

## **LONDON AREA PLANNING CONSULTANTS – LAPC**

.... a local organization of private professional land use planners.....

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### **London Plan 2 - collective comments from LAPC members**

#### **Who is LAPC?**

LAPC is a group of LAND USE PLANNERS, centered in the London Middlesex region, and engaged/employed in the private sector of land use planning. Membership is voluntary, it generally meets monthly, and there are no membership fees. Planner members may be self-employed as consultants, or be employed by planning, engineering, architectural and ecological based companies, as well as land development companies. LAPC's goal is to improve land use planning and the planning of healthy, complete and sustainable communities. LAPC members examine and discuss matters of public land use planning policy, regulations and procedures about development and conservation of the urban centres and rural areas. LAPC works toward providing a collective view and comment from a private land use planning perspective on matters focussed in London - Middlesex region. This perspective is aimed to evaluate, compliment, and offer alternatives to, the public perspective on land use planning policy and implementing land use planning instruments contained in the Ontario Planning Act and other related enabling legislation for Municipalities.

#### **Compliments to London Plan 2!**

Preparing a new Official Plan for a City of almost 400,00 people is not easy task. LAPC appreciates and thanks the City Planning Staff for their hard professional work in preparing the long range policy document that is forward thinking, attractive and inviting to read, it strives to be "public friendly" , and has a topical structure and format that works hard at trying to be easy to understand. . . . ( *eg. Table of contents and headings questions i.e. What are we trying to achieve and*

*How ..... policies, etc.*). We think it has a meaningful Vision based on a strong Downtown and Urban Transit Villages with - high density mixed use corridors, strong reliance on quality neighbourhoods and a very complimentary natural heritage and parks/open space system. There are tables in the City Building Mobility Section and in the Neighbourhood Place Types Section that serve as an interesting approach to street design land use permissions that need practice in working with in order to fully understand. LAPC members are prepared to try to do this over the next few months. So the “bones” are there.

### **But to be Constructively Critical of London Plan 2!**

- It is too long and tries to do too much in policy. It has the good “bones” and too much “flesh”!!
- It sets up a structure of “policies” and implementing “design guidelines” but does not make clear what should be which.
- It still needs to be less “prescriptive”.
- It still needs to be more “flexible”.
- It needs to dwell less on telling us in detail how to go about planning our City and leave more on encouraging creativity from the private sector be it a land developer or a builder or an individual property owner/occupant.
- It needs to be more clear and consistent with respect the use of the words WILL, SHOULD and MAY.
- The above would enable the preparation of a more brief London Plan.
- The above would make it easier to navigate.
- The above would make less chance of conflict and contradiction of policies – making it a more defensible Plan in front of tribunals such as the OMB.
- The above would give less of an impression that the City wants to regulate and control every aspect of land use planning. Sending this message would be encouraging to investors and business.
- One of the goals of the new London Plan would be that it should not have to be amended so frequently as the one we have now and adopted in 1989. But the detail will cause more frequent amendments. And the application fee is \$10,000. That cannot be a friendly Official Plan. How does that serve the public interest?

## Example ... CITY BUILDING section!

1. The improvement of defining “may, should, will, encourage, support and promote is positive. The use of WILL for matters of health, safety, hazards, emergency services and accessibility is generally good. But all other matters– eg. heritage, topography, mix of uses, choices of housing, sustainability should use the word SHOULD. This provides for needed flexibility. Guidelines can do the rest.
2. Some polices are far too specific. Rear lotting will not be permitted? Front and ex yard drive thrus may only be permitted ... page 68 – item 11. ?? Are we sure we want this kind of detail to be in an Official Plan. There may be some situation out there where the use is appropriate but one would have to amend the OP and pay a fee \$10,000 to do what may be concluded as “sound land use planning”. We think this is clearly a guideline and not a policy.
3. From drive thru example above should we stay away from negative policy construction by using such words as “may only” where we are restricting the permission to effectively a “will not”.
4. Flexibility – page 63 -- clause 199 - speaks of flexibility in application of policies etc. and that is positive. However, Page69 -- clause 7 – speaks of “alternative design solutions that address the following may be permitted.” The “following” has very specific intents that direct the design solution and not permit the creativity that should be encouraged by the private sector proponents.
5. Do we need 8 headings from Neighbourhood Design to Signage (read them from page 63). Do we need a series of policies on (Building) Materials (page 70) for example or could we state the policy in a sentence and leave the rest to Guidelines.

## **Other examples of needed study to make the London Plan more Business friendly!**

1. **Street widening dedications** – Mobility section -- should have limits – 10% then land owner should be compensated.
2. **Remnant HDR designations** – many are beside large opsn spaces and parks where people like to live as opposed to a transit corridor.
3. **Guidelines** - need a definition how they relate to policy, their purpose and application ( to create flexibility!) and there adoption process by Council, as well as process of changing them.
4. **Bonusing** – we arse not sure we understand it but it seems that a base designation of building intensity is understandable and then one gets bonused for more amenities. Why two levels of bonusing?
5. **Near Campus Neighbourhoods** – they are complicated and contravenes infill and intensification policies in general.
6. A list of the **Guidelines and Manuals** that the London Plan identifies to be prepared and each costed.

## **Principles of Review and Critique – ongoing!**

We would ask that the PEC and Council as well as Staff use the following framework to review and critique the London Plan 2. As one would read each and every policy ... Ask these questions in order to balance public and private interests.

1. Do we need this policy in the London Plan?
2. Is it a “policy” or a guideline”?
3. It is too prescriptive?
4. Does it afford appropriate flexibility?

## **Conclusion**

LAPC believes there is much work to do to improve upon London Plan 2 and the above comments are aimed at doing so. This presentation is surely not a full, complete, or conclusive document on the positions of LAPC, but rather some principles for review and critique of London Plan 2. Notwithstanding that LAPC members are reviewing and commenting on their own time – not billable time – not to mention the scarcity of time for this kind of work, members are hoping to contribute ultimately to a “**balanced**” comprehensive and workable land use and transportation urban and rural planning policy framework. Individual member planners within their own companies will be submitting comments on their own on behalf of clients.

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