



January 31, 2020

File No: 11054

City of London  
300 Dufferin Avenue  
London, Ontario  
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**Re: Victoria Park Secondary Plan  
Proposed Victoria Park Secondary Plan and  
Planning and Environment Committee – January 31, 2020**

To Councillor M. Cassidy (Chair) and Planning and Environment Committee members:

### **Background**

GSP Group is the planning consultant for 560 Wellington Holdings Inc, owners of 560 and 562 Wellington Street, which is contained within the study area for the Victoria Park Secondary Plan. As indicated in the Staff report for the proposed Victoria Park Secondary Plan, the need for the Secondary Plan specifically arose in response to planning applications submitted by 560 Wellington Holdings in 2014. The Official Plan Amendment and Zoning By-law Amendment applications for 560 and 562 Wellington Street seek approvals for a mixed-use building with commercial uses on the ground floor, residential units above and structured parking. The original applications in 2014 were refined and revised in 2016 further to the planning process.

GSP Group together with 560 Wellington Holdings have participated throughout the Secondary Plan process. Both ourselves and our client have attended the engagement sessions and public participation meetings and have provided written and delegation comments to Staff and the Planning and Environment Committee. Height and intensity of development is the crux of the Secondary Plan and garnered most of the attention through the process. A significant portion of participants not opposed to taller buildings surrounding Victoria Park and, quite frankly, encouraged such development as part of a vibrant urban context. This Staff Report was largely quiet on this principal matter other than indicating that opinions were “varied”. We have had an opportunity to review the proposed Victoria Park

Secondary Plan and the proposed implementing Official Plan Amendment to incorporate it into the Official Plan and provide the following general and specific policy comments for Committee's consideration.

### **General Comments**

Based on our review, we do not agree with the maximum height proposed for our client's site as instructed by angular plane requirements. Such a maximum does not provide an appropriate level of intensification surrounding a key downtown open space, particularly when recognizing the vibrancy of the demonstrated case study parks with surrounding taller buildings. Furthermore, it does not consider the practicality and feasibility of redeveloping an existing 5-storey building for a potential 8-storey building. We request the same maximum height permission of 16 storeys on Part B of the East Policy Area as provided for on the North Policy Area under the consolidated lot scenario, given the similarity of the conditions and context between the two areas.

The May 2018 Council direction underlying the Secondary Plan process sought the *"review of the existing plans, policies, and guidelines applying to the properties surrounding Victoria Park and to consider a comprehensive plan for the properties surrounding the Park"*. In GSP's and our client's previous submissions, we indicated concerns with the depth of analysis provided through the Secondary Plan process. Such a comprehensive plan for the area surrounding Victoria Park necessitated a "fresh" look at the existing policy framework and the contextual characteristics surrounding the park to determine what is appropriate for this prominently located area within London's structure. In our opinion, this remains a concern with the formulation of the proposed Secondary Plan.

Given the above, GSP Group was requested to examine in more depth various points of analysis that are warranted as part of a secondary planning process. We have enclosed this "Examination" document within this submission for your consideration as input into the Victoria Park Secondary Plan. Four points are particularly relevant in our Examination.

1. The context of the area surrounding Victoria Park (generally outwards one block in each direction) demonstrates a transitioning area in character. It is mixed with comparable proportions of residential and non-residential uses. It has transitioned from the previous single detached residential character through conversions to commercial or multiple residential uses or through demolition and redevelopment. There are numerous surface parking lots or larger undeveloped parcels throughout different areas that are not optimal uses of land in this prominent context.
2. The Wellington Street corridor surrounding Victoria Park has evolved. The redevelopment and intensification contemplated by the Victoria Park Secondary Plan will

essentially be the fourth iteration in the longer history of this corridor section: from its military roots; to the original residential fabric; to the redevelopment for office, parking and institutional uses; and now to the proposed higher intensity residential and mixed-use development. This is a natural progression in an area with proximity to a downtown core and higher order locational attributes.

3. The 2014 Provincial Policy Statement establishes an inward-looking growth emphasis. It calls for efficient development patterns that effectively use existing infrastructure and facilities; public transit and active transportation as the first options for land use patterns; mixed land use patterns and densities that are transit-supportive; a diversity in opportunities for intensification and redevelopment; and a diversity in housing options and choice. The 2014 Provincial Policy Statement preamble specifically states that efficient development patterns “*optimize the use of land, resources and public investment in infrastructure and public service facilities*”. So for the purposes of the Secondary Plan, the PPS objective is more than simply “allowing” or “encouraging” intensification; rather it is a direction for making “*the best or most effective use*” of land, public facilities and services and transit infrastructure.
4. The key operative parts of the London Plan affecting the Secondary Plan are largely under appeal. This includes general appeals concerning the form and intensity sections of the Downtown, Rapid Transit and Urban Corridors and Neighbourhoods Place Types; all the tables outlining height permissions; and, most of the City Design chapter as it concerns site and building design. This is the policy basis relied on for the formulation of the Secondary Plan, but it is largely under appeal and likely not will not be resolved for quite some time. We are interested to understand how any potential changes to the London Plan resulting from these appeals would be addressed in respect to the Secondary Plan.

### **Specific Policy Comments**

Further to the above general comments, we have numerous concerns with specific policies in the proposed Victoria Park Secondary Plan as they may affect the development potential of 560 and 562 Wellington Street.

As a more generalized point, we have concerns that many policies in Section 3.0 of the Secondary Plan are overly prescriptive (particularly with the use of “shall” or “will” that are mandatory and offer no flexibility) for design matters at an Official Plan level. The wording and language in many policies is unclear and leads to interpretation challenges. Such prescriptiveness may unnecessarily limit the design flexibility on a site-by-site basis, particularly in a context where no two properties are similar in size of configuration. Slight deviations from policies with quantified building performance aspects could require Amendments to the Official Plan, which would be unnecessary and time-consuming.

Generally, these are the same concerns identified by appeals to the City Design chapter in the London Plan. This level of prescriptiveness is appropriate as part of design guidelines that have Council endorsement and provide for flexibility of application at the individual site level. Further to this general concern, we have the following concerns with specific policies:

- 1. Section 3.2b iv):** The intent of a View Corridor along the right-of-way of Wolfe Street as it affects development on private property is unclear. Is it an expectation that any new buildings on the two corners of Wolfe Street would be set back to “create views” through portions of private property by way of further setbacks? If so, we have concerns that this further constrains development potential together with the height and massing constraints in the Secondary Plan.
- 2. Section 3.4a):** How does the “will be maintained” in this policy related to a property’s existing landscaping affect redevelopment where such landscaping is removed and replaced as part of the redevelopment?
- 3. Section 3.4g):** While we do not disagree with private amenity spaces, the wording of this policy related to private amenity areas “moderating” impacts on Victoria Park runs counter to the intent of the Vision and Principles of Victoria Park as a “cherished” destination and a neighbourhood green space.
- 4. Sections 3.5 a) and b):** The distinction between “physically and visually compatible”, “sympathetic” and “compatible” in these policies concerning new development and buildings relationship with cultural heritage resources is unclear. We have concerns related to how these policies concerning height and massing are applied together with the height and massing controls outlined elsewhere in the Secondary Plan. Is it the intent that Sections 3.5 a) and b) impose further constraints to those height and massing controls for the purposes of compatibility?
- 5. Section 3.6.1b):** Base/middle/top delineations are a high-rise construct and are not particularly relevant to mid-rise buildings, which are defined as 4 to 8 storeys per the Secondary Plan’s definition.
- 6. Sections 3.5e):** It is not clear regarding the effect on this minimum rear yard setback where the abutting parcel is laneway. Is the minimum setback reduced?
- 7. Section 3.6g):** Neither of the two development parcels abutting Wolfe Street have their frontage on Wolfe Street (per a zoning definition as the shorted lot line), so it is unclear where this policy applies. If it were to apply along Wolfe Street, it is unclear as to how this alignment is measured concerning “existing buildings”? Furthermore, it is unclear why this policy is limited to only Wolfe Street, and not other public streets in the Secondary Plan area.

8. **Section 3.6.4a):** Prohibiting parking entrances from Wellington Street, an Arterial Road and Civic Boulevard, and rather preferring having entrances solely from Wolfe Street runs counter to minimizing traffic flows on local side streets.
9. **Section 3.6.4e):** It is unclear the extent to which flanking “wrapping” with active uses must occur along the exterior lot line, particularly recognizing side street parking entrances preferred per Section 3.6.4a).
10. **Section 3.6.5 a) through d) and g):** The concerns regarding maximum building heights are identified in the above general comments.
11. **Section 3.6.5f):** It is unclear under what circumstances the “full range of building heights” may be restricted on individual sites in the Zoning By-law. Is this limited to the proposed angular plane requirements or are there additional considerations?
12. **Sections 3.6.6b) and 3.6.7b):** A mandatory requirement for a 4 to 5 building base in mid-rise or high-rise buildings seems counter to the intent of a complementary building scale to that of the internal low-rise fabric. We would expect 3 to 5 storeys and a “should” is more appropriate to reflect different contextual situations.
13. **Sections 3.6.6f) and 3.6.7f):** It is unclear whether this “transition” is accomplished by the general setbacks of Section 3.6.1, the angular plane requirements of 3.6.5c) and the mid-rise or high-rise policies of 3.6.6 and 3.6.7, respectively, or if there are additional considerations not identified.
14. **Sections 3.6.6c), d) and e):** The analysis behind the minimum upper storey step-backs and separation distance for the mid-rise buildings is not available, particularly as it relates to a building form that can vary from 4 to 8 storeys in height.
15. **Section 3.6.7g):** We have concerns with the prescriptiveness of a mandatory 750 square metre tower floor plate size. Per the above general concerns, it restricts design flexibility and treats all towers as equal, regardless of the lot configuration, abutting context and the particular building height (9 storeys high-rise versus 30 storey high-rise). It prescribes a maximum size to address impacts without allowing for the normal testing of impacts resulting from a tall building, including those related to shadowing, wind conditions at the pedestrian level and visual perspectives.
16. **Section 3.6.7h):** A minimum of 70% glazing on tower exterior walls runs counter to sustainability considerations, potentially hindering the achievement of energy-efficient building envelopes as part of a holistic sustainable building design.
17. **Section 3.7d):** It is unclear if the restriction on residential lobbies only applies to the ground floor facing Victoria Park or along side streets like Wolfe Street as well.

**18. Section 3.9:** While we do not disagree with guidance for green roofs or cool roofs, the mandatory requirement is not appropriate. Broader sustainability policies and objectives are more appropriate at an Official Plan policy, rather than selecting individual sustainability techniques out of a multitude of opportunities. For instance, should rooftop solar installations be preferred by a builder instead of a green roof, this does not appear to conform to the policy's mandatory requirement.

Yours truly,

**GSP Group**



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cc. Steve Stapleton, Vice President, Auburn Developments Inc.

encl. "An EXAMINATION of the proposed Secondary Plan (February 3, 2020)"