



SHAPING GREAT COMMUNITIES

June 9, 2016

Our File Nos.: 14111-14115

City of London Planning & Environment Committee
C/O Ms. Heather Lysynski,
City Clerk's Office, Room 308
300 Dufferin Avenue, P.O. Box 5035
London, ON
N6A 4L9

Attn: Chair and Committee Members

**RE: Draft London Plan Comments
SmartREIT (formerly Calloway REIT and SmartCentres) Sites**

GSP Group Inc is planning consultant to SmartREIT (formerly SmartCentres and Calloway REIT), owner/operators of five commercial development sites within the City of London. The five properties are as follows:

1. London East
Southeast corner of Dundas Street and Clarke Road
2. London North
Southeast corner of Fanshawe Park Road West and Hyde Park Road
3. London Northwest
Northeast corner of Fanshawe Park Road West and Hyde Park Road
4. London Foxhollow
Northwest corner of Fanshawe Park Road West and Dalmagarry Road
5. London Southwest
Northeast corner of Wonderland Road South and Exeter Road.

We have included with this letter five maps that indicate the location of each of the five properties.

PLANNING | URBAN DESIGN | LANDSCAPE ARCHITECTURE

72 Victoria Street South, Suite 201, Kitchener, ON N2G 4Y9 519 569 8883
162 Locke Street South, Suite 200, Hamilton, ON L8P 4A9 905 572 7477
gspgroup.ca

20
YEARS
1995 - 2015

SmartREIT has provided comments to the City of London on the previous two drafts of the London Plan. We have reviewed the May 2016 (3rd) Draft of the Official Plan on behalf of our client and provide the follow comments.

We note that at the time of this letter's writing, City Staff's response to SmartREIT's comments provided on the 2nd Draft London Plan in their letter dated October 13, 2015, had not yet been posted on the London Plan website.

City Building Policies: City Design

1) Drive Through Policies

In SmartREIT's October 2015 letter, a concern was raised that Section 202_11 did not provide sufficient flexibility.

Policy 202_11 of the 2nd draft reads as follows:

"202_11 New drive-through facilities may only be permitted where their drive aisles are not located between the street and the face of the building in the front or exterior side yard. These facilities should not interfere with direct pedestrian access to a building from the sidewalk, reduce the ability to provide landscaping and negatively impact the pedestrian amenity of the streetscape."

Section 202_11, as shown in the 2nd draft, is now Section 263_ in the May 2016 Draft. The policy has been revised from the 2nd draft and now states:

"263_ New drive through facilities may be permitted subject to a zoning by-law amendment and site plan application, and in conformity with the applicable place type polices of this Plan."

SmartREIT's landholdings all fall within the "Shopping Area" place type (with the exception of the north portion of the London East (Argyle Mall) site, noted below). The Shopping Area place type 'Form' policies do not specify any specific building considerations for drive through facilities. It is noted, that Section 265_ provides generic guidance for pedestrian and vehicular circulation as they relate to drive throughs, and states:

"Drive through facilities shall address matters such as pedestrian circulation, vehicular circulation, access and parking, built form, streetscape, heritage resources, potential impacts on adjacent land uses, landscaping and signage"

Our client acknowledges the changes to the policy statement and has no issues relating to Section 265_, however, we believe the requirement for a zoning by-law amendment as described in Section 263_ is onerous and an excessive process. We believe that the objectives of Section 265_ can be met effectively and sufficiently through the Site Plan Approval process exclusively.

2) Tree Canopy

The letter prepared by GSP Group, December 2014, in response to the first draft of the London Plan, identified tree canopy coverage requirements as a potential issue. Within the first draft, and reiterated in the second, 50% coverage was required for parking lots. The third draft has reduced this coverage requirement to 30% in Section 277, which reads:

“277_ Surface parking lots should be designed to include a sustainable tree canopy with a target of 30% canopy coverage at 20 years of anticipated tree growth.”

While it is acknowledged that the coverage requirement has been reduced from 50% to 30%, our clients feel that 30% coverage remains too difficult to achieve while maintaining an efficient use of space. SmartREIT also have some concerns with the potential that increased canopy coverage may block lighting and create dark spots within parking areas which could pose safety concerns.

As we had identified in previous letters, we also note that it is unclear how this policy/standard is to be implemented (i.e. on a site by site basis, across a place type, or other). Given that four of SmartREIT's sites are already developed, we are seeking clarification as to how this policy is to be implemented as well as whether minor infill and expansion on a site to accommodate additional tenants in the future will trigger a requirement to 'top up' the tree canopy coverage on the Site.

3) Principle Building Entrances

In SmartREIT's October 2015 letter, a concern was raised that Section 203_10 required additional wording at the end of the policy similar to “*where appropriate site design can reasonably accommodate*” in order to allow some site design flexibility.

Section 203_10, as shown in the 2nd draft, is now Section 291_. The policy has not been revised from the 2nd draft in response to SmartREIT's comments and reads as the following:

“291_ Principal building entrances and transparent windows should be located to face the public right-of-way and public spaces, to reinforce the public realm, establish and active frontage and provide for convenient pedestrian access.”

We request that this policy be amended by adding the words *“where appropriate site design can reasonably accommodate”* in order to allow some site design flexibility.

Place Type Policies – Shopping Area

4) Large Scale Commercial Blocks

In SmartREIT’s October 2015 letter, a concern was raised that Section 819_4 required additional wording at the end of the policy *“where appropriate site design can reasonably accommodate”* in order to allow some site design flexibility.

Section 819_4 is now Section 879_3. No change was made to the policy and it still reads:

“Large commercial blocks should be developed such that smaller-scale commercial uses are constructed on pads at the front of the lot to create, to the greatest extent possible, a pedestrian-oriented street wall. These buildings should be constructed with their front entrances oriented toward the primary street.”

We request that this policy be amended by adding the words *“where appropriate site design can reasonably accommodate”* in order to allow some site design flexibility.

5) Residential Use in Shopping Areas

SmartREIT provided comments supporting the addition of residential uses in the Shopping Area place type, however, requested that high density residential development be permitted where appropriate (i.e. in the London NW Sites given surrounding development permissions for higher density residential development).

Section 816_5, as shown in the 2nd draft, is now Section 876_5 in the May 2016 Draft. The policy has not been revised from the 2nd draft in response to SmartREIT’s comments and reads as the following:

“876_ We will realize our vision for our Shopping Areas by implementing the following in all the planning we do and the public works we undertake:

5. *Introduce mid-rise residential development into these existing centres to intensify their use, promote activity on these sites outside of shopping hours, and strengthen their roles as neighbourhood centres”*

Given the high-density development and land use permissions on surrounding lands and the properties' location at and near the intersection of an Urban Thoroughfare and Civic Boulevard, we request that a Specific Policy Area permitting high density residential uses be applied to the London Northwest and Foxhollow sites (see Figure 1). The Specific Policy, should indicate that high density residential use would be subject to a Zoning By-law Amendment with similar policy language as has been provided for 669 Freeport Street (Specific Policy Area 7). Section 1036_ states:

“A maximum building height of approximately 14 storeys (45m) shall be permitted provided the development is consistent with the urban design objectives of City Council as determined through the zoning by-law amendment process. Building height and densities may be increased, in conformity with the Bonus Zoning policies in the Our Tools part of this Plan, through enhanced design.”

6) Shopping Area Height Bonusing

Section 818_2, as shown in the 2nd draft, is now Section 878_2. The policy has been revised from the 2nd draft by specifying that a maximum of 6 storeys may be attained through Type 2 Bonus Zoning, specifically. The revised policy reads as the following:

“878_ The following intensity policies apply within the Shopping Area Place Type:

2. *Buildings within the Shopping Area Place Type will not exceed four storeys in height. Type 2 Bonus Zoning beyond this limit, up to six storeys, may be permitted in conformity with the Our Tools policies of this Plan.”*

Policies pertaining to Type 2 Bonus Zoning are found in Sections 1629_ - 1635_.

Like the London Northwest and Foxhollow properties, permissions for higher density would be appropriate in some locations within the Shopping Area Place Type. As such, we request that flexible wording be included in policy 878_ to allow for higher heights than the current maximum 6 storeys.

Place Types – Urban Corridor

7) London East – Specific Policy Area 31

The northern portion of the London East site (Argyle Mall) is identified as within the “Urban Corridor” Place Type (see attached Figure 2). We note that the May 2016 Draft 837_3 states “*Large floor plate, single use buildings will be discouraged in Corridors.*” Further policy 840_2 states that “*Commercial buildings should not exceed 6,000 m² in size within corridors.*” These policies are potentially problematic to the existing shopping centre on the property.

Based on our review of the May 2016 Draft, we note that properties along the Urban Corridor on Dundas Street, including commercial land to the north of Argyle Mall, are also subject to a “Specific Policy Area 31” on Map 7. The London East lands are not included in this Specific Policy Area.

Land within the Specific Policy Area 31 are subject to “Transitional Policies” of the Urban Corridor place type starting at Section 853 of the May 2016 Draft. Included in these Transitional Policies is the additional permitted use of “*Large-scale retail and service uses may be permitted.*” (Policy 856_1) and also allow that “*Commercial buildings may exceed 6,000 m² in size, where appropriate.*” (857_1). We note that the large format retail on the north side of Dundas Street falls within the Special Policy Area.

As such, we request that the portion of the London East site designated in the Urban Corridor Place Type be included in the Specific Policy Area 31, as shown on the attached Figure 3, to recognize its continued operation as a retail centre.

Our Tools – Site Plan Control

8) Site Plan Control

Section 1570_1 & 1570_12, as shown in the 2nd draft, are now Sections 1660_1 and 1660_3 and state:

“1660_ The intent of the site plan control is to improve the efficiency of land use and servicing and to encourage more attractive, sustainable, and compatible forms of development by providing for development which:

1. *Implements the City Building and Place Type policies of this Plan*

3. *Implements the City Design policies of this Plan”*

As previously noted in both the letter from GSP Group regarding the first draft, and SmartREIT’s October 2015 letter regarding the second draft, GSP Group has concerns with the potential impact of the above statements. These statements suggest that any development subject to Site Plan Control is required to be in conformity with the new Official Plan. In instances where a small building pad or addition is proposed on one of your sites, this could potentially necessitate either a complete redesign of the Site, or an amendment to the London Plan. As we understand from discussions with City staff, this is not the intent of the draft London OP policies.

We are seeking clarification regarding the application of these policies as they relate to the above concern.

9) Section 1655 - Differentiated Processes

Section 1655_, under Conditions of Approval states that:

“1655_ City Council may establish differentiated processes for site plan application based on their complexity and scope”.

We are seeking further clarification regarding what is being contemplated and how the policy is intended to be applied.

Conclusion

After reviewing the May 2016 iteration of the London Official Plan, it appears many of the policies identified by SmartREIT in the letter dated October 13, 2015 have not been revised. As noted above, at the time of writing, staff responses to received comments have not yet been published. At such time that they are released, comments from staff may provide some insight as to why revisions were not made.

We note that Staff are presenting this draft of the Official Plan to the Planning Advisory Committee on June 13, 2016 seeking a recommendation for approval. Considering the number of outstanding comments that have yet to be acknowledged, GSP Group, on behalf of SmartREIT, request that Council modify the London Plan in accordance with the requests set out in this letter; or alternatively, requests that the decision to approve the

London Plan be deferred to allow for time for further discussion with respect to our comments.

Yours truly,

GSP Group Inc.

A handwritten signature in black ink, appearing to read 'Eric Saulesleja', with a long, sweeping flourish extending to the right.

Eric Saulesleja M.C.I.P., R.P.P.

/ enclosures

c.c.: Mr. G. Barrett, London Planning
Mr. Todd Pierce, SmartREIT
Mr. David Drake, SmartREIT







Site

Fanshawe Park Rd

Hyde Park Rd

North Routledge Pk

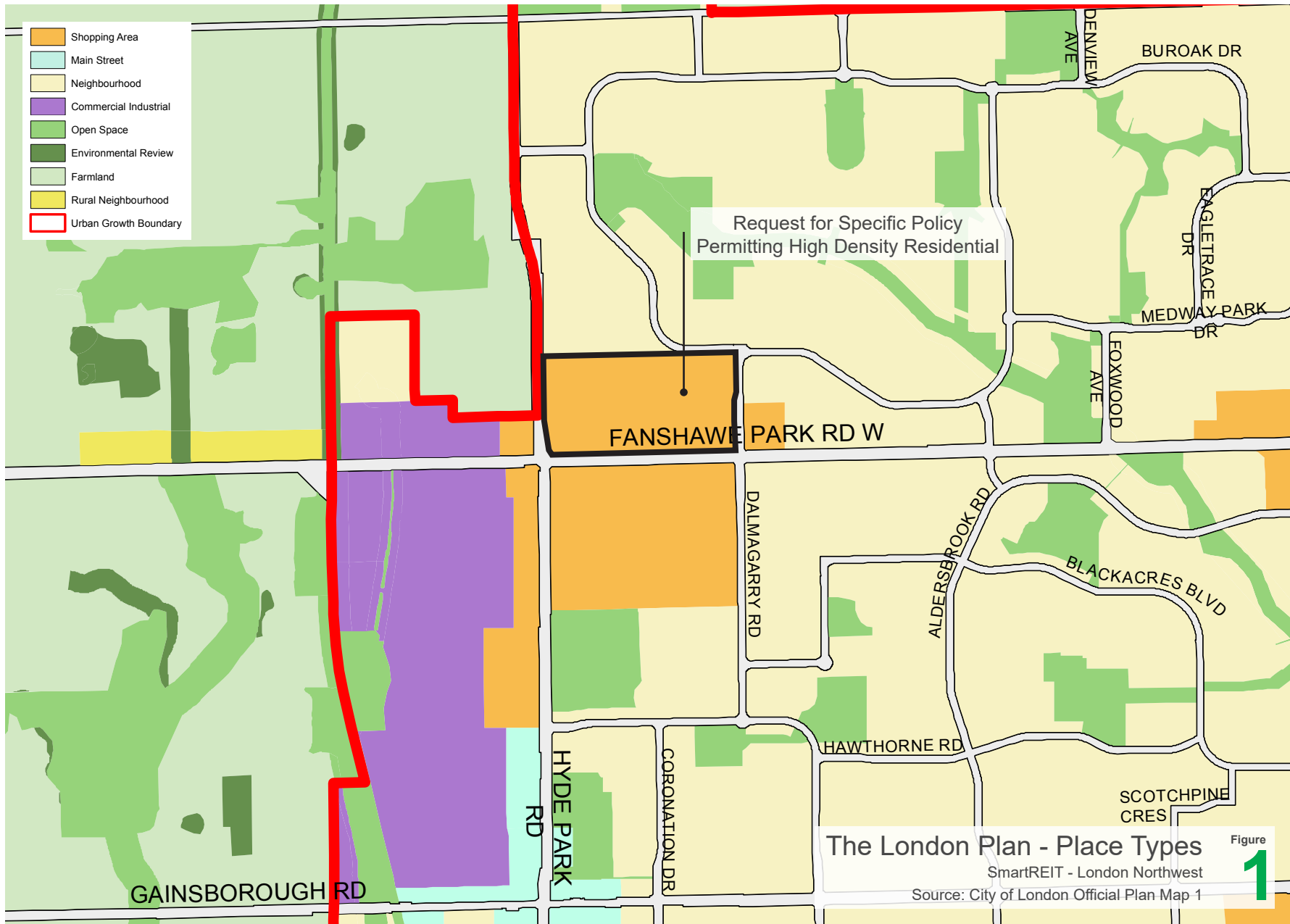


Site Location
SmartCentres - London Northwest
Source: Google Earth Aerial Imagery (Sept 2013)



Site Location
SmartCentres - London Foxhollow
Source: Google Earth Aerial Imagery (Sept 2013)



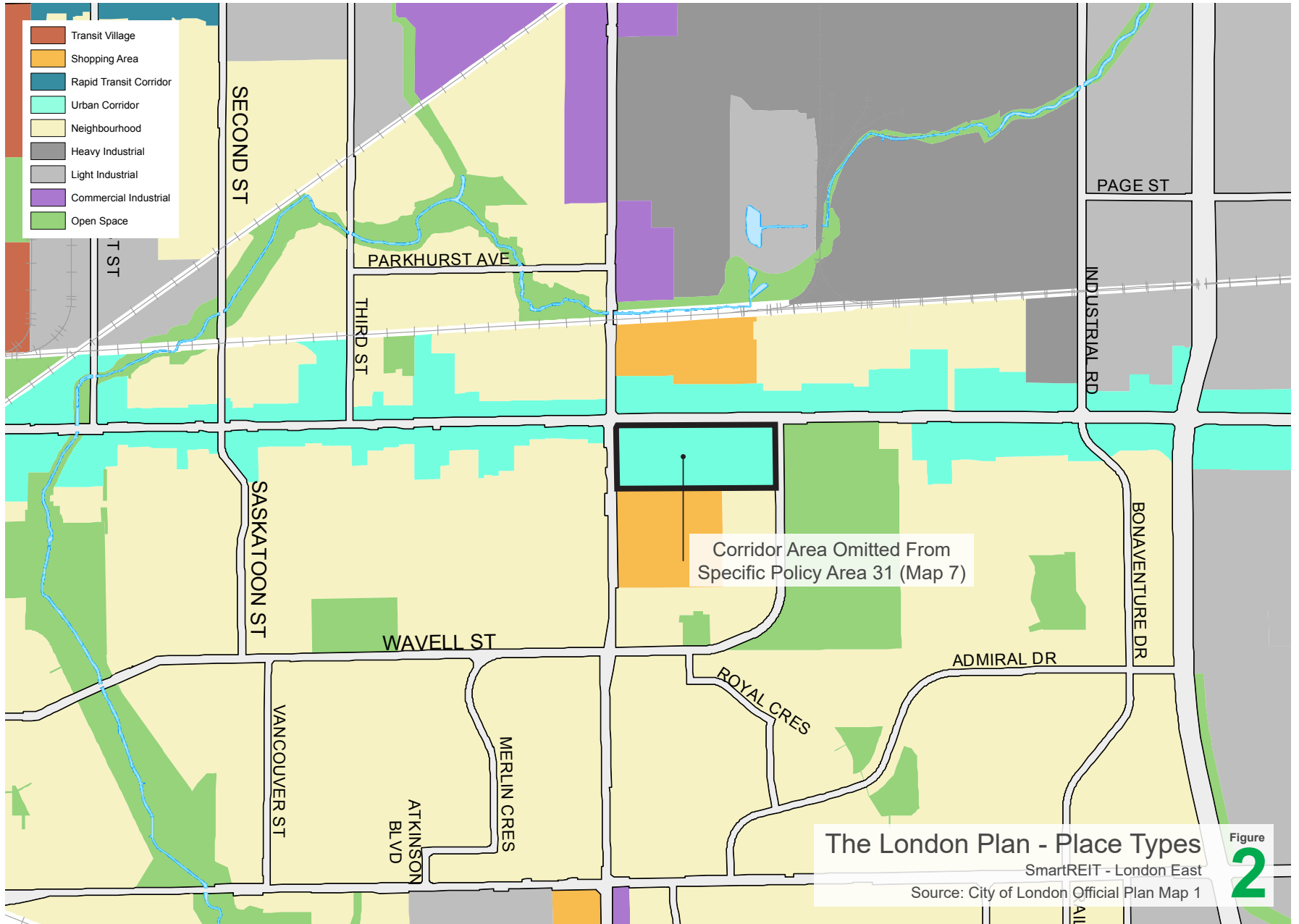


The London Plan - Place Types

SmartREIT - London Northwest

Source: City of London Official Plan Map 1

Figure
1



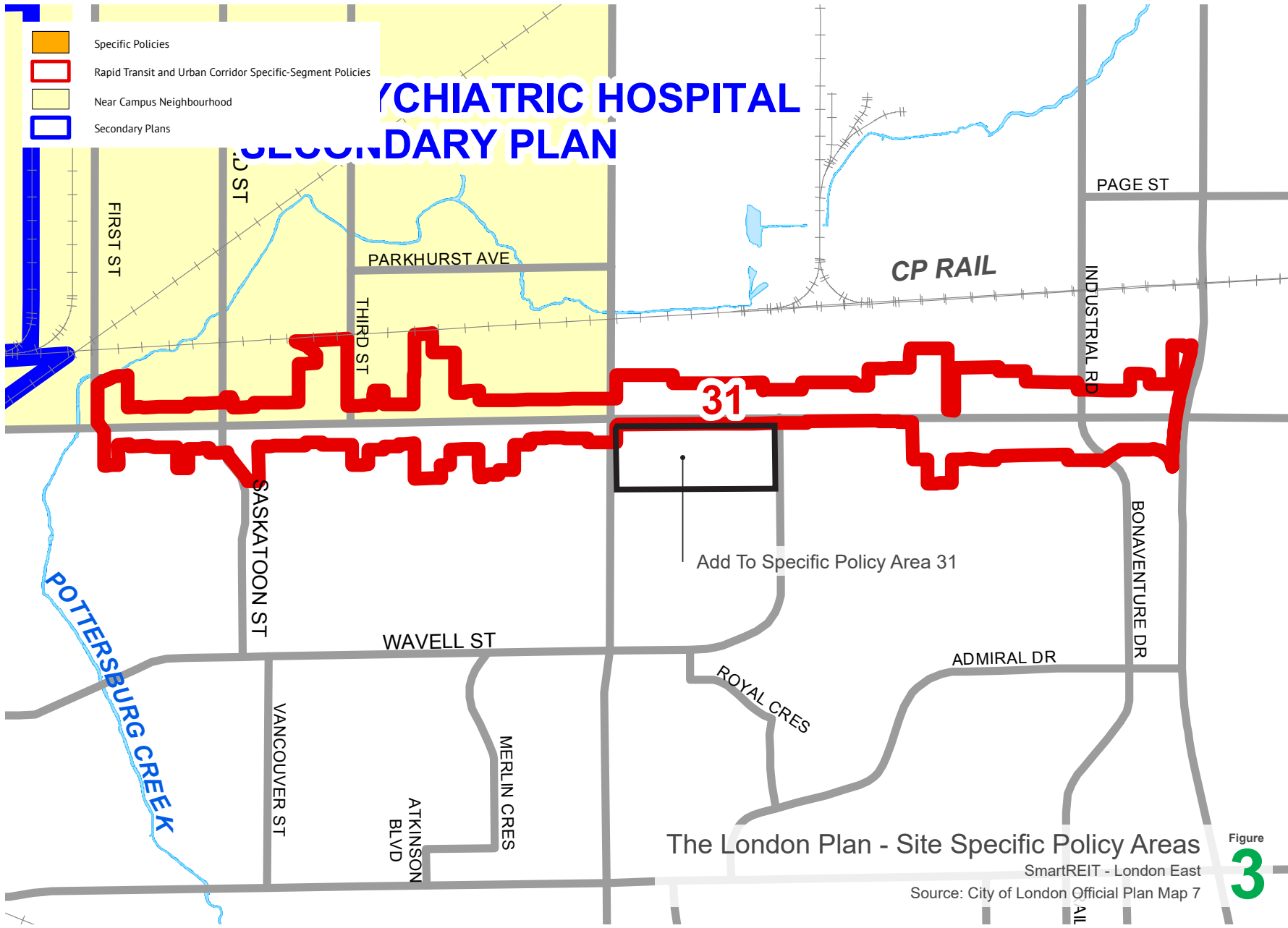
The London Plan - Place Types

SmartREIT - London East

Source: City of London Official Plan Map 1

Figure

2



- Specific Policies
- Rapid Transit and Urban Corridor Specific-Segment Policies
- Near Campus Neighbourhood
- Secondary Plans

FIRST ST

2ND ST

THIRD ST

SASKATOON ST

VANCOUVER ST

ATKINSON BLVD

WAVELL ST

MERLIN CRES

PARKHURST AVE

ROYAL CRES

ADMIRAL DR

BONAVENTURE DR

INDUSTRIAL RD

PAGE ST

CP RAIL

POTTERSBURG CREEK

ALL