

From: J R

Sent: Friday, September 6, 2024 3:34 PM

To: Filson, Stuart <sfilson@london.ca>

Subject: Fwd: [EXTERNAL] Amended Notice of the Planning Application, OZ-9726

Hi Stuart,

We would appreciate it if all our correspondence were to remain a part of the public record.

With respect to what you wrote in red font, our concern is not that regulations would be relaxed. Our concern is the regulations themselves, if in fact they permit building to a height of 30 storeys. There would be no need for regulations to be relaxed if the regulations permit building to that height. Planting trees, amenities, and pedestrian connectivity won't do anything to assuage our concerns about the building height. And while it's great that the City has updated its building design requirements from those in place in the 1970s, our focus right now is on the height of the buildings, not the look. We used the link you provided to navigate to the Site Plan Control information, but found nothing in that extremely lengthy document that addressed the issue of building height. Similarly, there was no information that we could find relevant to building height in the second link you provided. Therefore it would be appreciated if you could refer us to the specific section in which we will find the appropriate information in response to the height concern we expressed.

The first two paragraphs of the PMTSA Zoning Review are as follows:

In 2020, Council approved the Protected Major Transit Station Areas (PMTSA) policies in [The London Plan \(External link\)](#). The City is now required to zone the properties within the PMTSA to implement these policies and to reach our housing targets. After a review of the City's Zoning By-law was conducted, it was determined that a new section of the [Z.-1 Zoning By-law \(External link\)](#) was required to achieve the objectives of the PMTSAs.

It is recommended that a new section in the Zoning By-law be introduced to allow for greater residential intensity and heights. A Zoning By-law amendment must be undertaken to introduce the new Transit Station Area (TSA) Zone.

The second paragraph spells out very clearly the City's goal with respect to the transit village proposal, and that is to increase residential intensity and heights. With respect to our concern about height, it is somewhat disingenuous of you to suggest that Site Plan Control would provide careful review and apply discretion when assessing proposals, when in fact the sole intent of the proposal is to build more and to build higher. And it was misleading for you to refer to the European model to instill hope in us that height moderation would rule the day.

The bottom line is that the City intends to rezone our area in order to build much higher and increase the population density significantly. Throughout our correspondence with you we have driven home the point that we don't want high-rise development in our community, and that we would support what you referred to as middle housing. That's what would blend nicely in the area, and still provide a satisfactory addition to population density and commercial development.

We do not want to have high-rise development, especially the likes of what is being proposed, in the area bordering our community.

Robin Daneff

Jody Unrau

----- Forwarded message -----

From: **Jody U**

Date: Thu, 5 Sept 2024 at 22:41

Subject: Fwd: [EXTERNAL] Amended Notice of the Planning Application, OZ-9726

To: J R

----- Forwarded message -----

From: **Filson, Stuart** <sfilson@london.ca>

Date: Thu, Sep 5, 2024, 1:28 p.m.

Subject: RE: [EXTERNAL] Amended Notice of the Planning Application, OZ-9726
To: Jody U

Good afternoon Jody,

I responded below in red. From this point on, I can exclude your comments from the public record unless you want me to include them.

Thanks,



Stuart Filson, MCIP, RPP (he/him)

Planner, Planning Policy (Research)

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From: Jody U

Sent: Thursday, September 5, 2024 1:02 PM

To: Filson, Stuart

Subject: Re: [EXTERNAL] Amended Notice of the Planning Application, OZ-9726

Thank you, Stuart, for your response.

The fact that "large developments must also go through Site Plan Control" inspires little confidence in us, because it means that SPC could still allow the development to proceed. Also, "staff discretion" suggests that there is leeway and the potential for a changing guardrail.

Site Plan Control does not mean the regulations can be relaxed. Instead, Site Plan Control provides the qualitative counterpart to development review with additional restrictions and requirements. Site Plan Control ensures planting of trees, amenities, pedestrian connectivity, and many other factors. I also want to emphasize that development expectations have changed over the decades – while a windowless concrete slab may have been acceptable in the 1970s, the City now has more policies that speak to heritage, landscaping, urban design, accessibility, ecology, etc. You can find out more by referring to the Site Plan Control By-law (<https://london.ca/by-laws/site-plan-control-law-cp-1455-541>) or the application webpage (<https://london.ca/business-development/planning-development-applications>).

In your most recent reply you explained that on the periphery "the corresponding zoning would be up to 15 storeys, ... contingent on various policies and site conditions." That is new information for us, as it wasn't part of the original presentation, or subsequent discussion. It is also information that continues to leave us uninformed, as we don't know anything about the various policies and site conditions that might come into play.

What is the City's definition of the periphery of the Transit Village? What is the formula for determining the dynamic rear yard setbacks in terms of physical distances corresponding to specific heights?

For more information about the proposed zoning, please refer to the Get Involved webpage on Protected Major Transit Station Areas (<https://getinvolved.london.ca/pmtsa>).

You've explained that 30 storeys is the maximum that can be built, and attempted to reassure us that it doesn't mean that future development will be 30 storeys. So, a question that remains is, why a Transit Village Place Type when there are other Place Types that would provide development opportunities, but more closely resemble and complement existing development?

Every Place Type designation has a range of development potential. This is why there are many more zones than Place Types. The most intense Place Type is the Downtown Place Type. Rapid Transit Corridors and Urban Corridors are reserved for transit-oriented streets, typically busier streets. Many lands away from the busier streets are designated Neighbourhoods Place Type. In redesignating this area as a hub for greater intensification, the only Place Type left is the Transit Village Place Type. There are still many policies within London's Official Plan, known as *The London Plan*, that regard the appropriateness of development. It is not as though the City is giving developers carte blanche to develop however they want.

Jody and Robin

On Thu, Sep 5, 2024, 8:55 a.m. Filson, Stuart <sfilson@london.ca> wrote:

Good morning Jody,

As you point out, there are land sensitivities, so staff made changes to the proposed boundaries. The proposed Transit Village previously contemplated including a portion of the Bishop Hellmuth Heritage Conservation District, but staff have since removed all of Bishop Hellmuth Heritage Conservation District. Staff also removed other portions along the north, such as no longer extending the Transit Village to Sydenham Street (<https://getinvolved.london.ca/transit-villages>).

Regarding the height, although the Transit Village permits 30 storeys, this represents the upper limit. Along the periphery of the Transit Village, the corresponding zoning would be up to 15 storeys but even this is still contingent on various policies and site conditions. Proposed developments abutting residential parcels would have a dynamic rear yard setback that increases with the development height. The effect of this regulation would be to maintain a transitional buffer in neighbouring areas. Furthermore, even if the zoning and parcel size permit a certain form factor, larger developments must also go through Site Plan Control, which entails further staff discretion and potential studies (e.g., shadowing, traffic, noise, etc.). If you would like, you can find out more about the zoning project here: <https://getinvolved.london.ca/pmtsa>

For any questions, please do not hesitate to ask.

Kind regards,



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From: Jody U

Sent: Thursday, September 5, 2024 8:43 AM

To: Filson, Stuart <sfilson@london.ca>

Subject: Re: [EXTERNAL] Amended Notice of the Planning Application, OZ-9726

Mr. Filson,

Thank you for the very detailed and informative email you sent in response to our previous submission to your office.

We are not city planners, and have neither training nor experience in the field. What we do have is an outside view of what is being presented, along with a sense that there is often more to a plan than what one's initial perception offers up.

It's that sense which has us realizing that, no matter how things are coloured, no matter how many considerations might be introduced, no matter how many checks and balances might be brought to bear, and no matter the amount of justification that might be applied, there is one unshakable, underlying fact to be recognized here. And that is, as the proposal in question stands, it would be within the rights of a developer to erect one or more 30-storey towers in the area in question.

That's precisely what forms the basis of our objection to the proposed plan. As an example, it would be possible for a party to erect a 30-storey tower, where CIBC and Independent Grocer currently exist on the northeast corner of Richmond and Oxford, that would brush up against the 2-storey dwellings just across the narrow lane to the north. We are opposed to that.

We would love to see the European model adopted here, restricting upward development to perhaps five or six storeys. Adding to the population of the area in that manner would provide ample opportunity for small business development that would increase the appeal of the area. But emulating that model is not what is being proposed. Rather, there is

specific reference to increasing the allowable height of buildings beyond the existing cap of 22 storeys. There would be no need to propose that increase if the intent were to regulate building height and mirror the European model. There is purpose behind the proposed change. It is not being advanced in the hope that no party ever takes advantage of it. After that door is opened, it's going to be used.

Where you explained that the proposed policy changes would support more intensification in this area, but that the developments would still be subject to review, it's hard to imagine the developments not passing scrutiny, assuming they adhered to the policy granting permission to go as high as 30 storeys. You speak about London's policies encouraging a transition away from high-rise buildings, but that is the exact opposite of what is contained in the proposed plan. And that is the point we are trying to make.

Therefore, we urge the City to rework the proposal to bring it into line with some of the information you provided in your email to us. Focus on middle housing. Apply standards to ensure a gradual transition from high to low. Implement changes to allow for more ground-level commercial use, if you believe changes to be required to spur such development. Most important, ensure that there is some sort of transitional buffer zone that makes sense for all the adjacent neighbourhoods. It is the community's interests that should take precedence regarding decisions that affect its future.

Jody and Robin.

On Wed, Sep 4, 2024, 2:36 p.m. Filson, Stuart <sfilson@london.ca> wrote:

Good afternoon Jody and Robin,

Thank you for your comments.

These comments have been added to the file and form part of the public record. Staff appreciate your comments and are taking them into consideration. Please be advised that your comments, including your name, will also be included in a future staff report

published on the City's website for consideration by the Planning and Environment Committee (PEC).

No bus rapid transit stop is currently planned for this area, but the Oxford-Richmond intersection already supports several existing stops that connect the City together. Additionally, while the name of "Transit Village" represents the Place Type Designation, the policies go beyond transit too. Policy planning must be forward thinking, which includes addressing many of the matters you touched on. So, this effort is one part of many efforts that the City is pursuing.

Although there are no developments directly associated with this proposal, London has been leading Ontario in growth and is projected to grow by hundreds of thousands over the ensuing decades. Furthermore, these amendments would allow for more ground-level commercial uses that could stimulate the local economy. Given this area's close proximity to focal points within London, the City has every expectation that this area will continue being a vital part of London.

The proposed policy changes would support more intensification at this area, especially south of Oxford Street, but the developments would still be subject to review. In contrast to the mid-century push for slab towers or a tower-of-a-park morphology, London's contemporary policy framework emphasizes transitional forms. For wind, sunlight, and street engagement, policies support more tapered high-rise buildings buffered by medium density. For the transition away from high-rise buildings, London's policies also encourage more missing middle housing (e.g., townhouses, low-rise flats – typified by Montreal, Québec City, and many European cities).

Currently though, developers must seek a Zoning By-law Amendment and sometimes, Official Plan Amendments, to pursue developments in this area. Council has typically approved these amendments and done so with enough regularity that Staff have identified more generalized regulations and special provisions. Large developments are typically subject to Noise/Vibration Impact Assessments and Shadow Studies. Heritage is among the biggest policy priorities for this area. In practice, a small parcel of land or an especially sensitive parcel may not be appropriate for larger scale developments. Site Plan Control would also ensure consideration for more nuanced considerations, such as form, urban

design, landscaping, accessibility, amenities, and more. For amenity/landscaping, the City differentiates between public amenities (parks), private outdoor amenities (gazebos, community gardens), indoor amenities (apartment gyms, pools), and landscaping (trees) – further formalizing these distinctions and requirements is beyond the scope of this project but is being considered by staff (for more information, please see: getinvolved.london.ca/rethink-zoning). London prides itself on being the Forest City, so *The London Plan* and Site Plan Control By-law ensure that larger developments screen abutting smaller residential uses with trees.

For further information, please see the Get Involved page:

getinvolved.london.ca/transit-villages

You may find mapping of the zones here:

<https://london.maps.arcgis.com/apps/webappviewer/index.html?id=20327d3bcfb34bb488a7c3f74c05d2d3>

Should you have any further questions or comments, please do not hesitate to contact me.

Kind regards,



Stuart Filson, MCIP, RPP (he/him)

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From: Jody U

Sent: Tuesday, September 3, 2024 8:37 PM

To: Filson, Stuart <sfilson@london.ca>

Cc: City of London, Mayor <mayor@london.ca>; Mathers, Scott <smathers@london.ca>; Cuddy, Peter <pcuddy@london.ca>; Pribil, Jerry <jpribil@london.ca>; Trosow, Sam <strosow@london.ca>; Rahman, Corrine <crahman@london.ca>; Hopkins, Anna <ahopkins@london.ca>; Ferreira, David <dferreira@london.ca>

Subject: [EXTERNAL] Amended Notice of the Planning Application, OZ-9726

Dear Mr. Filson,

We would like to provide feedback with respect to the *Revised Notice of Planning Application & Public Meeting* for files O-9752, OZ -9726 & OZ9727, O-9753 which was dated August 7, 2024. Our comments relate to the proposed “Transit Village” and subsequent rezoning for the Oxford-Richmond site (OZ-9726).

With interest, we logged into the online information session provided by the City on July 31, 2024 regarding this planning application. Most of our comments stem from what we learned during the presentation and subsequent discussion via the Q&A/chat forum.

We learned that this planning application is not really for creating a ‘transit village’, but rather for approval to rezone the area shown on the map to allow for high-rise development of up to 30 storeys. We were surprised to hear that the proposal does not even include a transit station, and that Council does not support a transit leg in this area at this time. One take-away from the meeting was that the City feels that transit will follow after the area’s population density increases significantly. That was expressed as a hope, not a plan.

From our point of view, expecting transit design to follow on the heels of building development is problematic, especially when talking about the establishment of a rapid transit system as referenced in the London Plan. It would certainly make better sense to plan transit routes first, or at least concurrently, to reduce the construction challenges, legal obstacles, utilities relocation, expropriation costs, and neighbourhood push-back inherent in the process of trying to punch transit corridors through areas that are already saturated with development. That's why roads are built before houses; transit infrastructure planning should follow a similar blueprint.

Strategic planning should always consider important elements of current and future development, including the cause and effect of planning decisions on other major infrastructure investments and required services. The Transit Village planning proposal, as presented and explained during the information session, does not seem to do any of that, which is both unfortunate and disappointing.

We understand that the City wants to benefit from federal funding made available through the Housing Accelerator Fund (HAF). However, decisions on rezoning existing residential areas to include high-rise development should not be fast-tracked, or taken in isolation of other factors, and yet that's what seems to be occurring.

It appears that the focus of this planning application is simply to allow substantial tear-down and redevelopment, on a scale and style inconsistent with that of the existing neighbourhood, while essential infrastructure planning to support that development is being relegated to a file titled "Maybe Someday." As it stands, it's a very incomplete package.

We get the impression, therefore, that the specific purpose behind the proposed rezoning is not to develop an urban, transit-oriented environment, but simply to permit and promote large-scale residential and business development in the affected area. Other types of development in the area will be encouraged, no doubt, but the primary intent of the proposal seems to be to open the area to properties that build up, as in skyward.

In looking at examples of transit-oriented development (TOD) and other definitions of Transit Villages, we found that they describe residential and commercial areas that are designed and built around, and served by, mass transit networks. By contrast, the City of London wants to designate the Richmond/Oxford area as a Transit Village without planning for one of the most important aspects of a Transit Village – a transit hub.

It seems that newer areas of the city, ones that are further from the core, would benefit from the transit village strategy. Build and connect them by means of efficient transportation systems encompassing roadways, bus lanes, bicycle paths, BRT/LRT, and pathways. Make the city easily transitable on a broad scale. Don't add congestion and intensify development in areas around the downtown core.

As per the City's definition of a 'Transit Village Place Type', this type of zoning allows for "some of the broadest uses and the most intense forms of development in the City." At the same time, the current planning policy for Transit Villages is also being changed from allowing 22 storeys to be built, to permitting 30 storeys. We are not against development, and absolutely support the City's plan to build vibrant communities, but the OZ-9726 planning proposal represents a significant change from the present and long-standing make-up of this area. Our feeling is that this planning application to change the zoning of this area so significantly represents the first step toward the erosion of our historic neighbourhood. This long-established community's character and well-being will suffer if the City's proposal proceeds as currently written.

Therefore, we urge you to reconsider the current plan and, after open consultation with all affected parties, modify it considerably. We require a plan that serves as a building block to enhance our community and promotes development that complements the neighbourhood. As the proposal stands now, it does none of that.

Jody Unrau

Robin Daneff