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January 29, 2024

To: City of London Planning & Environment Committee
1310 Adelaide Street North & 795 Windermere Road

Executive Summary

- The following memo provides an overview of challenges that the proposed redevelopment of lands in the City of London at 1310 Adelaide Street North and 795 Windermere Road owned by Royal Premier Homes (RPH).
- RPH is delivering this memo to the PEC to give insight into the issues and challenges ongoing that have been attempted to be addressed to enable redevelopment that would contribute substantially to the City & Public, alongside increased economic opportunities in London.
- RPH is seeking the redevelopment of 1310 Adelaide Street North and 795 Windermere Road which are currently zoned for residential and recreational commercial uses. The redevelopment of these lands to commercial use would be done in conformity with the mutually agreed upon, long-standing items of discussion between the City of London and the Upper Thames River Conservation Authority (UTRCA), and policies directed by the Ontario Conservation Authorities Act, and Planning Act.

Project History & Current Issues

- Despite working consistently with the City and the UTRCA for total more than (8) years from that year of which 4 years by RPH (Project Timeline specified in **Appendix A**), the proposed commercial retail and restaurant uses are currently being questioned by City and UTRCA staff to not permit a drive-thru fast-food restaurant as one of the commercial uses.
- Additionally, the number of commercial retail stores is not supported by the staff despite not going over the total commercial square footage within the accepted maximum allowable square footage for development on-site.
- RPH began working on this application in 2020 with Barb Debberton, senior planner, Michael Tomazincic, Planning, and Development Manager, and Brent Vescheure from UTRCA. Unfortunately, none of these staff are with the City or UTRCA are on this project.
- As per Barb Debberton on August 26, 2021 (**Appendix B**). The city picked concept #2 (the current proposed) with no concerns about our layout from the planning department

which is the same layout from that date until today with all of our studies, communication, and meetings with both the city and UTRCA which were completed based on this current layout.

- On November 2023, RPH received to new feedback from the City Staff and UTRCA staff on Dec. 2023 rejecting the drive-thru, restaurant, office, and medical zoning, as well as reducing parking from RPHs request of 48 spots to 33 parking based on new zoning being recommended by the City Staff.
- The current proposal has been with the City and UTRCA staff for the past two years, however, it is only recently that City and UTRCA staff recognized that the restaurant is intended to be a Mcdonald's and correspondingly raised issues about specific commercial uses.
- Despite recent comments raising concerns about the proposed uses, the City staff and UTRCA have not been able to clearly articulate how they will assess intensification and measure impacts created by redevelopment, even when specifically asked to make such criteria explicit. The general understanding of intensification impacts in this development context are those related to flood risk.

Proposed Mitigations

- After an extensive process spanning four years with the UTRCA, the final 2D modelling report by RPHs consultants proposed the following mitigations:
 1. The Subject Lands would be designed with the internal site area raised to an elevation of 244m and 15 Meters wide a drainage channel al by raising the development area to 244 m in elevation, which is above the Regulatory event water surface elevation.
 2. Contain the perimeter of the site, directing flows from an extreme weather event around the buildings. The proposed field house on the City's lands would also be floodproofed.
 3. Floodproofing of the commercial buildings and parking construction of two vegetated drainage channels around the floodproofed (filled) area, to mitigate flood impacts associated with the floodproofing and provide major overland conveyance to the North Branch of the Thames River.
 4. Construction of two site entrances with culverts crossing the drainage channels.
 5. Figure 11 in the report by Matrix consultants demonstrates the overall level of risk of the preferred site layout with no flood risk in the development area due to the proposed floodproofing and mitigation measures.
 6. Access to the site is also protected for emergency vehicles from Adelaide Road during a Regulatory event. of the overall level of risk of the existing conditions during the Regulatory (1:250 year) event
 7. Minimum Landscaped Open Space requirement is 20% PROVIDED 60%.

Public & City Benefits

- Due to the proposed construction of the stormwater channel, the previous agreement to dedicate the portion of 795 Windermere Road to the City for parkland purposes is no longer being offered. Instead RPH is offering the following, in return to get approval for the requested zoning and 48 parking spaces:

1. The construction of the Thames Valley Parkway (TVP) extension including a 3m shared-use path. This path would be located south of Windermere Road and extending between Adelaide Street to the west to the junior ball diamond to the east. The construction of the Parkway is approximately 200m in length.
2. Increase in Parkland Dedication from 2% to 7.3% of the gross area for the purpose of dedication of land for the extension of the TVP (933 square metres). The portion of the TVP would be contained within a 7m corridor parallel to Windermere Road and acquired as Parkland Dedication (consistent with By-law C.P.9 and the Planning Act).
3. A portion of the municipal parking lot (approx. 48 spaces) would be removed and remediated to green space, including removal of gravel and replacement with topsoil and landscaping.
4. The construction of a new fieldhouse, approximately 67.5 square meters in area to provide public washroom facilities, municipal storage, and changing facilities (detailed building design to be completed at the detailed design stage). The provision of a public washroom facility (approximate value of \$420,000).
5. Re-constructed municipal parking lot Parking lot re-grading and construction of approximately 2,700 square meters in area, with 0.3m of granular, curb, and landscaped islands.
6. The mitigation of encroachment of previous development on City or UTRCA-owned lands (tennis court area) and the restoration of those encroached lands back to a natural state.

The above items will cost RPH substantial amounts to complete, and therefore, financially this project will no longer be viable if RPH must make all the changes that the City Staff & UTRCA are requesting.

Closing Statement

Royal Premier Homes is committed to the redevelopment of this Site to redeveloped it in a comprehensive manner that is beneficial for the public, City of London, and the economy. From RPHs perspective, the proposed development represents good planning and utilizes engineering practices and solutions that completely ensure floodproofing and no significant impacts on the environment.

Thank you in advance to all the Councillors who have taken the time to look over this application and memo. We thank and appreciate all the City & UTRCA Staff and Council members for their time and support throughout this project. We hope that all PEC members support this project after 4 years of hard work with the City Staff and UTRCA.

Best,
Farhad Noory
CEO & President
Royal Premier Homes

APPENDIX A

The flood impact assessment has been completed in an iterative manner through consultation with UTRCA with the intent of developing a site plan with the least impact to flood depth and velocity at the site and adjacent properties. The following meetings and document submissions have occurred throughout the consultation process:

September 2019

- Matrix and the UTRCA staff met to discuss the project history and UTRCA's hydraulic modeling requirements for the floodplain impact assessment.

May 8, 2020

- Submission of the 1D Modeling Flood Impact Assessment (FIA) Memo by Matrix on behalf of RPH
- Matrix completed the 1D hydraulic assessment of the proposed site development. The memo provided the results of the 1D hydraulic assessment.

September 29, 2020

- Matrix and UTRCA staff met with them to review the results of the 1D hydraulic model assessment.
- UTRCA provided a 2D hydraulic model for the study area to Matrix for detailed assessment of the velocity impacts surrounding the site.

November 19, 2020

- 2D Modeling Results Meeting #1: Matrix and UTRCA staff met to review the first round of 2D modeling results which included 4 site layout alternatives (Alternatives 1 to 4).
- UTRCA staff requested that a full floodproofing scenario for the site be considered along with a review of specific flow conditions (approximately 850 cubic metres per second (cms)) relevant to the site and presentation of change in velocity-based flood risk to better understand the impact to surrounding properties and Adelaide Street.

January 12, 2021

- 2D Modeling Results Meeting #2: Matrix and UTRCA staff met to review the new Alternative (#5), full site floodproofing scenario and the revised results.
- This alternative raised the site, including the parking lot to an elevation of 244.0m above sea level which is above the Regulatory event water surface elevation.
- UTRCA staff requested that a conveyance channel between Adelaide Street and the property be considered to improve conveyance conditions during more frequent flooding events (~850 cms) than the Regulatory flow (1250 cms). UTRCA requested that the change in velocity during these lower flow events be assessed for the surrounding properties.

- UTRCA recommended that the final revisions requested during the meeting be presented in a memo to be submitted to UTRCA for review and comment.

February 18, 2021

- Submission of the 2D Modeling FIA Memo: The memo provided results for six site layout alternatives (Alternatives 1 to 6), including the requested conveyance channel parallel and adjacent to Adelaide Street (Alternative 6).

June 14, 2021

- UTRCA Comments on the 2D Modeling FIA Memo: UTRCA provided an email with comments on the 2D Modeling Memo. Specifically, UTRCA requested that further investigation of the site layout and conveyance channel be undertaken to mimic the existing site conveyance conditions during flooding events. This involved creating conveyance channels around the site and pulling the development back from Adelaide Street and Windermere Road.

December 14, 2021

- 2D Modeling Results Meeting #3: Matrix presented the results of two additional site layout alternatives that were developed based on the comments received from UTRCA on June 14, 2021. The two new alternatives considered were:
 - Alternative 7: Providing a flood conveyance channel along the north and west side of the property (adjacent to Windermere Road and Adelaide Street); and,
 - Alternative 8: Providing a second conveyance channel along the east and south boundary of the property.
- The results identified that Alternative 8 produced the least impact to flood depth during the 850 cms event with less than 2 cm change in flood depth and a reduction in velocity. Additionally, this alternative has no adverse impact on flood depth and velocity during the Regulatory event (1250 cms).

December 23, 2021

- SBM Submission of Site Layout to City of London: SBM provided an email submission to the City of London summarising the proposed site development, including the proposed flood mitigation measures and public benefit.

February 7, 2022

- City of London Response to SBM Submission: The City of London provided an email response to SBM's submission on December 23, 2021. The response indicated that City staff were unable to support the proposed site plan as submitted.

October 19, 2022

- SBM Submission of Revised Site Layout to the City of London: SBM prepared a revised site layout to address the concerns raised by the City in their response provided on February 07, 2022.
- The revised site layout included; a reduction in the footprint of the floodproofed area to within the property boundary; and addition of a field house east of the development.

October 28, 2022

- Submission of the Revised Site Layout 2D Modeling FIA Memo to UTRCA: The memo provided results for the revised site layout. The results were consistent with the results presented to the UTRCA at the 2D Modeling Results Meeting #3 held on December 14, 2021. The submission included the 2D hydraulic modeling files.

April 11, 2023

- UTRCA comments on Revised Site Layout FIA Memo: UTRCA provided technical peer review of the FIA. The comments and responses are further detailed below. UTRCA comments on Revised Site Layout FIA Memo

June 11, 2023

- 2D Modeling FIA Memo to UTRCA: The FIA Memo was updated to address UTRCA's comments received on April 11, 2023.

July 31, 2023

- UTRCA comments: UTRCA provided additional comments on the Updated 2D modeling FIA Memo.

September 19, 2023

- Meeting with UTRCA: Matrix presented preliminary results for a fully floodproofed parking lot which showed an additional impact on flood depth at upstream and adjacent properties.
- Matrix indicated that based on the impacts, Matrix would be recommending the partial floodproofing of the parking lot. UTRCA requested that the fully floodproofed parking lot scenario be included in the FIA Memo.
- The UTRCA Technical Peer review Comments received on April 11, 2023, and comments received during further discussions with UTRCA on July 31, 2023 are presented in Table 1 of matrixes report along with Matrix's responses.

October 9, 2023

- Revised Floodplain Impact Assessment Memo that was submitted to UTRCA on October 9, 2023.

Dec 8, 2023

- The UTRCA response with received with accepted 2D modelling but a restriction on specified zonings

APPENDIX B

From: Debbert, Barb <bdebbert@London.ca>

Sent: August 26, 2021 7:35 PM

To: Lavene Kirkness <[REDACTED]> 'RPH.' <[REDACTED]>; Adam Spargo <[REDACTED]>

Cc: <[REDACTED]> Brent Verscheure <[REDACTED]>; Smith, Craig <crsmith@London.ca>; Bruin, Jeff <jbruin@London.ca>; Pease, Michael <mpease@London.ca>; Corby, Mike <mcorby@London.ca>; Chamorro, Juan <jchamorr@London.ca>; O'Hagan, Britt <bohagan@London.ca>; Varughese, Prasanth <pvarughese@London.ca>; Tomazircic, Michael <mtomazin@London.ca>

Subject: FW: 1310 Adelaide and 795 Windermere Road - 2 commercial development OPTIONS

Good evening Lavene,

Overall, Concept 2 seems to be one that would work better to achieve site plan design guidelines and urban design goals. Please note I have reached out to Transportation staff to follow up on the site plan comment respecting the exit from the drive through but have received no comment from them to date. High-level preliminary comments on the site concepts are as follows:

Site Plan Comments

- Concept 2 is preferred;
- Pedestrian connections will need to be provided to Windermere Road and Adelaide Street North;
- The fire route must be connected at the north end of the parking lot and may result in some loss of parking spaces;
- The exit from the drive through may not work from a transportation management perspective.