

September 20, 2023

Ms. Nancy Pasato
Manager Policy and Research
Planning Division
City of Kitchener

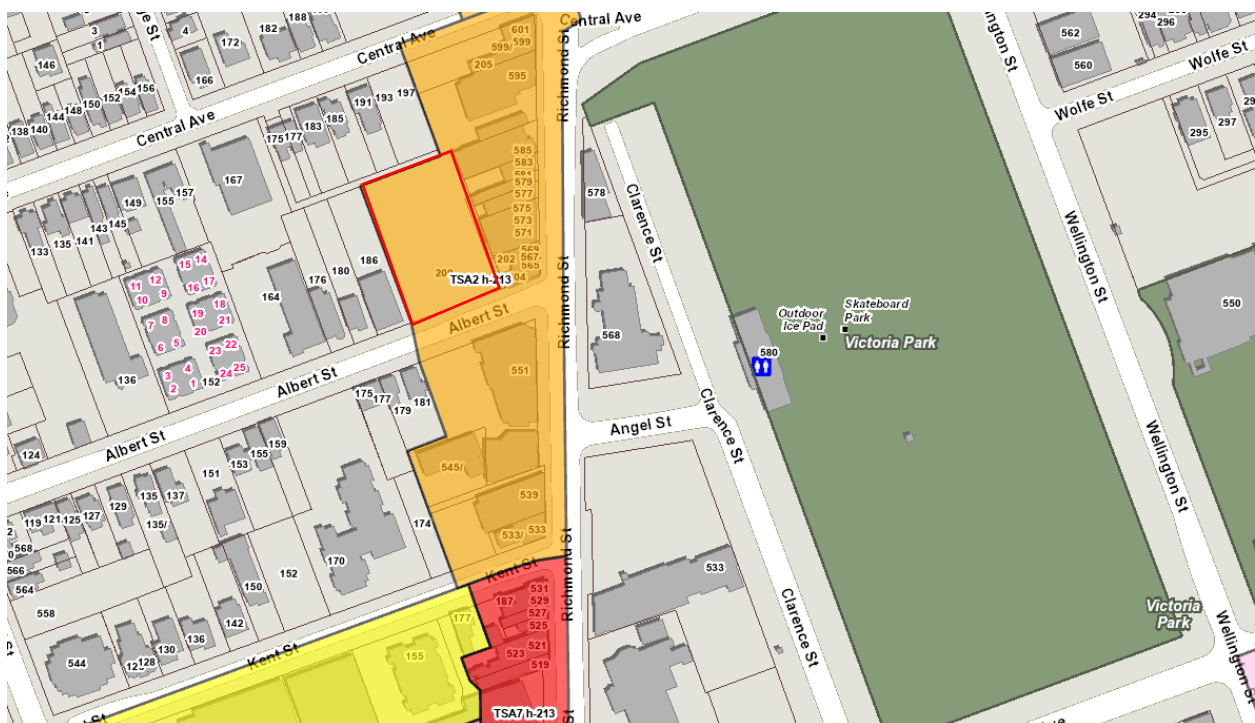
Submitted via e-mail

Re: Protected Major Transit Station Areas (PMTSA) Zoning Review

On behalf of my client, IN8 Developments, please accept this letter with respect to the City of London's ongoing Official Plan (London Plan) and zoning review of its Major Transit Station Areas as it relates to their property at 200 Albert Street, London.

I have reviewed the draft materials related to the initiative available on the City's public consultation webpage including the proposed draft implementing Official Plan Amendment and Zoning By-Law Amendment, including the Staff Report presented at the September 10, 2024 Planning Committee Meeting.

As an overarching statement, my client was and remains supportive of the City-led initiative which aims to support and permissive and responsible growth framework for several of the City's priority growth areas. The staff recommended policy and regulatory changes aim to facilitate more context appropriate infilling of these areas while ensuring appropriate development standards are applied and incorporated into new developments. More specifically, my client is supportive of the application of the TSA-2 zoning which was recommended to be applied to the subject property through this planning exercise, shown below.



I understand that at the September 10, 2024 Planning Committee Meeting, a motion was made to “change the Place Type for the lands along Richmond Street from Kent Street to Epworth Avenue, and Western Road from Windermere Road to Sunnyside Drive, from Rapid Transit Corridor to Urban Corridor on Map 1 – Place Types” within the London Plan and to “remove Protected Major Transit Station Areas along Richmond Street from Kent Street to Epworth Avenue, and Western Road from Windermere Road to Sunnyside Drive on Map 10 – Protected Major Transit Station Areas” within the City’s Zoning By-Law.

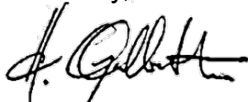
As a result of these proposed changes, it is understood that the City would remove the subject lands from the PMTSA and apply the “Urban Corridor” place type to the subject property in the London Plan, which are currently designated Rapid Transit Corridor. It is unclear which zone would be applied to the lands as a result of this proposed change and clarity, in this regard, is required.

My client is opposed to these proposed amendments and remains supportive of the original / existing Place Type which applies to their property and staff recommended application of the TSA2 zone. I agree with the opinions of staff that the proposed application of the TSA2 zone is appropriate for the subject lands, consistent with both the existing Provincial Policy Statement and the new Provincial Planning Statement, and indicative of good planning.

Beyond this, in my opinion, the nature of the contemplated amendments conflict with the stated purpose of the Heights Framework Review which is to “consider revised maximum building heights in all urban Place Types and give policy direction and design standards (zoning regulations and/or site plan requirements) for tall buildings (greater than 8 storeys).” The contemplated amendments go well beyond the stated intent of the Heights Review, and would, in essence, remove lands from existing defined PMTSA’s, whereas the stated intent of the exercise is limited on the review of heights in all urban Place Types.

We appreciate your consideration of our request to apply maintain the existing Rapid Transit Corridor Place Type and to apply the staff-recommend TSA2 zoning to the subject property. By way of this letter, we request notice of any decisions made in respect to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Galbraith".

David Galbraith MCIP RPP