

April 11, 2016

City of London  
Planning Division  
204/206 Dundas Street  
London, ON N6A 1G7

**Attention: Heather McNeely, Senior Planner**  
**Long Range Planning and Research**

Dear Ms. McNeely:

**RE: 'The London Plan' (File O-7398) – Second Draft**  
**1510203 Ontario Ltd – 223 & 229 Horton Street East , Our File: 1094AR**

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MHBC has been retained by 1510203 Ontario Ltd. to evaluate the policy direction and provisions associated with the proposed Official Plan ('The London Plan'). We wish to provide comments regarding the second draft of the Plan (June 2015) for properties addressed as **223 and 229 Horton Street East**. These lands are located on the southeast corner of the Horton Street East and Clarence Street intersection, immediately south of the downtown core. The site integrates an existing commercial plaza and surface parking facilities.

#### **Planning Permissions (Existing and Proposed)**

The subject property is currently designated '**Main Street Commercial Corridor**' on Schedule 'A' (Land Use) of the City's Official Plan. This designation permits small-scale retail use, service and repair establishments, food stores, convenience commercial uses, personal and business services, pharmacies, restaurants, financial institutions, small-scale offices, small-scale entertainment uses, galleries, studios, community facilities such as libraries and day care centres. Additional permissions include correctional and supervised residences, residential uses (including secondary uses) and units created through the conversion of existing buildings or through the development of mixed-use buildings. Additionally, the lands are zoned 'Arterial Commercial (AC4)', which permits a similar range of uses.

The second draft of The London Plan designates the project site '**Neighbourhood**' on the land use schedule ('Map 1 - Place Types'), with Clarence Street (lot frontage) classified as a '**Neighbourhood Street**' and Horton Street East classified as a '**Main Street**' on the roads plan ('Map 3 – Street Classifications'). Table 13 of the draft The London Plan specifies that a limited range of residential dwelling types are permitted on sites with these attributes, including single detached dwellings, semi-detached dwellings and duplexes. Further, Table 14 prescribes that building forms on the subject lands are to have a maximum of 2.5 storeys.

#### **Commentary**

Based upon our review of the policy structure and permissions of the second draft of The London Plan, we have identified the following concerns relative to the subject lands:

1. The existing Official Plan designation 'Main Street Commercial Corridor' permits a range of commercial and office uses, including the existing commercial plaza. The proposed 'Neighbourhoods' designation does not permit commercial uses on this site, regardless of the current use of the site. Should The London Plan be approved in its current form, the zoning for the site would need to be updated to reflect the limited residential permissions discussed above (as discussed in Policy 32). Accordingly, we anticipate that the status of the existing commercial plaza would be relegated from a permitted use to a legal non-conforming use following the City's Zoning By-law update. **No rationale has been provided for removing the commercial/office permissions benefitting this property.**
2. Horton Street East is identified as a 'Civic Boulevard' west of Clarence Street and 'Main Street' east of Clarence Street. We are seeking an explanation for the change in this street typology at the Clarence Street intersection.
3. Pursuant to Tables 12 and 14, there are no permissions specified for 'Main Street' road classification and it is therefore unclear if non-residential uses are permitted at this location.
4. The subject lands are located within convenient walking distance of the proposed rapid transit route along Wellington Road South and in very close proximity to properties in the 'Rapid Transit Corridor' Place Type. This Place Type permits a range of residential, retail, service, office, cultural, recreational and institutional uses and building heights up to 15 storeys with Type 2 bonusing. In our opinion, there is planning merit to support the extension of the 'Rapid Transit Corridor' westerly to include this site.

In light of these considerations, we are not supportive of the 'Neighbourhoods' Place Type being applied to 223-229 Horton Street East as it will result in a loss of development permissions and would ultimately relegate the existing commercial plaza to a legal non-conforming use. As an alternative, we propose that the entire property be included in the 'Rapid Transit Corridor' Place Type.

We thank you for the opportunity to provide comments on Draft Two of 'The London Plan'. We trust that ongoing discussions and dialogue will be available to address the issues noted above. We reserve the right to raise additional issues and provide further comments on the Draft Plan as the review process moves forward.

Yours truly,

**MHBC**



Carol M. Wiebe  
Partner



Scott Allen, MA, RPP  
Associate

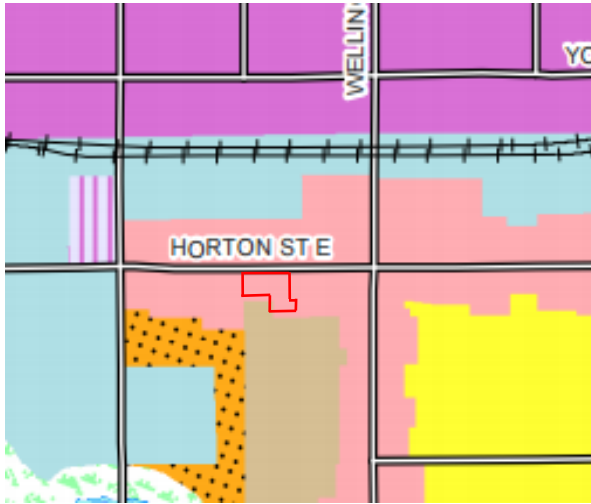
*Cc Ali Soufan, York Developments*

**Address: 229 & 223 Horton Street East**

Ownership: 1510203 Ont. Ltd.  
Our File No.: 1094 'AR' (Site 2)

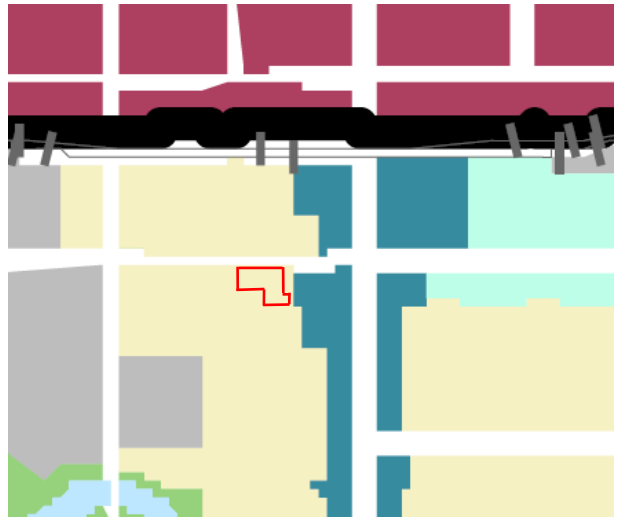
Existing Official Plan Designation:

Main Street Commercial Corridor



Proposed London Plan Designation:

Neighbourhoods



Street Classification:

Horton east of Clarence = Main Street

Clarence = Neighbourhood Street

 Subject Lands

