Dedicated areas should be provided within buildings for the collection and storage of recycling and organic waste that is equally as convenient as the garbage facility.
- xi) Low Impact Development stormwater controls should be implemented and innovative approaches to stormwater management are encouraged.
- xii) The use of bird strike mitigation measures and dark sky compliance as described in London's Bird Friendly City guidelines are encouraged for any new building.



4.0 Our Tools

4.1 Implementation of the Plan

The Victoria Park Secondary Plan shall be implemented through the following implementation mechanisms:

- i) This Secondary Plan shall be implemented according to the provisions of the *Planning Act*, the *Provincial Policy Statement*, other applicable Provincial legislation, and the provisions of the City of London Official Plan, *The London Plan*.
- ii) All municipal works and all planning and development applications shall conform with the policies of this Plan.

4.2 Interpretation

The following policies are intended to provide guidance in the interpretation and understanding of the policies, objectives, principles and schedules of this Secondary Plan.

The policies and principles contained in the *Victoria Park Secondary Plan* are intended to implement this Secondary Plan, as described in Section 1. It is intended that the interpretation of these policies should allow for a limited degree of flexibility according to the following provisions:

- iii) The boundaries between height areas shown on Schedule 4 are not intended to be rigid, except where they coincide with physical features such as public streets. The exact determination of boundaries that do not coincide with physical features will be the responsibility of Council.

Council may permit minor departures from such boundaries if it is of the opinion that the general intent of this Secondary Plan is maintained and that the departure is advisable and reasonable. Where boundaries between height areas coincide with physical features, any major departure from the boundary will require an Official Plan amendment to this plan.

- iv) Minor variations from numerical requirements in this Secondary Plan may be permitted by Council without an amendment to the Official Plan, provided that the general intent and objectives of this Secondary Plan and Official Plan are maintained.
- v) Where lists or examples of permitted uses are provided in the policies related to specific land use designations, they are intended to indicate the possible range and types of uses to be considered. Specific uses which are not listed in this Secondary Plan, but which are considered by Council to be similar in nature to the listed uses and conform to the general intent and objectives of the policies, may be recognized as permitted uses in the Zoning By-law.

4.3 Official Plan

- i) Any amendments to the text or schedules of this Secondary Plan represents an Official Plan amendment. Furthermore, amendments to the schedules of this Plan may require amendments to the associated maps of the Official Plan.
- ii) Any applications to amend this Secondary Plan shall be subject to all of the applicable policies of this Secondary Plan, as well as all of the applicable policies of the City of London Official Plan.

4.4 Zoning By-law

- i) Any applications for amendments to the City of London Zoning By-law shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan.
- ii) Special provisions may be required as part of site-specific Zoning By-law amendments to ensure the implementation of the policies of this Secondary Plan and of the City of London Official Plan.
- iii) The evaluation of applications to amend the Zoning By-law shall be subject to the Evaluation Criteria for Planning and Development Applications as described in the Our Tools section of The City of London Official Plan.
- iv) The Zoning By-law will provide more detail on individual permitted uses and heights which may not include the full range identified in this Secondary Plan.

4.5 Site Plan Approval

- i) Any applications for Site Plan approval shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan.
- ii) Public Site Plan review will be required for all new development in the *Victoria Park Secondary Plan* boundary.

4.6 Guideline Documents

- i) Guideline documents may be adopted by Council to provide greater detail and guidance for development and the public realm elements of the Secondary Plan.

4.7 Required Studies

This Secondary Plan identifies the following studies, plans, reports and assessments that may be required to be completed to the satisfaction of the City of London and any agency having jurisdiction, prior to the City considering a development application to be complete and prior to the approval of development applications within parts of, or the entire, Secondary Plan area. The City shall determine on an application by application basis the need for supporting studies, plans and assessments, and when in the approvals process they may be required:

- ii) Archaeological Assessment
- iii) Cultural Heritage Evaluation Report
- i) Heritage Impact Assessment
- ii) Planning and Design Report that includes the following in addition to the standard requirements (including analysis of the policies in the *Victoria Park Secondary Plan*):
 - a) Information about how view corridors for pedestrians will be maintained and/or added in response to Section 3.2
 - b) Information about how new connections will be added and/or enhanced in response to Section 3.3
 - c) Information on the provision and size of indoor and/or outdoor common amenity space
 - d) A statement on housing mix and affordability in response to Section 3.10
 - e) A statement on sustainable development in response to Section 3.11
- iii) Noise Study in response to policies in Section 3.9, and demonstrating mitigative measures
- iv) Parking Study

- v) Servicing Study and sanitary design brief to ensure adequate servicing. Holding provisions may be required to ensure necessary servicing is in place prior to development
- vi) Shadow Study in response to Section 3.8 and demonstrating mitigative measures.
- vii) Traffic Impact Assessment
- viii) Tree Inventory, Preservation, Protection and Edge Management Plans for private and public trees
- ix) Urban Design Brief that includes the following in addition to the standard requirements: section drawings, 3D massing model, elevations, landscape plans and floor plans
- x) Wind Impact Assessment in response to Section 3.8 and 3.9, and demonstrating mitigative measures for impacts on the sidewalk and park environment, and impacts to trees

Additional studies beyond those described above may be required by the City for individual sites and will be identified at the time of pre-application consultation.

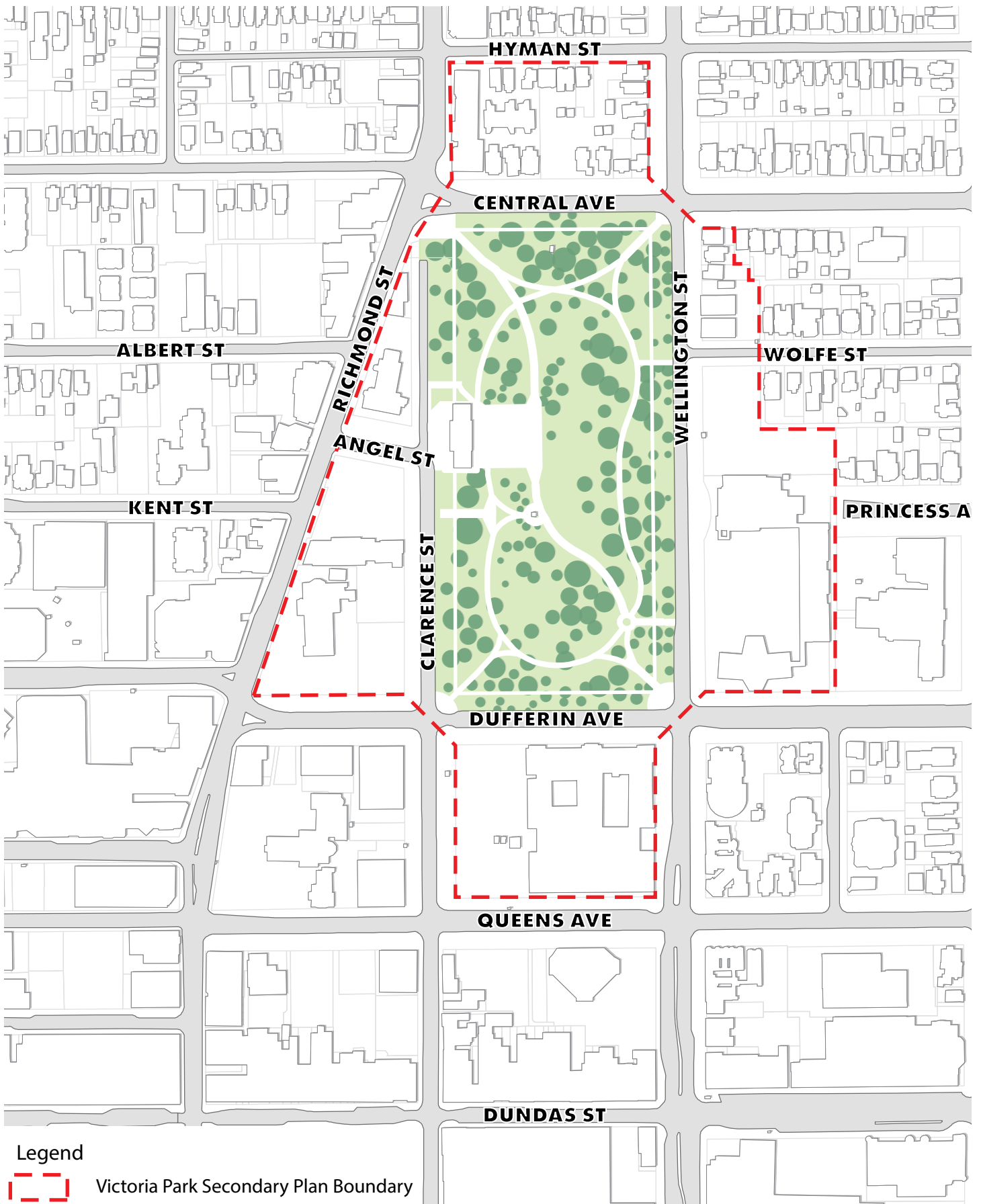
Any study that requires a peer review shall be carried out at no cost to the City and subject to approval by the City or any other authority having jurisdiction.



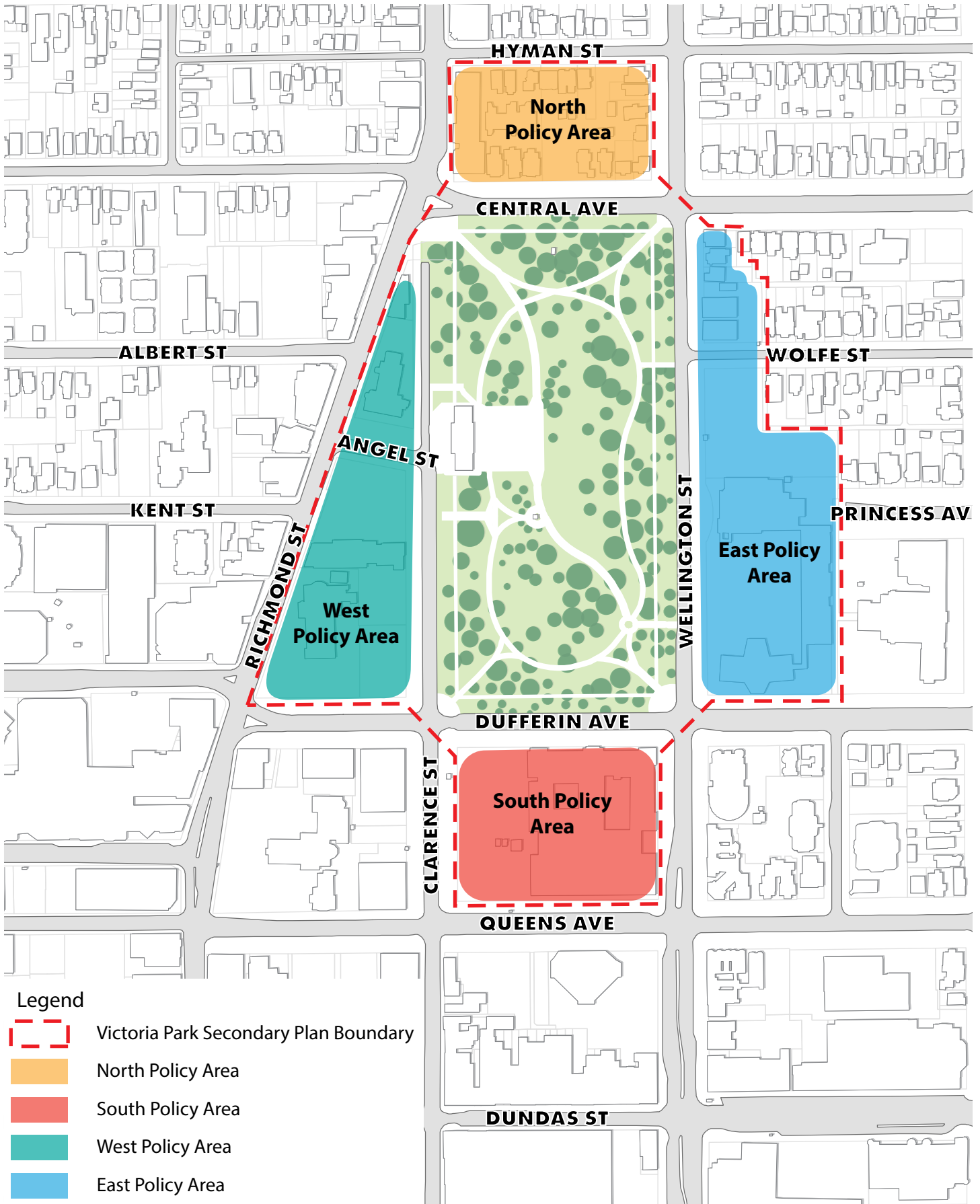


5.0 Schedules

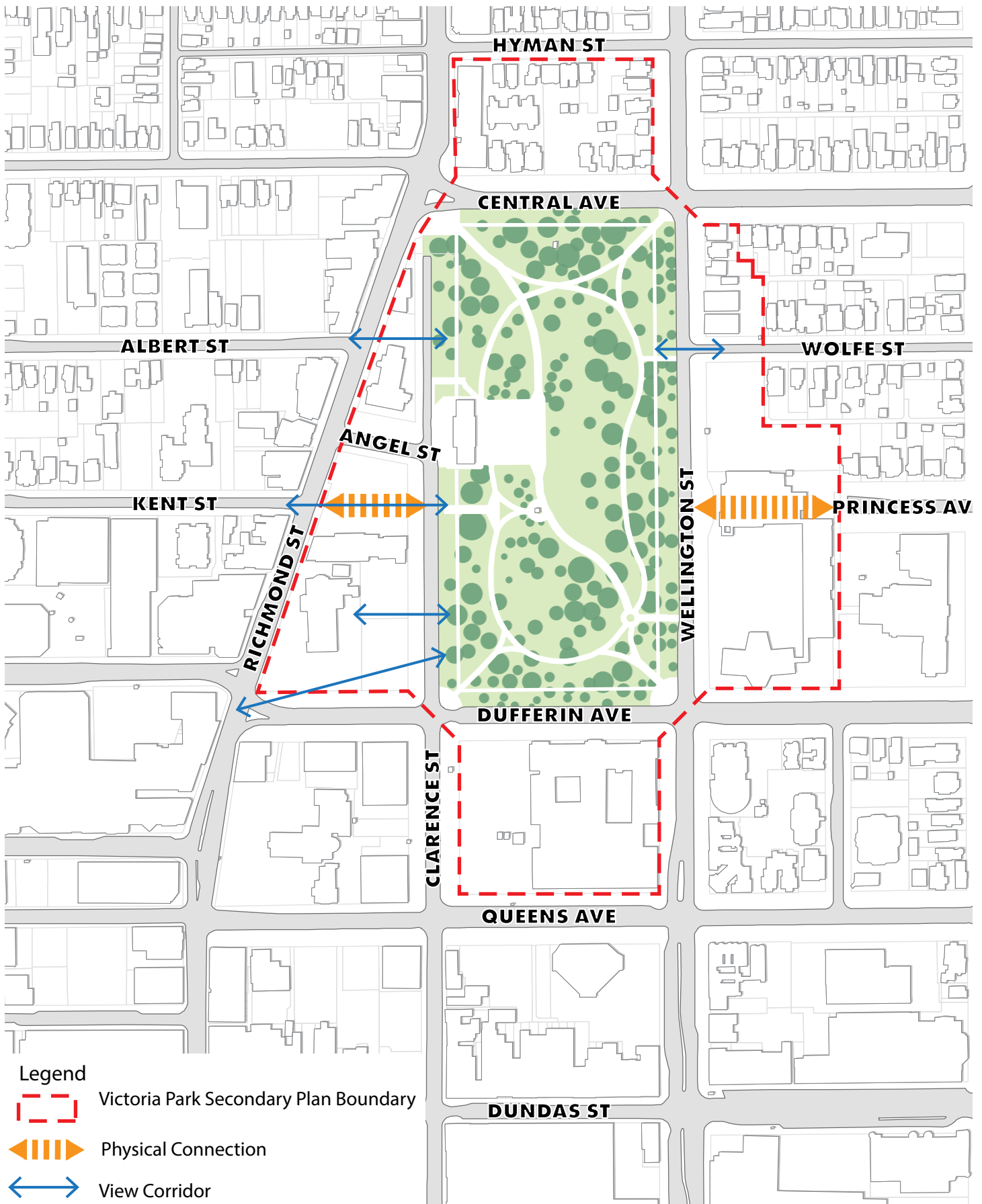
Schedule 1: Secondary Plan Area



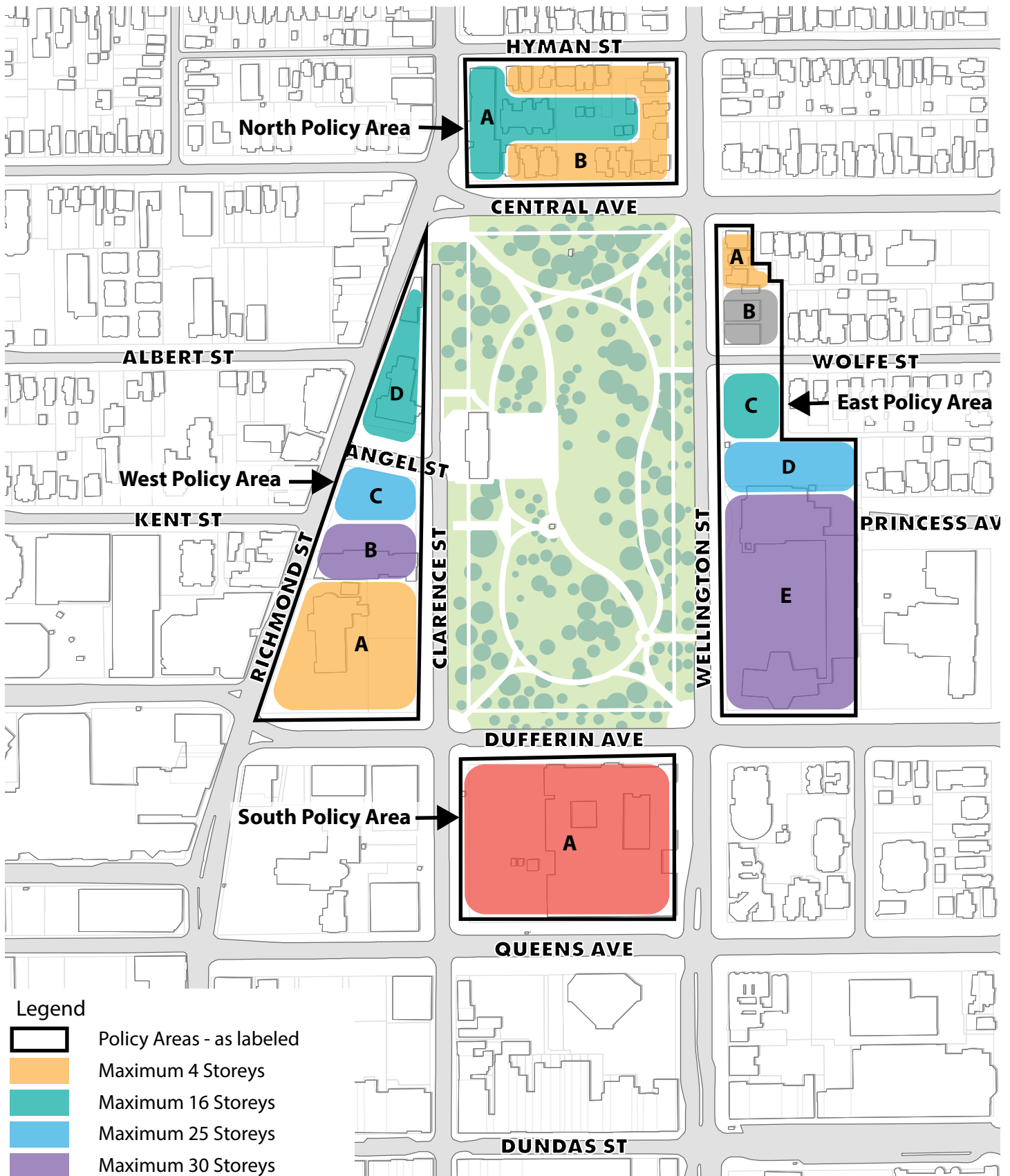
Schedule 2: Policy Areas



Schedule 3: View Corridors and Connections



Schedule 4: Permitted Heights



- Legend**
- Policy Areas - as labeled
 - Maximum 4 Storeys
 - Maximum 16 Storeys
 - Maximum 25 Storeys
 - Maximum 30 Storeys
 - Maximum 35 Storeys
 - Determined by OLT*

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.

Schedule 5: Table 1: Permitted Heights

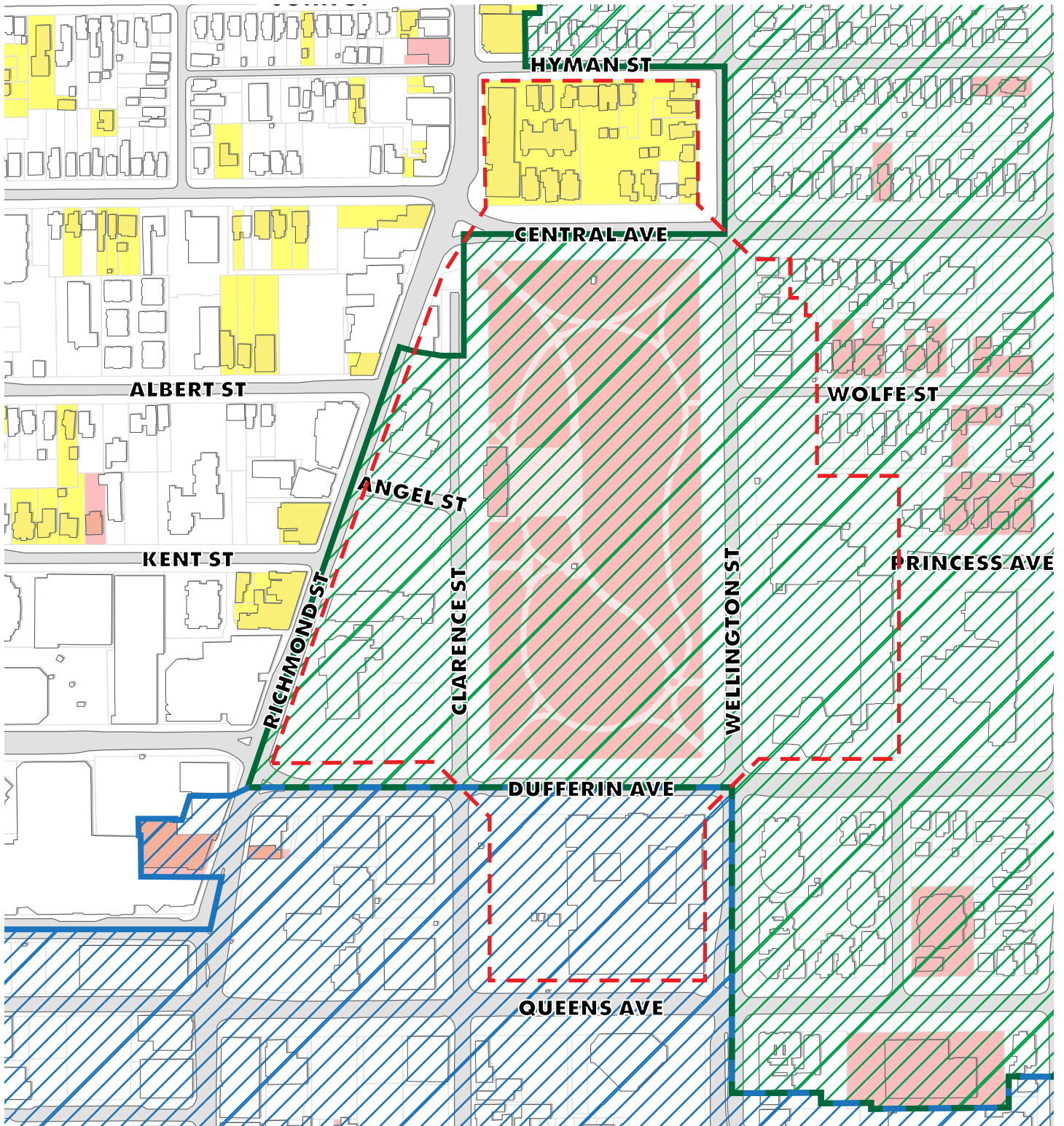
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Part E	2 storeys	30 storeys
South Policy Area		
Part A	3 storeys	35 storeys
West Policy Area		
Part A	2 storeys (or 8 metres)	4 storeys
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Part D	2 storeys (or 8 metres)	16 storeys

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.



6.0 Appendices

Appendix A: Cultural Heritage



Legend

- Victoria Park Secondary Plan Boundary
- West Woodfield Heritage District Boundary Part V Designated
- Downtown Heritage District Boundary Part V Designated
- Listed On City's Heritage Inventory
- Individually Part IV Designated Heritage Property

Appendix B: Reasons for Designation - Victoria Park

SCHEDULE "A"

To By-law No. L.S.P.-3311-283

Victoria Park is bounded by Central Avenue, Clarence Street, Dufferin Avenue and Wellington Street including part of Princess Avenue (formerly known as Bond Street) closed by By-law registered as Instrument GD34133 in the City of London and County of Middlesex being all of PIN 08266-0001.

SCHEDULE "B"

To By-law No. L.S.P.-3311-283

REASONS FOR DESIGNATION - VICTORIA PARK

(The Block bounded by Dufferin Avenue, Clarence Street, Central Avenue, and Wellington Street)

Historical Reason

Victoria Park represents a unique combination of beauty, amenity and heritage in the City of London. The 6.25 hectare park has been a gathering place for Londoners since 1874. Victoria Park is of significant historic, architectural and cultural heritage landscape importance in five key areas:

- (a) As a registered archaeological site;
- (b) Military history;
- (c) A designed landscape;
- (d) A place of public gathering and celebration; and
- (e) Monuments

Victoria Park is a significant resource for archaeology in London, exhibiting three critical layers of historic importance. Prehistoric remains from the native occupation of the area can be found below ground, as well as, remains from the British Military occupation. The Framed Infantry Barracks which covered the northern two-thirds of the park property in the period circa 1838-1873 represents the largest and best preserved historic site in the City of London. Victoria Park is also the City's most celebrated designed landscape from the 19th Century, created by American landscape architect Charles Miller 1878. The layout of the landscape was reminiscent of an English parkland with drives and tree lined walks, fountains, floral areas and bandstand. Limited remains for this grand parkland era remain today. Victoria Park, from its conception, has continually evolved in its role and relationship to London. Its development must be seen in conjunction to the history of design, society and conventions, and the City's fiscal and management considerations of various periods. To date the park has been idealized as a pleasure ground, a venue of horticultural and artistic expression, a recreational facility and most recently a civic space for special events.

Archaeological investigations of Victoria Park indicate that the property represents the single largest and best preserved historic archaeological site in the City of London. It is arguably the most important historic archaeological site in the City by virtue of its significance to the history of the region and to the development of the municipality. Altogether, these remains represent some of the most important complex issues for future management within the property.

Archaeological assessment indicates a number of components within the park including evidence of prehistoric Iroquoian occupation sometime within the period 800-1550 AD.

Historic research has determined that the Framed Infantry Barracks covered an area of some 10 acres including the entire northern two-thirds of Victoria Park; the southern third was used as the drill ground and cricket ground. This Barracks formed an integral part of the British Military Reserve established in London following the Rebellion of 1827. The British Garrison was based in London from 1838 to 1853, when troops were withdrawn to be sent to the Crimean War, and again from 1861 to 1869. During the mid to late 1850s, the complex served as a refugee camp for escaped slaves from the United States and as the site of a racially integrated school. The barracks survived until the early 1870s, when a fire destroyed the officers' quarters, and the remainder of the structures were cleared in preparation for the creation of Victoria Park.

The barracks complex included several dozen structures surrounded by a stockade with projecting bastions. The major structures centred around a parade square. It was bounded by the soldiers' quarters to the north, the officers quarters to the south, the hospital compound to the west, and the canteen, cells, defaulters room and powder magazine to the east.

When the British Government saw no reason to retain the garrison lands, the drive to have the land become a public park began. The Municipal Council began to initiate civic improvements such as street beautification in 1871 and the establishment of a standing committee on Public parks in 1873. It was not until 1878 that London received the deed for Victoria Park. It was at this time that William Saunders presented to City Council plans for the park prepared by American Landscape Architect Charles H. Miller. In March 1878 Charles Miller came to London with the layout plans for the park. The plans were adopted, and park development proceeded as per Miller's plan.

Charles Miller (1829-1902) gained prominence when he became the chief gardener for the Bureau of Horticulture for the Centennial Exhibition in 1876 in Philadelphia. Miller is known to have done two projects in Southwestern Ontario, both seemingly instigated by William Saunders. The first was Victoria Park in 1878 followed by the commission to prepare a landscape and site plan for the Ontario Agricultural College, Guelph in 1882. Through various documents and letters it is known that Miller made several visits to Canada during this period of time. He was recognized as being a leading landscape designer and horticulturalist in his day.

By the end of 1879 the first phase of the parks development was completed. A total of 331 trees and 72 shrubs were added to the double row of maple trees which already surrounded the grounds. In addition walks, drives and a bandshell were installed. The final feature added at this time was the famed fountain topped with a cupid which was installed in the centre of the park along with three military guns from the Battle of Sebastopol which had been donated by Sir John Carling.

Victoria Park evolved as it assumed its role as the “jewel of the parks system”. In 1912 the park was placed under the responsibility of the Board of Water Commission (later Public Utilities Commission). Recreational activities became increasingly important with the introduction of the skating rink in 1914. By the 1920s a great number of the park’s original elements such as iron benches, urns, fencing, had been removed due to age and condition and others were replaced with a single level illuminated one. From this time on, the park began a slow, inexorable decline. By the late 1950s and into the 1960s the residential character along the north and eastern edge was changing with the loss of residential uses, buildings not being oriented to the park , and parking lots.

An important aspect of the park’s history are traditions that have evolved over time. Skating has been a part of the park since 1914. Public concerts have been associated with the site since the period of the British Garrison. The first bandstand was erected in the park in 1876. With the bandstand City Council established a fund for free weekly concerts and encouraged local bands. The Salvation Army held Sunday afternoon services in the park for many years. In recent years a bandshell was built in 1950 with funds donated by the Kiwanis Club; and the present bandshell was built in 1989, again with funds from the Kiwanis Club. A very strong tradition of festivals and special events continues in the park to the present day, with over 30 events occurring annually, most notably the Festival of Lights/Winterfest, Home County Folk Festival, and Remembrance Day Services.

Architectural Reasons

Several Monuments have become important features of Victoria Park. The Boer War Soldiers’ Monument was added to the park in 1912. The sculpture was commissioned by veterans of the Boer War from Montreal sculptor George W. Hill. On November 10, 1934 the Cenotaph was dedicated. It is a replica of the cenotaph that Sir Edwin Lutyens had designed for Whitehall in London, England. This monument was commissioned by the I.O.D.E. and dedicated to “The Glorious Dead”.



Planning and Development
March 2022

Appendix B – Amendment to the List of Adopted Secondary Plans in The London Plan

Bill No. (number to be inserted by Clerk's Office)
2022

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

A by-law to amend The Official Plan for the City of London, 2016 relating to the Victoria Park Secondary Plan area.

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 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 XXXX.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2022
Second Reading – May 22, 2022
Third Reading – May 22, 2022

AMENDMENT NO. to the

THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To add the Victoria Park Secondary Plan to the list of adopted Secondary Plans in policy 1565 of the Official Plan, 2016, The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands generally surrounding Victoria Park in the City of London.

C. BASIS OF THE AMENDMENT

Victoria Park is cherished by Londoners and is the “jewel” of the City’s park system. Despite the prominence of Victoria Park as a feature within the City of London, the planning framework for the lands around the park has not been considered holistically based on the unique relationship of these properties to the park. The *Victoria Park Secondary Plan* provides a framework to evaluate future development and presents a consistent vision for the evolution of the properties surrounding the park.

The *Victoria Park Secondary Plan* provides policy direction for the lands surrounding Victoria Park based on their unique relationship to the park. It seeks to provide a balance between encouraging intensification in the Downtown and Central Area to help address the climate emergency, heritage conservation, transition to low-rise residential neighbourhoods, and the continued enjoyment of Victoria Park while ensuring that all future development is of a high standard of design that reflects the importance of its location around the “jewel” of the City’s park system. This Secondary Plan provides a framework for how the area can grow in the future.

The City of London undertook significant public engagement throughout the secondary plan process. The background studies, community and agency input, and proposed policies were, in turn, reviewed and assessed in the context of the *Provincial Policy Statement* and *The London Plan*, and used in the finalization of the Secondary Plan. This background work forms the basis and rationale for amendments to *The London Plan*.

The Secondary Plan will be used in the consideration of all applications including Official Plan amendments, zoning by-law amendments, site plans, consents, minor variances and condominiums within the Planning Area.

D. THE AMENDMENT

The Official Plan, 2016, The London Plan, is hereby amended as follows:

1565_

7. Victoria Park Secondary Plan

Appendix C – Amendment to Map 7 – Specific Policy Areas in The London Plan

Bill No. (number to be inserted by Clerk's Office)
2020

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

A by-law to amend The London Plan for the City of London, 2016 relating to the Victoria Park Secondary Plan area.

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 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 XXXX.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2022
Second Reading – May 22, 2022
Third Reading – May 22, 2022

AMENDMENT NO. to the

THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To add the Victoria Park Secondary Plan to Map 7 – Specific Policy Areas of the Official Plan, 2016, The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands generally applies to properties surrounding Victoria Park in the City of London.

C. BASIS OF THE AMENDMENT

Victoria Park is cherished by Londoners and is the “jewel” of the City’s park system. Despite the prominence of Victoria Park as a feature within the City of London, the planning framework for the lands around the park has not been considered holistically based on the unique relationship of these properties to the park. The *Victoria Park Secondary Plan* provides a framework to evaluate future development and presents a consistent vision for the evolution of the properties surrounding the park.

The *Victoria Park Secondary Plan* provides policy direction for the lands surrounding Victoria Park based on their unique relationship to the park. It seeks to provide a balance between encouraging intensification in the Downtown and Central Area to help address the climate emergency, heritage conservation, transition to low-rise residential neighbourhoods, and the continued enjoyment of Victoria Park while ensuring that all future development is of a high standard of design that reflects the importance of its location around the “jewel” of the City’s park system. This Secondary Plan provides a framework for how the area can grow in the future.

The City of London undertook significant public engagement throughout the secondary plan process. The background studies, community and agency input, and proposed policies were, in turn, reviewed and assessed in the context of the *Provincial Policy Statement* and *The London Plan*, and used in the finalization of the Secondary Plan. This background work forms the basis and rationale for amendments to *The London Plan*.

The Secondary Plan will be used in the consideration of all applications including Official Plan amendments, zoning by-law amendments, site plans, consents, minor variances and condominiums within the Planning Area.

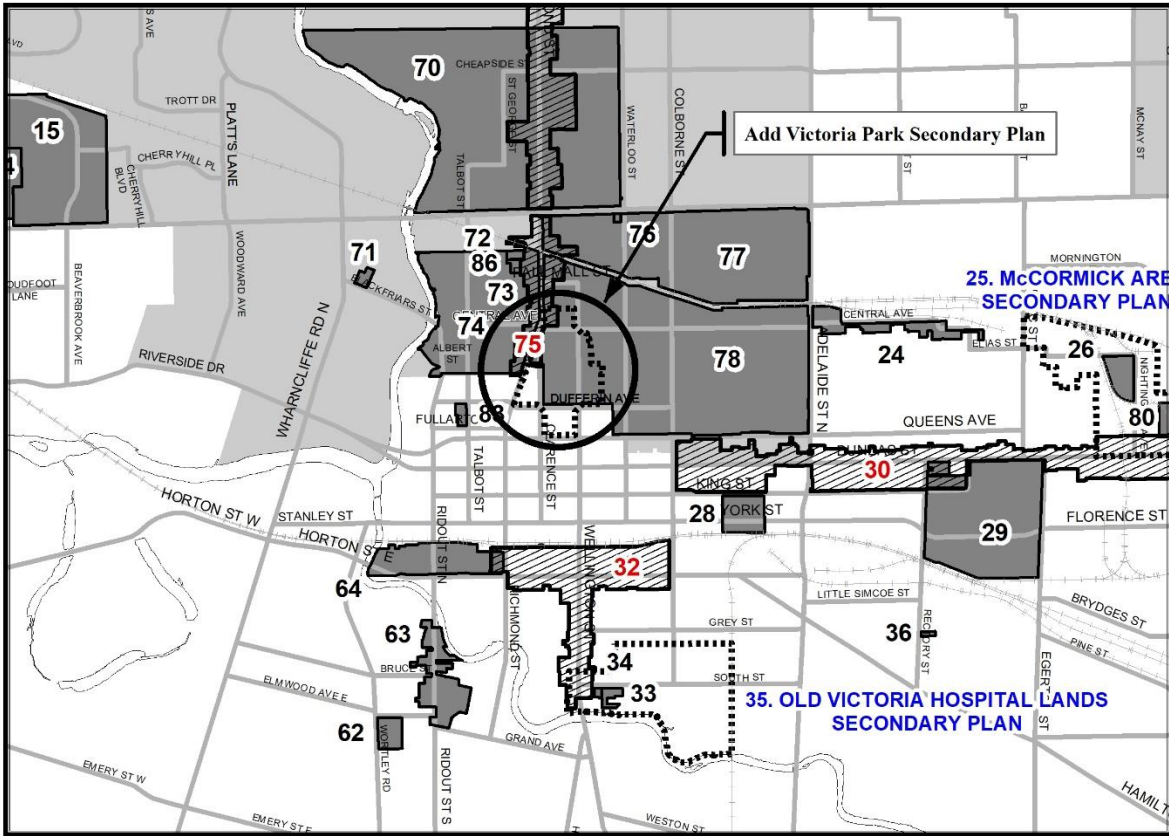
D. THE AMENDMENT

The Official Plan, 2016, The London Plan is hereby amended as follows:

Map 7 – Specific Policy Areas is amended by adding the boundary of the Victoria Park Secondary Plan area, 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.

<p align="center">SCHEDULE # TO THE LONDON PLAN</p> <p>AMENDMENT NO. _____</p> <p>PREPARED BY: Planning Services</p>	<p align="center">Scale 1:30,000</p> <p align="center">Meters</p>	<p>FILE NUMBER: OZ-8978</p> <p>PLANNER: MK</p> <p>TECHNICIAN: MB</p> <p>DATE: 1/15/2020</p>
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Appendix D – Amendment to the Specific Policy Area for the Woodfield Neighbourhood in The London Plan

Bill No. (number to be inserted by Clerk's Office)
2020

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

A by-law to amend The Official Plan for the City of London, 2016 relating to the Victoria Park Secondary Plan area.

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 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 XXXX.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2022
Second Reading – May 22, 2022
Third Reading – May 22, 2022

AMENDMENT NO. to the

THE LONDON PLAN FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To replace policy 1038 of the Official Plan, 2016, The London Plan.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands generally applies to lands generally bounded by Richmond Street to the west, Dufferin Avenue and Queens

Avenue to the south, Adelaide Street North to the east, and the CPR tracks to the north in the City of London.

C. BASIS OF THE AMENDMENT

The Specific Policy Area for the Woodfield Neighbourhood applies to lands generally bounded by Richmond Street to the west, Dufferin Avenue and Queens Avenue to the south, Adelaide Street North to the east, and the CPR tracks to the north. The *Victoria Park Secondary Plan* applies to a portion of this area. The existing version of Policy 1038 provides guidance for the block bounded by Richmond Street, Central Avenue, Wellington Street, and Hyman Street. This area comprises the North Policy Area in the *Victoria Park Secondary Plan* and, with the adoption of the *Victoria Park Secondary Plan*, the existing policies for that block are no longer applicable. This amendment would replace that policy with a policy that provides clarification on the application of the *Victoria Park Secondary Plan*, such that in instances the policies that apply to the Woodfield Neighbourhood Specific Policy Area and the *Victoria Park Secondary Plan* are inconsistent, the policies of the *Victoria Park Secondary Plan* shall prevail.

D. THE AMENDMENT

The Official Plan, 2016, The London Plan, is hereby amended as follows:

1038_ The Victoria Park Secondary Plan applies to certain properties in the Woodfield Neighbourhood Specific Policy Area. In instances where the policies that apply to the Woodfield Specific Policy Area and the *Victoria Park Secondary Plan* are inconsistent, the policies of the *Victoria Park Secondary Plan* shall prevail.

Appendix E – Amendment to the Official Plan, 1989 for the Victoria Park Secondary Plan

Bill No. (number to be inserted by Clerk's Office)
2020

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

A by-law to amend The Official Plan for the City of London, 1989 relating to the Victoria Park Secondary Plan area.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This 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 XXXX.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2022
Second Reading – May 22, 2022
Third Reading – May 22, 2022

AMENDMENT NO. to the

OFFICIAL PLAN (1989) FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

1. To adopt the “Victoria Park Secondary Plan” as a Secondary Plan under the Official Plan (1989) for the City of London
2. To add the “Victoria Park Secondary Plan” to the list of Adopted Secondary Plans in Section 20.2 of the Official Plan for the City of London

3. To add Section 20.10 – Victoria Park Secondary Plan to Chapter 10 – Secondary Plans, of the Official Plan for the City of London; and,
4. To add the naming and delineation of the “Victoria Park Secondary Plan” to Schedule “D” – Planning Areas.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands generally surrounding Victoria Park in the City of London.

C. BASIS OF THE AMENDMENT

Victoria Park is cherished by Londoners and is the “jewel” of the City’s park system. Despite the prominence of Victoria Park as a feature within the City of London, the planning framework for the lands around the park has not been considered holistically based on the unique relationship of these properties to the park. The *Victoria Park Secondary Plan* provides a framework to evaluate future development and presents a consistent vision for the evolution of the properties surrounding the park.

The *Victoria Park Secondary Plan* provides policy direction for the lands surrounding Victoria Park based on their unique relationship to the park. It seeks to provide a balance between encouraging intensification in the Downtown and Central Area to help address the climate emergency, heritage conservation, transition to low-rise residential neighbourhoods, and the continued enjoyment of Victoria Park while ensuring that all future development is of a high standard of design that reflects the importance of its location around the “jewel” of the City’s park system. This Secondary Plan provides a framework for how the area can grow in the future.

The City of London undertook significant public engagement throughout the secondary plan process. The background studies, community and agency input, and proposed policies were, in turn, reviewed and assessed in the context of the *Provincial Policy Statement* and the *Official Plan (1989)*, and used in the finalization of the Secondary Plan. This background work forms the basis and rationale for amendments to the *Official Plan (1989)*.

The Secondary Plan will be used in the consideration of all applications including Official Plan amendments, zoning by-law amendments, site plans, consents, minor variances and condominiums within the Planning Area.

D. THE AMENDMENT

The Official Plan, 1989, is hereby amended as follows:

1. 20.2

vii. Victoria Park Secondary Plan

2. 20.10 Victoria Park Secondary Plan, attached hereto as Schedule 1.

3. Schedule "D" – Planning Areas is amended by delineating the "Victoria Park Secondary Plan area" as indicated on Schedule 2, attached hereto.



Victoria Park

Secondary Plan

May 2022



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1.0 Introduction

1.1 Background

Victoria Park is centrally located in the City of London, adjacent to the downtown. The park is an important feature at the heart of the city as a central gathering place for events and celebrations of city-wide significance, as well as an open space for active and passive recreation.

Development pressure on lands surrounding Victoria Park has warranted the creation of a comprehensive vision for future growth. The purpose of this Secondary Plan is to establish a policy framework to guide the future of the lands surrounding Victoria Park, recognizing that the existing overlapping policy framework is complex and has not yet considered the properties surrounding the park based on their unique relationship to the park.

This Secondary Plan considers how future development and redevelopment will relate to existing buildings, adjacent neighbourhoods, the downtown, and Victoria Park. Existing plans, policies, and guidelines applying to properties around the park have been taken into account to create the development framework and to provide clarity and consistency in reviewing future development applications.

The policies in the *West Woodfield Heritage Conservation District Plan* and the *Downtown Heritage Conservation District Plan* will continue to apply to properties within the Secondary Plan boundary. Future development applications will be evaluated on a site-by-site basis for conformity to the applicable Official Plan policies and the Heritage Conservation District Plans for the conservation of cultural heritage resources within the Secondary Plan boundary.

Schedule 1: Secondary Plan Area



Legend

 Victoria Park Secondary Plan Boundary



1.2 Location

The *Victoria Park Secondary Plan* applies to properties around Victoria Park as identified in Schedule 1: Secondary Plan Area. This area has been delineated to include properties surrounding Victoria Park and properties that are anticipated to be consolidated for future development around the park. The surrounding context was considered in the preparation of the Secondary Plan, however the policies in the Secondary Plan will only apply within this boundary.

1.3 Cultural Heritage Resources

The cultural heritage resources within the Secondary Plan boundary are foundational to the character of the area. Cultural heritage resources within the Secondary Plan boundary include the West Woodfield Heritage Conservation District, the Downtown Heritage Conservation District, and a number of properties that are individually designated under Part IV of the *Ontario Heritage Act* or are listed on the City's Register. Appendix A: Cultural Heritage identifies cultural heritage resources within and adjacent to the Secondary Plan boundary.

Victoria Park is designated under Parts IV and V of the *Ontario Heritage Act*, as it is individually designated and also designated as part of the West Woodfield Heritage Conservation District. The individual designation under Part IV of the *Ontario Heritage Act* is based on Victoria Park's significant historic, architectural, and cultural heritage landscape importance. The Part IV heritage designation that applies to Victoria Park also recognizes that it has assumed a role as the "jewel of the parks system" in the city of London. Appendix B: Reasons for Designation - Victoria Park includes the reasons for designation for Victoria Park.



1.4 Purpose and Use

The Secondary Plan presents a vision for the development and redevelopment of properties surrounding the park and provides a consistent framework to evaluate future development applications. It provides comprehensive built form and land use direction that consider how future development should relate to the park and enhance the surrounding context, while ensuring conservation of the cultural heritage resources in the area.

Policies in the *Victoria Park Secondary Plan* apply to all properties in the Secondary Plan boundary unless where specifically noted as only applying to a specific property or Policy Area. The policies of this Secondary Plan provide a greater level of detail than the policies of the Official Plan. Where the policies of the Official Plan provide sufficient guidance to implement the vision of this Secondary Plan, these policies were not repeated. As such, the policies of this Secondary Plan should be read in conjunction with the Official Plan, the applicable Heritage Conservation District Plans, and any other applicable policy documents. In instances where the overall policies of the Official Plan and the *Victoria Park Secondary Plan* are inconsistent, the Secondary Plan shall prevail.

The policies of this Secondary Plan that use the words “will” or “shall” express a mandatory course of action. Where the word “should” is used, suitable alternative approaches to meet the intent of the policy may be considered.

The policies of this Secondary Plan will be implemented through mechanisms set out in this Secondary Plan, public investments in infrastructure and public realm improvements, as well as other tools available to the City including, but not limited to, the *Zoning By-law*, and the *Site Plan Control By-law*.

The schedules form part of this Secondary Plan and have policy status whereas other figures and photographs included in the Secondary Plan are provided for graphic reference, illustration, and information.

1.5 Vision

The Victoria Park area is a prominent destination that is cherished by Londoners. The area will develop in a way that balances the desire to grow inward and upward with the need to conserve significant cultural heritage resources, be compatible with the surrounding context, and foster Victoria Park's continued use as a city-wide destination for recreation, relaxation and events.

Future development of the area will celebrate the prominence of Victoria Park through design excellence and sympathetic development, contributing to the continued success of this area as a destination for Londoners both now and in the future.





1.6 Principles

The development of this Secondary Plan has been guided by the following principles:

- Identify opportunities for compatible and sensitive intensification
- Design buildings to celebrate the prominence of Victoria Park as a city-wide gem
- Enhance and conserve cultural heritage resources within and surrounding Victoria Park
- Respond to climate change by encouraging sustainable development, building design, and active transportation options
- Frame Victoria Park with an appropriately-scaled base that creates a comfortable and animated pedestrian environment
- Protect the residential amenity of the Woodfield neighbourhood by mitigating impacts of new development
- Preserve and strengthen visual and physical connections to Victoria Park and create new connections where possible
- Continue to enhance the amenity of Victoria Park as a neighbourhood green space, as well as a destination for all Londoners to attend festivals and events
- Preserve and enhance the landscaped edges around Victoria Park

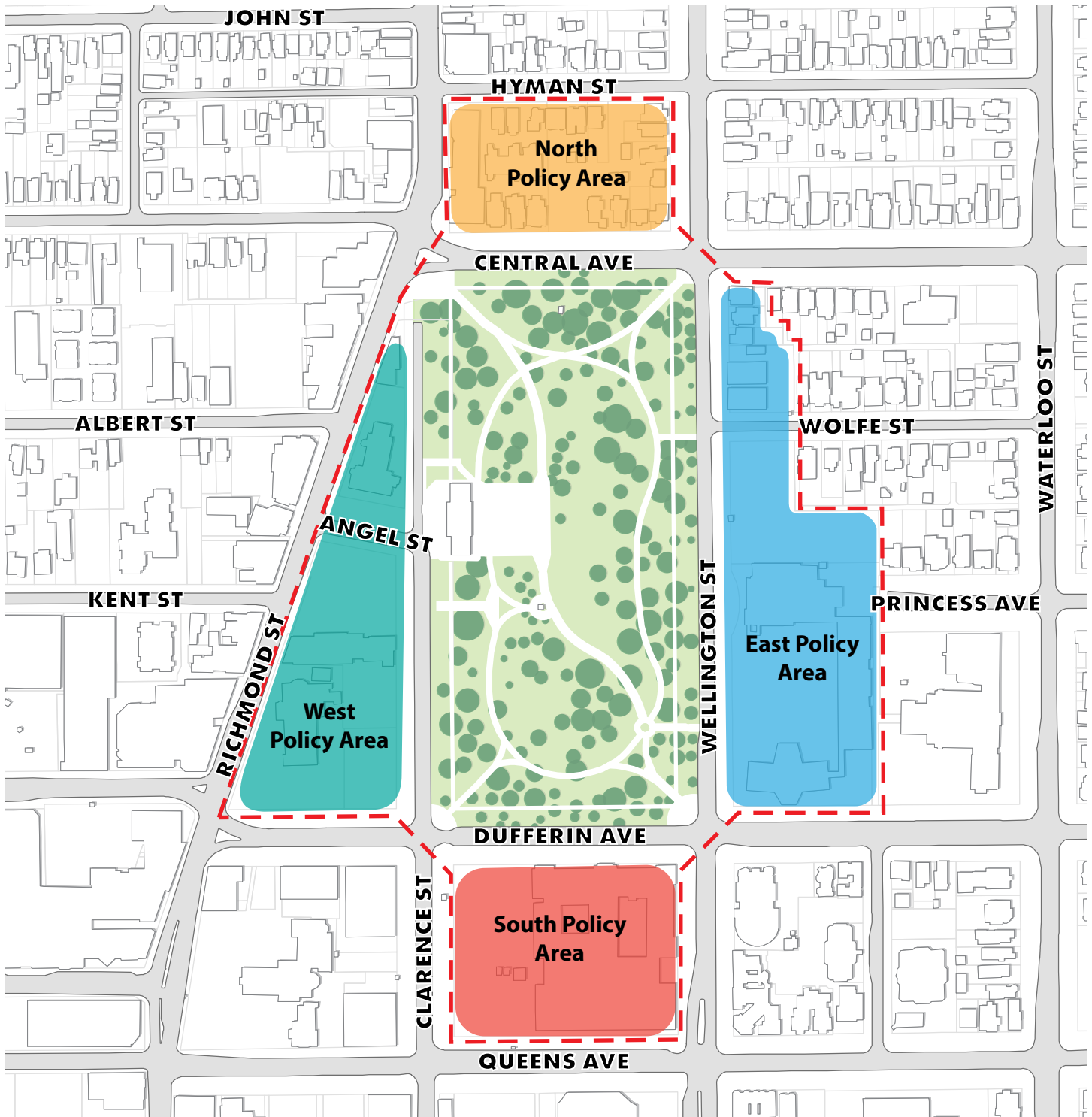


2.0 Policy Areas

2.1 Overview

The area subject to the *Victoria Park Secondary Plan* has been divided into four Policy Areas, each encompassing a different side of the park: North, East, South, and West, as identified in Schedule 2: Policy Areas. Most of the policies in the Secondary Plan apply to the entire area within the *Victoria Park Secondary Plan* boundary. However, some identified policies address the unique characteristics of one particular side of the park and therefore only apply to properties within the associated Policy Area. The boundaries and the unique characteristics of each of the four sides surrounding Victoria Park are detailed in the following sections.

Schedule 2: Policy Areas



Legend

-  Victoria Park Secondary Plan Boundary
-  North Policy Area
-  South Policy Area
-  West Policy Area
-  East Policy Area

2.2 North Policy Area

The North Policy Area adjacent to Victoria Park is lined by 2.5-storey house-form buildings, many of which have been converted for office uses or multi-unit dwellings, with the exception of the Richmond Street frontage, which is occupied by a 4-storey mixed-use building and forms part of Richmond Row. A 3-storey residential building is located on the western portion of the interior of the block. While this Policy Area is not within a Heritage Conservation District, many of the properties in this Policy Area are listed on the City's Register of Cultural Heritage Resources.

The western portion of this Policy Area is in the Rapid Transit Corridor Place Type, while the eastern portion of this Policy Area is in the Neighbourhoods Place Type. There is opportunity for intensification in the North Policy Area, primarily on the interior of the block.





2.3 East Policy Area

The East Policy Area is characterized by a broad mix of uses including City Hall, Centennial Hall, surface parking, and R.H. Cooper Square. A mix of other uses are also found, including professional offices, a multi-unit residential building, and a single-detached dwelling. The southern portion of this block is located in the Downtown Place Type, and the northern portion is in the Neighbourhoods Place Type and is also subject to the provisions of the Woodfield Neighbourhood Specific Policy Area. The entirety of this Policy Area is in the West Woodfield Heritage Conservation District.

There is opportunity for intensification of underutilized sites in the East Policy Area, primarily south of Wolfe Street.

2.4 South Policy Area

The South Policy Area includes the iconic Great West Life Insurance Company building, which is a character defining feature of the block, and a surface parking lot. The Policy Area is located entirely in the Downtown Place Type. This Policy Area is also entirely within the Downtown Heritage Conservation District.

The large surface parking lot in the west portion of the block presents an opportunity for intensification.



2.5 West Policy Area

The West Policy Area includes the triangular area bounded by Richmond Street, Dufferin Avenue and Clarence Street. Richmond Street is a main street commercial corridor connecting to downtown. Clarence Street runs immediately adjacent to the park and is a planned transit corridor. The West Policy Area consists of places of worship, including St. Peter's Basilica Cathedral and First Baptist Church, as well as a small amount of commercial uses and surface parking. The majority of this area is in the Downtown Place Type. This block is also in the West Woodfield Heritage Conservation District, with the exception of the northern most property.

Portions of this Policy Area present opportunities for intensification, particularly the surface parking lots north of St. Peter's Basilica Cathedral.





3.0 Policies

3.1 Overview

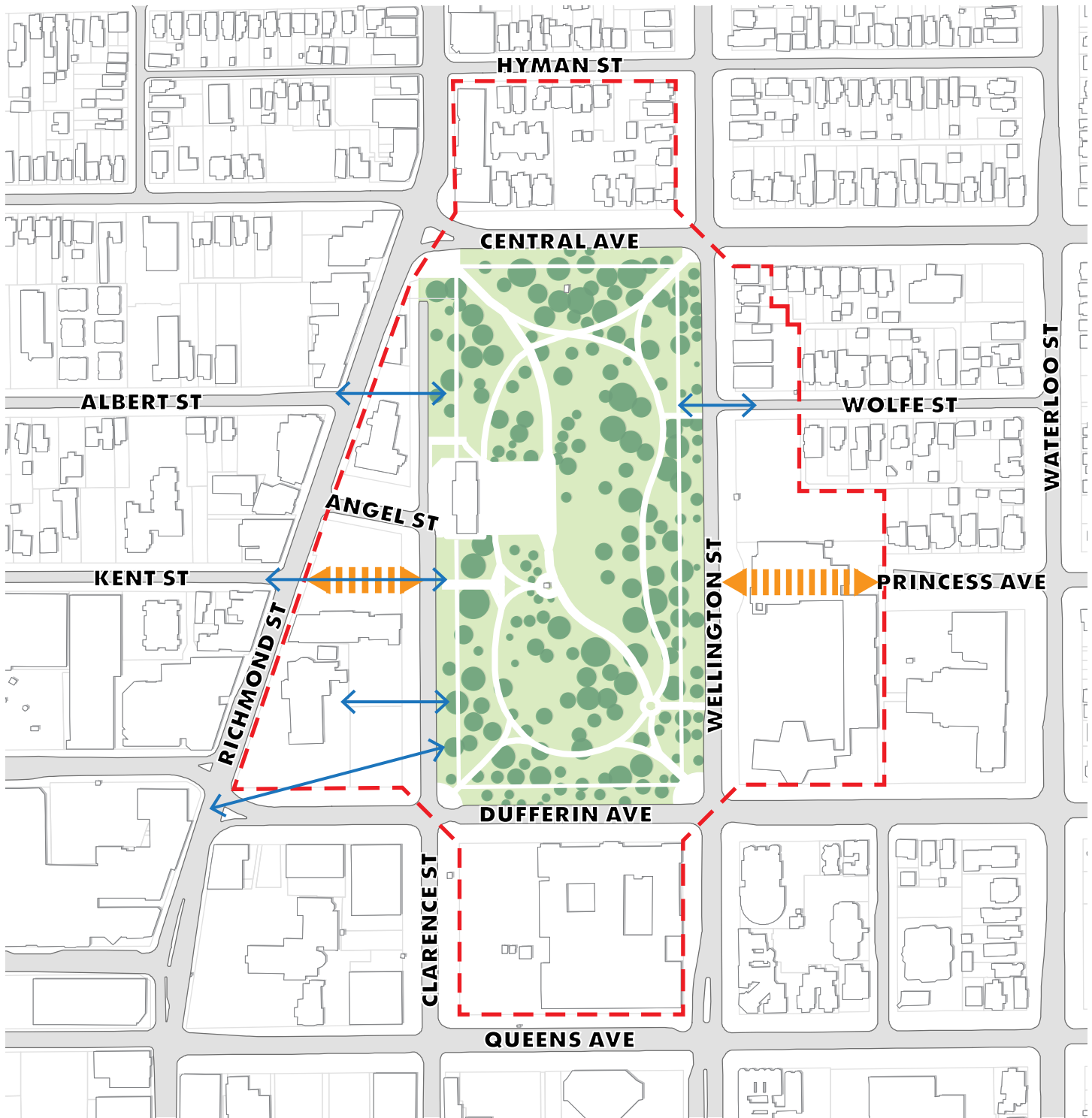
The intent of the *Victoria Park Secondary Plan* is to provide a policy framework to guide future development and public projects within the Secondary Plan boundary. Policies in this Secondary Plan support the vision by providing guidance on view corridors, connections, public realm, cultural heritage, land use, height, built form, compatibility with park activities, housing mix and affordability, and sustainable development.

3.2 View Corridors

Victoria Park is a prominent civic landmark and cultural heritage resource in the city of London and is an important part of the identity and image of the city. The preservation of existing view corridors, and the creation of new view corridors, will aid in orientation and help to maintain strong visual connections between Victoria Park and the surrounding area. Views to Victoria Park from Richmond Street are of particular importance as they help to connect the popular pedestrian corridor to Victoria Park.


- i) Public works and private development will maintain and frame current views, and where possible through design, create new views to and from Victoria Park, as well as to and from St. Peter's Basilica Cathedral.

Schedule 3 – View Corridors and Connections



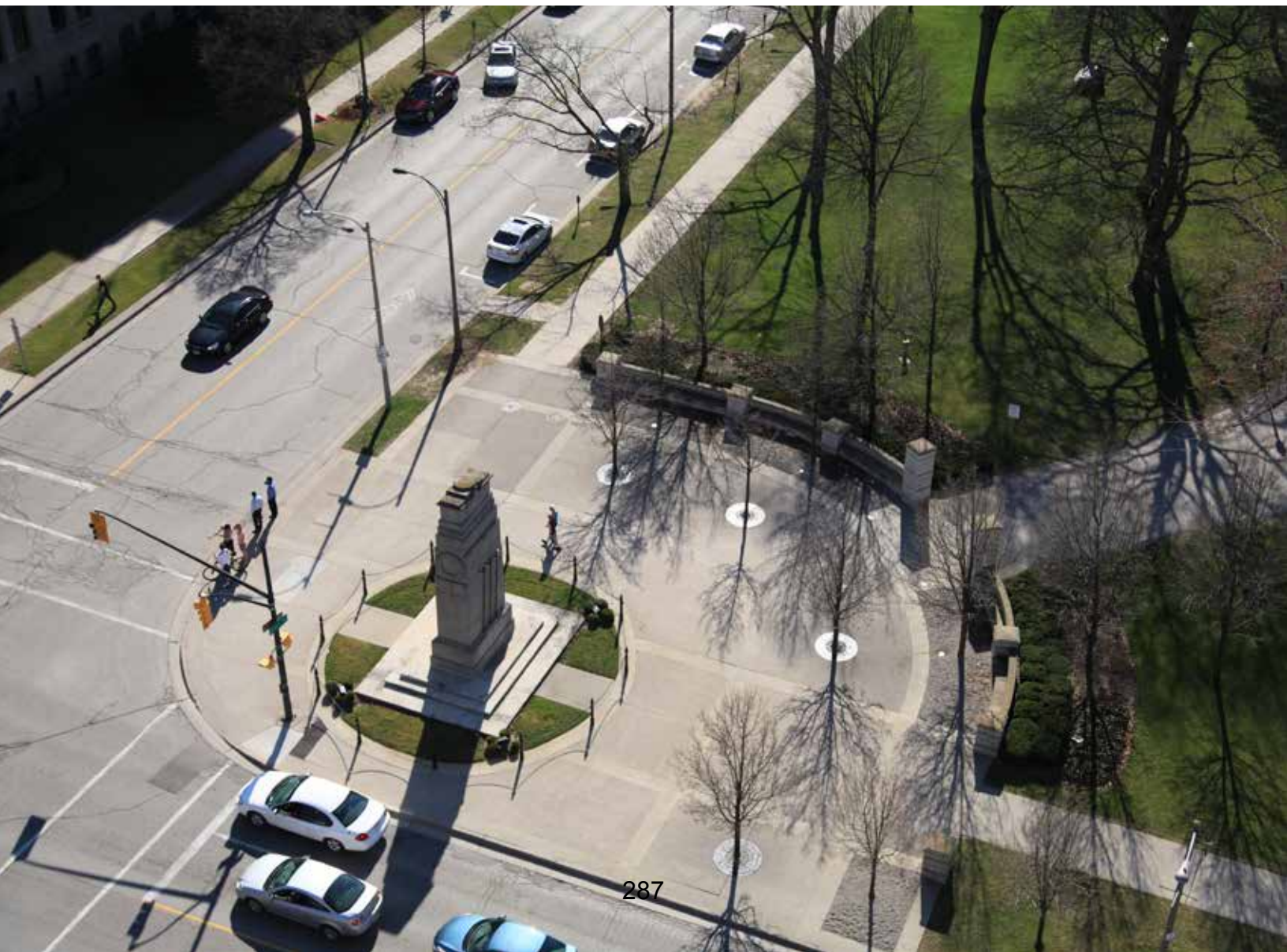
Legend

 Victoria Park Secondary Plan Boundary

 Physical Connection

 View Corridor

- ii) Unobstructed view corridors to and from Victoria Park as identified below and illustrated in Schedule 3 – View Corridors and Connections, will be maintained, as viewed from a pedestrian perspective at street level.
 - a) The northwest corner of Albert Street and Richmond Street
 - b) The northwest and southwest corners of Kent Street and Richmond Street
 - c) The northwest and southwest corners of Richmond Street and Dufferin Avenue
 - d) The northeast and southeast corners of Wolfe Street and Wellington Street
 - e) The eastern elevation of St. Peter’s Basilica Cathedral, including the east aisle and the Lady Chapel
- iii) Any applications for Official Plan amendments, Zoning By-law amendments, and/or Site Plan Control on lands within the Secondary Plan area will consider the potential for adding new view corridors and implementing creative or innovative designs to enhance existing view corridors, if applicable.





3.3 Connections

Connections to Victoria Park help improve access to the park and enhance the relationship of the park to its surroundings. Priority locations for new connections to Victoria Park are identified in Schedule 3: View Corridors and Connections.

- i) New connections to Victoria Park from Kent Street and Princess Avenue should be considered to improve access to the park if development occurs on lands that could facilitate these connections.
- ii) Connections will prioritize pedestrian access, but may incorporate flex-street or shared street design elements. Innovative approaches to connectivity may be considered such as enclosed or covered walkways through buildings.
- iii) Wide sidewalks should be provided and maintained on streets adjacent to and leading to the park as part of any future public works projects to create a comfortable pedestrian environment and promote accessibility.
- iv) Pedestrian amenities, such as benches, will be provided as part of redevelopment projects.
- v) Additional high quality pedestrian connections, that are clearly defined, well-lit and safe should be provided to connect Richmond Street to Victoria Park, if development occurs on lands that could facilitate these connections.



3.4 Public Realm

Improvements to the streetscape and public realm around Victoria Park will help to strengthen the connection between Victoria Park and its surroundings, enhance pedestrian amenity, and expand the green landscaping of the park into the surrounding area. These green edges are anticipated to primarily be located on public land within the wide right-of-way due to the minimal setbacks of existing buildings to property lines.

- i) Landscaping and green space on public and private land will be maintained and, where possible, enhanced. Hard surfaces should be limited to pedestrian entryways, benches, patios, and framed with landscaping/planters to soften their appearance.
- ii) The preservation of existing street trees and the planting of new large canopy trees is encouraged.
- iii) The green edge between St. Peter's Basilica Cathedral and Dufferin Avenue should be maintained.
- iv) The public realm around Victoria Park will continue to exhibit a high standard of design, featuring high-quality pedestrian environments.
- v) Boulevards should be maintained as sod and soft landscaping.
- vi) The City Hall block will continue to include a publically-accessible open space with a civic focus that compliments the architectural significance of City Hall and provides a link between City Hall and Victoria Park.



3.5 Cultural Heritage

The cultural heritage resources surrounding Victoria Park are foundational to its character. In addition to the cultural heritage policies in this Secondary Plan, the objectives and policies in the *Downtown Heritage Conservation District Plan* and *West Woodfield Heritage Conservation District Plan* will continue to apply. Appendix A: Cultural Heritage identifies cultural heritage resources within and adjacent to the Secondary Plan boundary.

- i) On-site and adjacent cultural heritage resources and their heritage attributes will be conserved.
 - a) Any new development must be both physically and visually compatible with the surrounding cultural heritage resources.
 - b) New and renovated buildings shall be designed to be sympathetic to the heritage attributes through measures including, but not limited to, massing, rhythm of solids and voids, significant design features, and high-quality materials.
- ii) New development shall be compatible with the heritage character of the surrounding Heritage Conservation Districts through consideration of height, built form, setback, massing, material, and other architectural elements.
- iii) The policies and design guidelines in the *Downtown Heritage Conservation District Plan* and the *West Woodfield Heritage Conservation District Plan* will be used to review and evaluate proposals for new development in these Heritage Conservation Districts, where applicable, to ensure compatibility with the surrounding context.
- iv) Heritage Impact Assessments will be required for new development within the Secondary Plan boundary.



3.6 Land Use

Land uses around Victoria Park will be supportive of the active pedestrian realm around the park, while recognizing the prominence of Richmond Street as a main street. The Zoning By-law will provide more detail on individual permitted uses, which may not include the full range of uses identified in this Secondary Plan.

- i) A broad range of residential, retail, service, office, community facility and other related uses may be permitted within the Secondary Plan boundary.
- ii) For buildings fronting Richmond Street, a minimum of 60% of the Richmond Street frontage at grade should be street-related retail and service uses oriented toward Richmond Street. Community facility and institutional uses may be permitted where they provide for a street-oriented, active ground floor.
- iii) Auto-oriented uses and drive through facilities are prohibited within the Secondary Plan boundary.
- iv) Residential lobbies should take up no more than 30% of the ground floor façade, to a maximum of 15 metres.



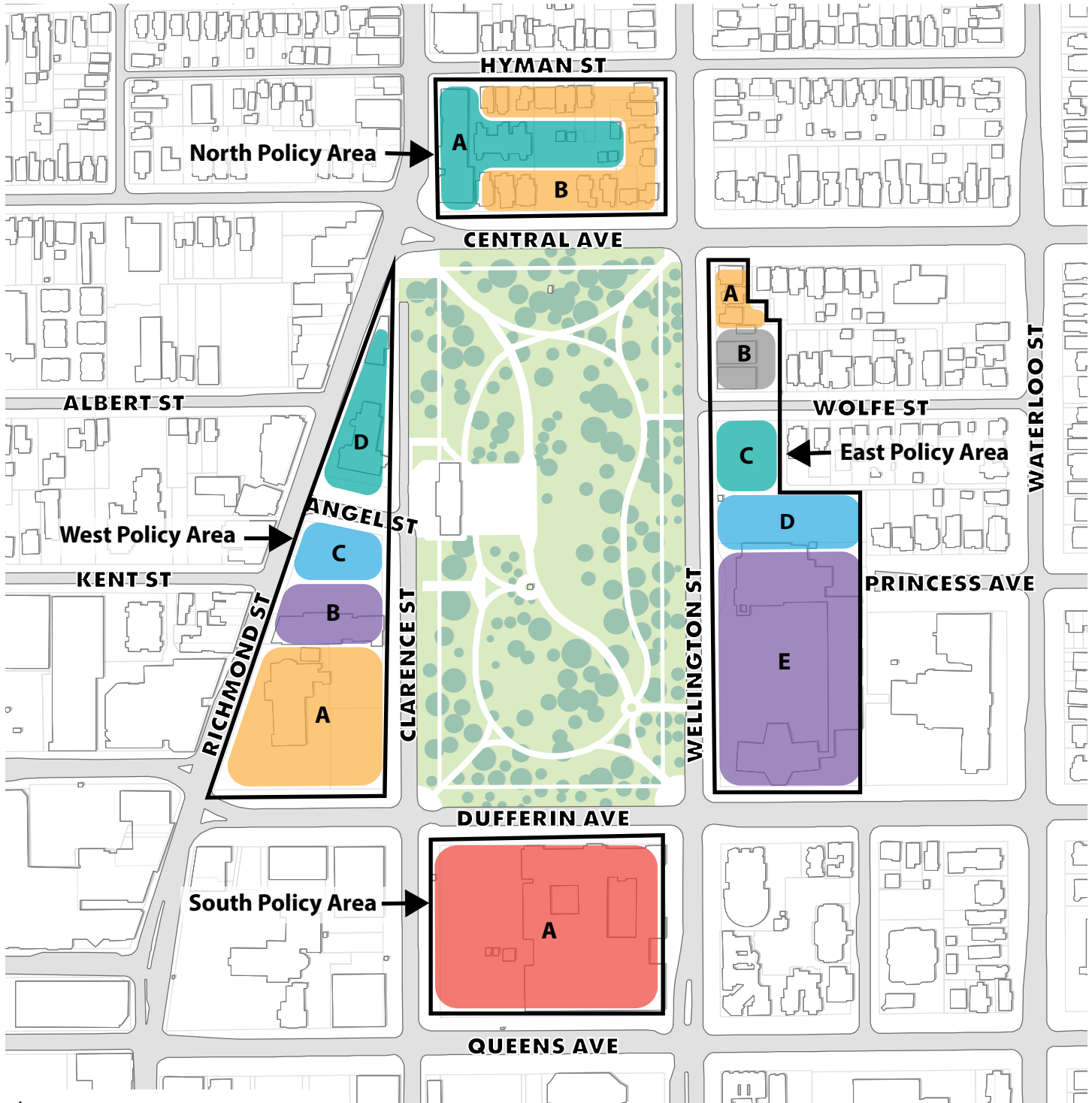
3.7 Height

Minimum and maximum permitted heights for new development within the Secondary Plan boundary are described below and identified in Schedule 4: Permitted Heights and Table 1: Permitted Heights. The Zoning By-law will provide more detail on individual permitted heights, which may not include the full range of heights identified in this Secondary Plan.

- i) The full range of heights identified in Table 1 and Schedule 4 will only be achieved through a site-specific Zoning By-law amendment, where it can be demonstrated that measures are put in place to support or mitigate this height and density, subject to the other policies of this plan.
- ii) Development proposals will require technical studies identified through consultation and outlined in Section 4.7: Required Studies. The results of these studies may influence the maximum height and density that is permitted through zoning.



Schedule 4- Permitted Heights



Legend

- Policy Areas - as labeled
- Maximum 4 Storeys
- Maximum 16 Storeys
- Maximum 25 Storeys
- Maximum 30 Storeys
- Maximum 35 Storeys
- Determined by OLT*

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.



Table 1: Permitted Heights

Part	Minimum Height	Maximum Height
North Policy Area		
Part A	2 storeys	16 storeys
Part B	2 storeys	4 storeys
East Policy Area		
Part A	2 storeys	4 storeys
Part B	2 storeys	determined by Ontario Land Tribunal*
Part C	2 storeys	16 storeys
Part D	2 storeys	25 storeys
Part E	2 storeys	30 storeys
South Policy Area		
Part A	3 storeys	35 storeys
West Policy Area		
Part A	2 storeys (or 8 metres)	4 storeys
Part B	2 storeys (or 8 metres)	30 storeys
Part C	2 storeys (or 8 metres)	25 storeys
Part D	2 storeys (or 8 metres)	16 storeys

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.

3.7.1 North Policy Area

- i) The minimum permitted height is two storeys for the entire North Policy Area.
- ii) The maximum permitted height for the Richmond Street frontage and the interior of the block, identified as Part A, is 16 storeys. This height is consistent with the maximum height permitted in the Rapid Transit Corridor Place Type and may only be achieved through the Rapid Transit Corridor boundary interpretation policies of *The London Plan* (833, 834, 835).
- iii) The height and massing of new development in Part A will be contained within a 45-degree angular plane taken from three storeys above the closest property line of any properties not consolidated with Rapid Transit Corridor Place Type, and remaining as Neighbourhood Place Type.
- iv) The maximum permitted height for approximately 20 metres of depth along the north, east and south sides of the block's perimeter, identified as Part B, is four storeys. This height recognizes the scale of existing desirable buildings along these streetscapes.



3.7.2 East Policy Area

- i) The minimum permitted height is two storeys for the entire East Policy Area.
- ii) The maximum permitted height for the north half of the Central Avenue to Wolfe Street block, identified as Part A, is four storeys. This height acknowledges the existing built form and property constraints on these smaller lots.
- iii) The maximum permitted height for the south half of the Central Avenue to Wolfe Street block, identified as Part B, will be determined based on the decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824. Once a final decision is rendered and in-force, this plan will be updated to reflect the permitted heights.
- iv) The maximum permitted height for the north half of the Wolfe Street to Princess Avenue block, identified as Part C, is 16 storeys.
- v) The maximum permitted height for the south half of the Wolfe Street to Princess Avenue block, identified as Part D, is 25 storeys.
- vi) The maximum permitted heights for Part C and Part D indicated above, acknowledge the existing height and density permissions in the Zoning By-law for the property. New development will require a site-specific Zoning By-law amendment, subject to the built form policies of this Secondary Plan, which will shape the height and density to be more sensitive to and compatible with the surrounding context, than the existing setback provisions of the Zoning By-law.
- vii) The maximum permitted height for the City Hall block, identified as Part E, is 30 storeys. This height is lower than the maximum height permitted in the Downtown Place Type, and will begin the transition of heights, stepping down from the downtown core towards the north.



3.7.3 South Policy Area

- i) The minimum permitted height is three storeys for the entire South Policy Area.
- ii) The maximum permitted height for the South Policy Area is 35 storeys. This height is consistent with the maximum height permitted in the Downtown Place Type.
- iii) New high-rise buildings are only anticipated to be developed on the west portion of the property and any redevelopment or additions to the existing buildings may be limited by the evaluation of heritage impacts.

3.7.4 West Policy Area

- i) The minimum permitted height for the entire West Policy Area is two storeys or eight metres. This minimum height acknowledges the desire to create a sense of enclosure around the park and along the Richmond Row commercial corridor, while providing flexibility to accommodate community facility, institutional and other compatible uses in single storey buildings with the volume of two storeys.
- ii) The maximum permitted height to the south and east of St. Peter's Basilica Cathedral, identified as Part A, is limited to four storeys, in order to retain the prominence of the Cathedral and its important relationship to Victoria Park. The location of new development is also subject to the view corridor policies of this plan in order to protect the visual connections between Victoria Park and Richmond Street and to the building's east façade.
- iii) The maximum permitted height north of St. Peter's Basilica Cathedral and south of Kent Street, identified as Part B, is 30 storeys. This height is lower than the maximum height permitted in the Downtown Place Type, and will begin the transition of heights, stepping down from the downtown core towards the north.
- iv) The maximum permitted height for the Angel Street to Kent Street block, identified as Part C, is 25 storeys. This height provides a transition between the Downtown and Rapid Transit Corridor Place Types.
- v) The maximum permitted height for the Central Avenue to Angel Street block, identified as Part D, is 16 storeys. This height is consistent with the maximum height permitted in the Rapid Transit Corridor Place Type.



3.8 Built Form

The following built form policies will help to shape future development in a way that balances intensification and compatibility with the surrounding context. New development will be designed to minimize impacts on Victoria Park and the adjacent low-rise residential neighbourhoods. New development will be of a high standard of urban and architectural design, to complement and celebrate the prominence of the Victoria Park as the “jewel of the parks system”.

The following built form policies will be implemented through site-specific zoning provisions.

3.8.1 General Built Form

- i) New buildings will be designed to express three defined components - a base, middle and top. Alternative design solutions that address the following intentions may be permitted:
 - a) The base should establish a human-scale façade with active frontages including windows, canopies, pedestrian scale lighting, and the use of materials and architectural details that reinforce a human scale
 - b) The middle should be visually cohesive with, but distinct from, the base and top
 - c) The top should provide a finishing treatment, such as a sculpted roof or a cornice, and will serve to hide and integrate mechanical penthouses
- ii) The front and exterior side yard setbacks of new development, including additions, will respond to the setbacks of adjacent buildings to maintain the existing street wall. Where context does not exist, new development should include a minor setback to frame the park, while ensuring building elements such as canopies, porches and steps do not encroach into the right-of-way.



- iii) The height and massing of new development at the street wall (i.e. most forward facade), will respond to the existing scale and rhythm of adjacent buildings and streetscapes through articulation, stepbacks and other architectural responses.
- iv) New development should be set back a minimum of six metres from properties outside of the Secondary Plan boundary that are within the Neighbourhood Place Type in *The London Plan*, to ensure privacy for new and existing residential dwellings.

3.8.2 Facade Design

The design of building façades is important to ensuring development is pedestrian scale and fits within the character of the Victoria Park area.

- i) New development shall be designed so that the rhythm of façade articulation and proportional size of façade openings (i.e. windows and doors) responds to adjacent buildings and/or streetscapes, particularly cultural heritage resources. Grade-related façade articulation should generally occur every eight to 12 metres and projections and recesses should be at least 0.5 metres deep.
- ii) New development shall respond to existing datum lines of adjacent buildings, particularly cultural heritage resources, including the continuation of storey heights and other defining features, such as porches.
- iii) High quality materials, such as brick and natural stone, will be used to complement the character and quality of buildings around the park and within adjacent areas. The use of stucco and exterior insulation and finishing system (EIFS) will not be permitted.



3.8.3 Activation

Active building façades provide passive surveillance, encourage social interaction, and create a walkable, pedestrian-friendly environment surrounding the park.

- i) Attractive and active frontages shall be located around all edges of the park. All building façades oriented towards the park should exhibit a high level of pedestrian amenity including pedestrian-scale features and fixtures, weather protection and large transparent windows.
- ii) Main building entrances shall front onto the park, unless the building also has frontage on Richmond Street, in which case the main building entrance will be located on Richmond Street with a secondary entrance fronting the park.
- iii) Multiple building entrances are encouraged at a pedestrian-scale rhythm. Corner buildings and buildings with two street frontages should have entrances onto both streets.
- iv) Entrances to lobbies, and retail and commercial units should be flush with grade and accessible directly from the public sidewalk.
- v) Residential units on the ground floor should have individual front entrances accessible directly from the public sidewalk. Entrances to individual residential units should be raised to a maximum of 1.2 metres above grade to provide privacy for residents. A landscape buffer between the building and the public sidewalk is encouraged for privacy and separation. Access to units from below-grade will not be permitted.

- vi) Regardless of the intended use, the ground floor of new buildings should be designed with the height and flexibility to accommodate conversion to non-residential uses in the future. This may be achieved by providing a raised floor over the slab that can be removed to provide additional ground floor height in the future, or through other strategies.
- vii) Blank walls, parking, and service and utility areas should not be visible from the park or Richmond Street.
- viii) Glazing should be maximized for non-residential uses located at-grade, while ensuring compatibility with heritage resources.

3.8.4 Parking

While parking is recognized as a continued need in proximity to Victoria Park, it should be provided in a way that does not detract from the pedestrian realm or existing character surrounding the park.

- i) Parking and service entrances should not front directly onto Victoria Park or Richmond Street, and should be accessed from side streets and laneways where possible, to minimize their appearance and the amount of pavement within the green boulevards surrounding the park.
- ii) Despite policy i) above, in the event a site only has frontage on Victoria Park and/or Richmond Street, parking and service entrances may be provided from one of the frontages. In these instances, the access points shall be minimized as much as possible and incorporate design features to ensure pedestrian safety.
- iii) Parking should be located underground.
- iv) Structured parking on the ground floor shall be fully wrapped on all street frontages with active uses including residential, retail, service, community facility and/or office uses to limit the visual impact of parking on the public realm.
- v) Structured parking above the ground floor should be wrapped with active uses on all street frontages. Where it is unavoidable due to building constraints, structured parking that is visible above grade shall be designed to appear as active space and be fully wrapped with a high level of architectural detail, large transparent windows, and high-quality materials, consistent with the rest of the building's facade.
- vi) New surface parking will not be permitted, except to accommodate required accessible, visitor and drop-off spaces.
- vii) The provision of new publicly-accessible parking is encouraged.

3.8.5 Mid-Rise Buildings

In addition to the general built form policies of this Secondary Plan that apply to all new development, the following direction is provided specifically for mid-rise buildings.

- i) Mid-rise buildings are buildings with heights of four storeys up to and including eight storeys.
- ii) New mid-rise buildings shall step back at the second, third or fourth storey, depending on the built form context, along public rights-of-way to mitigate downward wind shear, support the existing character at street level and allow the street wall to be the primary defining element of the site. Minimum stepbacks should be as follows:
 - a) Five metres for frontages facing Victoria Park and Richmond Street.
 - b) Three metres for frontages facing all other streets and pedestrian connections.
 - c) Larger stepbacks are encouraged and may be required in specific locations.
- iii) The massing of new mid-rise buildings will be contained within a 45-degree angular plane taken from three storeys above the closest property line of any properties outside of the Secondary Plan area.
- iv) Mid-rise buildings shall be located and designed with sufficient rear and interior yard setbacks and building separation to achieve the following:
 - a) Provide access to natural light and a reasonable level of privacy for occupants of new and existing buildings;
 - b) Provide adequate on-site amenity space;
 - c) Provide safe and clear pedestrian circulation from building entrances to the public sidewalk;
 - d) Protect the development potential of adjacent sites; and,
 - e) Provide pedestrian-level views of the sky between buildings particularly as experienced from adjacent streets and Victoria Park.



3.8.6 High-Rise Buildings

In addition to the general built form policies of this Secondary Plan that apply to all new development, the following direction is provided specifically for high-rise buildings.

- i) High-rise buildings are buildings nine storeys in height or taller.
- ii) High-rise buildings will be designed with a podium base and tower above. The tower will consist of all storeys above the maximum podium height.
- iii) Podiums of new high-rise buildings shall have a maximum height of five storeys in the South Policy Area and East Policy Area to frame the park, and a maximum height of three storeys in the North Policy Area and West Policy Area to respond to the existing scale and character.



- iv) Residential tower floor plates in high-rise buildings shall be a maximum of 750 square metres for all portion of the building above the podium to ensure shadows move quickly, to allow pedestrian-level sky views, and to be less visually massive from neighbouring properties and the surrounding public realm. The length to width ratio of tower floorplates should be no more than 1:1.5, and oriented north-south, where possible, to minimize shadow impacts.
- v) Office uses in high-rise buildings may have larger floor plates based on operational requirements, up to a maximum of 1,000 square metres for all portions of the building above the podium containing office uses, but will be designed to limit large shadows on streets, the park, and nearby properties.
- vi) The tower portion of new high-rise buildings shall be set back above the podium to reduce the visual and physical impacts of the building on adjacent properties and the public realm. Minimum tower setbacks should be as follows:
 - a) Five metres for frontages facing Victoria Park and Richmond Street.
 - b) Three metres for frontages facing all other streets and pedestrian connections.
 - c) 10 metres from properties outside of the Secondary Plan area.
 - d) 10 metres from St. Peter's Basilica Cathedral.
 - e) Larger tower setbacks are encouraged and may be required in specific locations.



- vii) The towers of high-rise buildings should have a minimum separation distance of 25 metres between towers on the same site, and 12.5 metres between towers and adjacent properties that could accommodate a high-rise building. This separation distance is intended to:
- a) Protect development potential of adjacent sites;
 - b) Provide access to sunlight on surrounding streets and Victoria Park;
 - c) Provide access to natural light and a reasonable level of privacy for building occupants;
 - d) Provide pedestrian-level views of the sky between buildings, particularly as experienced from adjacent streets and Victoria Park; and,
 - e) Limit the impacts of uncomfortable wind conditions on streets, Victoria Park, and surrounding properties.

viii) New development in the West Policy Area will be designed and located to limit the amount of shadow cast on the concrete pad, east of the Victoria Park band shell so that no more than 50% of the pad is in shadow between the hours of 08:00 and 16:00, from June 1 to August 31.

- ix) The top of high-rise building towers shall be articulated using setbacks, terracing, differences in articulation or other architectural features to contribute to a varied and interesting skyline. The mechanical penthouse shall be integrated into the design of the tower.
- x) Towers shall not have any blank facades, and a minimum proportion of 70% of each tower face should be glazing. Glazing should be spread across the building faces rather than concentrated in one area.
- xi) Balcony materials should be selected to minimize the visual mass of the building.
- xii) The design of high-rise buildings should include materials and techniques that limit bird-strikes.



3.9 Compatibility with Park Activities

Victoria Park serves as an important city-wide resource for active and passive recreational activities. It is important to ensure the continued vitality and functionality of Victoria Park as a destination for Londoners.

- i) New mid-rise and high-rise multi-unit residential developments shall provide indoor and/or outdoor communal amenity space for residents to help mitigate the impacts of increased intensification on the grounds of Victoria Park.
- ii) Noise studies will be required with all development applications for new mid-rise or high-rise residential developments which will demonstrate how noise from festivals will be mitigated through sound dampening design and construction practices. Purchasers and/or tenants should be advised of the possibility of noise from festivals though the addition of a warning clause to the lease or agreement of purchase and sale and registered on title.
- iii) Wind studies will be required with all development applications for new mid-rise or high-rise developments to provide information on the existing wind conditions and demonstrate how the expected wind conditions are being mitigated to maintain a comfortable environment for pedestrians on sidewalks and within the park. Wind studies will also consider adverse impacts on existing tree and mitigative measures.



3.10 Housing Mix and Affordability

The Secondary Plan area is located at the edge of downtown and along a planned rapid transit corridor. This area is a priority for intensification and provides an opportunity to increase housing supply within Central London. Development within the Secondary Plan area will contribute to providing accessible, affordable, and quality housing options. The following policies apply to all lands within the Secondary Plan area:

- i) A 25% affordable housing component should be achieved within the Secondary Plan area through a mix of housing types and sizes to contribute to a balanced residential community in the core.
- ii) Available tools and provisions under the *Planning Act*, will be used to secure affordable housing units at the time of development applications.
- iii) New development shall include a mixture of unit sizes and configurations, including a mix of bachelor, 1, 2, and/or 3-bedroom units, to allow for a variety of families to live in the core and provide units that are inherently more affordable.
- iv) The utilization of innovative design features, construction techniques, or other tenure arrangements for residential developments, to broaden the provision of affordable housing will be encouraged.
- v) Affordable housing units within market housing buildings shall be integrated with shared lobbies and amenities.
- vi) Grade-related multi-level and townhouse-style units are encouraged to be incorporated into the base of new residential developments to promote walkability, activation and different dwelling style choices.
- vii) The indoor and outdoor communal amenity spaces included in new developments should support a variety of age groups, including children, adults, seniors and families.
- viii) Secure and convenient storage areas are encouraged for strollers, mobility aids and other equipment to support the needs of a diverse population.
- ix) Each site-specific development proposal will be assessed on its ability to contribute to a mix of housing options and supportive amenities.

3.11 Sustainable Development

The policies in this Secondary Plan that promote the construction of new mid-rise and high-rise development within the Secondary Plan boundary will contribute to sustainability and addressing the climate emergency by providing a compact form of development in Central London that reduces urban sprawl, in a way that is compatible with the surrounding area. The use of green building technologies will also help to contribute to sustainability.

- i) New development shall be designed to prioritize active transportation access and circulation over automobiles, through the orientation of primary building entrances, location of supportive amenities and other building design elements.
- ii) Development is encouraged to reduce impacts on the environment through achieving green building best practices such as LEED certification, net-zero or net-positive greenhouse gas emissions, and through efficient design and energy usage.
- iii) Building construction is encouraged to minimize the waste of materials, water and other limited resources.
- iv) Development should use durable materials that help to conserve energy by lowering maintenance and replacement costs. Development is encouraged to use locally harvested, recovered, manufactured or extracted building materials.
- v) Green roofs or cool roofs should be installed on all new mid-rise and high-rise developments, including surface materials with high solar and thermal reflectivity to help reduce the impact of buildings on the climate. Integrated rooftop areas featuring green roof elements and outdoor amenity space is encouraged.





- vi) The use of alternative green energy sources such as district energy and solar is encouraged where available.
- vii) Short-term bicycle parking shall be provided and should be located in a highly visible and publicly accessible location.
- viii) Secure and covered bicycle parking should be included in all new mid-rise and high-rise buildings. The provision of shower and change facilities for tenants and patrons of non-residential uses are encouraged.
- ix) Electric vehicle charging stations should be included in all new mid-rise and high-rise buildings. The provision of car share facilities are encouraged.
- x) Dedicated areas should be provided within buildings for the collection and storage of recycling and organic waste that is equally as convenient as the garbage facility.
- xi) Low Impact Development stormwater controls should be implemented and innovative approaches to stormwater management are encouraged.
- xii) The use of bird strike mitigation measures and dark sky compliance as described in London's Bird Friendly City guidelines are encouraged for any new building.



4.0 Our Tools

4.1 Implementation of the Plan

The Victoria Park Secondary Plan shall be implemented through the following implementation mechanisms:

- i) This Secondary Plan shall be implemented according to the provisions of the *Planning Act*, the *Provincial Policy Statement*, other applicable Provincial legislation, and the provisions of the City of London Official Plan, *The London Plan*.
- ii) All municipal works and all planning and development applications shall conform with the policies of this Plan.

4.2 Interpretation

The following policies are intended to provide guidance in the interpretation and understanding of the policies, objectives, principles and schedules of this Secondary Plan.

The policies and principles contained in the *Victoria Park Secondary Plan* are intended to implement this Secondary Plan, as described in Section 1. It is intended that the interpretation of these policies should allow for a limited degree of flexibility according to the following provisions:

- iii) The boundaries between height areas shown on Schedule 4 are not intended to be rigid, except where they coincide with physical features such as public streets. The exact determination of boundaries that do not coincide with physical features will be the responsibility of Council.

Council may permit minor departures from such boundaries if it is of the opinion that the general intent of this Secondary Plan is maintained and that the departure is advisable and reasonable. Where boundaries between height areas coincide with physical features, any major departure from the boundary will require an Official Plan amendment to this plan.

- iv) Minor variations from numerical requirements in this Secondary Plan may be permitted by Council without an amendment to the Official Plan, provided that the general intent and objectives of this Secondary Plan and Official Plan are maintained.
- v) Where lists or examples of permitted uses are provided in the policies related to specific land use designations, they are intended to indicate the possible range and types of uses to be considered. Specific uses which are not listed in this Secondary Plan, but which are considered by Council to be similar in nature to the listed uses and conform to the general intent and objectives of the policies, may be recognized as permitted uses in the Zoning By-law.

4.3 Official Plan

- i) Any amendments to the text or schedules of this Secondary Plan represents an Official Plan amendment. Furthermore, amendments to the schedules of this Plan may require amendments to the associated maps of the Official Plan.
- ii) Any applications to amend this Secondary Plan shall be subject to all of the applicable policies of this Secondary Plan, as well as all of the applicable policies of the City of London Official Plan.

4.4 Zoning By-law

- i) Any applications for amendments to the City of London Zoning By-law shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan.
- ii) Special provisions may be required as part of site-specific Zoning By-law amendments to ensure the implementation of the policies of this Secondary Plan and of the City of London Official Plan.
- iii) The evaluation of applications to amend the Zoning By-law shall be subject to the Evaluation Criteria for Planning and Development Applications as described in the Our Tools section of The City of London Official Plan.
- iv) The Zoning By-law will provide more detail on individual permitted uses and heights which may not include the full range identified in this Secondary Plan.

4.5 Site Plan Approval

- i) Any applications for Site Plan approval shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan.
- ii) Public Site Plan review will be required for all new development in the *Victoria Park Secondary Plan* boundary.

4.6 Guideline Documents

- i) Guideline documents may be adopted by Council to provide greater detail and guidance for development and the public realm elements of the Secondary Plan.

4.7 Required Studies

This Secondary Plan identifies the following studies, plans, reports and assessments that may be required to be completed to the satisfaction of the City of London and any agency having jurisdiction, prior to the City considering a development application to be complete and prior to the approval of development applications within parts of, or the entire, Secondary Plan area. The City shall determine on an application by application basis the need for supporting studies, plans and assessments, and when in the approvals process they may be required:

- ii) Archaeological Assessment
- iii) Cultural Heritage Evaluation Report
- i) Heritage Impact Assessment
- ii) Planning and Design Report that includes the following in addition to the standard requirements (including analysis of the policies in the *Victoria Park Secondary Plan*):
 - a) Information about how view corridors for pedestrians will be maintained and/or added in response to Section 3.2
 - b) Information about how new connections will be added and/or enhanced in response to Section 3.3
 - c) Information on the provision and size of indoor and/or outdoor common amenity space
 - d) A statement on housing mix and affordability in response to Section 3.10
 - e) A statement on sustainable development in response to Section 3.11
- iii) Noise Study in response to policies in Section 3.9, and demonstrating mitigative measures
- iv) Parking Study

- v) Servicing Study and sanitary design brief to ensure adequate servicing. Holding provisions may be required to ensure necessary servicing is in place prior to development
- vi) Shadow Study in response to Section 3.8 and demonstrating mitigative measures.
- vii) Traffic Impact Assessment
- viii) Tree Inventory, Preservation, Protection and Edge Management Plans for private and public trees
- ix) Urban Design Brief that includes the following in addition to the standard requirements: section drawings, 3D massing model, elevations, landscape plans and floor plans
- x) Wind Impact Assessment in response to Section 3.8 and 3.9, and demonstrating mitigative measures for impacts on the sidewalk and park environment, and impacts to trees

Additional studies beyond those described above may be required by the City for individual sites and will be identified at the time of pre-application consultation.

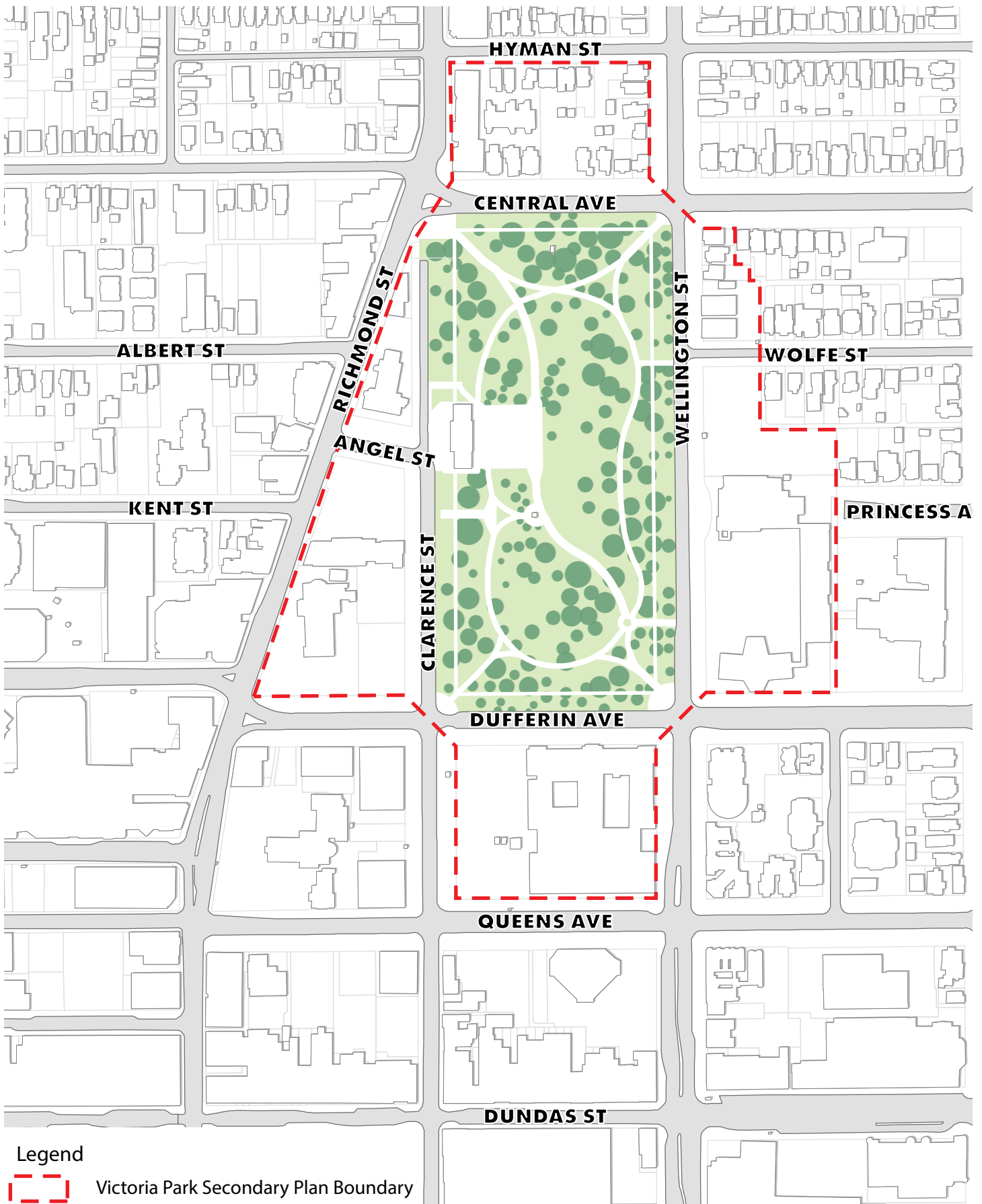
Any study that requires a peer review shall be carried out at no cost to the City and subject to approval by the City or any other authority having jurisdiction.





5.0 Schedules

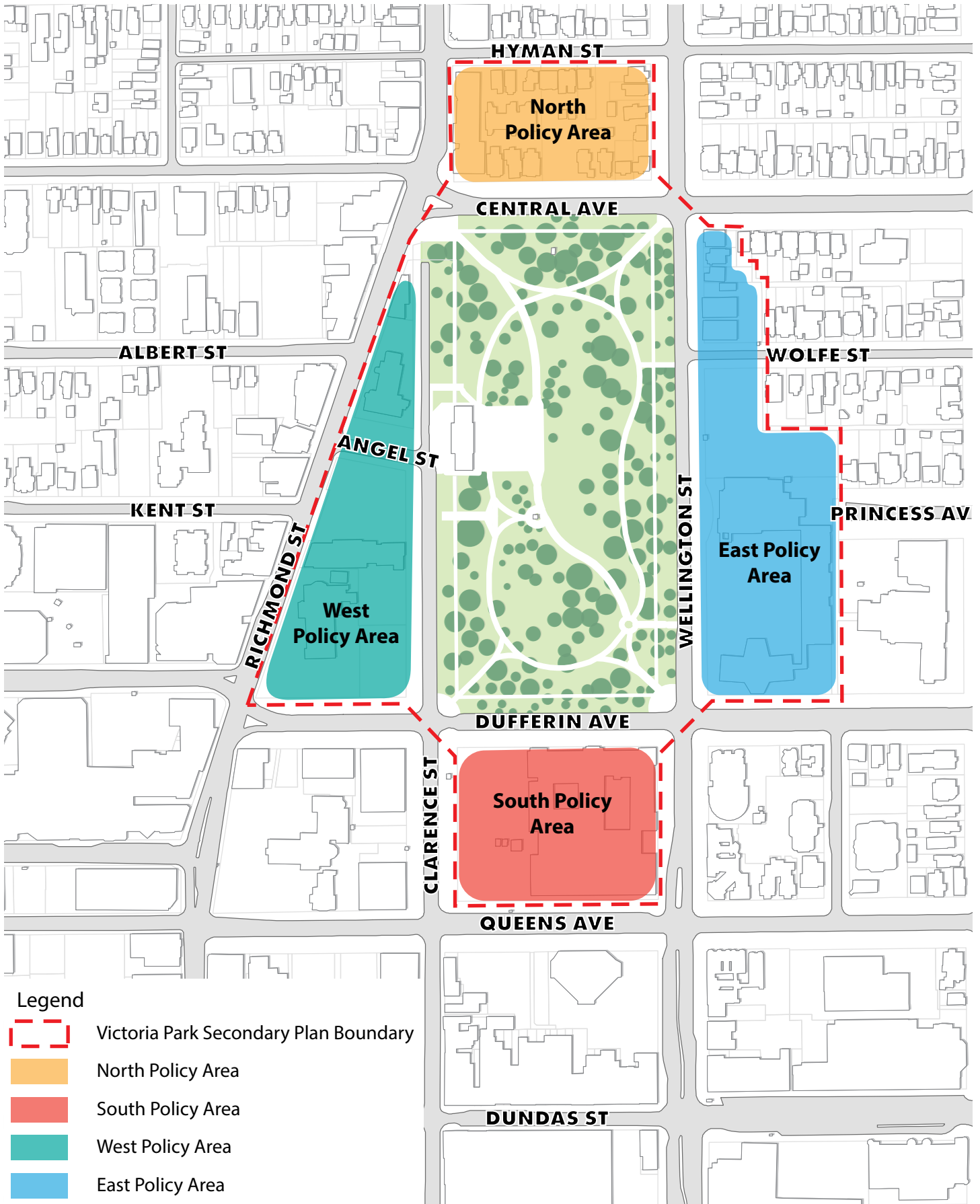
Schedule 1: Secondary Plan Area



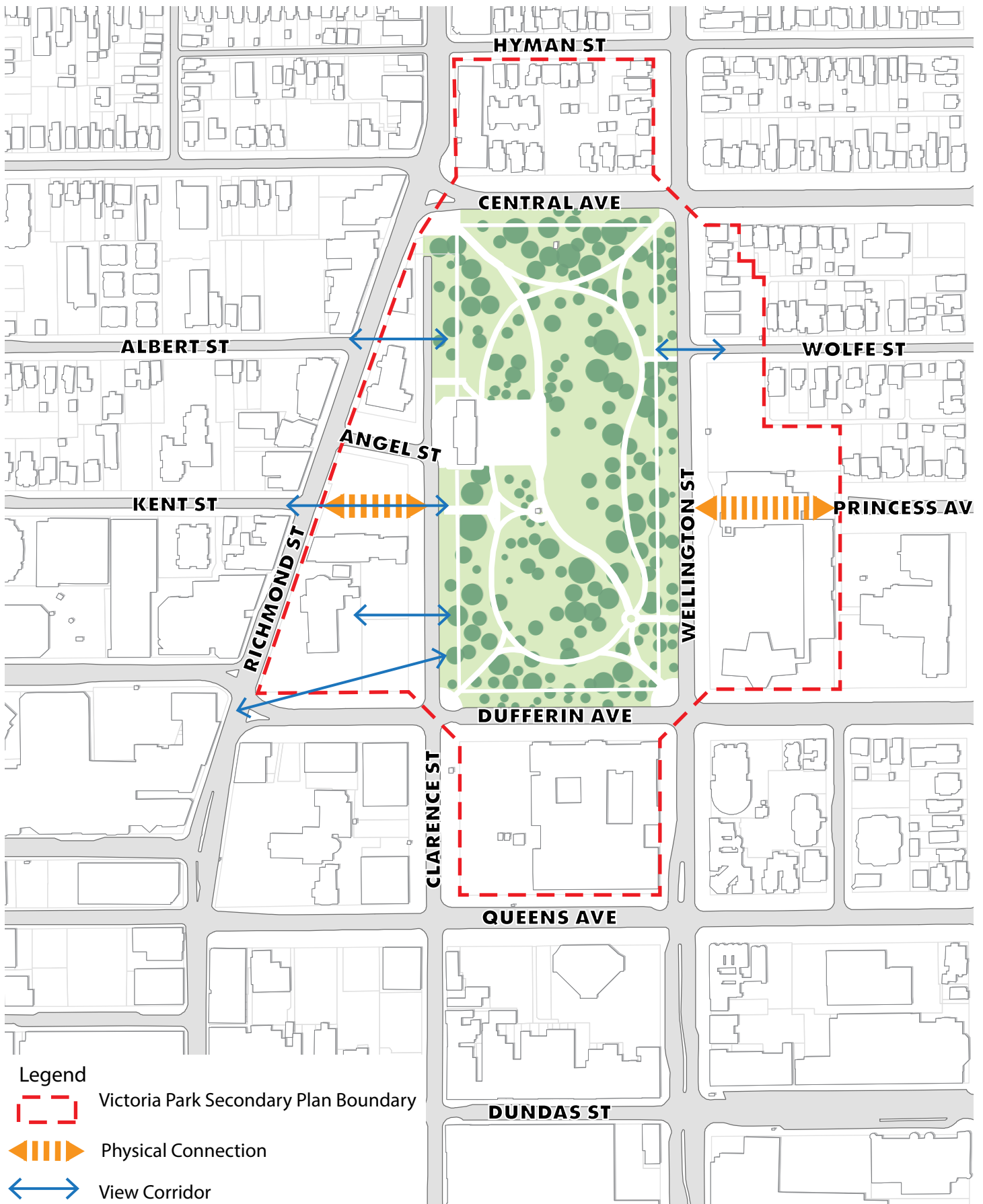
Legend

 Victoria Park Secondary Plan Boundary




Schedule 2: Policy Areas



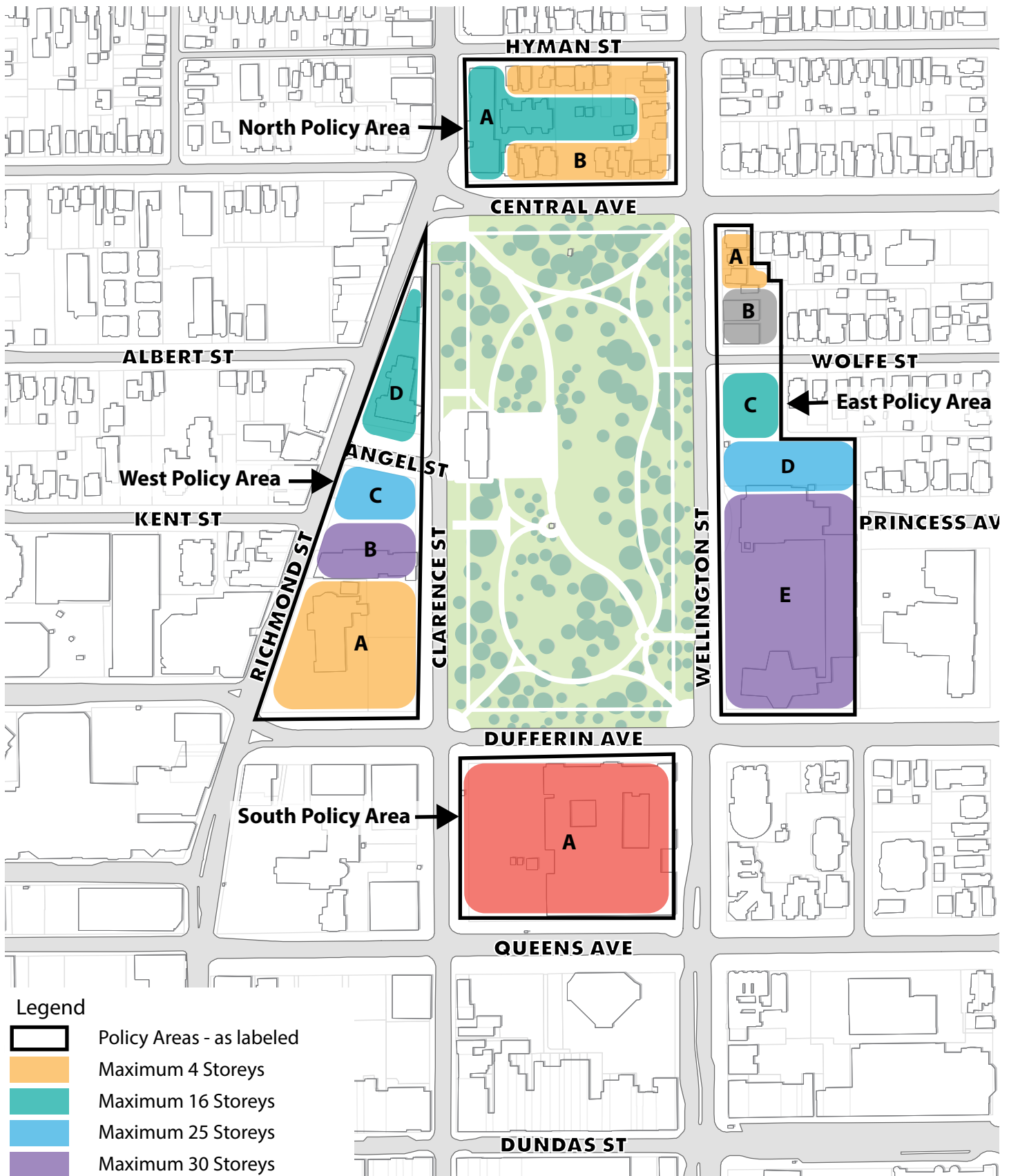
Schedule 3: View Corridors and Connections










Legend

-  Victoria Park Secondary Plan Boundary
-  Physical Connection
-  View Corridor

Schedule 4: Permitted Heights



Legend

-  Policy Areas - as labeled
-  Maximum 4 Storeys
-  Maximum 16 Storeys
-  Maximum 25 Storeys
-  Maximum 30 Storeys
-  Maximum 35 Storeys
-  Determined by OLT*

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.

Schedule 5: Table 1: Permitted Heights

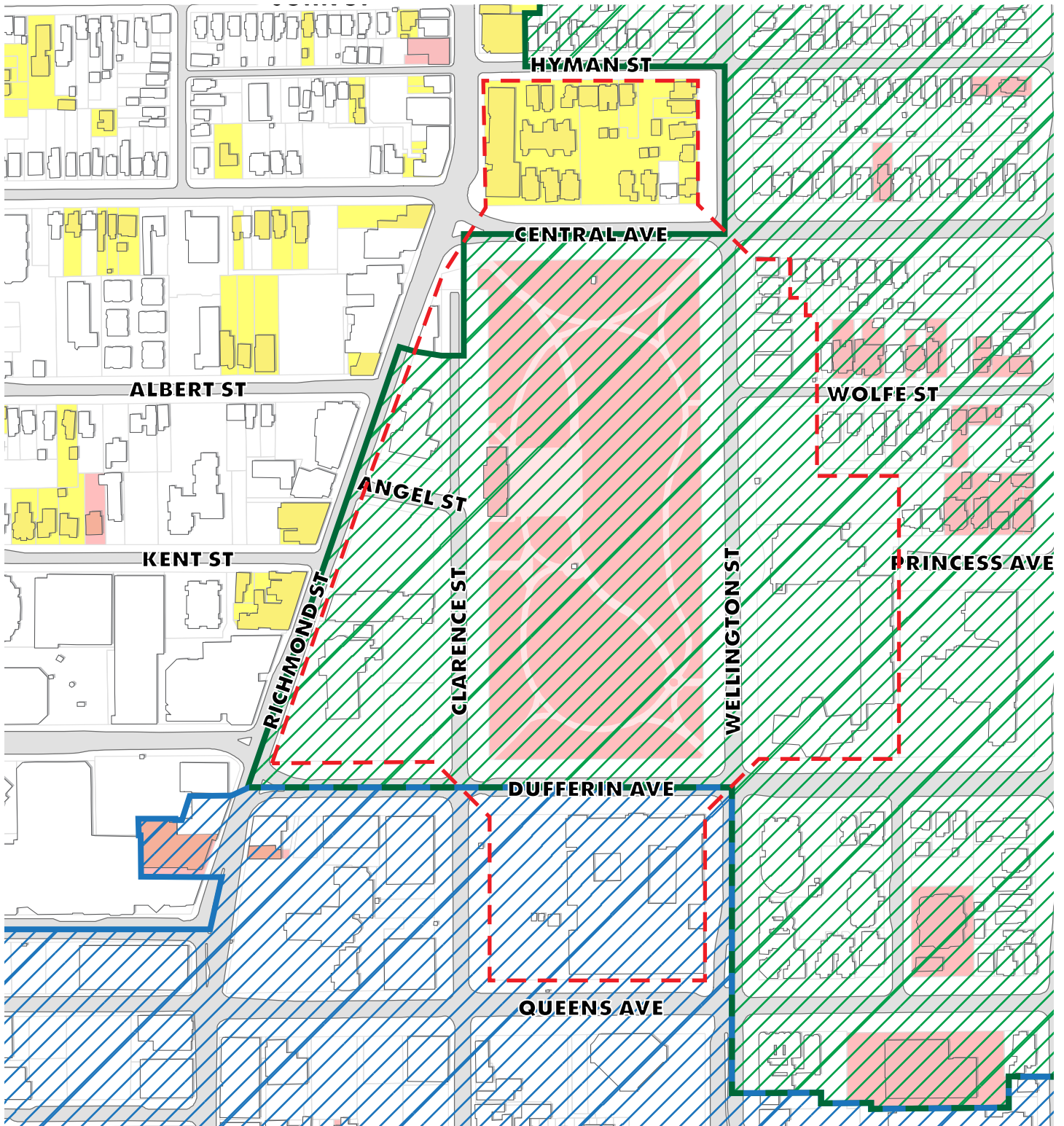
North Policy Area		
Part A	2 storeys	16 storeys
Part B	2 storeys	4 storeys
East Policy Area		
Part A	2 storeys	4 storeys
Part B	2 storeys	determined by Ontario Land Tribunal*
Part C	2 storeys	16 storeys
Part D	2 storeys	25 storeys
Part E	2 storeys	30 storeys
South Policy Area		
Part A	3 storeys	35 storeys
West Policy Area		
Part A	2 storeys (or 8 metres)	4 storeys
Part B	2 storeys (or 8 metres)	30 storeys
Part C	2 storeys (or 8 metres)	25 storeys
Part D	2 storeys (or 8 metres)	16 storeys

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.








6.0 Appendices

Appendix A: Cultural Heritage



Legend

-  Victoria Park Secondary Plan Boundary
-  West Woodfield Heritage District Boundary
Part V Designated
-  Downtown Heritage District Boundary
Part V Designated
-  Listed On City's Heritage Inventory
-  Individually Part IV Designated
Heritage Property

Appendix B: Reasons for Designation - Victoria Park

SCHEDULE "A"

To By-law No. L.S.P.-3311-283

Victoria Park is bounded by Central Avenue, Clarence Street, Dufferin Avenue and Wellington Street including part of Princess Avenue (formerly known as Bond Street) closed by By-law registered as Instrument GD34133 in the City of London and County of Middlesex being all of PIN 08266-0001.

SCHEDULE "B"

To By-law No. L.S.P.-3311-283

REASONS FOR DESIGNATION - VICTORIA PARK

(The Block bounded by Dufferin Avenue, Clarence Street, Central Avenue, and Wellington Street)

Historical Reason

Victoria Park represents a unique combination of beauty, amenity and heritage in the City of London. The 6.25 hectare park has been a gathering place for Londoners since 1874. Victoria Park is of significant historic, architectural and cultural heritage landscape importance in five key areas:

- (a) As a registered archaeological site;
- (b) Military history;
- (c) A designed landscape;
- (d) A place of public gathering and celebration; and
- (e) Monuments

Victoria Park is a significant resource for archaeology in London, exhibiting three critical layers of historic importance. Prehistoric remains from the native occupation of the area can be found below ground, as well as, remains from the British Military occupation. The Framed Infantry Barracks which covered the northern two-thirds of the park property in the period circa 1838-1873 represents the largest and best preserved historic site in the City of London. Victoria Park is also the City's most celebrated designed landscape from the 19th Century, created by American landscape architect Charles Miller 1878. The layout of the landscape was reminiscent of an English parkland with drives and tree lined walks, fountains, floral areas and bandstand. Limited remains for this grand parkland era remain today. Victoria Park, from its conception, has continually evolved in its role and relationship to London. Its development must be seen in conjunction to the history of design, society and conventions, and the City's fiscal and management considerations of various periods. To date the park has been idealized as a pleasure ground, a venue of horticultural and artistic expression, a recreational facility and most recently a civic space for special events.

Archaeological investigations of Victoria Park indicate that the property represents the single largest and best preserved historic archaeological site in the City of London. It is arguably the most important historic archaeological site in the City by virtue of its significance to the history of the region and to the development of the municipality. Altogether, these remains represent some of the most important complex issues for future management within the property.

Archaeological assessment indicates a number of components within the park including evidence of prehistoric Iroquoian occupation sometime within the period 800-1550 AD.

Historic research has determined that the Framed Infantry Barracks covered an area of some 10 acres including the entire northern two-thirds of Victoria Park; the southern third was used as the drill ground and cricket ground. This Barracks formed an integral part of the British Military Reserve established in London following the Rebellion of 1827. The British Garrison was based in London from 1838 to 1853, when troops were withdrawn to be sent to the Crimean War, and again from 1861 to 1869. During the mid to late 1850s, the complex served as a refugee camp for escaped slaves from the United States and as the site of a racially integrated school. The barracks survived until the early 1870s, when a fire destroyed the officers' quarters, and the remainder of the structures were cleared in preparation for the creation of Victoria Park.

The barracks complex included several dozen structures surrounded by a stockade with projecting bastions. The major structures centred around a parade square. It was bounded by the soldiers' quarters to the north, the officers quarters to the south, the hospital compound to the west, and the canteen, cells, defaulters room and powder magazine to the east.

When the British Government saw no reason to retain the garrison lands, the drive to have the land become a public park began. The Municipal Council began to initiate civic improvements such as street beautification in 1871 and the establishment of a standing committee on Public parks in 1873. It was not until 1878 that London received the deed for Victoria Park. It was at this time that William Saunders presented to City Council plans for the park prepared by American Landscape Architect Charles H. Miller. In March 1878 Charles Miller came to London with the layout plans for the park. The plans were adopted, and park development proceeded as per Millers plan.

Charles Miller (1829-1902) gained prominence when he became the chief gardener for the Bureau of Horticulture for the Centennial Exhibition in 1876 in Philadelphia. Miller is known to have done two projects in Southwestern Ontario, both seemingly instigated by William Saunders. The first was Victoria Park in 1878 followed by the commission to prepare a landscape and site plan for the Ontario Agricultural College, Guelph in 1882. Through various documents and letters it is known that Miller made several visits to Canada during this period of time. He was recognized as being a leading landscape designer and horticulturalist in his day.

By the end of 1879 the first phase of the parks development was completed. A total of 331 trees and 72 shrubs were added to the double row of maple trees which already surrounded the grounds. In addition walks, drives and a bandshell were installed. The final feature added at this time was the famed fountain topped with a cupid which was installed in the centre of the park along with three military guns from the Battle of Sebastopol which had been donated by sir John Carling.

Victoria Park evolved as it assumed its role as the “jewel of the parks system”. In 1912 the park was placed under the responsibility of the Board of Water Commission (later Public Utilities Commission). Recreational activities became increasingly important with the introduction of the skating rink in 1914. By the 1920s a great number of the park’s original elements such as iron benches, urns, fencing, had been removed due to age and condition and others were replaced with a single level illuminated one. From this time on, the park began a slow, inexorable decline. By the late 1950s and into the 1960s the residential character along the north and eastern edge was changing with the loss of residential uses, buildings not being oriented to the park , and parking lots.

An important aspect of the park’s history are traditions that have evolved over time. Skating has been a part of the park since 1914. Public concerts have been associated with the site since the period of the British Garrison. The first bandstand was erected in the park in 1876. With the bandstand City Council established a fund for free weekly concerts and encouraged local bands. The Salvation Army held Sunday afternoon services in the park for many years. In recent years a bandshell was built in 1950 with funds donated by the Kiwanis Club; and the present bandshell was built in 1989, again with funds from the Kiwanis Club. A very strong tradition of festivals and special events continues in the park to the present day, with over 30 events occurring annually, most notably the Festival of Lights/Winterfest, Home County Folk Festival, and Remembrance Day Services.

Architectural Reasons

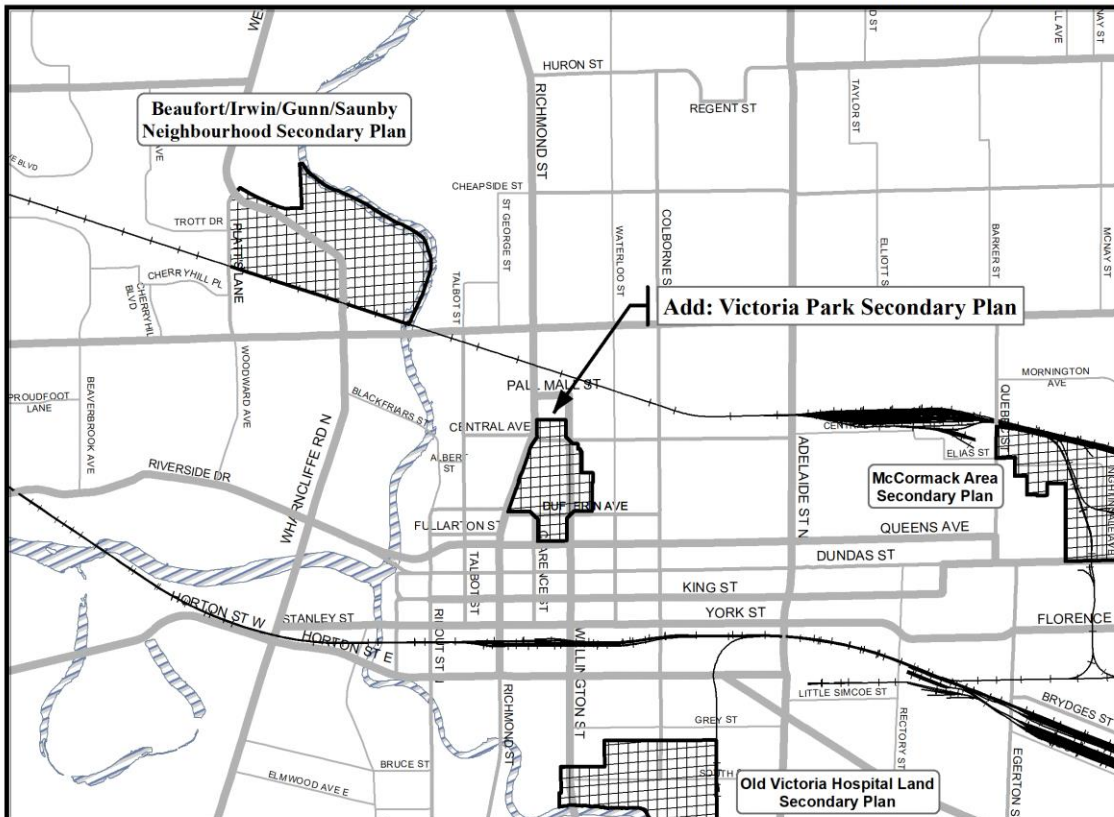
Several Monuments have become important features of Victoria Park. The Boer War Soldiers’ Monument was added to the park in 1912. The sculpture was commissioned by veterans of the Boer War from Montreal sculptor George W. Hill. On November 10, 1934 the Cenotaph was dedicated. It is a replica of the cenotaph that Sir Edwin Lutyens had designed for Whitehall in London, England. This monument was commissioned by the I.O.D.E. and dedicated to “The Glorious Dead”.



Planning and Development
March 2022

Schedule 2 – Planning Areas Map

AMENDMENT NO: 646



Legend

- Planning Areas
- Planning Area Name
- Secondary Plans
- Extensions to Existing Communities
- Urban Growth Boundary

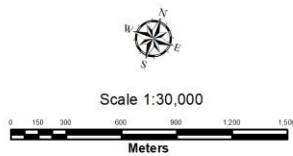
Base Map Features

- Streets (refer to Schedule C)
 - Secondary Collectors
 - Primary Collectors
 - Arterials
 - Freeways/Expressways
- Railways
- Rivers/Streams

This is an excerpt from the Planning Division's working consolidation of Schedule D to the City of London Official Plan, with added notations.

**SCHEDULE 1
TO
OFFICIAL PLAN
AMENDMENT NO. 646**

PREPARED BY: Graphics and Information Services



FILE NUMBER: OZ-8978

PLANNER: MK

TECHNICIAN: MB

DATE: 2020/01/27

PROJECT LOCATION: e:\planning\projects\p_officialplan\work\consolid\001\VictoriaParkSecondaryPlan\VictoriaParkSecondaryPlanScheduleD.mxd

Appendix F – Amendment to the Official Plan, 1989 - Woodfield Neighbourhood Policy

Bill No. (number to be inserted by Clerk's Office)
2020

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

A by-law to amend Official Plan for the City of London, 1989 relating to the Victoria Park Secondary Plan area.

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

1. Amendment No. (to be inserted by Clerk's Office) to the Official Plan for the City of London Planning Area – 1989, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This 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 XXXX.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – May 22, 2022
Second Reading – May 22, 2022
Third Reading – May 22, 2022

AMENDMENT NO. to the OFFICIAL PLAN (1989) FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To amend Section 3.5.4 of the 1989 Official Plan

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands generally bounded by Richmond Street to the west, Dufferin Avenue and Queens Avenue to the south, Adelaide Street North to the east, and the CPR tracks to the north

C. BASIS OF THE AMENDMENT

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

To replace Section 3.5.4 of the Official Plan, 1989.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands generally applies to properties surrounding Victoria Park in the City of London.

C. BASIS OF THE AMENDMENT

The Woodfield Neighbourhood policy applies to lands generally bounded by Richmond Street to the west, Dufferin Avenue and Queens Avenue to the south, Adelaide Street North to the east, and the CPR tracks to the north. The *Victoria Park Secondary Plan* applies to a portion of this area. The existing version of Section 3.5.4 provides guidance for the area, and also includes specific guidance for the block bounded by Richmond Street, Central Avenue, Wellington Street, and Hyman Street. This area comprises the North Policy Area in the *Victoria Park Secondary Plan* and the existing policies for that block are no longer applicable. This amendment would replace that policy with a policy that provides clarification on the application of the *Victoria Park Secondary Plan*, such that in instances where Section 3.5.4 - Woodfield Neighbourhood and the *Victoria Park Secondary Plan* are inconsistent, the policies of the *Victoria Park Secondary Plan* shall prevail.

D. THE AMENDMENT

The Official Plan, 1989, is hereby amended as follows:

3.5.4 Woodfield Neighbourhood

The Woodfield Neighbourhood, which is approximately bounded by Richmond Street on the west, Dufferin Avenue and Queens Avenue on the south, Adelaide Street on the east and the C.P.R. tracks on the north, is characterized by predominantly low density residential development, with a mix of higher density residential and office conversions. It is a policy of this Plan to maintain the Woodfield Neighbourhood as a low density residential area. In keeping with this policy new office conversions would not be permitted except in the commercial designations along Richmond Street, Adelaide Street, in the Downtown Area, and in areas identified in policy 3.6.9. New office conversions on the east side of Waterloo Street, between Central Avenue and Princess Avenue, and on Central Avenue, between Waterloo and Wellington Streets, may be permitted provided there is little alteration to the external residential character of the structure and provided also that there is at least one residential dwelling unit retained in the building being converted. New office conversions may be permitted on Waterloo Street, both sides between Pall Mall Street and Central Avenue, provided at least one above-grade residential dwelling unit is retained in the building being converted. Existing office conversions are recognized as legal uses in this Official Plan and will be zoned to permit the continuation of these uses.

The low density residential neighbourhood within the area bounded by Wellington Street, Pall Mall Street, Waterloo Street and Princess Avenue shall only provide for infill and intensification where such development is clearly compatible with the character, scale and intensity of the low density residential neighbourhood in this area. Area-specific zoning regulations such as, but not limited to, maximum floor area ratio, maximum dwelling

size and on-site parking limitations may be applied to ensure that future development meets this objective. (OPA No. 396)

Properties fronting the north side of Princess Avenue, west of Waterloo Street are located on the edge of the downtown at a point of transition between high density residential and institutional uses to the south and low density residential neighbourhood to the north. Several buildings have undergone restoration and intensification in a manner which has preserved the character of the neighbourhood and kept the original streetscape intact. Recognizing this, these properties may be exempt from area-specific zoning regulations such as floor area ratio, maximum dwelling size, and on-site parking limitations noted above. (OPA 434- approved January 21, 2008)

In addition to the uses permitted in the Low Density Residential designation, new office uses may be permitted within the existing building at 470 Colborne Street, provided there is little alteration to the external residential character of the original residential structure and at least one above-grade residential dwelling unit is provided and maintained within the building. These new office uses may be established with other permitted uses in a mixed-use format. Residential intensification and conversions to non-residential uses shall be permitted only where it is compatible with the character, scale and intensity of the surrounding low-rise residential neighbourhood and where the intent of the Near-Campus Neighbourhoods policies is met. Site-specific zoning regulations such as, but not limited to, maximum number of converted dwelling units, maximum number of parking spaces, minimum landscaped open space and limiting the range and mix of uses within the building such that they do not exceed the available parking may be applied to ensure that the future re-use of the existing structure meets this objective. (OPA 691 - C.P.-1284(uj)-28)

The *Victoria Park Secondary Plan* applies to certain properties in the Woodfield Neighbourhood. In instances where the policies that apply to the Woodfield Neighbourhood and the *Victoria Park Secondary Plan* are inconsistent, the policies of the *Victoria Park Secondary Plan* shall prevail.

Community Engagement

The community engagement undertaken with the *Victoria Park Secondary Plan* study was extensive, with four Community Information Meetings, public meetings at the Planning and Environment Committee, booths at summer festivals, drop-in sessions, an interactive study website, and various meetings with landowners and other community groups. Over 190 individuals identifying themselves as interested parties for this study. The feedback received was considered in the preparation of the revised Secondary Plan that is being recommended for adoption by Municipal Council. The following details the outreach conducted for the Victoria Park Secondary Plan:

Summer Festivals

Staff had a booth during select hours of Sunfest and the Home County Music and Art Festival in July, 2018. This booth provided an opportunity to engage with Londoners in Victoria Park, about the *Victoria Park Secondary Plan* study. Approximately 50 people visited the booth during the two festivals to learn about the study. Many of those visitors identified that the study was needed and noted the importance of Victoria Park to Londoners. Comments received about built form were varied, with some individuals preferring towers around the park, and others preferring low-rise development.

Following the direction of Municipal Council in June, 2019 for staff to undertake further engagement on the draft Secondary Plan, Staff had a booth during select hours at Rib Fest in August, 2019. At Rib Fest, Staff presented the draft Secondary Plan including a virtual reality demonstration of the potential build out that could result from the policies in the Secondary Plan. Over 100 people visited this booth during Rib Fest to learn more about the *Victoria Park Secondary Plan* study and to provide feedback.

Community Information Meeting #1

The first Community Information Meeting for the study was held on October 1, 2018 at the London Public Library – Central Branch. This meeting was attended by approximately 40 people. At this meeting, presentations were made by staff and the consulting team providing an overview of the study and identifying draft key opportunities and considerations to help inform the Secondary Plan. This was followed by breakout tables where individuals were able to discuss the draft key opportunities and considerations in small groups with staff and members of the consulting team.

The consulting team identified the following draft key opportunities and considerations:

1. Response to transit
2. Clarence Street interface with Victoria Park
3. What are appropriate height transitions?
4. Shadow impacts
5. Enhance key views to the park
6. Rethink Richmond Street/Victoria Park relationship
7. Continue to enhance Victoria Park gateways

Comments that were provided by the community at this meeting included the following:

- Improve views to and from the park
- Improve connectivity to the park
- Green the area around the park
- Importance of Victoria Park as a major public space
- Impact of intensification on the park grounds
- Significance of the heritage context of the park
- Need for guidance for major development parcels surrounding the park
- Variety of opinions about height, urban form, and character, with some preferring exclusively low-rise development around the park with others preferring high-rise development around the park
- Questions about how Victoria Park compares to major central urban parks in other cities
- Desire for a pedestrian-friendly environment

The comments provided at this meeting, combined with the other feedback received with regard to the study, were incorporated into the Draft Principles for the Secondary Plan that were presented at the second Community Information Meeting.

Community Information Meeting #2

The second Community Information Meeting was held on January 24, 2019 at London Central Secondary School. This meeting was attended by approximately 120 people. At this meeting presentations were provided by staff and the consulting team outlining the study to date and next steps, providing examples of development around other major central urban parks in Europe and North America, and identifying the Draft Principles to form the basis of the policy development for the Secondary Plan.

The Principles included in this report are similar to the Principles presented at this meeting, with the exception of additions and modifications to these Principles as a result of the feedback received at this meeting.

Comments provided at the meeting included the following:

- Importance of protecting the environmental health of Victoria Park
- Support for improved connectivity
- Support for the views to and from Victoria Park identified by the consultant to be preserved and enhanced, but also recommend including views to and from Princess Avenue (if Centennial Hall is to be removed in the future) and views to and from St. Peter's Basilica Cathedral
- Concern about the impact of additional traffic in the Victoria Park area
- Need for high-quality architectural design for new development around the park
- Desire to preserve sunlight on the park
- Need for any new development to be compatible with heritage resources
- Concerns about parking around Victoria Park and the need for new development to accommodate parking; preference for underground parking
- Improvements to R.H. Cooper Square
- Concerns about safety of pedestrian crossings at Angel Street
- Need for significant setbacks above the podium for new buildings around the park, so that new development is hidden from the street
- Desire for boulevards across from the park to be green extensions of the park
- Preference for podiums to have active uses at grade
- Concern about new development generating wind tunnel effects
- Desire that on-site outdoor space be part of any new development
- Concern about noise from festivals
- Diverse views about appropriate heights in different areas around the park, with some preferring exclusively low-rise development around the park, others preferring high-rise development around the park, and some preferring a mix

This feedback received at this meeting, along with the other feedback received with regard to the study, were incorporated into the Principles for the Secondary Plan and the policies included in the Secondary Plan.

Public Participation Meeting at the Planning and Environment Committee – Draft Secondary Plan Principles – April 29, 2019

At its meeting of May 7, 2019 Municipal Council endorsed the draft *Victoria Park Secondary Plan Principles* that were intended to form the basis of the policies in the *Victoria Park Secondary Plan*, as recommended by Staff.

Prior to its consideration by Municipal Council, this report and the draft Secondary Plan Principles were considered at a Public Participation Meeting of the Planning and Environment Committee on April 29, 2019. Sixteen members of the public provided comment on the draft Secondary Plan Principles at the Planning and Environment Committee meeting. Comments centred on the importance of conserving the amenity of Victoria Park, recognition for the prominence of Victoria Park, the need to conserve cultural heritage resources, and varying opinions about what would constitute appropriate heights for new development around the park.

The public comments made at this meeting were considered in the preparation of the draft *Victoria Park Secondary Plan* and subsequently the revised *Victoria Park Secondary Plan*.

Public Participation Meeting at the Planning and Environment Committee – Draft Secondary Plan - June 17, 2019

The draft *Victoria Park Secondary Plan* was presented at a Public Participation Meeting of the Planning and Environment Committee on June 17, 2019, to begin public consultation on the document. At its meeting of June 25, 2019 Municipal Council received the draft *Victoria Park Secondary Plan* for information purposes and directed that the draft *Victoria Park Secondary Plan* be circulated for further public engagement with the community and stakeholders.

Twelve members of the public provided comment at the Planning and Environment Committee meeting on the release of the draft *Victoria Park Secondary Plan*. Comments varied, with some stressing the desire for lower heights, and others expressing a desire for higher heights to be considered in the Victoria Park Secondary Plan Area. Some members of the public also stressed the need for the conservation of cultural heritage resources in the area and for new development to be compatible with cultural heritage resources. Some members of the public also identified a preference for efforts to be made to encourage properties in other areas of downtown to redevelop prior to consideration of development in the area around Victoria Park. Many members of the public expressed a desire to continue to work with the City to provide comments to inform revisions to the draft Secondary Plan for the revised Secondary Plan to be considered by Municipal Council for adoption.

The public comments made at this meeting were considered in the preparation of the *Victoria Park Secondary Plan*.

Community Information Meeting #3

Following the direction of Municipal Council to Staff to undertake further public engagement on the draft *Victoria Park Secondary Plan*, a Community Information Meeting was held on September 4, 2019 at St. Peter's Basilica Cathedral Auditorium to present the draft Secondary Plan (the same version presented to Municipal Council) and gather feedback. At the meeting, a presentation was made by staff providing an overview of the policies in the Secondary Plan, followed by a question and answer period and open house.

A virtual reality model of the potential build out that could result from the draft Secondary Plan was also at the meeting, allowing participants an opportunity to virtually walk around the Victoria Park area to see how potential building that could result from the policies in the Secondary Plan would look for pedestrians from various vantage points. The virtual reality model also allowed potential shadows to be reviewed at different times of the day and different times of the year.

Commenting booklets were also provided that allowed people to provide feedback on specific elements of the draft Secondary Plan.

Comments that were provided at the Community Information Meeting included the following:

- Other vacant parking lots around the downtown that should be redeveloped to accommodate intensification before the area around Victoria Park is redeveloped
- Residential units accessible from the sidewalk should be elevated, rather than be accessible directly from grade-level to give more privacy to occupants
- All new developments must be of a high standard of design
- Questions about how we can "raise the bar" for urban design
- Design considerations in the draft Secondary Plan are too restrictive
- Questions about how to mitigate the impact of all high-rise buildings
- Desire for the range of permitted heights to be lower
- Desire for the range of permitted heights to be higher
- Height is only one component of development, other urban design considerations

- are also important
- Need for a Secondary Plan for the area to offer certainty and protections
- Parking provision needs to be considered
- Wind impacts need to be considered
- There is already an abundance of retail and commercial uses in the area, concern that the downtown is “empty” and this area drawing retail and commercial uses away from the downtown
- Concern about new development negatively impacting cultural heritage resources
- Rezoning the area should be considered as part of the Secondary Plan process

The comments provided were considered in the preparation of the *Victoria Park Secondary Plan*.

Virtual Reality Drop-in Session

Staff held a drop-in session for people to learn more about the draft *Victoria Park Secondary Plan* and view the virtual reality model of the potential build out that could result from the draft Secondary Plan. This session was held on September 12, 2019 from 9:30am to 7:30pm at City Hall. Approximately 20 people attended this session.

Community Information Meeting #4

Within the limitations and restrictions presented by the Covid-19 pandemic, City staff undertook additional community consultation related to the *Victoria Park Secondary Plan*. This consultation included a Community Information Meeting, which was held virtually using Zoom on November 11, 2020. This meeting was attended (virtually) by approximately 15 people. At this meeting, a presentation was provided by staff outlining the study to date and next steps, providing clarification around the policy themes of the Secondary Plan, and an opportunity for questions and answers (Q&A) at the end of the webinar.

The principles included in this report are similar to the Principles presented at this meeting, with the exception of additions and modifications to these Principles as a result of the feedback received at this meeting.

Comments and questions provided at the meeting included the following:

- Clarification around the existing zoning heights for 556 Wellington
- Traffic studies need to be considered
- Importance of the right building materials
- Importance of balconies and outside public spaces during Covid-19
- The health of Victoria Park, including wind-studies
- Whether development applications are frozen before the Secondary Plan is approved.
- Concern about parking in the areas surrounding Victoria Park.
- Clarification around Centennial Hall
- Importance of sustainability policies and addressing climate change.

Get Involved Website

The Get Involved website has provided another opportunity for individuals to provide comments on the study. The feedback section has been updated throughout the study, and the feedback received has helped inform the Secondary Plan.

Other Feedback

Dozens of emails and telephone calls have been received from over 190 interested parties with questions and comments about the Secondary Plan study.

In addition to the Community Information Meetings and the comments that have been received from community members and other stakeholders via email, telephone, and the website, City Planning Staff have had meetings with surrounding landowners and interested community groups who have reached out to Staff and requested a meeting, including: Auburn Developments, Farhi Holdings Inc., Great West Life, representatives from St. Peter’s Basilica Cathedral, and the Friends of Victoria Park.

Responses to Feedback Received:

The following provides an overview of the feedback received and the staff response to that feedback. Hundreds of comments were received throughout the study process, and while all comments were considered in the preparation of the revised Secondary Plan it is not feasible to respond to each comment individually within this report. The following provides an overview of many of the general comments received through the study process and the response of how they were considered in the development of the revised *Victoria Park Secondary Plan*. A full record of the feedback received can be viewed by contacting the Planning and Development Department.

Comment	Response
Rationale for Study-area & boundaries	The Secondary Plan applies to all properties directly surrounding Victoria Park and properties that are anticipated to be consolidated for future development around the park.
Review of surrounding context	The surrounding context was considered in the preparation of the Secondary Plan, however the policies in the Secondary Plan will only apply within this boundary. Further analysis of green space, land uses, parking and character has been completed and informed revisions to the Plan.
Assess why area is optimally located for intensification	The Secondary Plan area is within Central London and includes both Downtown and Rapid Transit Corridor Place Types which are identified as priorities for intensification.
Vision should include intensification	The Vision in the Secondary Plan includes growing inward and upward. The policies in the Secondary Plan allow for intensification around the park, while ensuring that this intensification is compatible with its context and is of a design standard worthy of its prominent location.
Identifying Kent Street as a view corridor and connection compromises development options	The preservation of existing physical and visual connections between will aid in orientation and help to maintain strong relationship with Richmond Street. Policies allow flexibility for creative alternatives. Innovative approaches to connectivity and view corridors may be considered such as enclosed or covered walkways through buildings.
Relationship of new development to stained glass windows on northern portion of St. Peter's Cathedral	St. Peter's Basilica Cathedral is part V designated rather than individually (Part IV of the Act), so it doesn't have defined heritage attributes that can be relied upon to generate policies about interface between the Church and new development. However, all new development must be both physically and visually compatible with the surrounding cultural heritage resources and Heritage Impact Assessments will be required. An additional policy has been added to require a significant setback from the north of the Cathedral.
Improve connectivity between City Hall & Reg. Cooper	Feedback on the use of Reginald Cooper Square has been mixed. The Secondary Plan allows flexibility for this space in the future.

Missing description of park (history, heritage, today)	Appendix B of the Secondary Plan contains reasons for Designation Victoria Park.
Maintain sense of place and history	The Secondary Plan includes cultural heritage policies to ensure new development is compatible with cultural heritage resources and has been reviewed by ERA Consultants Inc. and LACH.
No heritage assessment for North Policy Area	Heritage Impact Assessments will be required for new development within the Victoria Park Secondary Plan boundaries. Prior to any development in the North Policy Area, a cultural heritage evaluation should be completed to confirm the extent of cultural heritage resources within this area.
Site specific analysis & objective criteria for evaluating heights	Specific height policies for each Policy Area, as well as Built Form policies have been revised to strengthen compatibility and address site-specific contexts.
Prescriptive nature of design-related policies	A review of 'should', 'shall' and 'will' language has been completed and flexibility added where necessary. Where 'should' is used, the intent of the policy must be implemented through alternative design solutions.
Concern main entrances flush with grade	Flexibility has been added into the policies where grading constraints may exist.
Environmental impacts of minimum 70% glazing	Reference to bird-friendly design practices has been incorporated and flexibility added around the requirement for glazing, including the use of spandrel as well as vision glass, or alternative design solutions.
Loss of parking in study area	A review of existing parking has been completed. The majority of parking is surface parking on private land. Policy has been added to encourage the provision of public parking. A city-wide review of parking standards is underway.
Impact of additional cars & potential traffic congestion	A Traffic Impact Assessment is required as part of any development application around the park. The location of the Plan area and policies of the plan encourage active transportation and reduced auto-dependence.
Parking should be located underground	The Secondary Plan provides policies that regulate how parking is provided, including the location of parking, access and visibility. Surface parking is prohibited, and policies encourage underground parking and set design criteria for the treatment of above-grade parking.
Appropriateness of high-rises & intensification around the park when vacant parking lots are underdeveloped.	Planning policies are unable to require property owners to develop certain lots before other lots can be developed. A significant amount of the land within the plan area is surface parking lots and prime for redevelopment.
Height allowances for North & East policy areas should be increased	Permitted heights in these areas consider the transition from the Downtown to surrounding low-rise residential neighbourhoods, the London Plan height permissions, and existing development permissions. Heights have been modified.

Permitted heights should be lower to prevent compromising heritage resources.	Section 3.7 Heights has added language to clarify the existing height permissions based on the London Plan, and sets out that achieving the full range of permitted heights may be limited, subject to the other policies of this plan.
All development should be low- and mid-rise to protect the park.	The minimum and maximum permitted heights for new development are based on existing zoning permissions and generally consistent with the London Plan Place Type policies. Further, the full range of heights may be limited, subject to the other policies of this plan such as cultural heritage, built form and our tools sections.
Extend the rapid-transit corridor to entire North Policy Area	Section 3.7 Height has been revised to clarify that the boundary interpretation policies of the Rapid Transit Corridor Place Type continue to apply to the North Policy Area, should the lots be consolidated.
Restrictive approach in HCD, other Transit Corridors PT allow for increased heights (e.g. Oxford & Wharnccliffe)	The Secondary Plan policies have been revised to balance the need for intensification and the mitigation of adverse impacts on the HCDs. Appropriate heritage review and the requirements of the Ontario Heritage Act will continue to apply.
Maximum heights seem arbitrary	The policies in Section 3.7 Heights have been revised to add clarity to the justification of permitted heights. Heights are based on providing a transition down towards the north, as well as underlying London Plan Place Types and existing zoning permissions.
All proposed intensification measured against health park, security HCD, public access and festivals	The policies included in the Secondary Plan, including required studies have been crafted to ensure a high standard of design and compatibility around the park.
High-rises create shadowing impact on the park & neighbourhood	Measures such as restricting tower floor plate sizes, requiring tower separation, and setbacks have been used to minimize shadow impacts from new development on the park and surrounding area. Shadow studies are also required for all mid-rise and high-rise development proposals.
Wind tunnel effect (even with proposed) setbacks	A wind study is required for any new mid-rise or high-rise building, which requires the applicant to address the wind impacts.
Transition in height within Downtown	The policy framework was reviewed and helped to inform the development of the policies in this Secondary Plan, however this Secondary Plan provided an opportunity to develop new policies that better reflect the unique context of the area to help direct its future development. Language around height transition has been clarified in section 3.7.
Application of angular plane	The use of a 45-degree angular plane has been reviewed and policies revised. The angular plane policies are most effective at mitigating impacts for low-rise and mid-rise buildings and high-rise building podiums, whereas other controls are proposed for impacts from towers.

Angular plane from the park to protect open vistas	Built Form policies require step backs from the park above the streetwall for mid-rise buildings and high-rise podiums. The rights-of-ways surrounding the park are 40m wide and provide a generous buffer from the park.
Impact of high-rises on music festivals, and potential for noise complaints.	Noise studies are required as part of a development application to address mitigative measures, and purchasers should be advised through the addition of a warning clause to the lease or agreement of purchase and sale. A preliminary noise assessment indicated that additional development in the area will lessen noise impacts on the adjacent neighbourhoods
Tree Assessment Victoria Park	A Tree Assessment for Victoria Park has been conducted and consultation with Urban Forestry has informed the policies of the Secondary Plan. The Tree Assessment will inform future operational strategies for trees in the park.
Concern health park with additional users & traffic flows	Consultation with Urban Forestry staff has informed the policies of the Secondary Plan. Tree impacts will be considered within required wind and shadow studies for future development.
Specify impact green roofs	The Secondary Plan requires that all new mid-rise and high-rise development includes green roofs or cool roofs and encourages integration with rooftop amenity.
Response to Climate Emergency should include built form policies	Section 3.10 Sustainable Development has been revised to strengthen policies and add new policies.
Ensure sufficient balconies or external areas for residents (especially during COVID-19)	A policy is included that requires the provision of indoor and/or outdoor communal amenity space with new mid-rise and high-rise multi-unit residential developments
Bird Strike Mitigation & Bird Friendly Guidelines	Policy was added to ensure that design of high-rise buildings should include materials and techniques that limit bird-strikes.
Affordable housing	A section 3.11 Housing Mix and Affordability has been added.
Active transportation	Active transportation policies have been added to the sustainable development section.

Appendix H – Shadow Analysis for Maximum Heights

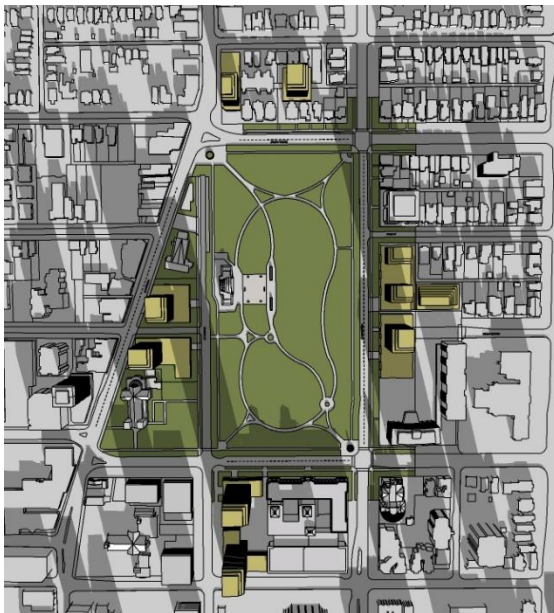
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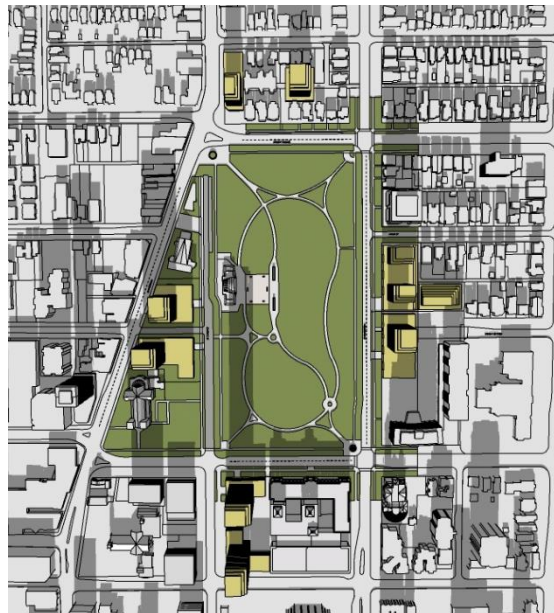
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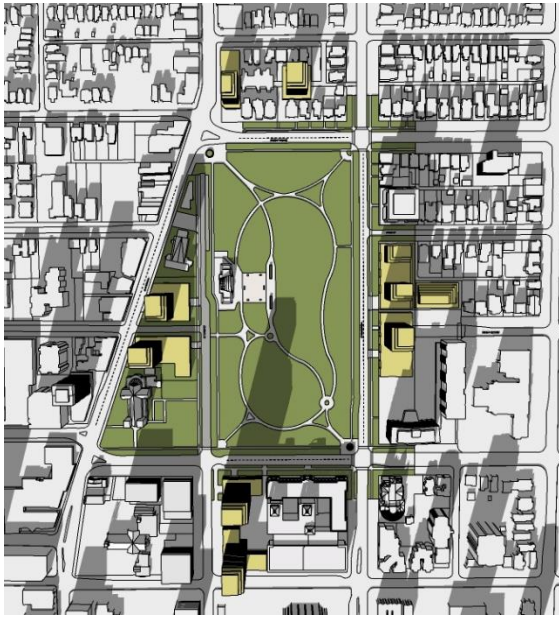


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December 21 – 12:00

December 21 – 13:00



December 21 – 14:00



December 21 – 15:00

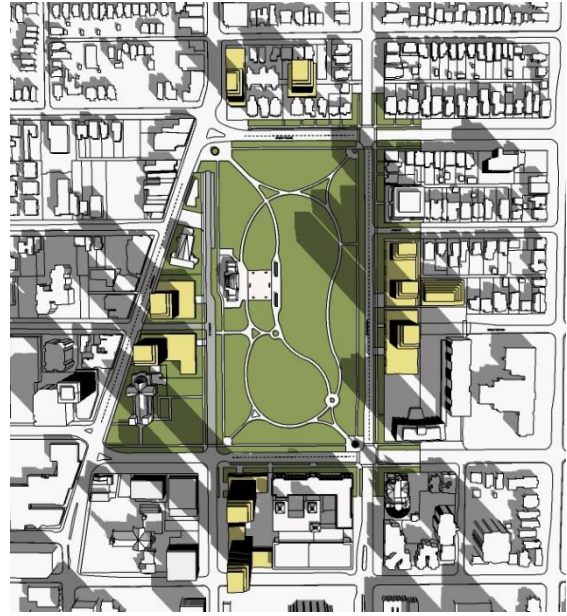


December 21 – 16:00



March/September 21 – 8:00

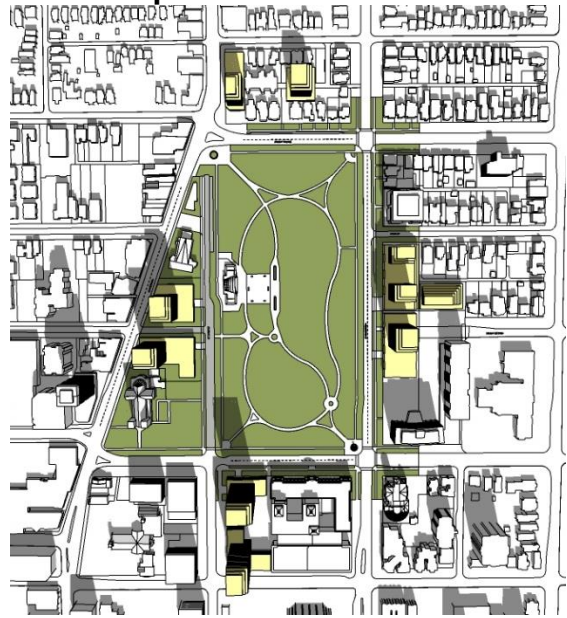
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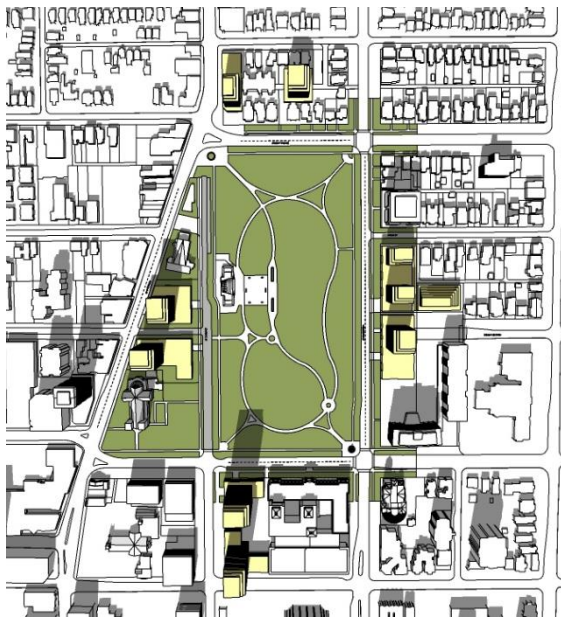


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March/September 21 – 14:00

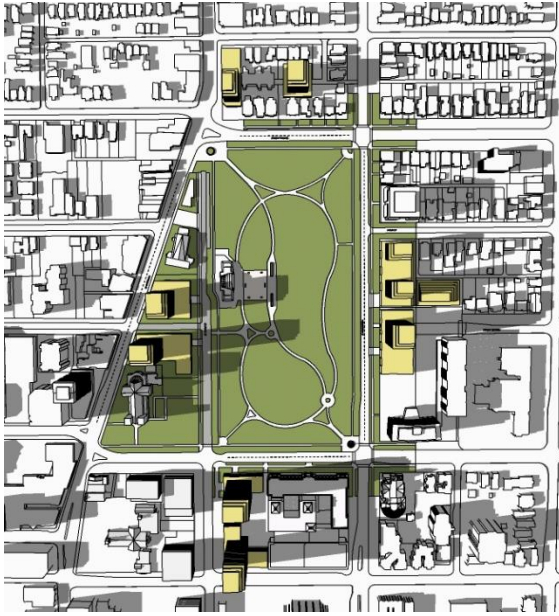


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March/September 21 – 17:00

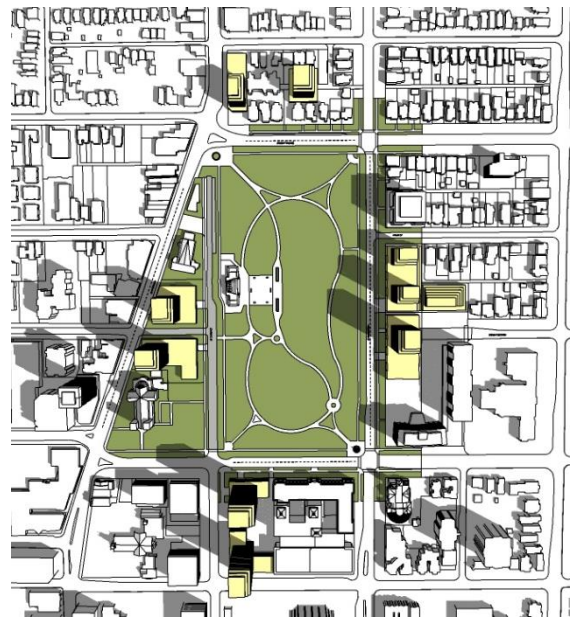


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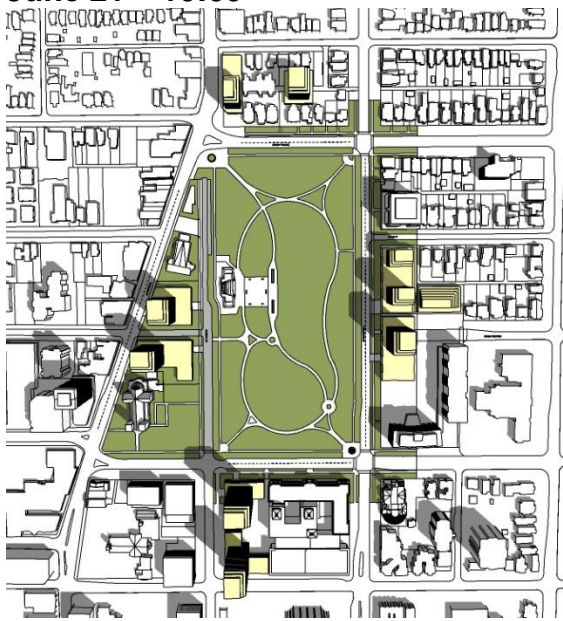


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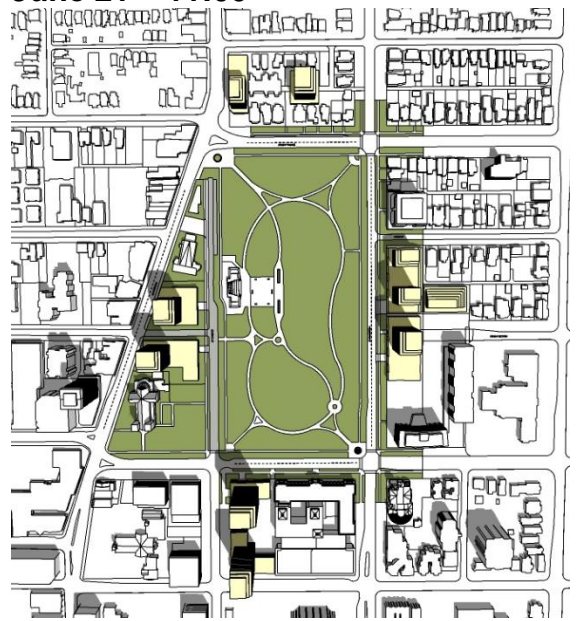
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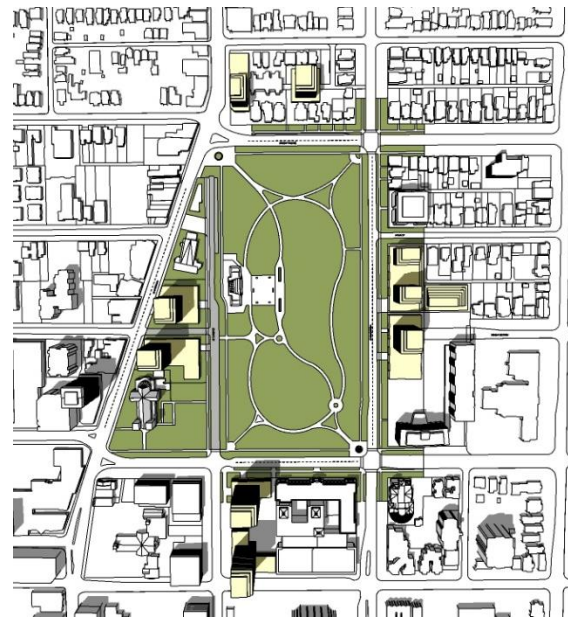


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June 21 – 12:00

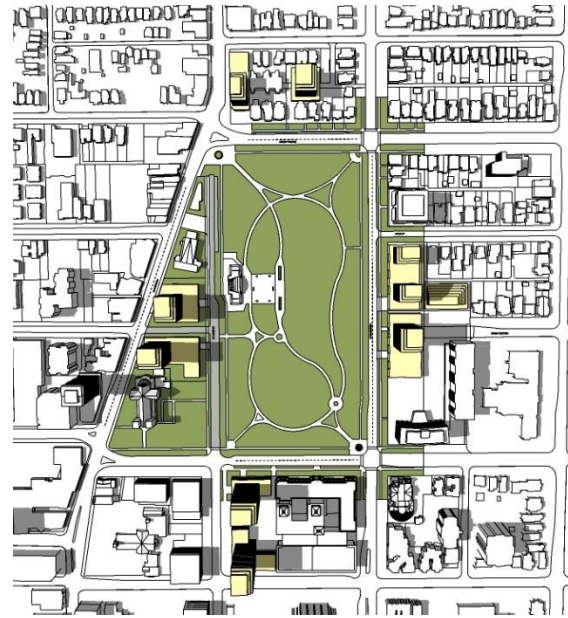
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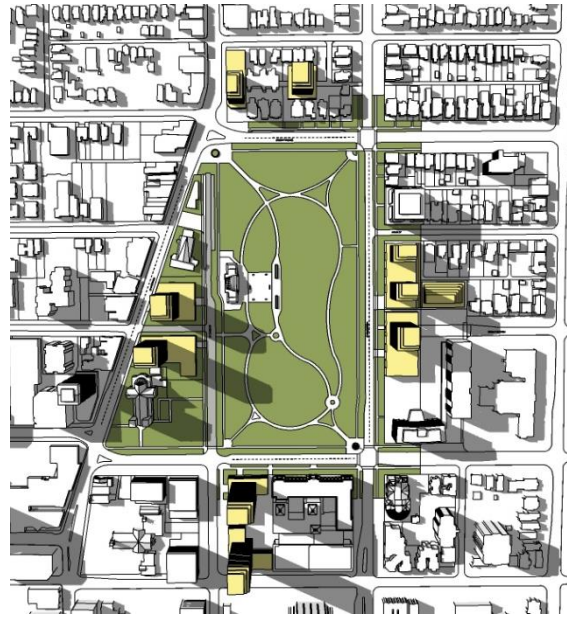
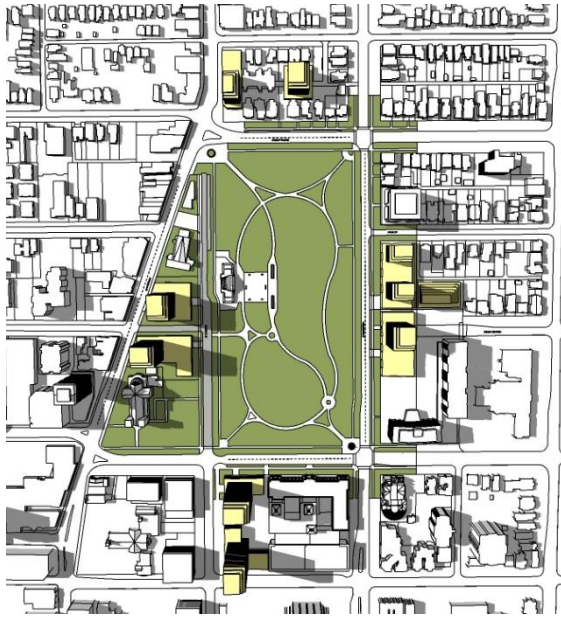


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June 21 – 17:00



June 21 – 18:00



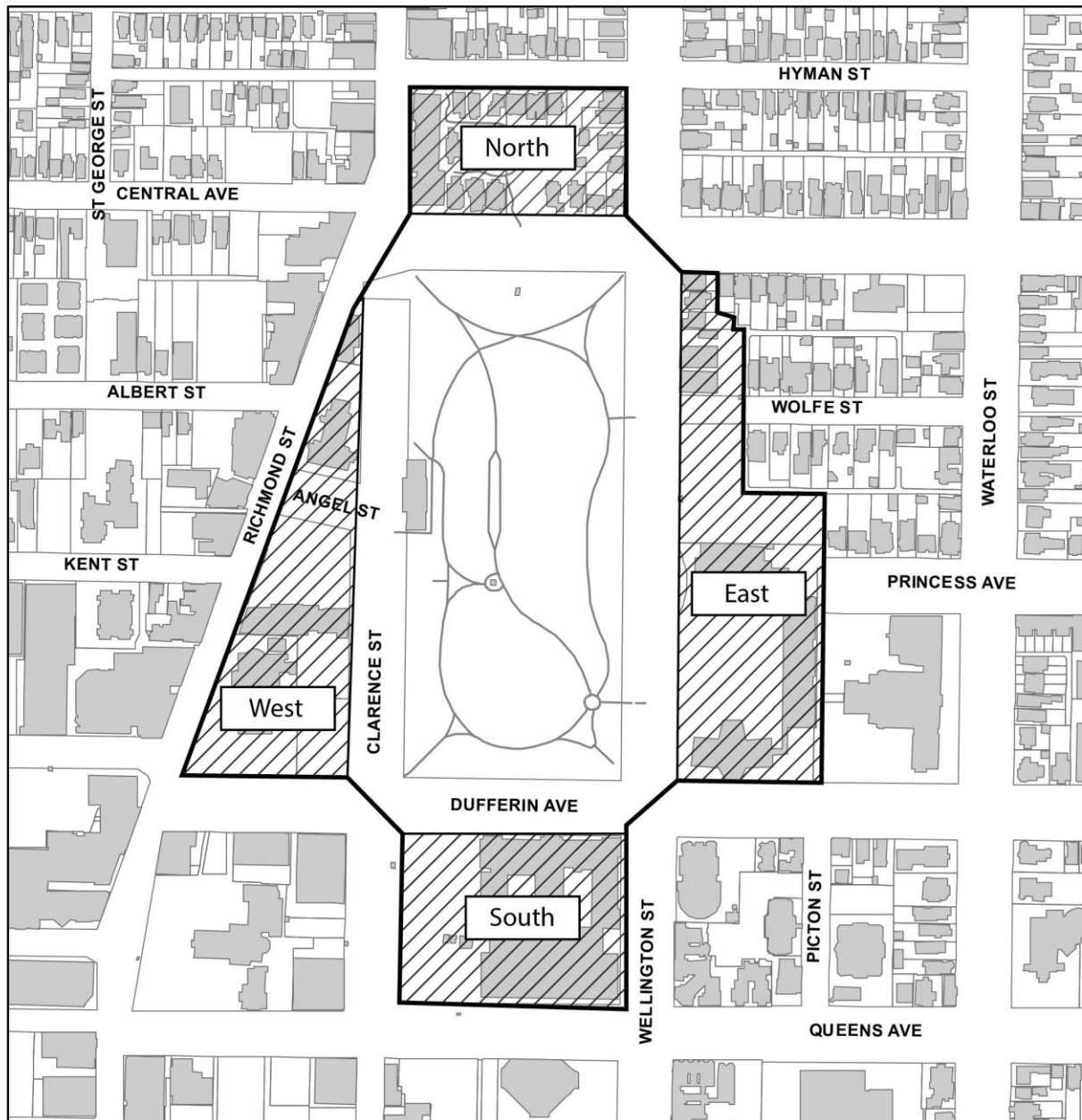
June 21 – 19:00



Appendix I – Existing Policy Framework

The following provides an overview of the existing policy framework that applies to the four Policy Areas surrounding Victoria Park:

Figure 4– Four Policy Areas in the *Victoria Park Secondary Plan*



North Policy Area

Existing Land Uses

The North Policy Area is currently lined by a ring of 2.5-storey residential buildings, many of which have been converted for office uses, with the exception of the Richmond Street frontage which is occupied by a 4-storey mixed use building. A 3-storey residential building is located in the western portion of the interior of the block. A parking lot is located on the eastern portion of interior of the block which presents an opportunity for intensification.

The London Plan

The western portion of this block, fronting Richmond Street, is in the Rapid Transit Corridor Place Type in *The London Plan*. The Rapid Transit Corridor permits a range of commercial and residential uses and, based on the location of the subject site in close proximity to a proposed rapid transit station, would allow for a range of permitted heights between 2 and 12 storeys, up to 16 storeys with bonusing. The eastern portion of the block is within the Neighbourhoods Place Type, permitting primarily residential uses with a range of permitted heights of 2 to 4 storeys.

This block is also subject to a specific policy area in the Neighbourhoods Place Type (Policies 1033 to 1038). This specific policy area identifies that the Woodfield

Neighbourhood is to be maintained as a low density residential area. This policy includes specific guidance for this block, which is identified as permitting Multi-Family Medium Density Residential uses and encourages development which is similar in scale and design to the existing structures in the area.

The portion of this block fronting Richmond Street is also part of a specific policy area for the Richmond Row Specific Segment policies, applying from Oxford Street to Kent Street. Sites within the Richmond Row Specific Segment have a range of permitted heights between 2 and 12 storeys, with up to 16 storeys permitted through bonusing. Policies also require the conservation of cultural heritage resources, and the requirement that development proposals assess the potential impact on heritage resources and to design new development to avoid or mitigate such impact.

Official Plan (1989)

The *Official Plan (1989)* designates the western portion of the block, fronting Richmond Street, as Main Street Commercial Corridor, while the eastern portion of the block is designated Multi-Family Medium Density Residential. Main Street Commercial Corridors permit a variety of small-scale retail, commercial and service uses. Residential uses are also permitted. Heights for properties fronting Richmond Street are to step down from Kent Street to Central Avenue, with maximum heights specified in the Zoning By-law. The Multi-Family Medium Density designation allows for primarily residential uses with a maximum density of 100 units per hectare.

This Policy Area is also subject to the Woodfield Neighbourhood policies for specific residential areas in the *Official Plan (1989)* (Policy 3.5.4) which identifies that the Woodfield Neighbourhood is to be maintained as a low density residential area. This block is identified as permitting Multi-Family Medium Density Residential uses, and encourages development which is similar in scale and design to the existing structures in the area.

Zoning

This majority of this Policy Area has zoning that permits office and residential uses, with a maximum height of 15 metres (approximately 4 to 5 storeys), with the exception of the property fronting onto Richmond Street which has zoning to permit a mixture of commercial and residential uses, with a maximum height of 12 metres (approximately 3 to 4 storeys).

Heritage

This Policy Area is not located in a Heritage Conservation District, but several properties in the block are listed on the City's *Register of Cultural Heritage Resources*

West Policy Area

Existing Land Uses

The West Policy Area is occupied by a restaurant (William's Café) First Baptist Church, St. Peter's Cathedral Basilica and the former St. Peter's School building which is associated with St. Peter's Cathedral Basilica. The Policy Area is also occupied by surface parking lots. These surface parking lots present potential opportunities for intensification. Angel Street bisects the Policy Area, connecting Richmond Street to Clarence Street.

The London Plan

In *The London Plan*, the portion of the Policy Area south of Angel Street is within the Downtown Place Type, with a range of permitted heights of 2 to 20 storeys, and heights of up to 35 storeys may be approved through bonusing. The portion of the Policy Area north of Angel Street is in the Rapid Transit Corridor Place Type, allowing a range of commercial and residential uses with a range of permitted heights between 2 to 12 storeys, with up to 16 storeys permitted through bonusing.

This Policy Area is also included in the Woodfield Neighbourhood specific area policy in the Neighbourhoods Place Type in *The London Plan* (Policies 1033 to 1038). These policies identify that the Woodfield Neighbourhood is intended to be maintained as a low

density residential area, limiting office conversions to certain areas. The properties in this Policy Area are not in the Neighbourhoods Place Type in *The London Plan*.

The portion of this Policy Area north of Kent Street is also part of a specific policy area for the Richmond Row Specific Segment policies, applying from Oxford Street to Kent Street. Sites within the Richmond Row Specific Segment have a range of permitted heights between 2 and 12 storeys, with up to 16 storeys permitted through bonusing. Policies also require the conservation of cultural heritage resources, including the requirement that development proposals assess the potential impact on cultural heritage resources and to design new development to avoid or mitigate such impact.

Official Plan (1989)

The entirety of this Policy Area is within the Community Facilities designation in the *Official Plan (1989)*, with the exception of the northernmost property in the Policy Area which is designated Main Street Commercial Corridor. The Community Facilities designation allows a variety of institutional uses, while the Main Street Commercial Corridor designation contemplates residential uses and a variety of small-scale retail, commercial and service uses.

This Policy Area is within the Woodfield Neighbourhood policies for specific residential areas (Policy 3.5.4). These policies identify the Woodfield Neighbourhood as intended to be maintained as a low density residential area, limiting office conversions. The properties in this Policy Area are not designated residential in the *Official Plan (1989)*.

Zoning

The majority of this Policy Area is zoned to allow for community facilities, with a maximum height of 12 metres (approximately 3 to 4 storeys). The exception is the property occupied by the restaurant on the northern portion of this Policy Area which has zoning that allows for a mixture of commercial and residential uses, with a maximum height of 12 metres (approximately 3 to 4 storeys).

Heritage

This Policy Area is within the *West Woodfield Heritage Conservation District*.

South Policy Area

Existing Land Uses

The South Policy Area abutting Victoria Park is occupied by the 4-storey Canada Life Building and an associated surface parking lot. The surface parking lot, located on the west portion of the block, presents an opportunity for intensification.

The London Plan

Properties in the South Policy Area are within the Downtown Place Type in *The London Plan*, which permits a range of commercial and residential uses and is intended to accommodate the highest levels of development intensity in the City with the range of permitted heights between 2 and 20 storeys, up to 35 storeys with bonusing.

Official Plan (1989)

These properties are also in the Downtown Area designation in the *Official Plan (1989)*, which also contemplates the highest levels of development intensity in the City and permits a range of commercial and residential uses.

Zoning

The zoning in this Policy Area permits a variety of commercial and residential uses with heights up to 90 metres (approximately 30 storeys).

Heritage

The properties in this Policy Area are in the *Downtown Heritage Conservation District*.

East Policy Area

Existing Land Uses

The East Policy Area abutting Victoria Park is occupied by 2-storey residential dwellings that have been converted to office uses, a two-storey residential dwelling, a two-storey

office building and a 5-storey office building on the 560-562 Wellington Street site, a surface parking lot associated with Great West Life, Centennial Hall performance venue, Reginald Cooper Square, a mixed-use building (Centennial House), and City Hall. Wolfe Street bisects the block between 560-562 Wellington Street and the Great West Life surface parking lot. There is an opportunity for intensification in the East Policy Area, particularly south of Wolfe Street

The London Plan

In *The London Plan*, the City Hall block is within the Downtown Place Type, while the properties to the north of the City Hall block are in the Neighbourhoods Place Type. The Downtown Place Type allows for a range of permitted heights between 2 and 20 storeys, with up to 35 storeys permitted through bonusing. The Neighbourhoods Place Type, located on a Civic Boulevard, allows primarily residential uses with heights of 2 to 4 storeys, up to 6 storeys with bonusing. There is a site-specific appeal to *The London Plan* for the site at 560-562 Wellington Street that is one of the appeals to *The London Plan* being considered by the LPAT.

These properties are also subject to the Woodfield Neighbourhood policies for specific residential areas/specific area policies for the Neighbourhoods Place Type (Policies 1033 to 1038) which identify that it is the policy of this plan to maintain the Woodfield Neighbourhood as a low density residential area, limiting office conversions to certain areas. Properties north of Princess Avenue are identified as being a low density residential neighbourhood with infill and intensification permitted only when compatible with the character, scale and intensity of the low density residential area, with the exception of the lands fronting the north side of Princess Avenue (the Great West Life parking lot) which are intended to be an area of transition between high density residential and institutional uses to the south and the low density residential areas to the north.

In the *Official Plan (1989)* the City Hall site is designated Downtown Area, while the Great West Life surface parking lot on the southeast corner of Wolfe Street and Wellington Street is designated Office Area, and the properties north of Wolfe Street, including 560-562 Wellington Street, are designated Low Density Residential. The Downtown Area designation allows for a range of commercial and residential uses and contemplates the highest heights and densities for development in the City. The Office Area designation is primarily intended to accommodate small and medium-scale offices in low and mid-rise buildings. The Low Density Residential designation allows for primarily residential uses with a maximum height of 4 storeys and a maximum density of 75 units per hectare.

Official Plan (1989)

In the *Official Plan (1989)* and *The London Plan*, these properties are also subject to the Woodfield Neighbourhood policies for specific residential areas/specific area policies for the Neighbourhoods Place Type (Policy 3.5.4 in the *Official Plan (1989)*; Policies 1033 to 1038 in *The London Plan*) which identify that it is the policy of this plan to maintain the Woodfield Neighbourhood as a low density residential area, limiting office conversions to certain areas. Properties north of Princess Avenue are identified as being a low density residential neighbourhood with infill and intensification permitted only when compatible with the character, scale and intensity of the low density residential area, with the exception of the lands fronting the north side of Princess Avenue (the Great West Life parking lot) which are intended to be an area of transition between high density residential and institutional uses to the south and the low density residential areas to the north.

Zoning

The zoning on the northern portion of this Policy Area permits residential and office conversion uses with maximum heights of 10.5 metres (approximately 2 to 3 storeys), the zoning on the 560-562 Wellington Street site permits office uses with a maximum height of 10 metres, the zoning on the Great West Life surface parking lot and Centennial Hall permits a variety of commercial and residential uses with a maximum height of 90 metres, and the zoning on the City Hall, Reginald Cooper Square and Centennial House site permits a variety of commercial and residential uses with a maximum height of 68 metres.

Heritage

The properties in the East Policy Area are within the *West Woodfield Heritage Conservation District Plan* which includes a policy suggesting that heights step down from City Hall going north.

Appendix K – Policy Analysis

Applicable policy and regulatory documents were considered in their entirety as part of the preparation of the *Victoria Park Secondary Plan*.

The following provides a detailed policy analysis discussing how the policies in the recommended *Victoria Park Secondary Plan* are consistent with the *Provincial Policy Statement* and support the policies in *The London Plan* and the *Official Plan (1989)*. The *West Woodfield Heritage Conservation District Plan*, *Downtown Heritage Conservation District Plan*, *Downtown Design Study and Guidelines*, and *Our Move Forward: London's Downtown Plan*, were also considered and helped to shape the policies of the *Victoria Park Secondary Plan*.

View Corridors

Provincial Policy Statement, 2020

The View Corridor policies are consistent with the PPS, as the PPS identifies that long term economic prosperity should be supported by maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets (Policy 1.7.1). Enhancing visual connections to Richmond Row helps to enhance the vitality of this main street, creating greater connectivity and porosity to the prominent City-wide destination of Victoria Park.

Further, the PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes (Policy 1.7.1). The maintenance of visual connections to and from the eastern elevation of St. Peter's Basilica Cathedral and Wolfe Street help to encourage a sense of place by promoting a well-designed built form that helps to maintain the visual connections between these heritage resources.

The London Plan

The View Corridor policies build on policies in *The London Plan*, providing more detail for this specific area. *The London Plan* identifies that site layout of new development should be designed to respond to its context and the existing and planned character of the surrounding area (Policy 252). By protecting these view corridors, the existing character of the area, including views, will be preserved through future development. Public spaces, such as Victoria Park, are also to be designed to enhance views and vistas (Policy 242).

View Corridor policies also helps to provide further detail to help implement the Council-adopted *London Plan* policy that the siting of buildings and layout of sites should create and preserve views of landmarks and natural features from public spaces (Policy 257). This is done by maintaining views between Victoria Park and the popular Richmond Row main street, and the heritage resources of St. Peter's Basilica Cathedral and the buildings on Wolfe Street.

Official Plan (1989)

The *Official Plan (1989)* identifies that new development should minimize the obstruction of views of natural features and landmarks (Policy 11.1.1.). The View Corridor policies in the *Victoria Park Secondary Plan* are supportive of this policy, providing more detail by identifying views to be conserved between landmarks in the area around Victoria Park.

Connections

Provincial Policy Statement, 2020

The Connections policies are consistent with the PPS. The PPS identifies that long term economic prosperity should be supported by maintaining and, where possible, enhancing the vitality and viability of downtowns and main streets (Policy 1.7.1). Richmond Row is an important main street, and creating connections helps to link this

commercial main street to the city-wide destination of Victoria Park, supporting both the park and the main street.

The PPS also identifies that land use patterns should support active transportation (Policy 1.1.3.2). Creating additional connections to Richmond Row and to the Woodfield Neighborhood is consistent with this policy as it helps to support active transportation, by enhancing connectivity to these destinations.

The London Plan

The Connections policies support the general policies in *The London Plan*, including the policy that site layout of new development should be designed to respond to its context and the existing and planned character of the area (Policy 252), by encouraging connections that respond to the benefits of promoting active transportation through greater connectivity for pedestrians to Richmond Row and the Woodfield Neighbourhood. This is also supported by the Council-adopted *London Plan* policy indicating that site layout will promote connectivity and safe movement between, and within, sites for pedestrians, cyclists, and motorists (Policy 255).

The London Plan also encourages establishing strong physical connections between the Downtown and the surrounding urban business areas, such as Richmond Row (Policy 799). The policies encouraging connections to Richmond Row helps to achieve this objective.

Official Plan (1989)

The urban design goal identified in the *Official Plan (1989)* identifies that it is the goal of the Plan to promote a high standard of architectural, landscape and community design that is sensitive to the character of the surrounding uses and streetscapes, conducive to pedestrian accessibility, safety, and circulation and use (Policy 2.14.2). The Connections policies in the *Victoria Park Secondary Plan* help to advance this goal, by providing greater opportunities for pedestrian accessibility and circulation in the area.

Public Realm

Provincial Policy Statement, 2020

The Public Realm policies are consistent with the PPS, including direction that healthy, livable and safe communities are sustained by promoting development and land use patterns that conserve biodiversity and consider the impacts of a changing climate (Policy 1.1.1). The PPS also identifies that vegetation should be maximized in settlement areas (Policy 1.8.1). Encouraging green landscaping, rather than the addition of hard surfaces to the area, helps to mitigate the urban heat island effect, aids in storm water management, and helps to maximize vegetation.

The London Plan

The Public Realm policies help to advance many of the policies in *The London Plan*, with additional detail to reflect the unique context around Victoria Park. *The London Plan* identifies that landscaping should be used to define spaces, highlight prominent features and landmarks, add visual interest, delineate public and private spaces, add comfort and improve health, offer visual screening and improve the aesthetic quality of neighbourhoods (Policy 235). The public realm policies help to advance this objective, by prioritizing the provision of landscaping and green space, such that the experience of Victoria Park is expanded into the surrounding area, creating linkages to the park and helping to highlight it as a prominent landmark. Similarly, the preservation of the green edge between St. Peter's Basilica Cathedral and Dufferin Avenue helps to highlight this prominent landmark, and also connect this landmark to Victoria Park. The prioritization of green space in the area surrounding Victoria Park also helps with storm water management and mitigating the urban heat island effect, improving health and pedestrian comfort.

The London Plan also includes a Council-adopted policy that residential and mixed-use buildings should include outdoor amenity spaces (Policy 295). The *Victoria Park*

Secondary Plan advances this policy direction in a way that reflects the unique needs of the area around Victoria Park. The provision of indoor and outdoor amenity space is required with all new residential developments. This helps to moderate the impacts of increased intensification on Victoria Park. It also helps to provide amenity space for residents, as many apartment units lack private outdoor amenity space. The allowance for either indoor or outdoor amenity space recognizes that there may be limited opportunities for outdoor amenity space in certain locations due to the size of the lots in the area, and indoor amenity space can also help to meet the needs of residents.

Official Plan (1989)

The Public Realm policies in the *Victoria Park Secondary Plan* support the policies in the *Official Plan (1989)* including the urban design goal to promote a high standard of architectural, landscape and community design that is sensitive to the character of surrounding uses and streetscape, conducive to pedestrian accessibility, safety, circulation and use, and provides for the protection of significant natural features (Policy 2.14.2)

Cultural Heritage

Provincial Policy Statement, 2020

The PPS identifies that significant built heritage resources shall be conserved (Policy 2.6.1). It also identifies that development and site alteration on lands that are adjacent to a protected heritage property shall not be permitted except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved (Policy 2.6.3). The cultural heritage resources in the Victoria Park Secondary Plan Area are foundational to the character of the park. The policies in the *Victoria Park Secondary Plan* help to support the conservation of heritage resources, by providing a supportive framework to help ensure that new development is compatible with cultural heritage resources, working in conjunction with any applicable Heritage Conservation District Plans.

Any future development applications in the Victoria Park Secondary Plan Area for a property that is designated under the *Ontario Heritage Act* would still require a Heritage Alteration Permit prior to redevelopment and will require a Heritage Impact Assessment.

The PPS also identifies that long-term economic prosperity should be supported by encouraging a sense of place, by promoting a well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources (Policy 1.7.1). The Cultural Heritage policies in the *Victoria Park Secondary Plan* help to ensure built heritage resources are conserved, consistent with this PPS policy.

The London Plan

The London Plan identifies the need to protect London's built and cultural heritage to promote the City's unique identity (Policy 11). It also identifies the need to recognize and enhance our cultural heritage resources (Policy 61). Development is not permitted on lands adjacent to heritage designated properties and properties listed on the City's *Register of Cultural Heritage Resources* except where the proposed development has been evaluated and it is demonstrated that the attributes of the cultural heritage resource will be conserved (Policy 586).

The Victoria Park Secondary Plan Area includes properties in the *Downtown* and *West Woodfield Heritage Conservation Districts*. The Council-adopted policies in *The London Plan* identify that in Heritage Conservation Districts the character of the district shall be maintained by encouraging the retention of existing structures and landscapes that contribute to the character of the district, and that design of new development should complement the prevailing character of the area. It also identifies that regard shall be had at all times to the guidelines and intent of the HCD Plans (Policy 594*).

The Cultural Heritage policies in the *Victoria Park Secondary Plan* help to provide more detailed mechanisms to advance these policy objectives, recognizing the significant

cultural heritage resources in the Victoria Park Secondary Plan Area and the foundational relationship these have to Victoria Park, which is itself a significant cultural heritage resource.

Official Plan (1989)

The *Official Plan (1989)* identifies that heritage resources are to be protected which contribute to the identity and character of the city. Further new development and redevelopment are to be sensitive to, and in harmony with, the City's heritage resources (Policy 13.1). As the *Downtown* and *West Woodfield Heritage Conservation Districts* are within the Victoria Park Secondary Plan Area, the *Official Plan (1989)* also requires that the character of these districts be maintained, that new development complements the prevailing character of the area, and that development on lands adjacent to designated Heritage Conservation Districts be encouraged to be sensitive to the characteristics of the District. The Cultural Heritage policies in the *Victoria Park Secondary Plan* support the implementation of these policies in the Victoria Park Secondary Plan Area.

Built Form

General Built Form

Provincial Policy Statement, 2020

The General Built Form policies are consistent with the PPS, including policies that encourage the continued vitality of settlement areas (Policy 1.1.3.1), and the need to take into account existing building stock or areas when promoting opportunities for intensification and redevelopment (Policy 1.1.3.3), as the General Built Form policies help to ensure that new development fits with surrounding context.

These policies are also supportive of compatibility with cultural heritage resources, helping to implement direction in the PPS that long-term economic prosperity should be supported by encouraging a sense of place, by promoting a well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources (Policy 1.7.1)

The London Plan

The General Built Form policies provide more detailed direction that implements many of policies in *The London Plan* based on the specific context of the Victoria Park Area.

Policies in *The London Plan* requires new development to be a good fit with the context of an existing neighbourhood (Policy 62). Site layout should also be designed to respond to its context and the character of the surrounding area and to minimize and mitigate impacts on adjacent properties (Policy 252, 253). *The London Plan* also identifies that buildings should be sited so that they maintain and reinforce the prevailing street wall or street line of existing buildings (Policy 256). The setback and shadow policies included in this section help to encourage new development that fits with the surrounding context and minimize and mitigate impacts on adjacent properties.

The London Plan also includes a Council-adopted policy that high-rise and mid-rise buildings should be designed to express three defined components: a base, middle and top (Policy 289). The *Victoria Park Secondary Plan* includes a similar policy, but the wording has been changed from "should" to "shall" based on the importance of new buildings demonstrating a high standard of design as merited by their prominent location around Victoria Park. The portion of the policy allowing alternative design solutions to address the intentions of the base, middle, top design that is included in *The London Plan* is also included in the policy in the *Victoria Park Secondary Plan*, allowing flexibility for developers to implement alternative design solutions.

Official Plan (1989)

Policies in the *Official Plan (1989)* are supported by the General Built Form policies, including the need to enhance and mitigate impacts on surrounding neighbourhoods, encouraging compact urban form and promoting sustainable development (Policy 2.4). The *Official Plan (1989)* also identifies that land use intensification within exiting communities will be controlled so that it contributes to the efficient use of existing

services and infrastructure while maintaining compatibility with streetscapes other aspects of neighbourhood character (2.13.2), which is supported by the General Built Form policies in the Secondary Plan. The General Built Form policies also help to implement the requirement that emphasis be placed on the promotion of a high standard of design for buildings to be constructed in prominent locations, as identified in the *Official Plan (1989)* (Policy 11.1.1).

Façade Design

Provincial Policy Statement, 2020

Façade Design policies help to advance the policy direction in the PPS that long term economic prosperity is supported by encouraging a sense of place (Policy 1.7.1). The policies included in the *Victoria Park Secondary Plan* help to ensure that the design of new buildings fits within the context surrounding Victoria Park, and also helps to provide direction on how buildings can be designed to be compatible with cultural heritage resources.

The need to encourage active transportation is another policy direction in the PPS that is supported by Façade Design policies (Policy 1.1.3.2), as the Façade Design policies contribute to the establishing a comfortable pedestrian environment by creating buildings that are of a pedestrian scale and fit with the surrounding context.

The London Plan

Façade Design policies also implement the policy direction in *The London Plan*, providing more specific policies to reflect the unique location of Victoria Park. *The London Plan* includes Council-adopted policies that encourage a diversity of materials to visually break up massing, and also encourages that materials be selected for their scale, texture, durability and consistency with their context (Policy 301, 302). Where new development is being constructed adjacent to heritage designated properties, building materials should be sympathetic to the materials and architectural style of the heritage property (Policy 303). The Façade Design policies in the *Victoria Park Secondary Plan* provide more detailed policies to implement these objectives.

Official Plan (1989)

The *Official Plan (1989)* identifies that the massing and conceptual design of new development should provide for continuity and harmony in architectural style with adjacent uses which have a distinctive and attractive visual identity, or which are recognized as being of cultural heritage value or interest (Policy 11.1.1). New development and redevelopment is also encouraged to be sensitive to, and in harmony with, the City's heritage resources (Policy 13.1). The Façade Design policies help to implement these Official Plan policies within the unique context of the Victoria Park Secondary Plan Area.

Activation

Provincial Policy Statement, 2020

The *Provincial Policy Statement* encourages a sense of place being developed through well-designed built form (Policy 1.7.1) and supports active transportation (Policy 1.1.3.2, 1.8.1). Consistent with the PPS, the Activation policies in the *Victoria Park Secondary Plan* support active transportation and promote the development of a sense of place by supporting a vibrant public realm.

The London Plan

The Activation policies in the *Victoria Park Secondary Plan* help to implement the policies in *The London Plan* in a way that is unique to the area. *The London Plan* identifies that where parks and public spaces are adjacent to urban uses, buildings should be designed to provide an active frontage onto these spaces to create positive interaction with the space (Policy 422). A variety of other policies encouraging activation can be found in the City Design chapter of *The London Plan*. The Activation policies in *The Victoria Park Secondary Plan* encourage the development of active building façades that will help to maintain and enhance the area around Victoria Park as an animated space that encourages active transportation.

Official Plan (1989)

The *Official Plan (1989)* encourages forms of development to be designed to be pedestrian-oriented and support public transit, and encourages promoting high standard of design that is sensitive to the character of surrounding streetscapes and conducive to pedestrian accessibility, safety, circulation and use (Policy 2.4, 2.14.2). The policies in the Plan for residential and commercial uses also encourage the design of active street frontages. The policies in the *Victoria Park Secondary Plan* will help to encourage the development of active street frontages and a vibrant pedestrian environment to encourage active transportation.

Parking

Provincial Policy Statement, 2020

The PPS encourages the development of a sense of place through well-designed built form (Policy 1.7.1) and supports active transportation (Policy 1.1.3.2, 1.8.1). The Parking policies in the *Victoria Park Secondary Plan* recognize the need to provide parking to meet demands, but ensure that this provision of parking does not detract from a vibrant public realm in order to encourage a sense of place and promote active transportation.

The London Plan

The London Plan identifies that the location, configuration and size of parking areas will be designed to support the planned vision of the place type and enhanced the experience of pedestrians, transit-users, cyclists, and drivers (Policy 270). Council-adopted policies also identify that parking structures will be integrated into the design of buildings to ensure the public realm is not negatively affected (Policy 273), and that parking should be located underground for large buildings (Policy 275). The Council-adopted policies in *The London Plan* also directs that where parking is integrated into a building, the ground floor facing the street should be occupied by active uses to avoid creating non-active street frontages (Policy 276).

The Parking policies in the *Victoria Park Secondary Plan* takes careful consideration of the sensitive context surrounding Victoria Park, recognizing it as a prominent landmark for the city. The Parking policies provide more detail than the policies in *The London Plan*, requiring parking be located underground or, if structured, wrapped with other uses to reduce the visual impact of the parking facility. Locations for access to parking facilities and the provision of drop-offs and laybys are also limited, recognizing the sensitive context and need to maintain and enhance the active pedestrian realm around Victoria Park and on Richmond Street.

Official Plan (1989)

The *Official Plan (1989)* identifies that parking and loading facilities and driveway should be located and designed to facilitate maneuverability on site, between adjacent areas where appropriate, and to reduce the traffic flow disruption (Policy 11.1.1). Further, many sites in the Victoria Park Secondary Plan Area are in commercial designations in the *Official Plan (1989)*. The urban design objectives for all commercial designations discourage large, front yard surface parking areas, and encourage street-oriented development (Policy 4.2.2). Policies for the various residential designations in the *Official Plan (1989)* are also supportive of reducing the visual impact of parking facilities and support neighbourhood compatibility. The *Official Plan (1989)* also identifies that emphasis will be placed on the promotion of a high standard of design for buildings to be constructed in strategic or prominent locations (Policy 11.1.1).

The parking policies in the *Victoria Park Secondary Plan* help to ensure parking facilities are designed in a way that minimizes impacts on the public realm, and ensures a high standard of design, recognizing the prominent location of these properties surrounding Victoria Park.

Permitted Heights

Provincial Policy Statement, 2020

The PPS identifies that planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas (Policy 1.1.3.3). The height provisions in this Secondary Plan are consistent with the PPS as the height provisions offer opportunities for intensification and redevelopment in a form that is compatible with the existing building stock and surrounding area.

The London Plan

The heights generally reflect the range of permitted heights in the place types contemplated in *The London Plan*, however slight revisions have been made based on a detailed analysis of the unique features of the area. Modifications to the ranges of heights, along with the addition of angular plane and shadow criteria allow for opportunities to accommodate intensification in a way that is sensitive to the surrounding context. The Permitted Heights policies, including the angular plane provision, also help to implement the Council-adopted policy in *The London Plan* that an appropriate transition of building heights, scales and massing should be provided between developments of significantly different intensities (Policy 298).

Official Plan (1989)

The *Official Plan (1989)* identifies that Secondary Plans may be prepared for specific areas that warrant a review, refinement, or elaboration on Official Plan policies (Policy 19.2.1). The *Victoria Park Secondary Plan* provides this review, refinement and elaboration. The *Official Plan (1989)* also identifies that areas of the city can be identified for intensification and infill, subject to consideration of neighbourhood planning issues, potential impacts and mitigating measures, and select policies applicable to residential land use designations (Policy 12.2.2). Through the *Victoria Park Secondary Plan*, the permitted heights under the *Official Plan (1989)* were reviewed, and revisions and refinements were made based on analysis conducted to prepare the Plan. The use of angular planes and shadow criteria help to ensure that intensification is accommodated in a way that is sensitive to the surrounding context.

Mid-rise Form and High-rise Form

Provincial Policy Statement, 2020

The Mid-rise Form and High-rise Form policies are consistent with the PPS, as they help to support the policy direction for planning authorities to accommodate intensification appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas (Policy 1.1.3.3), by providing direction to ensure development can be accommodated and compatibility with existing building stock and areas.

The London Plan

The Mid-rise Form and High-rise Form policies help to implement many of the policies of *The London Plan* for new development within the context of the Victoria Park Area. These include policies in *The London Plan* for ensuring new development is a good fit within the context of an existing neighbourhood (Policy 62), and also Council-adopted policies in *The London Plan* including that buildings will be designed to achieve scale relationships that are comfortable for pedestrians (Policy 286), and the need for mid-rise and high-rise buildings be designed to express a base, middle and top (Policy 289).

The *Victoria Park Secondary Plan* also builds on the Council-adopted policy to restrict tower floorplate size in *The London Plan*, based on the shadow sensitive context of the Victoria Park Secondary Plan Area.

Official Plan (1989)

The *Official Plan (1989)* identifies that emphasis will be placed on the promotion of a high standard of design for buildings to be constructed in strategic or prominent locations (Policy 11.1.1). As exemplified by the significant amount of community feedback received in response to the development of the *Victoria Park Secondary Plan*,

there are few locations in the London that are as prominent as the lands surrounding Victoria Park. The policies in to regulate Mid-rise and High-rise Forms in the *Victoria Park Secondary Plan* help to ensure that the development of new mid-rise and an high-rise buildings is of a high standard of design, and also that it supports the other policies in the *Official Plan (1989)* including allowing access to sunlight, providing privacy, encouraging an attractive pedestrian environment, and ensuring compatibility with surrounding uses.

Land Use

Provincial Policy Statement, 2020

The PPS identifies that land uses should support active transportation and transit (Policy 1.1.3.2). In order to promote economic development and competitiveness, municipalities are also encouraged to include compact, mixed-use development that incorporates compatible employment uses to support livable and resilient communities (Policy 1.3.1). The policies in the *Victoria Park Secondary Plan* allow for a mix of uses that encourage walkability and are in close proximity to a planned future rapid transit line and the downtown. Limiting the proportion of building façades that can be taken up by residential lobbies encourages active street frontages and helps to promote active transportation.

The PPS also identifies the need to maintain and enhance the vitality and viability main streets (Policy 1.7.1). The requirement for street-oriented retail and services on the Richmond Street main street helps to advance this policy.

The London Plan

The London Plan directs the need to construct a mixed-use compact city (Policy 59). The permitted land uses contemplated are generally consistent with the Council-adopted land use allowance in *The London Plan* for the place types that apply within the Victoria Park Secondary Plan Area, with the exception of properties in the Neighbourhoods Place Type which would, based on the policies in *The London Plan*, be limited to residential uses. The *Victoria Park Secondary Plan* has undertaken a detailed and comprehensive study of the area and determined that a broader range of land uses is appropriate on these sites based on their prominent location adjacent to Victoria Park.

While auto-oriented uses and drive through facilities may be located in certain place types in *The London Plan* subject to Zoning By-law Amendment applications, these uses are prohibited in the Victoria Park Secondary Plan Area based on the prominence of the location next to Victoria Park and the pedestrian-oriented nature of the area.

The London Plan also identifies that when parks are adjacent to urban areas, building should be designed to have active frontages on these spaces to encourage positive interaction with these spaces (Policy 422). Restricting the size of residential lobbies helps to implement this policy objective.

Official Plan (1989)

The policies in the *Official Plan (1989)* identify that Secondary Plans may be prepared for specific areas that warrant a review, refinement, or elaboration on Official Plan policies (Policy 19.2.1). Through the development of the *Victoria Park Secondary Plan*, policies in the *Official Plan (1989)* were reviewed and were revised and elaborated on. The range of uses permitted in the Victoria Park Secondary Plan Area is generally broader than the range of uses permitted on individual sites based on their designation in the *Official Plan (1989)*, however this expanded range was found to be appropriate based on the unique location of these properties surrounding a landmark park and their subsequent capacity to support a broader range of land uses in a way that is compatible with the surrounding area.

Compatibility with Park Activities

Provincial Policy Statement, 2020

The PPS encourages that long-term economic prosperity should be promoted by encouraging a sense of place, by promoting a well-designed built form and cultural planning, and by conserving features that help define character, including built heritage

resources (Policy 1.7.1). Victoria Park provides an important landmark and heritage resource that is central to the City of London. Ensuring that any new development in the area supports the continued vitality of Victoria Park is consistent with the PPS.

The London Plan

The Compatibility with Park Activities policies help to implement *The London Plan*, supporting the continued role of Victoria Park as the “jewel” of the parks system. *The London Plan* identifies the need to protect our built and cultural heritage to promote our unique identity (Policy 57), and encourages that we protect what we cherish (Policy 61).

Official Plan (1989)

The heritage goal identified in the *Official Plan (1989)* is to promote the conservation of the City’s historical, architectural, cultural, and natural heritage resources and enhance the contribution of these resources to the form and character of the City (Policy 2.14.1). Heritage policies in the Plan also identify the need to protect heritage resources that contribute to the identity and character of the city, encourages the protection and utilization of sites that are considered to be of cultural heritage value or interest, and encourage new development and redevelopment to be sensitive to, and in harmony with, the City’s heritage resources (Policy 13.1). The role of Victoria Park as a place of public gathering and celebration is one of the reasons for the park’s Part IV heritage designation, as it has been a gathering place for Londoners since 1874. The Compatibility with Park Activities policies help to support this continued role for Victoria Park.

Sustainable Development

Provincial Policy Statement, 2020

The Sustainable Development policies are consistent with the PPS. The PPS identifies that long term economic prosperity should be supported by promoting energy conservation and also by minimizing impacts from a changing climate (Policy 1.7.1). The PPS also promotes design and orientation of buildings that maximizes energy efficiency and conservation and considers the mitigating effects of vegetation (1.8.1). The Building Sustainable Development policies encourage sustainable building design which helps to advance these policy objectives.

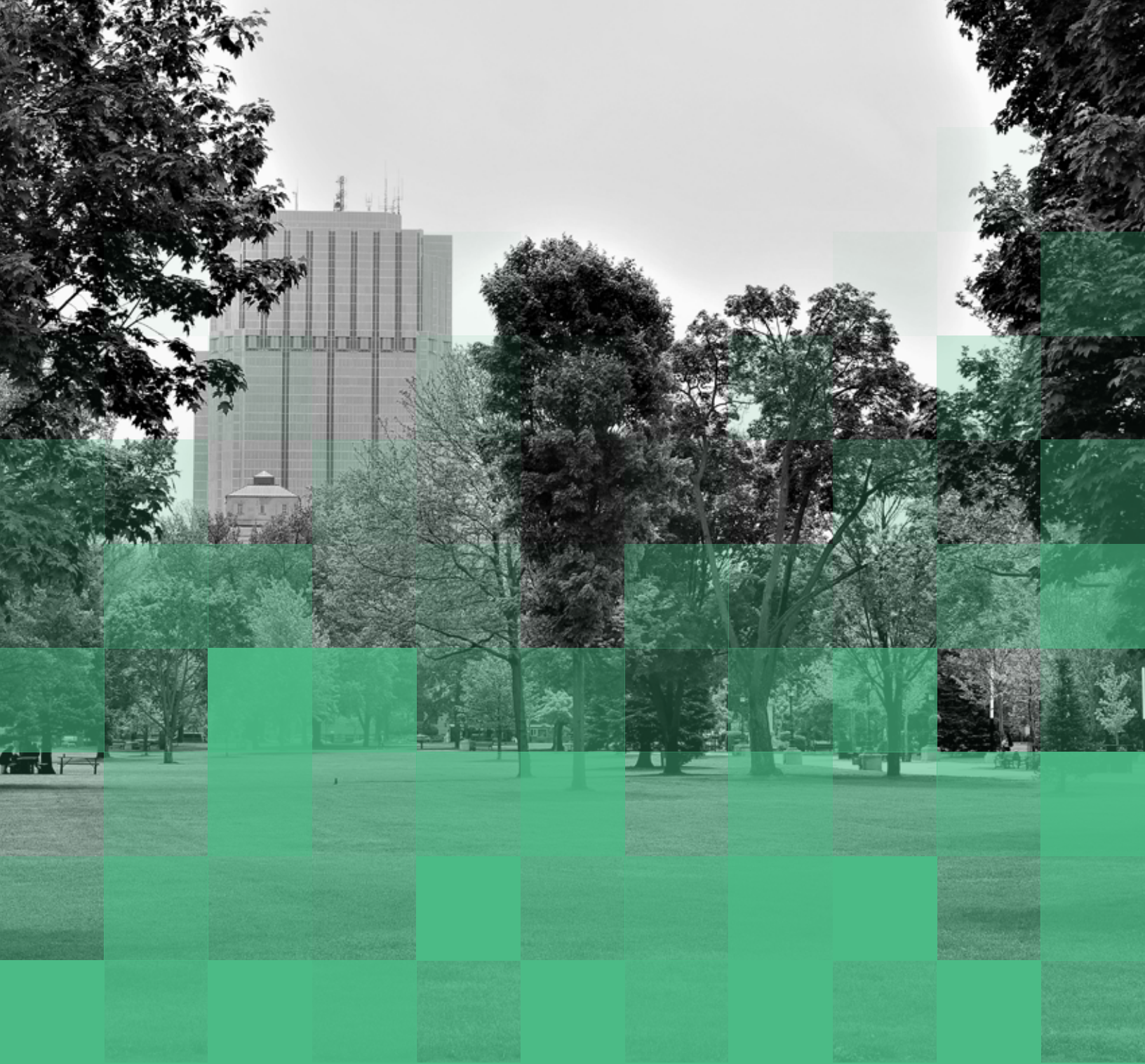
The London Plan

The London Plan identifies that sustainable forms of development and green development standards should be promoted (Policy 58). Council-adopted policies also identify that buildings should incorporate green building design and associated sustainable development technologies and techniques (Policy 294). The Building Sustainable Development policies provide additional detail to implement these policies in the *Victoria Park Secondary Plan*.

As Municipal Council has recently declared a climate emergency, the need to ensure sustainable building development is a priority and this priority has been incorporated into the *Victoria Park Secondary Plan*.

Official Plan (1989)

The *Official Plan (1989)* encourages that form so development that are designed to be pedestrian-oriented, supportive of public transit service, and within the bounds set by the need to sustain environmental health (Policy 2.4). The policies in the *Victoria Park Secondary Plan*, including the Sustainable Development policies, help to achieve this direction.



Victoria Park

Secondary Plan

May 2022



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1.0 Introduction

1.1 Background

Victoria Park is centrally located in the City of London, adjacent to the downtown. The park is an important feature at the heart of the city as a central gathering place for events and celebrations of city-wide significance, as well as an open space for active and passive recreation.

Development pressure on lands surrounding Victoria Park has warranted the creation of a comprehensive vision for future growth. The purpose of this Secondary Plan is to establish a policy framework to guide the future of the lands surrounding Victoria Park, recognizing that the existing overlapping policy framework is complex and has not yet considered the properties surrounding the park based on their unique relationship to the park.

This Secondary Plan considers how future development and redevelopment will relate to existing buildings, adjacent neighbourhoods, the downtown, and Victoria Park. Existing plans, policies, and guidelines applying to properties around the park have been taken into account to create the development framework and to provide clarity and consistency in reviewing future development applications.

The policies in the *West Woodfield Heritage Conservation District Plan* and the *Downtown Heritage Conservation District Plan* will continue to apply to properties within the Secondary Plan boundary. Future development applications will be evaluated on a site-by-site basis for conformity to the applicable Official Plan policies and the Heritage Conservation District Plans for the conservation of cultural heritage resources within the Secondary Plan boundary.

Schedule 1: Secondary Plan Area



Legend

 Victoria Park Secondary Plan Boundary



1.2 Location

The *Victoria Park Secondary Plan* applies to properties around Victoria Park as identified in Schedule 1: Secondary Plan Area. This area has been delineated to include properties surrounding Victoria Park and properties that are anticipated to be consolidated for future development around the park. The surrounding context was considered in the preparation of the Secondary Plan, however the policies in the Secondary Plan will only apply within this boundary.

1.3 Cultural Heritage Resources

The cultural heritage resources within the Secondary Plan boundary are foundational to the character of the area. Cultural heritage resources within the Secondary Plan boundary include the West Woodfield Heritage Conservation District, the Downtown Heritage Conservation District, and a number of properties that are individually designated under Part IV of the *Ontario Heritage Act* or are listed on the City's Register. Appendix A: Cultural Heritage identifies cultural heritage resources within and adjacent to the Secondary Plan boundary.

Victoria Park is designated under Parts IV and V of the *Ontario Heritage Act*, as it is individually designated and also designated as part of the West Woodfield Heritage Conservation District. The individual designation under Part IV of the *Ontario Heritage Act* is based on Victoria Park's significant historic, architectural, and cultural heritage landscape importance. The Part IV heritage designation that applies to Victoria Park also recognizes that it has assumed a role as the "jewel of the parks system" in the city of London. Appendix B: Reasons for Designation - Victoria Park includes the reasons for designation for Victoria Park.



1.4 Purpose and Use

The Secondary Plan presents a vision for the development and redevelopment of properties surrounding the park and provides a consistent framework to evaluate future development applications. It provides comprehensive built form and land use direction that consider how future development should relate to the park and enhance the surrounding context, while ensuring conservation of the cultural heritage resources in the area.

Policies in the *Victoria Park Secondary Plan* apply to all properties in the Secondary Plan boundary unless where specifically noted as only applying to a specific property or Policy Area. The policies of this Secondary Plan provide a greater level of detail than the policies of the Official Plan. Where the policies of the Official Plan provide sufficient guidance to implement the vision of this Secondary Plan, these policies were not repeated. As such, the policies of this Secondary Plan should be read in conjunction with the Official Plan, the applicable Heritage Conservation District Plans, and any other applicable policy documents. In instances where the overall policies of the Official Plan and the *Victoria Park Secondary Plan* are inconsistent, the Secondary Plan shall prevail.

The policies of this Secondary Plan that use the words “will” or “shall” express a mandatory course of action. Where the word “should” is used, suitable alternative approaches to meet the intent of the policy may be considered.

The policies of this Secondary Plan will be implemented through mechanisms set out in this Secondary Plan, public investments in infrastructure and public realm improvements, as well as other tools available to the City including, but not limited to, the *Zoning By-law*, and the *Site Plan Control By-law*.

The schedules form part of this Secondary Plan and have policy status whereas other figures and photographs included in the Secondary Plan are provided for graphic reference, illustration, and information.

1.5 Vision

The Victoria Park area is a prominent destination that is cherished by Londoners. The area will develop in a way that balances the desire to grow inward and upward with the need to conserve significant cultural heritage resources, be compatible with the surrounding context, and foster Victoria Park's continued use as a city-wide destination for recreation, relaxation and events.

Future development of the area will celebrate the prominence of Victoria Park through design excellence and sympathetic development, contributing to the continued success of this area as a destination for Londoners both now and in the future.





1.6 Principles

The development of this Secondary Plan has been guided by the following principles:

- Identify opportunities for compatible and sensitive intensification
- Design buildings to celebrate the prominence of Victoria Park as a city-wide gem
- Enhance and conserve cultural heritage resources within and surrounding Victoria Park
- Respond to climate change by encouraging sustainable development, building design, and active transportation options
- Frame Victoria Park with an appropriately-scaled base that creates a comfortable and animated pedestrian environment
- Protect the residential amenity of the Woodfield neighbourhood by mitigating impacts of new development
- Preserve and strengthen visual and physical connections to Victoria Park and create new connections where possible
- Continue to enhance the amenity of Victoria Park as a neighbourhood green space, as well as a destination for all Londoners to attend festivals and events
- Preserve and enhance the landscaped edges around Victoria Park

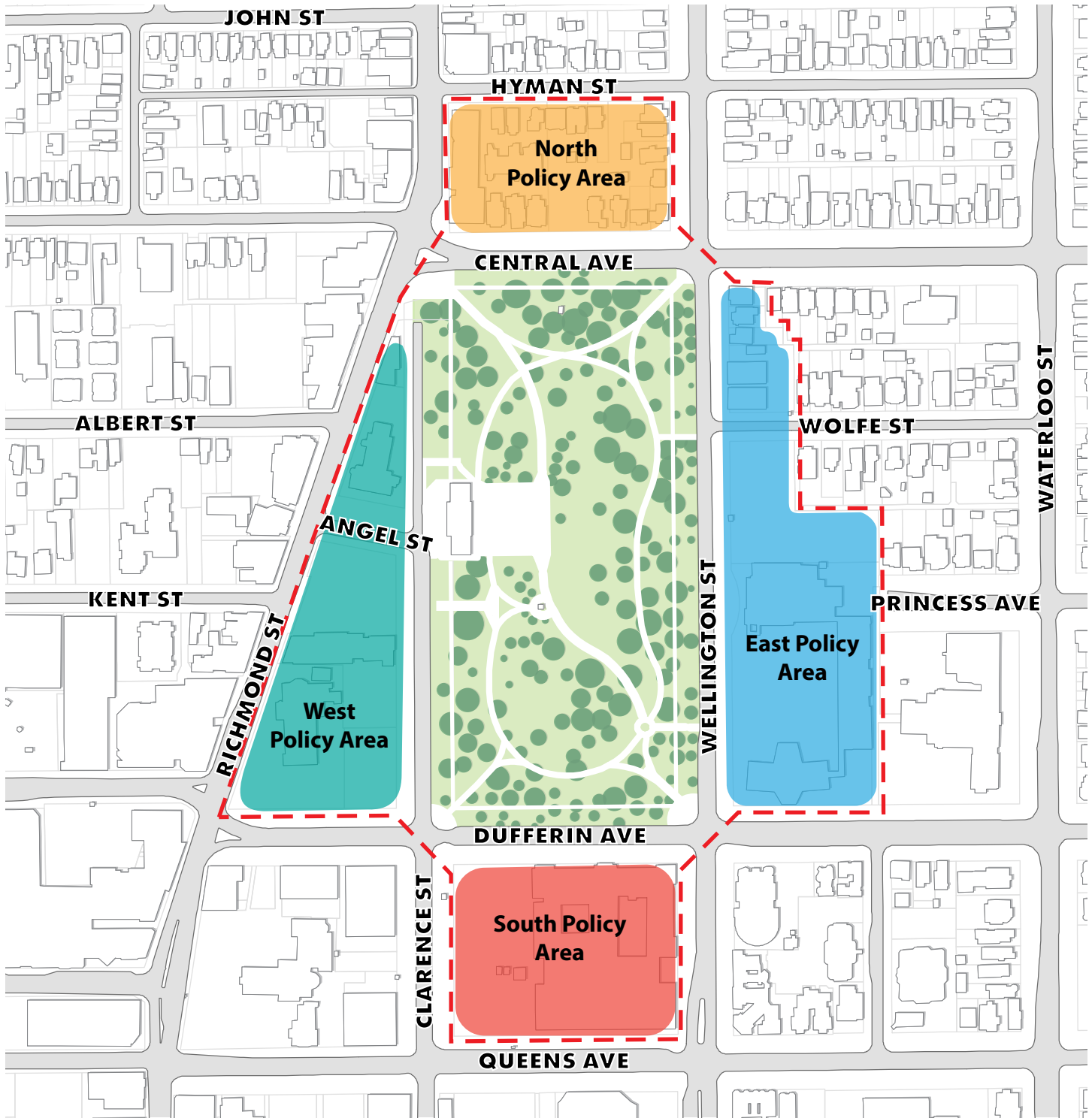


2.0 Policy Areas

2.1 Overview

The area subject to the *Victoria Park Secondary Plan* has been divided into four Policy Areas, each encompassing a different side of the park: North, East, South, and West, as identified in Schedule 2: Policy Areas. Most of the policies in the Secondary Plan apply to the entire area within the *Victoria Park Secondary Plan* boundary. However, some identified policies address the unique characteristics of one particular side of the park and therefore only apply to properties within the associated Policy Area. The boundaries and the unique characteristics of each of the four sides surrounding Victoria Park are detailed in the following sections.

Schedule 2: Policy Areas



Legend

-  Victoria Park Secondary Plan Boundary
-  North Policy Area
-  South Policy Area
-  West Policy Area
-  East Policy Area

2.2 North Policy Area

The North Policy Area adjacent to Victoria Park is lined by 2.5-storey house-form buildings, many of which have been converted for office uses or multi-unit dwellings, with the exception of the Richmond Street frontage, which is occupied by a 4-storey mixed-use building and forms part of Richmond Row. A 3-storey residential building is located on the western portion of the interior of the block. While this Policy Area is not within a Heritage Conservation District, many of the properties in this Policy Area are listed on the City's Register of Cultural Heritage Resources.

The western portion of this Policy Area is in the Rapid Transit Corridor Place Type, while the eastern portion of this Policy Area is in the Neighbourhoods Place Type. There is opportunity for intensification in the North Policy Area, primarily on the interior of the block.





2.3 East Policy Area

The East Policy Area is characterized by a broad mix of uses including City Hall, Centennial Hall, surface parking, and R.H. Cooper Square. A mix of other uses are also found, including professional offices, a multi-unit residential building, and a single-detached dwelling. The southern portion of this block is located in the Downtown Place Type, and the northern portion is in the Neighbourhoods Place Type and is also subject to the provisions of the Woodfield Neighbourhood Specific Policy Area. The entirety of this Policy Area is in the West Woodfield Heritage Conservation District.

There is opportunity for intensification of underutilized sites in the East Policy Area, primarily south of Wolfe Street.

2.4 South Policy Area

The South Policy Area includes the iconic Great West Life Insurance Company building, which is a character defining feature of the block, and a surface parking lot. The Policy Area is located entirely in the Downtown Place Type. This Policy Area is also entirely within the Downtown Heritage Conservation District.

The large surface parking lot in the west portion of the block presents an opportunity for intensification.



2.5 West Policy Area

The West Policy Area includes the triangular area bounded by Richmond Street, Dufferin Avenue and Clarence Street. Richmond Street is a main street commercial corridor connecting to downtown. Clarence Street runs immediately adjacent to the park and is a planned transit corridor. The West Policy Area consists of places of worship, including St. Peter's Basilica Cathedral and First Baptist Church, as well as a small amount of commercial uses and surface parking. The majority of this area is in the Downtown Place Type. This block is also in the West Woodfield Heritage Conservation District, with the exception of the northern most property.

Portions of this Policy Area present opportunities for intensification, particularly the surface parking lots north of St. Peter's Basilica Cathedral.





3.0 Policies

3.1 Overview

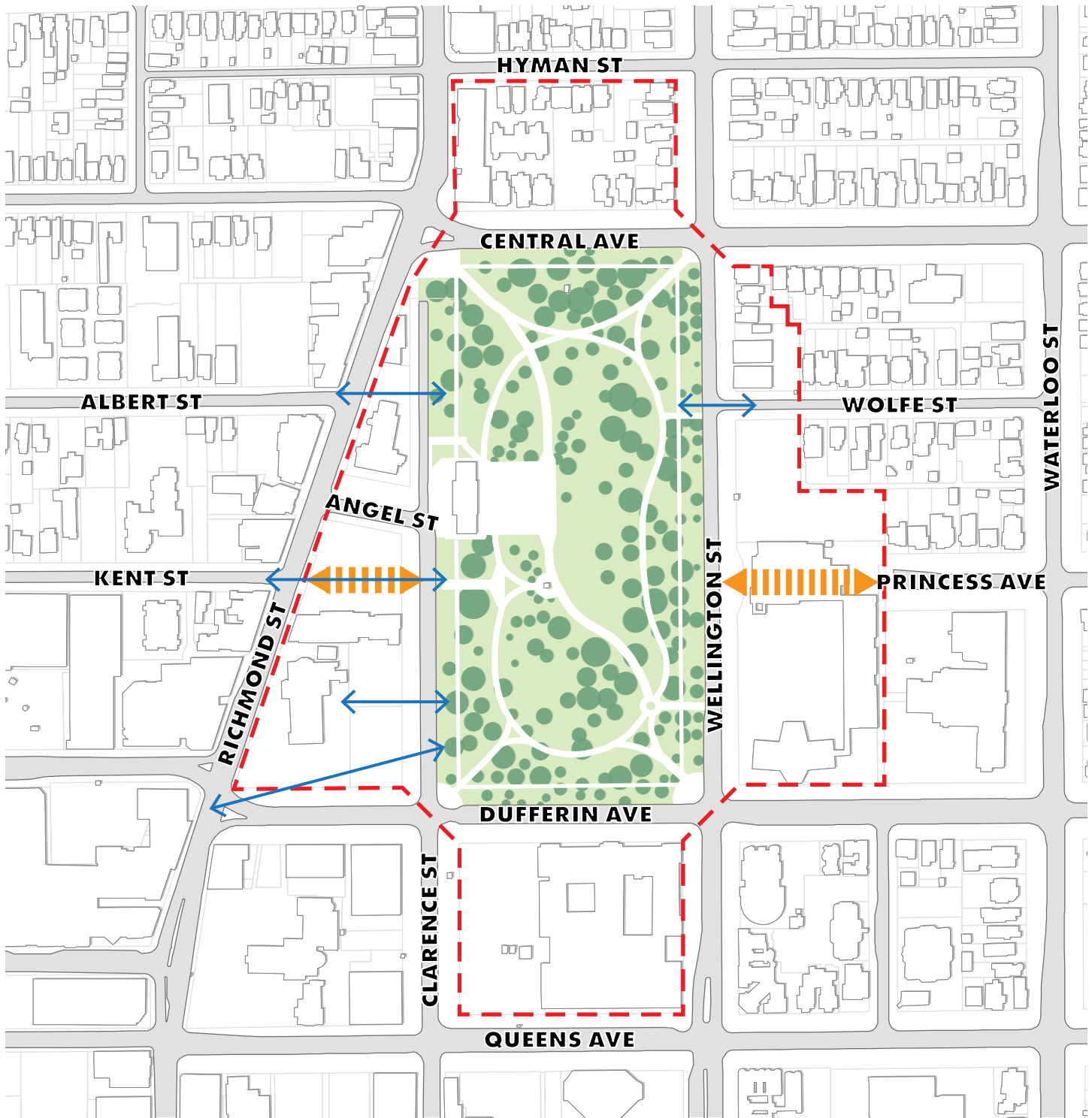
The intent of the *Victoria Park Secondary Plan* is to provide a policy framework to guide future development and public projects within the Secondary Plan boundary. Policies in this Secondary Plan support the vision by providing guidance on view corridors, connections, public realm, cultural heritage, land use, height, built form, compatibility with park activities, housing mix and affordability, and sustainable development.

3.2 View Corridors

Victoria Park is a prominent civic landmark and cultural heritage resource in the city of London and is an important part of the identity and image of the city. The preservation of existing view corridors, and the creation of new view corridors, will aid in orientation and help to maintain strong visual connections between Victoria Park and the surrounding area. Views to Victoria Park from Richmond Street are of particular importance as they help to connect the popular pedestrian corridor to Victoria Park.


- i) Public works and private development will maintain and frame current views, and where possible through design, create new views to and from Victoria Park, as well as to and from St. Peter's Basilica Cathedral.

Schedule 3 – View Corridors and Connections



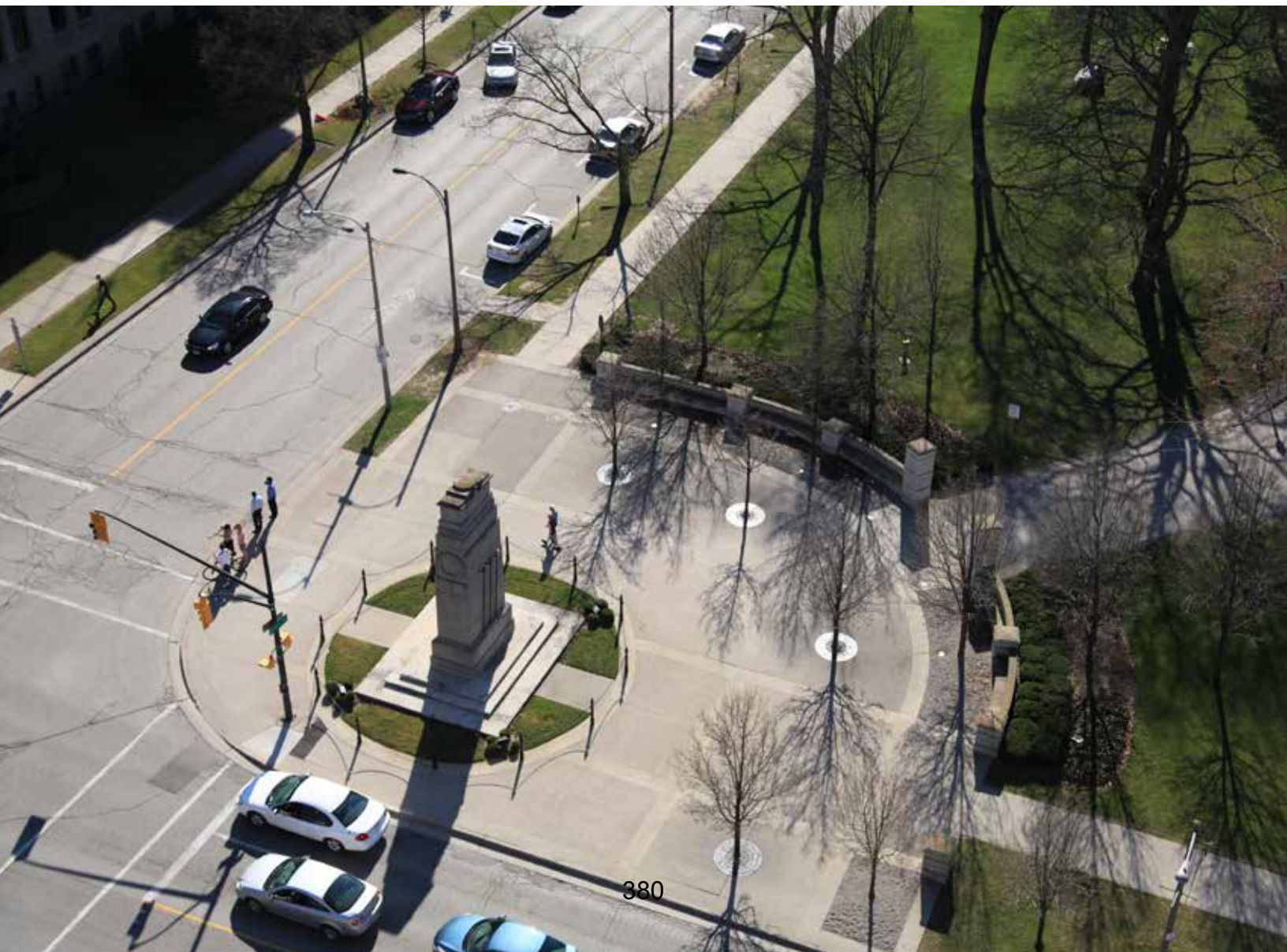
Legend

 Victoria Park Secondary Plan Boundary

 Physical Connection

 View Corridor

- ii) Unobstructed view corridors to and from Victoria Park as identified below and illustrated in Schedule 3 – View Corridors and Connections, will be maintained, as viewed from a pedestrian perspective at street level.
 - a) The northwest corner of Albert Street and Richmond Street
 - b) The northwest and southwest corners of Kent Street and Richmond Street
 - c) The northwest and southwest corners of Richmond Street and Dufferin Avenue
 - d) The northeast and southeast corners of Wolfe Street and Wellington Street
 - e) The eastern elevation of St. Peter’s Basilica Cathedral, including the east aisle and the Lady Chapel
- iii) Any applications for Official Plan amendments, Zoning By-law amendments, and/or Site Plan Control on lands within the Secondary Plan area will consider the potential for adding new view corridors and, implementing creative or innovative designs to enhance existing view corridors, if applicable.





3.3 Connections

Connections to Victoria Park help improve access to the park and enhance the relationship of the park to its surroundings. Priority locations for new connections to Victoria Park are identified in Schedule 3: View Corridors and Connections.

- i) New connections to Victoria Park from Kent Street and Princess Avenue should be considered to improve access to the park if development occurs on lands that could facilitate these connections.
- ii) Connections will prioritize pedestrian access, but may incorporate flex-street or shared street design elements. Innovative approaches to connectivity may be considered such as enclosed or covered walkways through buildings.
- iii) Wide sidewalks should be provided and maintained on streets adjacent to and leading to the park as part of any future public works projects to create a comfortable pedestrian environment and promote accessibility.
- iv) Pedestrian amenities, such as benches, will be provided as part of redevelopment projects.
- v) Additional high quality pedestrian connections, that are clearly defined, well-lit and safe should be provided to connect Richmond Street to Victoria Park, if development occurs on lands that could facilitate these connections.



3.4 Public Realm

Improvements to the streetscape and public realm around Victoria Park will help to strengthen the connection between Victoria Park and its surroundings, enhance pedestrian amenity, and expand the green landscaping of the park into the surrounding area. These green edges are anticipated to primarily be located on public land within the wide right-of-way due to the minimal setbacks of existing buildings to property lines.

- i) Landscaping and green space on public and private land will be maintained and, where possible, enhanced. Hard surfaces should be limited to pedestrian entryways, benches, patios, and framed with landscaping/planters to soften their appearance.
- ii) The preservation of existing street trees and the planting of new large canopy trees is encouraged.
- iii) The green edge between St. Peter's Basilica Cathedral and Dufferin Avenue should be maintained.
- iv) The public realm around Victoria Park will continue to exhibit a high standard of design, featuring high-quality pedestrian environments.
- v) Boulevards should be maintained as sod and soft landscaping.
- vi) The City Hall block will continue to include a publically-accessible open space with a civic focus that compliments the architectural significance of City Hall and provides a link between City Hall and Victoria Park.



3.5 Cultural Heritage

The cultural heritage resources surrounding Victoria Park are foundational to its character. In addition to the cultural heritage policies in this Secondary Plan, the objectives and policies in the *Downtown Heritage Conservation District Plan* and *West Woodfield Heritage Conservation District Plan* will continue to apply. Appendix A: Cultural Heritage identifies cultural heritage resources within and adjacent to the Secondary Plan boundary.

- i) On-site and adjacent cultural heritage resources and their heritage attributes will be conserved.
 - a) Any new development must be both physically and visually compatible with the surrounding cultural heritage resources.
 - b) New and renovated buildings shall be designed to be sympathetic to the heritage attributes through measures including, but not limited to, massing, rhythm of solids and voids, significant design features, and high-quality materials.
- ii) New development shall be compatible with the heritage character of the surrounding Heritage Conservation Districts through consideration of height, built form, setback, massing, material, and other architectural elements.
- iii) The policies and design guidelines in the *Downtown Heritage Conservation District Plan* and the *West Woodfield Heritage Conservation District Plan* will be used to review and evaluate proposals for new development in these Heritage Conservation Districts, where applicable, to ensure compatibility with the surrounding context.
- iv) Heritage Impact Assessments will be required for new development within the Secondary Plan boundary.



3.6 Land Use

Land uses around Victoria Park will be supportive of the active pedestrian realm around the park, while recognizing the prominence of Richmond Street as a main street. The Zoning By-law will provide more detail on individual permitted uses, which may not include the full range of uses identified in this Secondary Plan.

- i) A broad range of residential, retail, service, office, community facility and other related uses may be permitted within the Secondary Plan boundary.
- ii) For buildings fronting Richmond Street, a minimum of 60% of the Richmond Street frontage at grade should be street-related retail and service uses oriented toward Richmond Street. Community facility and institutional uses may be permitted where they provide for a street-oriented, active ground floor.
- iii) Auto-oriented uses and drive through facilities are prohibited within the Secondary Plan boundary.
- iv) Residential lobbies should take up no more than 30% of the ground floor façade, to a maximum of 15 metres.



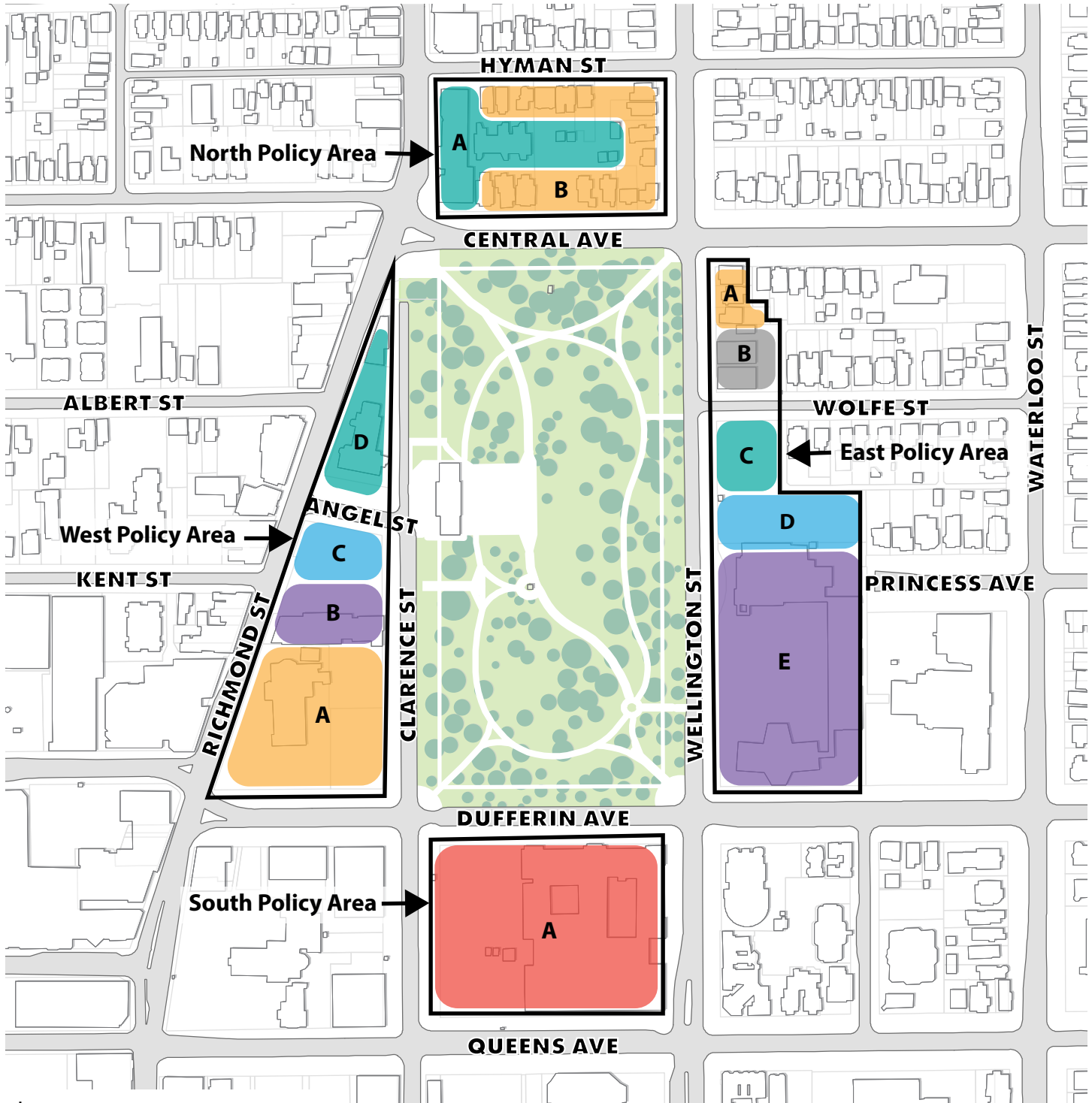
3.7 Height

Minimum and maximum permitted heights for new development within the Secondary Plan boundary are described below and identified in Schedule 4: Permitted Heights and Table 1: Permitted Heights. The Zoning By-law will provide more detail on individual permitted heights, which may not include the full range of heights identified in this Secondary Plan.







- i) The full range of heights identified in Table 1 and Schedule 4 will only be achieved through a site-specific Zoning By-law amendment, where it can be demonstrated that measures are put in place to support or mitigate this height and density, subject to the other policies of this plan.
- ii) Development proposals will require technical studies identified through consultation and outlined in Section 4.7: Required Studies. The results of these studies may influence the maximum height and density that is permitted through zoning.



Schedule 4- Permitted Heights



Legend

-  Policy Areas - as labeled
-  Maximum 4 Storeys
-  Maximum 16 Storeys
-  Maximum 25 Storeys
-  Maximum 30 Storeys
-  Maximum 35 Storeys
-  Determined by OLT*

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.



Table 1: Permitted Heights

Part	Minimum Height	Maximum Height
North Policy Area		
Part A	2 storeys	16 storeys
Part B	2 storeys	4 storeys
East Policy Area		
Part A	2 storeys	4 storeys
Part B	2 storeys	determined by Ontario Land Tribunal*
Part C	2 storeys	16 storeys
Part D	2 storeys	25 storeys
Part E	2 storeys	30 storeys
South Policy Area		
Part A	3 storeys	35 storeys
West Policy Area		
Part A	2 storeys (or 8 metres)	4 storeys
Part B	2 storeys (or 8 metres)	30 storeys
Part C	2 storeys (or 8 metres)	25 storeys
Part D	2 storeys (or 8 metres)	16 storeys

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.

3.7.1 North Policy Area

- i) The minimum permitted height is two storeys for the entire North Policy Area.
- ii) The maximum permitted height for the Richmond Street frontage and the interior of the block, identified as Part A, is 16 storeys. This height is consistent with the maximum height permitted in the Rapid Transit Corridor Place Type and may only be achieved through the Rapid Transit Corridor boundary interpretation policies of *The London Plan* (833, 834, 835).
- iii) The height and massing of new development in Part A will be contained within a 45-degree angular plane taken from three storeys above the closest property line of any properties not consolidated with Rapid Transit Corridor Place Type, and remaining as Neighbourhood Place Type.
- iv) The maximum permitted height for approximately 20 metres of depth along the north, east and south sides of the block's perimeter, identified as Part B, is four storeys. This height recognizes the scale of existing desirable buildings along these streetscapes.



3.7.2 East Policy Area

- i) The minimum permitted height is two storeys for the entire East Policy Area.
- ii) The maximum permitted height for the north half of the Central Avenue to Wolfe Street block, identified as Part A, is four storeys. This height acknowledges the existing built form and property constraints on these smaller lots.
- iii) The maximum permitted height for the south half of the Central Avenue to Wolfe Street block, identified as Part B, will be determined based on the decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824. Once a final decision is rendered and in-force, this plan will be updated to reflect the permitted heights.
- iv) The maximum permitted height for the north half of the Wolfe Street to Princess Avenue block, identified as Part C, is 16 storeys.
- v) The maximum permitted height for the south half of the Wolfe Street to Princess Avenue block, identified as Part D, is 25 storeys.
- vi) The maximum permitted heights for Part C and Part D indicated above, acknowledge the existing height and density permissions in the Zoning By-law for the property. New development will require a site-specific Zoning By-law amendment, subject to the built form policies of this Secondary Plan, which will shape the height and density to be more sensitive to and compatible with the surrounding context, than the existing setback provisions of the Zoning By-law.
- vii) The maximum permitted height for the City Hall block, identified as Part E, is 30 storeys. This height is lower than the maximum height permitted in the Downtown Place Type, and will begin the transition of heights, stepping down from the downtown core towards the north.



3.7.3 South Policy Area

- i) The minimum permitted height is three storeys for the entire South Policy Area.
- ii) The maximum permitted height for the South Policy Area is 35 storeys. This height is consistent with the maximum height permitted in the Downtown Place Type.
- iii) New high-rise buildings are only anticipated to be developed on the west portion of the property and any redevelopment or additions to the existing buildings may be limited by the evaluation of heritage impacts.

3.7.4 West Policy Area

- i) The minimum permitted height for the entire West Policy Area is two storeys or eight metres. This minimum height acknowledges the desire to create a sense of enclosure around the park and along the Richmond Row commercial corridor, while providing flexibility to accommodate community facility, institutional and other compatible uses in single storey buildings with the volume of two storeys.
- ii) The maximum permitted height to the south and east of St. Peter's Basilica Cathedral, identified as Part A, is limited to four storeys, in order to retain the prominence of the Cathedral and its important relationship to Victoria Park. The location of new development is also subject to the view corridor policies of this plan in order to protect the visual connections between Victoria Park and Richmond Street and to the building's east façade.
- iii) The maximum permitted height north of St. Peter's Basilica Cathedral and south of Kent Street, identified as Part B, is 30 storeys. This height is lower than the maximum height permitted in the Downtown Place Type, and will begin the transition of heights, stepping down from the downtown core towards the north.
- iv) The maximum permitted height for the Angel Street to Kent Street block, identified as Part C, is 25 storeys. This height provides a transition between the Downtown and Rapid Transit Corridor Place Types.
- v) The maximum permitted height for the Central Avenue to Angel Street block, identified as Part D, is 16 storeys. This height is consistent with the maximum height permitted in the Rapid Transit Corridor Place Type.



3.8 Built Form

The following built form policies will help to shape future development in a way that balances intensification and compatibility with the surrounding context. New development will be designed to minimize impacts on Victoria Park and the adjacent low-rise residential neighbourhoods. New development will be of a high standard of urban and architectural design, to complement and celebrate the prominence of the Victoria Park as the “jewel of the parks system”.

The following built form policies will be implemented through site-specific zoning provisions.

3.8.1 General Built Form

- i) New buildings will be designed to express three defined components - a base, middle and top. Alternative design solutions that address the following intentions may be permitted:
 - a) The base should establish a human-scale façade with active frontages including windows, canopies, pedestrian scale lighting, and the use of materials and architectural details that reinforce a human scale
 - b) The middle should be visually cohesive with, but distinct from, the base and top
 - c) The top should provide a finishing treatment, such as a sculpted roof or a cornice, and will serve to hide and integrate mechanical penthouses
- ii) The front and exterior side yard setbacks of new development, including additions, will respond to the setbacks of adjacent buildings to maintain the existing street wall. Where context does not exist, new development should include a minor setback to frame the park, while ensuring building elements such as canopies, porches and steps do not encroach into the right-of-way.



- iii) The height and massing of new development at the street wall (i.e. most forward facade), will respond to the existing scale and rhythm of adjacent buildings and streetscapes through articulation, stepbacks and other architectural responses.
- iv) New development should be set back a minimum of six metres from properties outside of the Secondary Plan boundary that are within the Neighbourhood Place Type in *The London Plan*, to ensure privacy for new and existing residential dwellings.

3.8.2 Facade Design

The design of building façades is important to ensuring development is pedestrian scale and fits within the character of the Victoria Park area.

- i) New development shall be designed so that the rhythm of façade articulation and proportional size of façade openings (i.e. windows and doors) responds to adjacent buildings and/or streetscapes, particularly cultural heritage resources. Grade-related façade articulation should generally occur every eight to 12 metres and projections and recesses should be at least 0.5 metres deep.
- ii) New development shall respond to existing datum lines of adjacent buildings, particularly cultural heritage resources, including the continuation of storey heights and other defining features, such as porches.
- iii) High quality materials, such as brick and natural stone, will be used to complement the character and quality of buildings around the park and within adjacent areas. The use of stucco and exterior insulation and finishing system (EIFS) will not be permitted.



3.8.3 Activation

Active building façades provide passive surveillance, encourage social interaction, and create a walkable, pedestrian-friendly environment surrounding the park.

- i) Attractive and active frontages shall be located around all edges of the park. All building façades oriented towards the park should exhibit a high level of pedestrian amenity including pedestrian-scale features and fixtures, weather protection and large transparent windows.
- ii) Main building entrances shall front onto the park, unless the building also has frontage on Richmond Street, in which case the main building entrance will be located on Richmond Street with a secondary entrance fronting the park.
- iii) Multiple building entrances are encouraged at a pedestrian-scale rhythm. Corner buildings and buildings with two street frontages should have entrances onto both streets.
- iv) Entrances to lobbies, and retail and commercial units should be flush with grade and accessible directly from the public sidewalk.
- v) Residential units on the ground floor should have individual front entrances accessible directly from the public sidewalk. Entrances to individual residential units should be raised to a maximum of 1.2 metres above grade to provide privacy for residents. A landscape buffer between the building and the public sidewalk is encouraged for privacy and separation. Access to units from below-grade will not be permitted.

- vi) Regardless of the intended use, the ground floor of new buildings should be designed with the height and flexibility to accommodate conversion to non-residential uses in the future. This may be achieved by providing a raised floor over the slab that can be removed to provide additional ground floor height in the future, or through other strategies.
- vii) Blank walls, parking, and service and utility areas should not be visible from the park or Richmond Street.
- viii) Glazing should be maximized for non-residential uses located at-grade, while ensuring compatibility with heritage resources.

3.8.4 Parking

While parking is recognized as a continued need in proximity to Victoria Park, it should be provided in a way that does not detract from the pedestrian realm or existing character surrounding the park.

- i) Parking and service entrances should not front directly onto Victoria Park or Richmond Street, and should be accessed from side streets and laneways where possible, to minimize their appearance and the amount of pavement within the green boulevards surrounding the park.
- ii) Despite policy i) above, in the event a site only has frontage on Victoria Park and/or Richmond Street, parking and service entrances may be provided from one of the frontages. In these instances, the access points shall be minimized as much as possible and incorporate design features to ensure pedestrian safety.
- iii) Parking should be located underground.
- iv) Structured parking on the ground floor shall be fully wrapped on all street frontages with active uses including residential, retail, service, community facility and/or office uses to limit the visual impact of parking on the public realm.
- v) Structured parking above the ground floor should be wrapped with active uses on all street frontages. Where it is unavoidable due to building constraints, structured parking that is visible above grade shall be designed to appear as active space and be fully wrapped with a high level of architectural detail, large transparent windows, and high-quality materials, consistent with the rest of the building's facade.
- vi) New surface parking will not be permitted, except to accommodate required accessible, visitor and drop-off spaces.
- vii) The provision of new publicly-accessible parking is encouraged.

3.8.5 Mid-Rise Buildings

In addition to the general built form policies of this Secondary Plan that apply to all new development, the following direction is provided specifically for mid-rise buildings.

- i) Mid-rise buildings are buildings with heights of four storeys up to and including eight storeys.
- ii) New mid-rise buildings shall step back at the second, third or fourth storey, depending on the built form context, along public rights-of-way to mitigate downward wind shear, support the existing character at street level and allow the street wall to be the primary defining element of the site. Minimum stepbacks should be as follows:
 - a) Five metres for frontages facing Victoria Park and Richmond Street.
 - b) Three metres for frontages facing all other streets and pedestrian connections.
 - c) Larger stepbacks are encouraged and may be required in specific locations.
- iii) The massing of new mid-rise buildings will be contained within a 45-degree angular plane taken from three storeys above the closest property line of any properties outside of the Secondary Plan area.
- iv) Mid-rise buildings shall be located and designed with sufficient rear and interior yard setbacks and building separation to achieve the following:
 - a) Provide access to natural light and a reasonable level of privacy for occupants of new and existing buildings;
 - b) Provide adequate on-site amenity space;
 - c) Provide safe and clear pedestrian circulation from building entrances to the public sidewalk;
 - d) Protect the development potential of adjacent sites; and,
 - e) Provide pedestrian-level views of the sky between buildings particularly as experienced from adjacent streets and Victoria Park.



3.8.6 High-Rise Buildings

In addition to the general built form policies of this Secondary Plan that apply to all new development, the following direction is provided specifically for high-rise buildings.

- i) High-rise buildings are buildings nine storeys in height or taller.
- ii) High-rise buildings will be designed with a podium base and tower above. The tower will consist of all storeys above the maximum podium height.
- iii) Podiums of new high-rise buildings shall have a maximum height of five storeys in the South Policy Area and East Policy Area to frame the park, and a maximum height of three storeys in the North Policy Area and West Policy Area to respond to the existing scale and character.



- iv) Residential tower floor plates in high-rise buildings shall be a maximum of 750 square metres for all portion of the building above the podium to ensure shadows move quickly, to allow pedestrian-level sky views, and to be less visually massive from neighbouring properties and the surrounding public realm. The length to width ratio of tower floorplates should be no more than 1:1.5, and oriented north-south, where possible, to minimize shadow impacts.
- v) Office uses in high-rise buildings may have larger floor plates based on operational requirements, up to a maximum of 1,000 square metres for all portions of the building above the podium containing office uses, but will be designed to limit large shadows on streets, the park, and nearby properties.
- vi) The tower portion of new high-rise buildings shall be set back above the podium to reduce the visual and physical impacts of the building on adjacent properties and the public realm. Minimum tower setbacks should be as follows:
 - a) Five metres for frontages facing Victoria Park and Richmond Street.
 - b) Three metres for frontages facing all other streets and pedestrian connections.
 - c) 10 metres from properties outside of the Secondary Plan area.
 - d) 10 metres from St. Peter's Basilica Cathedral.
 - e) Larger tower setbacks are encouraged and may be required in specific locations.



- vii) The towers of high-rise buildings should have a minimum separation distance of 25 metres between towers on the same site, and 12.5 metres between towers and adjacent properties that could accommodate a high-rise building. This separation distance is intended to:
- a) Protect development potential of adjacent sites;
 - b) Provide access to sunlight on surrounding streets and Victoria Park;
 - c) Provide access to natural light and a reasonable level of privacy for building occupants;
 - d) Provide pedestrian-level views of the sky between buildings, particularly as experienced from adjacent streets and Victoria Park; and,
 - e) Limit the impacts of uncomfortable wind conditions on streets, Victoria Park, and surrounding properties.

viii) New development in the West Policy Area will be designed and located to limit the amount of shadow cast on the concrete pad, east of the Victoria Park band shell so that no more than 50% of the pad is in shadow between the hours of 08:00 and 16:00, from June 1 to August 31.

- ix) The top of high-rise building towers shall be articulated using setbacks, terracing, differences in articulation or other architectural features to contribute to a varied and interesting skyline. The mechanical penthouse shall be integrated into the design of the tower.
- x) Towers shall not have any blank facades, and a minimum proportion of 70% of each tower face should be glazing. Glazing should be spread across the building faces rather than concentrated in one area.
- xi) Balcony materials should be selected to minimize the visual mass of the building.
- xii) The design of high-rise buildings should include materials and techniques that limit bird-strikes.



3.9 Compatibility with Park Activities

Victoria Park serves as an important city-wide resource for active and passive recreational activities. It is important to ensure the continued vitality and functionality of Victoria Park as a destination for Londoners.

- i) New mid-rise and high-rise multi-unit residential developments shall provide indoor and/or outdoor communal amenity space for residents to help mitigate the impacts of increased intensification on the grounds of Victoria Park.
- ii) Noise studies will be required with all development applications for new mid-rise or high-rise residential developments which will demonstrate how noise from festivals will be mitigated through sound dampening design and construction practices. Purchasers and/or tenants should be advised of the possibility of noise from festivals though the addition of a warning clause to the lease or agreement of purchase and sale and registered on title.
- iii) Wind studies will be required with all development applications for new mid-rise or high-rise developments to provide information on the existing wind conditions and demonstrate how the expected wind conditions are being mitigated to maintain a comfortable environment for pedestrians on sidewalks and within the park. Wind studies will also consider adverse impacts on existing tree and mitigative measures.



3.10 Housing Mix and Affordability

The Secondary Plan area is located at the edge of downtown and along a planned rapid transit corridor. This area is a priority for intensification and provides an opportunity to increase housing supply within Central London. Development within the Secondary Plan area will contribute to providing accessible, affordable, and quality housing options. The following policies apply to all lands within the Secondary Plan area:

- i) A 25% affordable housing component should be achieved within the Secondary Plan area through a mix of housing types and sizes to contribute to a balanced residential community in the core.
- ii) Available tools and provisions under the *Planning Act*, will be used to secure affordable housing units at the time of development applications.
- iii) New development shall include a mixture of unit sizes and configurations, including a mix of bachelor, 1, 2, and/or 3-bedroom units, to allow for a variety of families to live in the core and provide units that are inherently more affordable.
- iv) The utilization of innovative design features, construction techniques, or other tenure arrangements for residential developments, to broaden the provision of affordable housing will be encouraged.
- v) Affordable housing units within market housing buildings shall be integrated with shared lobbies and amenities.
- vi) Grade-related multi-level and townhouse-style units are encouraged to be incorporated into the base of new residential developments to promote walkability, activation and different dwelling style choices.
- vii) The indoor and outdoor communal amenity spaces included in new developments should support a variety of age groups, including children, adults, seniors and families.
- viii) Secure and convenient storage areas are encouraged for strollers, mobility aids and other equipment to support the needs of a diverse population.
- ix) Each site-specific development proposal will be assessed on its ability to contribute to a mix of housing options and supportive amenities.

3.11 Sustainable Development

The policies in this Secondary Plan that promote the construction of new mid-rise and high-rise development within the Secondary Plan boundary will contribute to sustainability and addressing the climate emergency by providing a compact form of development in Central London that reduces urban sprawl, in a way that is compatible with the surrounding area. The use of green building technologies will also help to contribute to sustainability.

- i) New development shall be designed to prioritize active transportation access and circulation over automobiles, through the orientation of primary building entrances, location of supportive amenities and other building design elements.
- ii) Development is encouraged to reduce impacts on the environment through achieving green building best practices such as LEED certification, net-zero or net-positive greenhouse gas emissions, and through efficient design and energy usage.
- iii) Building construction is encouraged to minimize the waste of materials, water and other limited resources.
- iv) Development should use durable materials that help to conserve energy by lowering maintenance and replacement costs. Development is encouraged to use locally harvested, recovered, manufactured or extracted building materials.
- v) Green roofs or cool roofs should be installed on all new mid-rise and high-rise developments, including surface materials with high solar and thermal reflectivity to help reduce the impact of buildings on the climate. Integrated rooftop areas featuring green roof elements and outdoor amenity space is encouraged.





- vi) The use of alternative green energy sources such as district energy and solar is encouraged where available.
- vii) Short-term bicycle parking shall be provided and should be located in a highly visible and publicly accessible location.
- viii) Secure and covered bicycle parking should be included in all new mid-rise and high-rise buildings. The provision of shower and change facilities for tenants and patrons of non-residential uses are encouraged.
- ix) Electric vehicle charging stations should be included in all new mid-rise and high-rise buildings. The provision of car share facilities are encouraged.
- x) Dedicated areas should be provided within buildings for the collection and storage of recycling and organic waste that is equally as convenient as the garbage facility.
- xi) Low Impact Development stormwater controls should be implemented and innovative approaches to stormwater management are encouraged.
- xii) The use of bird strike mitigation measures and dark sky compliance as described in London's Bird Friendly City guidelines are encouraged for any new building.



4.0 Our Tools

4.1 Implementation of the Plan

The Victoria Park Secondary Plan shall be implemented through the following implementation mechanisms:

- i) This Secondary Plan shall be implemented according to the provisions of the *Planning Act*, the *Provincial Policy Statement*, other applicable Provincial legislation, and the provisions of the City of London Official Plan, *The London Plan*.
- ii) All municipal works and all planning and development applications shall conform with the policies of this Plan.

4.2 Interpretation

The following policies are intended to provide guidance in the interpretation and understanding of the policies, objectives, principles and schedules of this Secondary Plan.

The policies and principles contained in the *Victoria Park Secondary Plan* are intended to implement this Secondary Plan, as described in Section 1. It is intended that the interpretation of these policies should allow for a limited degree of flexibility according to the following provisions:

- iii) The boundaries between height areas shown on Schedule 4 are not intended to be rigid, except where they coincide with physical features such as public streets. The exact determination of boundaries that do not coincide with physical features will be the responsibility of Council.

Council may permit minor departures from such boundaries if it is of the opinion that the general intent of this Secondary Plan is maintained and that the departure is advisable and reasonable. Where boundaries between height areas coincide with physical features, any major departure from the boundary will require an Official Plan amendment to this plan.

- iv) Minor variations from numerical requirements in this Secondary Plan may be permitted by Council without an amendment to the Official Plan, provided that the general intent and objectives of this Secondary Plan and Official Plan are maintained.
- v) Where lists or examples of permitted uses are provided in the policies related to specific land use designations, they are intended to indicate the possible range and types of uses to be considered. Specific uses which are not listed in this Secondary Plan, but which are considered by Council to be similar in nature to the listed uses and conform to the general intent and objectives of the policies, may be recognized as permitted uses in the Zoning By-law.

4.3 Official Plan

- i) Any amendments to the text or schedules of this Secondary Plan represents an Official Plan amendment. Furthermore, amendments to the schedules of this Plan may require amendments to the associated maps of the Official Plan.
- ii) Any applications to amend this Secondary Plan shall be subject to all of the applicable policies of this Secondary Plan, as well as all of the applicable policies of the City of London Official Plan.

4.4 Zoning By-law

- i) Any applications for amendments to the City of London Zoning By-law shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan.
- ii) Special provisions may be required as part of site-specific Zoning By-law amendments to ensure the implementation of the policies of this Secondary Plan and of the City of London Official Plan.
- iii) The evaluation of applications to amend the Zoning By-law shall be subject to the Evaluation Criteria for Planning and Development Applications as described in the Our Tools section of The City of London Official Plan.
- iv) The Zoning By-law will provide more detail on individual permitted uses and heights which may not include the full range identified in this Secondary Plan.

4.5 Site Plan Approval

- i) Any applications for Site Plan approval shall be subject to the policies of this Secondary Plan and applicable policies of the City of London Official Plan.
- ii) Public Site Plan review will be required for all new development in the *Victoria Park Secondary Plan* boundary.

4.6 Guideline Documents

- i) Guideline documents may be adopted by Council to provide greater detail and guidance for development and the public realm elements of the Secondary Plan.

4.7 Required Studies

This Secondary Plan identifies the following studies, plans, reports and assessments that may be required to be completed to the satisfaction of the City of London and any agency having jurisdiction, prior to the City considering a development application to be complete and prior to the approval of development applications within parts of, or the entire, Secondary Plan area. The City shall determine on an application by application basis the need for supporting studies, plans and assessments, and when in the approvals process they may be required:

- ii) Archaeological Assessment
- iii) Cultural Heritage Evaluation Report
- i) Heritage Impact Assessment
- ii) Planning and Design Report that includes the following in addition to the standard requirements (including analysis of the policies in the *Victoria Park Secondary Plan*):
 - a) Information about how view corridors for pedestrians will be maintained and/or added in response to Section 3.2
 - b) Information about how new connections will be added and/or enhanced in response to Section 3.3
 - c) Information on the provision and size of indoor and/or outdoor common amenity space
 - d) A statement on housing mix and affordability in response to Section 3.10
 - e) A statement on sustainable development in response to Section 3.11
- iii) Noise Study in response to policies in Section 3.9, and demonstrating mitigative measures
- iv) Parking Study

- v) Servicing Study and sanitary design brief to ensure adequate servicing. Holding provisions may be required to ensure necessary servicing is in place prior to development
- vi) Shadow Study in response to Section 3.8 and demonstrating mitigative measures.
- vii) Traffic Impact Assessment
- viii) Tree Inventory, Preservation, Protection and Edge Management Plans for private and public trees
- ix) Urban Design Brief that includes the following in addition to the standard requirements: section drawings, 3D massing model, elevations, landscape plans and floor plans
- x) Wind Impact Assessment in response to Section 3.8 and 3.9, and demonstrating mitigative measures for impacts on the sidewalk and park environment, and impacts to trees

Additional studies beyond those described above may be required by the City for individual sites and will be identified at the time of pre-application consultation.

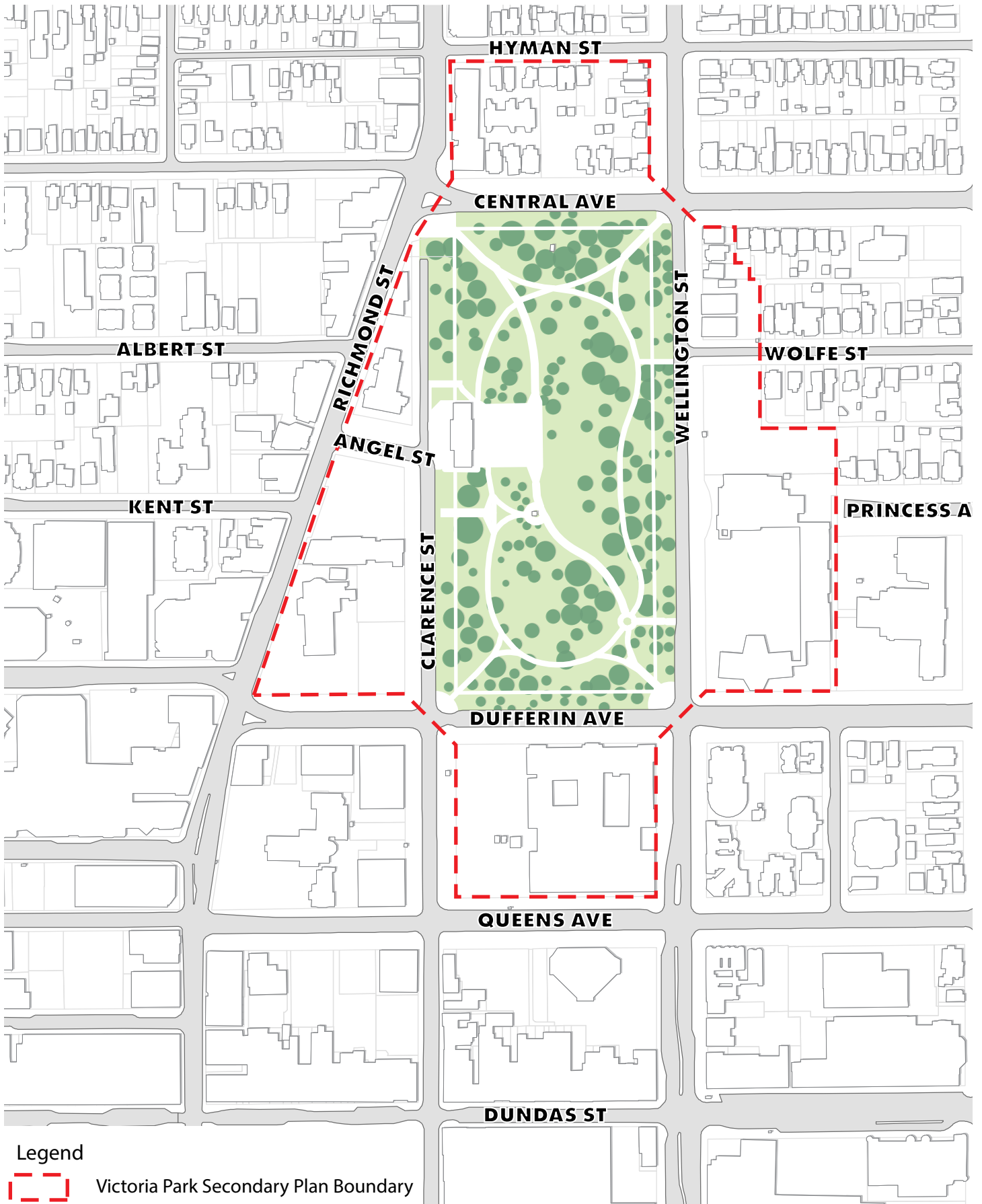
Any study that requires a peer review shall be carried out at no cost to the City and subject to approval by the City or any other authority having jurisdiction.





5.0 Schedules

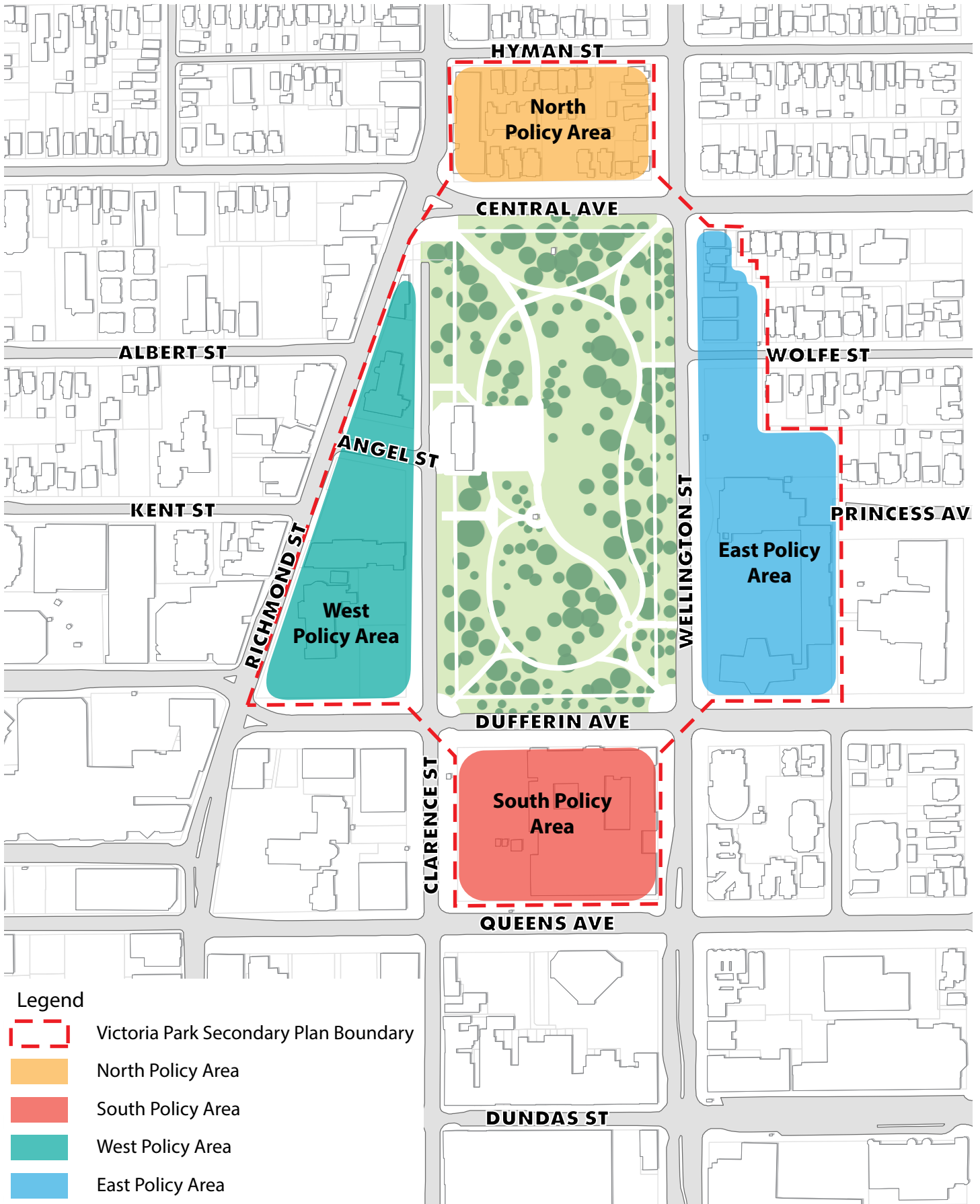
Schedule 1: Secondary Plan Area



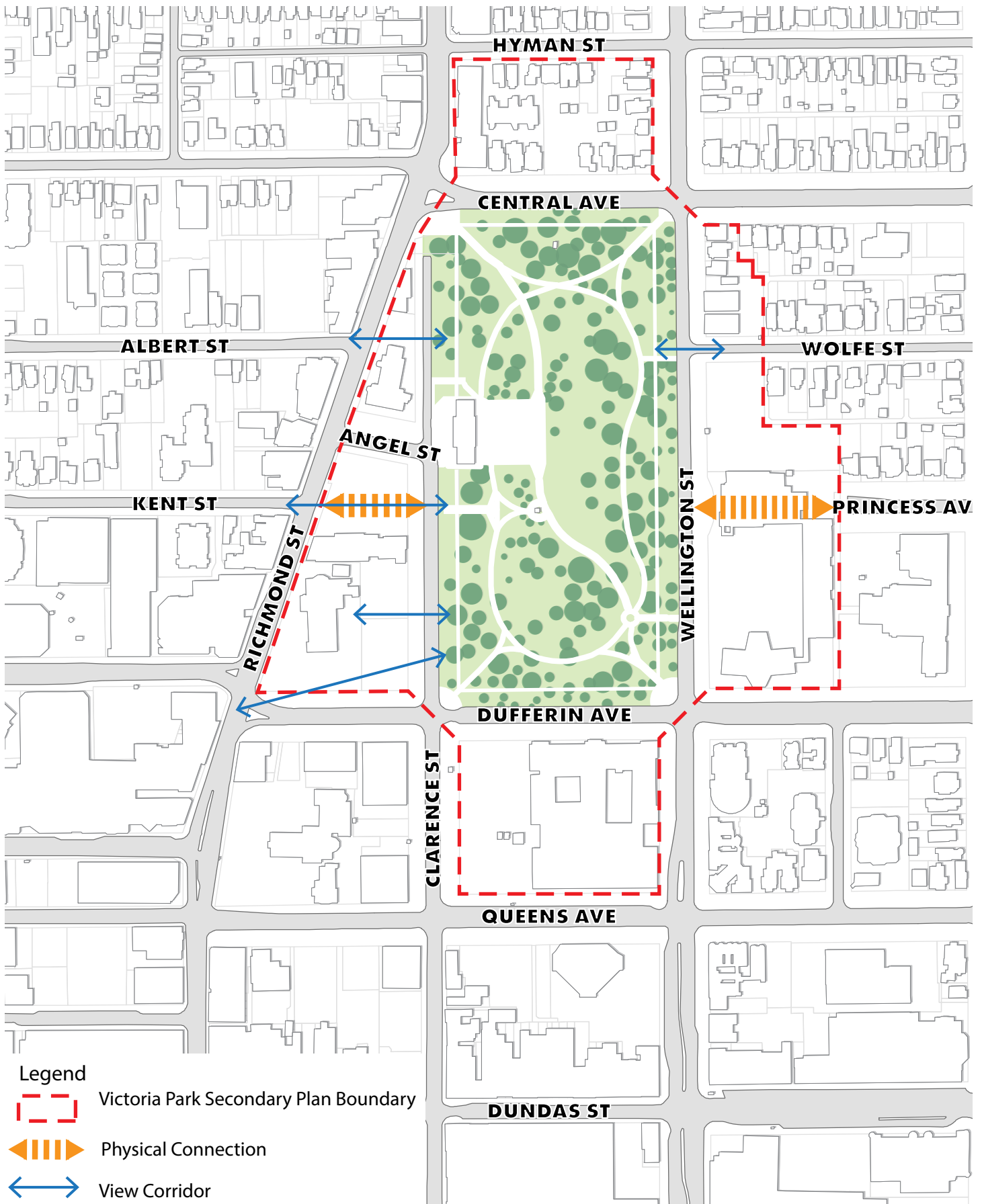
Legend

 Victoria Park Secondary Plan Boundary




Schedule 2: Policy Areas



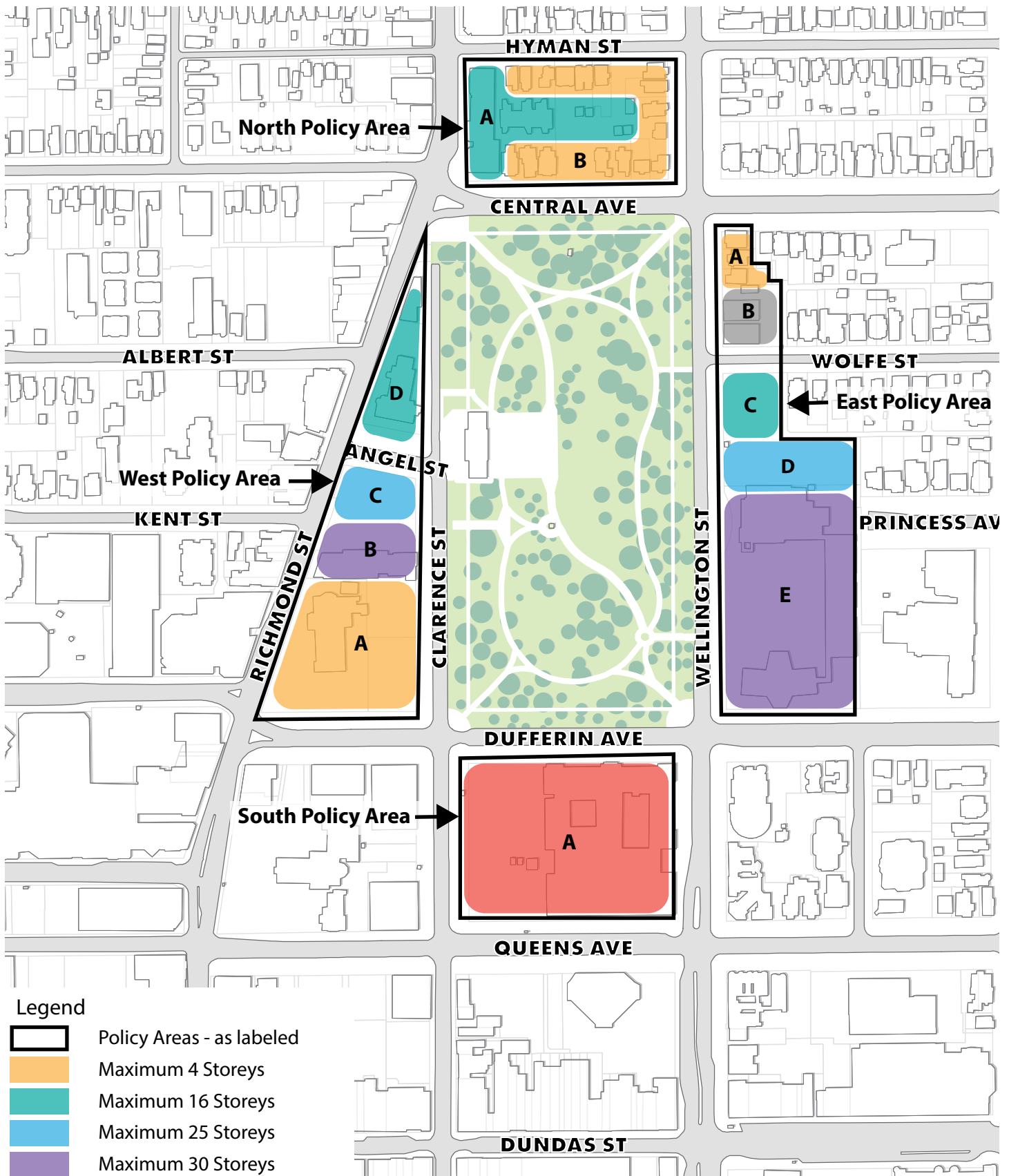
Schedule 3: View Corridors and Connections





Legend

-  Victoria Park Secondary Plan Boundary
-  Physical Connection
-  View Corridor

Schedule 4: Permitted Heights



Legend

-  Policy Areas - as labeled
-  Maximum 4 Storeys
-  Maximum 16 Storeys
-  Maximum 25 Storeys
-  Maximum 30 Storeys
-  Maximum 35 Storeys
-  Determined by OLT*

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.

Schedule 5: Table 1: Permitted Heights

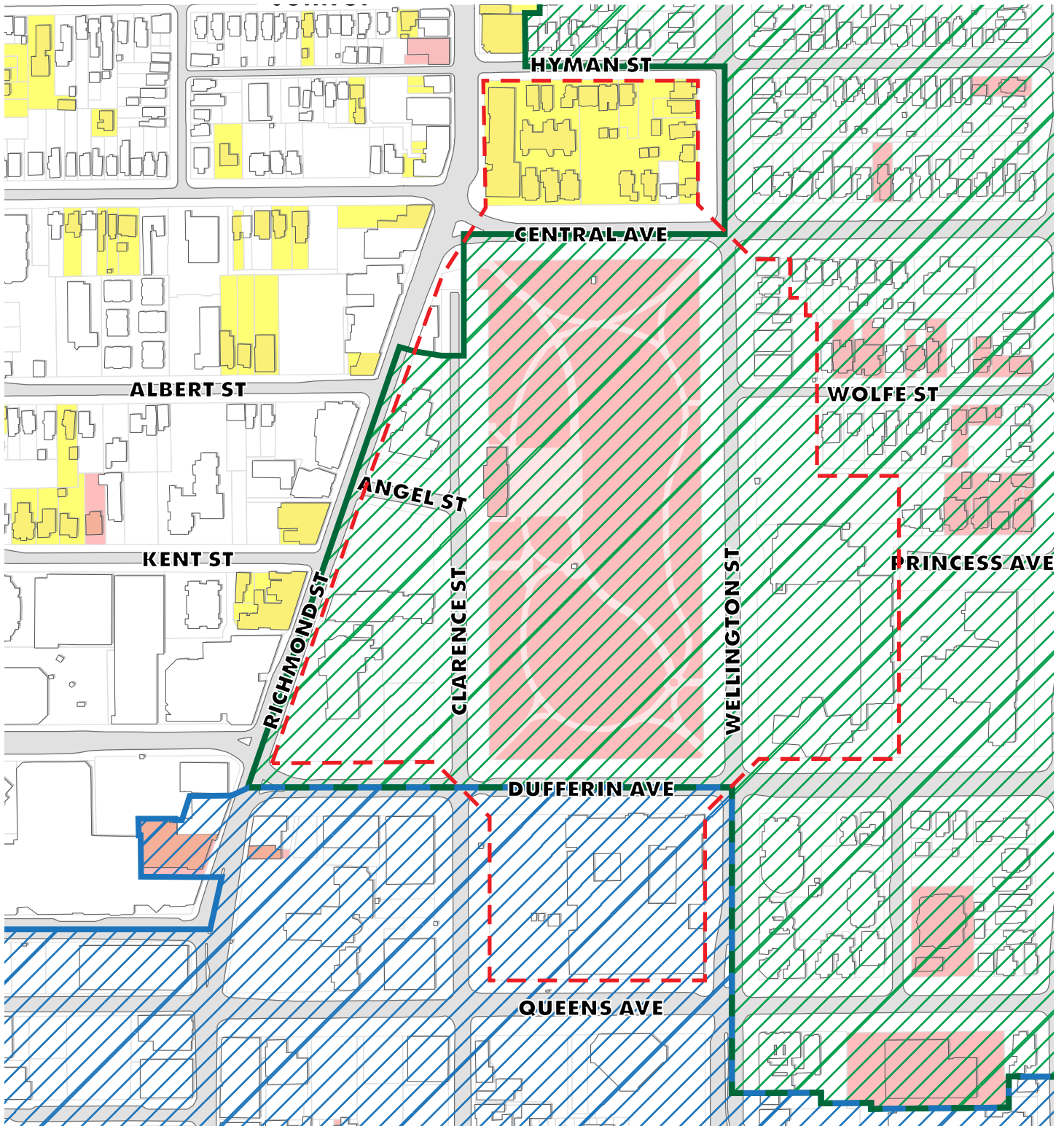
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South Policy Area		
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West Policy Area		
Part A	2 storeys (or 8 metres)	4 storeys
Part B	2 storeys (or 8 metres)	30 storeys
Part C	2 storeys (or 8 metres)	25 storeys
Part D	2 storeys (or 8 metres)	16 storeys

*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-001824.



6.0 Appendices

Appendix A: Cultural Heritage



Legend



Victoria Park Secondary Plan Boundary



West Woodfield Heritage District Boundary
Part V Designated



Downtown Heritage District Boundary
Part V Designated



Listed On City's Heritage Inventory



Individually Part IV Designated
Heritage Property

Appendix B: Reasons for Designation - Victoria Park

SCHEDULE "A"

To By-law No. L.S.P.-3311-283

Victoria Park is bounded by Central Avenue, Clarence Street, Dufferin Avenue and Wellington Street including part of Princess Avenue (formerly known as Bond Street) closed by By-law registered as Instrument GD34133 in the City of London and County of Middlesex being all of PIN 08266-0001.

SCHEDULE "B"

To By-law No. L.S.P.-3311-283

REASONS FOR DESIGNATION - VICTORIA PARK

(The Block bounded by Dufferin Avenue, Clarence Street, Central Avenue, and Wellington Street)

Historical Reason

Victoria Park represents a unique combination of beauty, amenity and heritage in the City of London. The 6.25 hectare park has been a gathering place for Londoners since 1874. Victoria Park is of significant historic, architectural and cultural heritage landscape importance in five key areas:

- (a) As a registered archaeological site;
- (b) Military history;
- (c) A designed landscape;
- (d) A place of public gathering and celebration; and
- (e) Monuments

Victoria Park is a significant resource for archaeology in London, exhibiting three critical layers of historic importance. Prehistoric remains from the native occupation of the area can be found below ground, as well as, remains from the British Military occupation. The Framed Infantry Barracks which covered the northern two-thirds of the park property in the period circa 1838-1873 represents the largest and best preserved historic site in the City of London. Victoria Park is also the City's most celebrated designed landscape from the 19th Century, created by American landscape architect Charles Miller 1878. The layout of the landscape was reminiscent of an English parkland with drives and tree lined walks, fountains, floral areas and bandstand. Limited remains for this grand parkland era remain today. Victoria Park, from its conception, has continually evolved in its role and relationship to London. Its development must be seen in conjunction to the history of design, society and conventions, and the City's fiscal and management considerations of various periods. To date the park has been idealized as a pleasure ground, a venue of horticultural and artistic expression, a recreational facility and most recently a civic space for special events.

Archaeological investigations of Victoria Park indicate that the property represents the single largest and best preserved historic archaeological site in the City of London. It is arguably the most important historic archaeological site in the City by virtue of its significance to the history of the region and to the development of the municipality. Altogether, these remains represent some of the most important complex issues for future management within the property.

Archaeological assessment indicates a number of components within the park including evidence of prehistoric Iroquoian occupation sometime within the period 800-1550 AD.

Historic research has determined that the Framed Infantry Barracks covered an area of some 10 acres including the entire northern two-thirds of Victoria Park; the southern third was used as the drill ground and cricket ground. This Barracks formed an integral part of the British Military Reserve established in London following the Rebellion of 1827. The British Garrison was based in London from 1838 to 1853, when troops were withdrawn to be sent to the Crimean War, and again from 1861 to 1869. During the mid to late 1850s, the complex served as a refugee camp for escaped slaves from the United States and as the site of a racially integrated school. The barracks survived until the early 1870s, when a fire destroyed the officers' quarters, and the remainder of the structures were cleared in preparation for the creation of Victoria Park.

The barracks complex included several dozen structures surrounded by a stockade with projecting bastions. The major structures centred around a parade square. It was bounded by the soldiers' quarters to the north, the officers quarters to the south, the hospital compound to the west, and the canteen, cells, defaulters room and powder magazine to the east.

When the British Government saw no reason to retain the garrison lands, the drive to have the land become a public park began. The Municipal Council began to initiate civic improvements such as street beautification in 1871 and the establishment of a standing committee on Public parks in 1873. It was not until 1878 that London received the deed for Victoria Park. It was at this time that William Saunders presented to City Council plans for the park prepared by American Landscape Architect Charles H. Miller. In March 1878 Charles Miller came to London with the layout plans for the park. The plans were adopted, and park development proceeded as per Miller's plan.

Charles Miller (1829-1902) gained prominence when he became the chief gardener for the Bureau of Horticulture for the Centennial Exhibition in 1876 in Philadelphia. Miller is known to have done two projects in Southwestern Ontario, both seemingly instigated by William Saunders. The first was Victoria Park in 1878 followed by the commission to prepare a landscape and site plan for the Ontario Agricultural College, Guelph in 1882. Through various documents and letters it is known that Miller made several visits to Canada during this period of time. He was recognized as being a leading landscape designer and horticulturalist in his day.

By the end of 1879 the first phase of the parks development was completed. A total of 331 trees and 72 shrubs were added to the double row of maple trees which already surrounded the grounds. In addition walks, drives and a bandshell were installed. The final feature added at this time was the famed fountain topped with a cupid which was installed in the centre of the park along with three military guns from the Battle of Sebastopol which had been donated by Sir John Carling.

Victoria Park evolved as it assumed its role as the “jewel of the parks system”. In 1912 the park was placed under the responsibility of the Board of Water Commission (later Public Utilities Commission). Recreational activities became increasingly important with the introduction of the skating rink in 1914. By the 1920s a great number of the park’s original elements such as iron benches, urns, fencing, had been removed due to age and condition and others were replaced with a single level illuminated one. From this time on, the park began a slow, inexorable decline. By the late 1950s and into the 1960s the residential character along the north and eastern edge was changing with the loss of residential uses, buildings not being oriented to the park , and parking lots.

An important aspect of the park’s history are traditions that have evolved over time. Skating has been a part of the park since 1914. Public concerts have been associated with the site since the period of the British Garrison. The first bandstand was erected in the park in 1876. With the bandstand City Council established a fund for free weekly concerts and encouraged local bands. The Salvation Army held Sunday afternoon services in the park for many years. In recent years a bandshell was built in 1950 with funds donated by the Kiwanis Club; and the present bandshell was built in 1989, again with funds from the Kiwanis Club. A very strong tradition of festivals and special events continues in the park to the present day, with over 30 events occurring annually, most notably the Festival of Lights/Winterfest, Home County Folk Festival, and Remembrance Day Services.

Architectural Reasons

Several Monuments have become important features of Victoria Park. The Boer War Soldiers’ Monument was added to the park in 1912. The sculpture was commissioned by veterans of the Boer War from Montreal sculptor George W. Hill. On November 10, 1934 the Cenotaph was dedicated. It is a replica of the cenotaph that Sir Edwin Lutyens had designed for Whitehall in London, England. This monument was commissioned by the I.O.D.E. and dedicated to “The Glorious Dead”.



Planning and Development
March 2022

Nov 16, 2020

City of London File O-8978

To: Isaac de Ceuster, ideceust@london.ca
Britt O'Hagon, bohagan@london.ca

From: Ben Lansink

Re: Highest and Best Use of Land next to or close to a Public Park

Most cities in the World construct buildings housing multiple residential dwelling units (Residential Hi-Rise) close to or next to public parks or open spaces. London is no exception. The highest and best uses of many core area sites close to or next Public Parks is high density residential high-rise buildings with on-site parking. Core area Parks considered in this report are Victoria Park, Harris Park, and Ivey Park (**the parks**).

High-Rise are now luxurious with loads of amenities, spectacular views and easy access to fancy retail shops, parks and public transit, amenities available at the doorstep of the Victoria Park neighbourhood. A minority of Individuals and Community Groups argue:

*"There has been no study to look at how this level of intensification will impact the health of **the park** in terms of shadowing, wind, vehicular traffic, rain, and so on. "*

"To study this issue on a case-by-case basis is not effective. The groups, Friends of Victoria Park and the Woodfield Community Association, have asked, and will ask again, for a full environmental impact study before this plan is finalized so as to best inform the public and City council on this important matter."

*"We have one chance to get this plan right. The best way to do that is to understand what this current plan means to **the park**. Intensification is good, but not at the expense of this small urban green space shared and enjoyed by the entire city."*

Victoria Park is a city block bordering 4 public streets consisting of 14.18 acres or 617,869 sq. ft. It is not "a small urban green space." Since the mid-1980s Ben Lansink has and continues to walk Victoria Park daily and has never witnessed overcrowding. There are good crowds and bad crowds, more people in the Park will have the effect of diminishing bad crowds.

It would be a waste of tax dollars for Council to purchase "a full environmental impact study." Each hi-rise building, including 517 Richmond, detailed in this report has NOT resulted in any "impact the health of **the park** in terms of shadowing, wind, vehicular traffic, rain, and so on."

Every time a structure is built, regardless of height, shadowing takes place. If shadowing is an issue, we must stop all future building including low density houses separated by say a few feet. There is shadowing on all abutting houses in a community. The earth revolves around the sun which means shadows constantly move. Each building in this report cast a shadow that is always on the move. Society accepts shadowing as a natural occurrence.

Individuals and Community Groups are correct to note "*Intensification is good...*". We must use existing expensive service infrastructure, roads, sidewalks, bike lanes, storm & sanitary sewers, electrical, natural gas, public transit, Covent Market, our Library, Public Parks, YMCA, Budweiser Gardens, Labatt Park, Via Rail, Greyhound Canada, all located downtown, and yes, LTC public transit. Building up, not out, benefits all society. Additional hi-rise buildings, like the ones detailed in this report, next to or close to core area Parks will continue to help alleviate London's housing crises and will also boost our beleaguered downtown.

"We have one chance to get this plan right", yes, but not by the minority, by the majority.

November 16, 2020 by Ben Lansink, City of London File O-8978
Highest and Best use lands near a public park. Photos Nov 14, 2020 by B Lansink



Standing in Victoria Park looking at 517 Richmond Street



517 Richmond Street a 31-story building nearing construction completion November 14, 2020. This residential high-rise building is across the street from the Victoria Park Secondary Plan and overlooks Victoria Park.



517 Richmond Street a 31-story building nearing construction completion November 14, 2020. This residential building is across the street from the Victoria Park Secondary Plan and it overlooks Victoria Park.

549 Ridout North, 505 Talbot Street, and 500 Ridout North, all overlook Harris Park



549 Ridout North, 505 Talbot Street, and 500 Ridout North, overlook Harris Park
71 King, 350 Ridout, 21 King, 19 King, 320 Thames, overlook Ivey Park



71 King Street, 350 Ridout Street, 21 King Street, 19 King Street, 320 Thames Street
All overlook Ivey Park

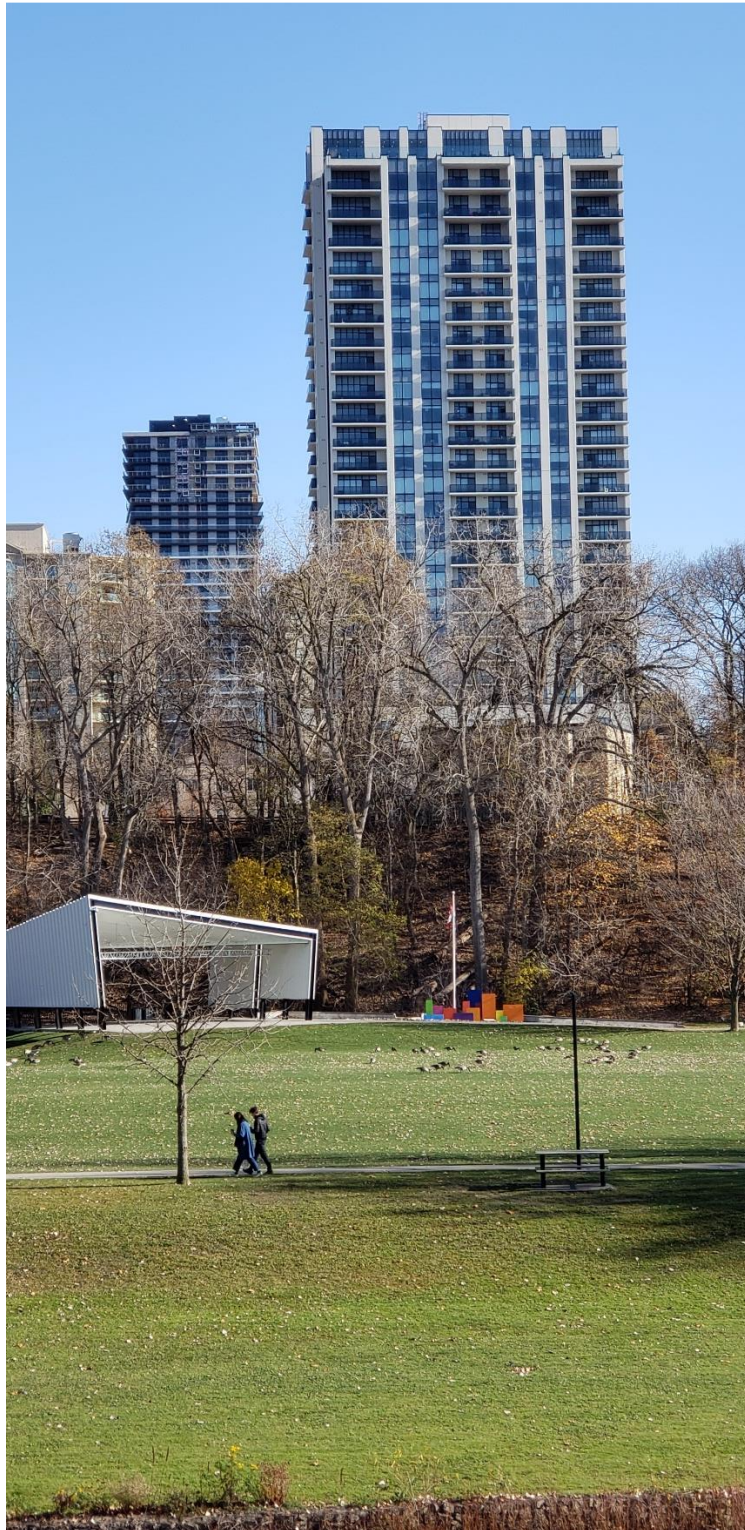


71 King Street, 350 Ridout Street, 21 King Street, 19 King Street, 320 Thames Street
All overlook Ivey Park



517 Richmond Street, building on left, overlooks Victoria Park and Harris Park.

505 Dufferin Avenue, building on right, overlooks Harris Park and Victoria Park.



500 Ridout Street North, across from Eldon House, overlooks Harris Park



320 Thames Street, across from Ivey Park.



300 Dufferin, 11-storey City Hall, across from and overlooks Victoria Park





May 5, 2022

Project No: 11054

City of London
300 Dufferin Avenue
London, Ontario
P.O. Box 5035
N6A 4L9

Attention: Councillor A. Hopkins (Chair) and PEC members
City Clerk

**Re: Victoria Park Secondary Plan – May 2022
Official Plan Amendment – City File O-8978
560 and 562 Wellington Street, London**

GSP Group (“GSP”) acts as planning consultant for 560 Wellington Holdings Inc. (the “Owners”), owners of 560 and 562 Wellington Street (the “Site”), which is located within the study area for the Victoria Park Secondary Plan (“Secondary Plan”).

These comments are being submitted in relation to the Secondary Plan and the public meeting under the Planning Act related to the Secondary Plan being held on May 9, 2022 (Item 3.6 on the PEC agenda).

In summary, we request that the staff revisit the permitted heights set out in the Secondary Plan for the East Policy Area given:

- the approved planned context in Parts B, C, and D of the East Policy Area;
- and the Protected Major Transit Station Areas (PMTSA) designation on a portion of Part E.

1. **Background**

The Secondary Plan specifically arose in response to the proposed Official Plan and Zoning applications for the Site (“Applications” - City File OZ-8462) through the May 8, 2018 consideration of the Applications by the Planning and Environment Committee (“PEC”) at

which Council directed the “*review of the existing plans, policies, and guidelines applying to the properties surrounding Victoria Park and to consider a comprehensive plan for the properties surrounding the Park*”. The Applications are currently under appeal to the Ontario Land Tribunal (“OLT”) by third parties and is discussed further below.

We would note that our Applications were filed in 2014 and therefore the proposed Secondary Plan is not applicable to our Site or our Applications. However, for over 3 years, GSP together with the Owners have participated Secondary Plan process since the commencement in late 2018. Both ourselves and our client have attended the engagement sessions and public participation meetings and have provided written and delegation comments to City Staff and the PEC. Height and intensity of development is the crux of the Secondary Plan and garnered most of the attention through the planning process.

As noted above we have submitted detail comments and recommendations, but these have not been incorporated in the Secondary Plan to date.

Further, we would note that both PEC and Council approved the development of a 17-storey mixed-use apartment building on the Site in November 2021. The draft Secondary Plan does not recognize the approval of Council on the matter in relation to policy or mapping, but rather defers the outcome of decision on height to the OLT process. We believe that the Secondary Plan should acknowledge this local approval and therefore we have provided recommendations below which we would appreciate being considered by PEC and City staff.

2. Comments of Secondary Plan

The Draft Victoria Park Secondary Plan was received by the PEC at their March 7, 2022 meeting and was circulated for public comment. As noted in the Recommendation section of the staff report:

***IT BEING NOTED** that feedback received will inform a revised Secondary Plan and implementing Official Plan Amendment that will be prepared for the consideration and approval of Municipal Council at a future participation meeting of the Planning and Environment Committee.*

The May 9, 2022 PEC staff report (“Staff Report”) is entitled “Revised Victoria Park Secondary Plan”. The Victoria Park Secondary Plan, May 2022 is attached to the May Staff Report.

The purpose of this letter is to respond to specific concerns related to planning approvals for the Site related to heights. Other comments and concerns still remain based on comments previously submitted by GSP and the Owner.

Under Section 4.2 (Heights and Angular Planes) of the Staff Report it states:

An additional change to the permitted heights is for the 560-562 Wellington property. An appeal has been received in relation to the site-specific development proposal and the permitted height for the property will be determined by a future decision of the Ontario Land Tribunal. Once a final decision is rendered and in-force, the Secondary Plan will be updated to reflect the permitted heights.

Also, under Section 4.10 (Planning and Development Approvals) of the Staff Report it states:

A Public Participation Meeting was held before the Planning and Environment Committee on November 1, 2021 in regards to the Official Plan and Zoning By-law amendment for 560 and 562 Wellington Street.

This property was designated Low Density Residential in the Official Plan (1989) and Neighbourhood Place Type in The London Plan. The existing zoning on the site is Office (OF1). The planning application was to amend the 1989 Official Plan to Multi-Family, High Density Residential designation, and add a Specific Area Policy in Chapter 10, as well as change the zoning to a holding Residential R10 Special Provision zone.

Development proposal summary:

- *17 storey, mixed use residential/commercial apartment building containing 173 residential apartments and 1 commercial unit.*
- *Reductions to yard depths for all sides between the building and property lines.*
- *Maximum height of 61m and lot coverage of 95%,*
- *Minimum landscaped open space of 20% including roof-top areas.*
- *Minimum 0 meter parking area setback from the road.*

The proposal was approved by Council and subsequently appealed to the Ontario Land Tribunal and is awaiting a hearing.

As this proposal is currently subject to an appeal, the permitted heights for this site have been left out of the Secondary Plan and will be determined based on the

decision of the Ontario Land Tribunal. Once a final decision is rendered and in-force, the Victoria Park Secondary Plan will be updated to reflect the permitted heights.

Further it states in Section 5.0 (Revisions to the draft Victoria Park Secondary Plan) and specifically under Section 5.1 (Major Revisions to the Secondary Plan) of the Staff Report as follows:

Since the Secondary Plan was tabled in March, 2022 no changes have been made and no new issue identified through the circulation of the Plan. As reported on the March 7, 2022 PEC report, the following substantive changes have been incorporated into the draft Victoria Park Secondary Plan since the February 2020 version:

Section 3.7 Heights

The permitted heights have been revised for the East Policy Area to reflect the recent decision and appeal for the 560-562 Wellington Street, and the existing height and density zoning permissions for 556 Wellington Street. More information about these approvals can be found in section 4.2 Heights and Angular Plan and section 4.10 Planning and Development Approvals of this report.

As noted above, the planning applications (OZ-8462) for 560 and 562 Wellington Street are currently under appeal to the OLT. Separate appeals were filed by a neighbouring landowner and the Woodfield Community Association. The OLT File No. is OLT-21-001824.

Given the approval of the planning applications (OZ-8462) for the Site by City of London Council on November 16, 2021, we would request the Secondary Plan be changed as follows:

1. 3.7.2 East Policy Area (page 25) it states:
 - iii) *The maximum permitted height for the south half of the Central Avenue to Wolfe Street block, identified as Part B, will be determined based on the decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-00184. Once a final decision is rendered and in-force, this plan will be updated to reflect the permitted heights.*

Requested change:

Reword Section 3.7.2 East Policy Area as follows:

“iii) The maximum permitted height for the south half of the Central Avenue to Wolfe Street block, identified as Part B, is 17 storeys. Part B is currently subject to an Ontario Land Tribunal proceeding (File No. OLT-21-0001824).”

2. Schedule 4 – Permitted Heights (page 47)

Schedule 4 currently indicates for Part B that in the legend that it is “Determined by OLT”) and a note on Schedule 4 that indicates, “*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-0001824.”*

Requested change:

- Replace to be “Determined by OLT*”) in the legend on Schedule 4 and replace with “Maximum 17 storeys*.”
- Replace “*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-0001824.” with “*Subject to an Ontario Land Tribunal proceeding (*File No. OLT-21-0001824*).”

3. Schedule 5: Table 1: Permitted Heights (page 48)

Under East Policy Area in Table 1 it states, “*determined by Ontario Land Tribunal**”) and then at the bottom of the Table 1 it further states, “*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-0001824.”

Requested change:

- Replace “determined by Ontario Land Tribunal*”) with “17 storeys*”) under Maximum Height in Table 1.
- Replace the note under Table 1 “*To be determined by decision of the Ontario Land Tribunal in the proceeding originally opened as File No. OLT-21-0001824.” with “*Subject to an Ontario Land Tribunal proceeding (*File No. OLT-21-0001824*).”

4. Section 4.8 of the Staff Report deals Affordable Housing. It states in part under Protected Major Transit Station Areas (PMTSAs) that:

Municipal Council approved the designations of the PMTSAs in the city of London on December 8, 2020 which align with the Downtown and Rapid

Corridor Place Types within the Secondary Plan area. The PMTSA policies and designations in The London Plan will continue to apply to lands within the Secondary Plan area.

Policy 803C of the London Plan states:

Within the Downtown Protected Major Transit Station Area, the minimum building height is three storeys or nine metres and the maximum building height is 35 storeys. (LPA 30)

Under the Section 3.2 (London Plan) of the Staff Report it states:

The London Plan permits standard maximum heights of up to 20 storeys. Heights of up to 35 storeys are permitted using bonus zoning.

We further note that under Section 4.8 of the Staff Report it states that:

Recent changes under Bill 108 to the Planning Act removed section 37 Bonusing and the tool will not be available beyond September 2022. Bonusing therefore is not included in the Secondary Plan.

With that in mind and given Policy 803A above we would request staff further review and re-examine the overall heights in the East Policy Area.

More specifically, Part E in the East Policy Area on Schedule 4 – Building Heights (page 47) proposes to permit a maximum of 30 storeys. Part E is within the PMTSA and therefore permits up to 35 storeys as per The London Plan. This 35 storey height is proposed on Part A in the South Policy Area and we believe that it would be more appropriate to consider 35 storeys in Part E given its location within the PMTSA.

Given the context of 35 storeys in Part E of the East Policy Area pursuant to the PMTSA designation in the London Plan and the permitted heights approved by the City of London in respect of the Site (17 storeys) and the property located at 556 Wellington (18 storeys), we request that City staff review the permitted heights on Schedule 4 for Parts C and D the East Policy Area. Section 4.2 of the Staff Report states:

The most significant change to permitted heights is for the 556 Wellington Street property. To acknowledge the existing height and density permissions in the Zoning By-law and development agreement, the heights of this property have been revised from a maximum height on the north portion based on

angular plane and 30 storeys on the south portion, to 16 storeys and 25 storeys respectively.

We have raised the issues of height and contextual characteristics previously in relation to various areas surrounding Victoria Park. We believe it is important to re-examine the heights with respect to implementing the PMSTA and to encourage transition between different Parts within Policy Areas (including specific heights in the East Policy Area) to determine what is appropriate for this prominently located area within London's structure.

We would request that the above-noted requested changes to the Secondary Plan be referred back to City Staff for further review and consideration. We would also appreciate staff review of our previous comments on the Secondary Plan.

Should you wish to discuss our comments in the meantime, please do not hesitate to contact me in our Kitchener office at 226-243-7296 or by email at hhandy@gspgroup.ca.

We would also appreciate being added to the mailing/email list for further notification with respect to the Secondary Plan (City File O-8978) and being notified of any decision related to the matter.

Yours truly,
GSP Group Inc.

A handwritten signature in blue ink that reads "Hugh Handy". The signature is fluid and cursive, with a period at the end.

Hugh Handy MCIP, RPP
Vice President

cc Steve Stapleton, Vice President, Auburn Developments Inc.
Piper Morley, Partner, Borden Ladner Gervais LLP
Gregg Barrett, Director, Planning and Development
Justin Adema, Manager, Long Range Planning & Research
Isaac de Ceuster, Planner, Planning Policy, City of London



May 5th, 2022

To: Councillors and Planning & Environment Committee Members

Re: Victoria Park Secondary Plan-560-562 Wellington

Further to our previous submission and comments regarding the Victoria Park Secondary Plan, we offer the following for consideration by this Committee and Council. It is not our desire to reiterate the entire process that has elapsed, but it should be noted that the Victoria Park Secondary Plan's origins are rooted in the attempt to strengthen resistance to the proposed High-Density development for 560-562 Wellington.

City of London Council has already decided the heights and design for 560-562 Wellington through a site specific OPA and ZBA and therefore should be consistent within this Plan. The approach taken to 'ghost' out these addresses is inappropriate and is inconsistent with the decision of Council. We would ask for a deferral in order to address this issue and develop a special policy that recognizes the previous approvals and designs submitted and supported by the majority of Council. We would therefore ask for direction to staff to amend the proposed Plan to recognize the already Council approved 17 storeys building and design, or alternatively, direct the removal of 560-562 Wellington from the Secondary Plan altogether.

Thank you for your attention to this matter and apply consistency to the position regarding this project.

Sincerely;
Auburn Developments Inc.

A handwritten signature in black ink, appearing to read "Stephen Stapleton", written over a horizontal line.

Per Stephen Stapleton
Vice-President



May 5, 2022

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

Dear Chair and Members of the Planning and Environment Committee

**RE: Draft Victoria Park Secondary Plan
556 Wellington Street – Great West Life
London, Ontario
Our File: GWL/LON/17-01**

Zelinka Priamo Limited are planning consultants for Great West Life Realty Advisors ('GWL'), owners of the lands known municipally as 556 Wellington Street (the 'subject lands'), located at the southeast corner of Wolfe Street and Wellington Street, east of Victoria Park. We have been involved in the Victoria Park Secondary Plan ("VPSP") process since the first public information meeting on October 1, 2018, and have engaged City staff in discussions regarding the subject lands. We have also reviewed the Planning Report being presented at the Planning and Environment Committee meeting on May 9, 2022, and have concerns regarding the recommendation and contents of the VPSP.

Overall, the direction of the draft VPSP is positive as it relates to development opportunities on the subject lands. The increase in proposed building heights from previous versions reflects current development permissions as permitted by the Zoning By-law, and the recently approved Site Plan for the subject lands. This draft VPSP allows for a more efficient built form, which could potentially yield additional units, and achieve many of the design principles of the VPSP. However, in reviewing this version of the VPSP, some conflicting design policies on tower setbacks have significant impacts on the development potential for the subject lands, particularly along the southerly property line. The VPSP identifies two key setback requirements for tower portions of high-rise developments: 12.5m from property lines where adjacent properties can accommodate another high-rise

building, and 3.0m from pedestrian connections. In the VPSP the southerly property line meets both these policies in the VPSP. The lands to the south, currently occupied by Centennial Hall, can accommodate additional high-rise development, and the VPSP also identifies the Princess Street extension as a physical connection. Given the subject lands context regarding these differing policies, the impacts are significant as the lesser setback of 3.0m would permit an additional building on the subject lands, whereas the more restrictive 12.5m setback would reduce the ability to place said additional building on the subject lands and reduce the efficiency of the land use. While the Princess Street connection may not be a full width public right-of-way, it could take the form of a public plaza of varying width which would automatically provide a separation distance between development on the subject lands, and any future development on the lands to the south of Princess Street extension. The following figures are conceptual plans of potential development on the subject lands; one reflecting the required 12.5m setback, and one reflecting the 3.0m setback for the high-rise tower portions. Both plans adhere to all other design criteria as provided in the VPSP.

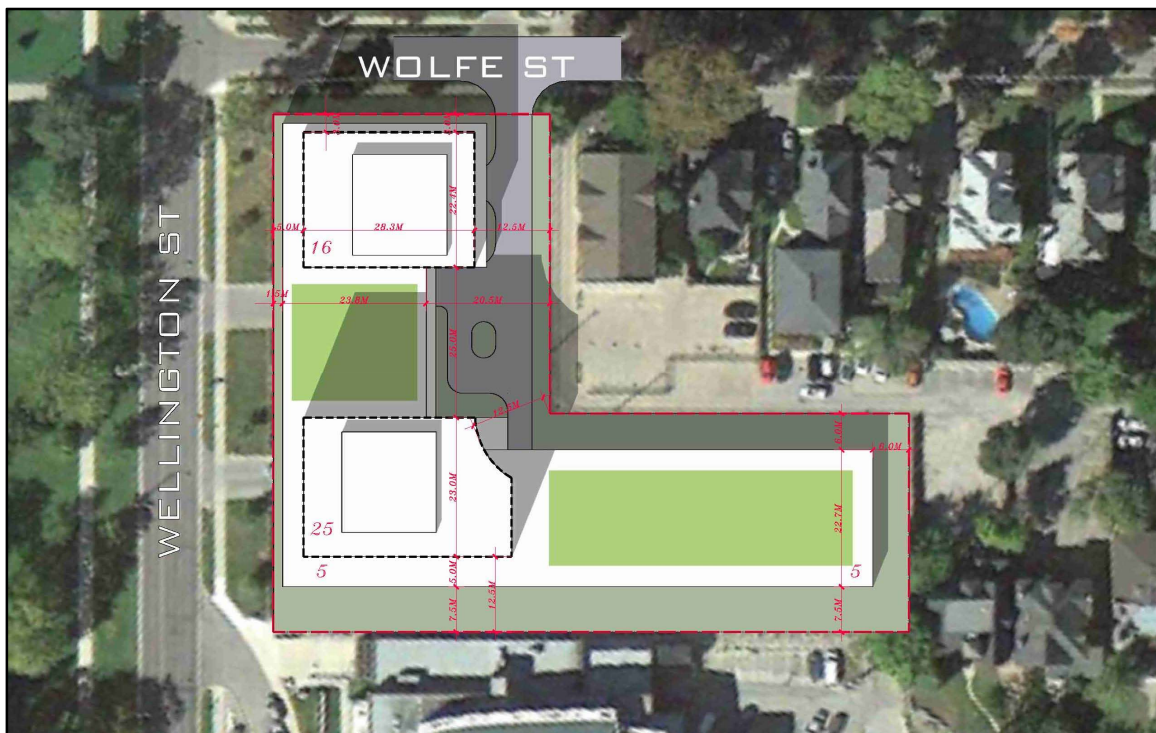


Figure 1: Conceptual Site Plan reflecting Policy 3.8.6vii (12.5m setback from south property line)



Figure 2: Conceptual Site Plan reflecting Policy 3.8.6vi (3.0m setback from south property line)

As demonstrated in the figures above the differing policies have significantly different impacts on the development potential of the subject lands. Given the potential impacts, we would like the opportunity to have additional discussions with staff on clarifying the policy direction for setbacks as it relates to the East Policy Area, particularly along the southerly property line of the subject lands.

In addition to the setback policies noted above, we have concerns regarding Section 3.10 of the VPSP, Housing Mix and Affordability. Throughout this section the term 'affordable housing' is used quite often. Over the last number of years, affordable housing has been obtainable through either non-profit housing initiatives, or through Bonus Zoning. The Bonus Zoning option resulted in agreements being entered into with the Housing Development Corporation over the number of units dedicated, the percentage of average market rent, and the length of term the units would be provided for. This would be in exchange for an increase in density and height of a proposed development above and beyond what the Official Plan and Zoning By-law would permit. This approach has been used successfully in several developments within the city. With amendments to

the Planning Act, the ability to use Bonus Zoning to acquire affordable housing will no longer exist beyond September 2022. While the need for affordable housing in the City of London continues, the inclusion of these affordable housing policies in the VPSP are concerning for the following reasons:

- Lack of definition on what qualifies as an affordable housing unit;
- 25% target for the entire Secondary Plan area is vague how it would be implemented on a site-by-site basis; and
- The appropriateness of this policy direction for such a small area, when affordability is a city-wide matter.

Under the current Bonus Zoning approach, it is clear what is and is not an affordable housing unit, as the terms are set through agreements put into place as noted above. The VPSP does not provide clear direction on what is an affordable housing unit, and therefore what would count towards the 25% goal of units within the VPSP area as being affordable is unclear. This leads into the approach to securing the units themselves. The VPSP states that “each site-specific development proposal will be assessed on its ability to contribute to a mix of housing options and supportive amenities”. This policy would suggest some developments may not be able to contribute to the affordable housing cause nor meet the 25% threshold for that development; however, the units from such a development would still be added to the VPSP area. Any shortfall of a single development from contributing affordable housing units to the overall area would result in their required allotment being deferred to other parcels within the area. This could result in developments needing to provide a significant number of affordable housing units to achieve 25% within the entire VPSP area. Moreover, the need for affordable housing is a city-wide need currently, and a policy framework for achieving levels of affordable housing would be better implemented through the London Plan and Place Type policies, rather than a Secondary Plan that only covers a small portion of developable lands. In addition, clarity around what constitutes an affordable housing unit, and how they will be secured needs to be provided in order for there to be a level of certainty within the development industry to bring proposals forward.

We request that the report and draft Secondary Plan be received, and that there be further public consultation to refine some of the policies where ambiguity exists to ensure the design and affordability policies do not unnecessarily constrain development in the East Policy Area and the VPSP as a whole.

Thank you for having regard for our client's concerns. We look forward to continuing our involvement in this City initiative.

Yours very truly,

ZELINKA PRIAMO LTD.

A handwritten signature in black ink, appearing to read 'Casey Kulchycki', written in a cursive style.

Casey Kulchycki, BAA, MCIP, RPP
Senior Planner

DEFERRED MATTERS

**PLANNING AND ENVIRONMENT COMMITTEE
(AS OF MAY 2, 2022)**

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 2022	Barrett/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 policies that apply City-wide. Work is currently underway to update the analysis, with recommended policies anticipated in Q4, 2022.
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)	Q2 2022	Barrett/O’Hagan	Staff are working to incorporate and address industry and stakeholder comments related to the draft Urban Design Guidelines. Expected for final approval in Q1 2022.
3	183 and 197 Ann Street, clause 4.1 c) and d) of the 7 th Report of the LACH - Civic Administration to review the submission of an altered building design by the applicant	Nov 24/20 (4.1/18/PEC)	Q3 2022	Barrett/Corby	Report to be provided Q1 of 2021 An application for an altered building design has not yet been submitted by the applicant for Administration to review

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4	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 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,	May 4/21 (3.1/7/PEC)	Q3 2022	Barrett/Feldberg	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 recommendations made in the EIS and overall best practices will be reviewed.
5	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	August 10/21 (3.9/11/PEC)			

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	review with the adjacent neighbours, the Upper Thames River Conservation Authority, the Environmental and Ecological Planning Advisory Committee and the Accessibility Advisory Committee				
6	Environmental Management Guidelines (2021) – Be Circulated for a public review and report back to PEC at PPM	Oct 26/21 (2.5/15/PEC)		Kotsifas/Edwards	COMPLETED – PLEASE REMOVE
7	Housekeeping Amendment to Council-approved Secondary Plans – Be Circulated and report back to PEC at PPM	Oct 26/21 (2.5/15/PEC)		Kotsifas/Adema	COMPLETED - PLEASE REMOVE
8	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)	Q3 2022	Kotsifas/Adema	
9	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)		Kotsifas/McNeely McKague/Tucker	

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