



**VIA EMAIL**

March 24, 2021

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

Attention: Ms. Sonia Wise, Planner

Dear Ms. Wise:

**Re: Draft Masonville Secondary Plan (File O-9881)  
Preliminary Comments on Behalf of Choice Properties REIT  
1740 Richmond Street  
London, Ontario  
Our File: CHO/LON/20-02**

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We are the planning consultants for Choice Properties REIT (“Choice”) as it relates to the City of London Masonville Secondary Plan process. Choice is the owner of lands within the area subject to the Masonville Secondary Plan, including lands municipally known as 1740 Richmond Street, and generally located at the northeast intersection of Richmond Street and Fanshawe Park Road East (“Choice Lands”). The Choice Lands are built for single storey commercial retail uses and associated parking, and are currently anchored by a Loblaws food store. The existing tenant (Loblaws) occupying the site has occupied these lands for several years, and continues to maintain a long-term lease agreement for ongoing operations.

On behalf of Choice, we have been monitoring the Masonville Secondary Plan. We have reviewed the Draft Secondary Plan dated March, 2021 and the March 1, 2021 Staff Report in the context of the Choice Lands.

Based on our review of the Masonville Secondary Plan:

- Schedule 2: Community Structure identifies the Choice Lands as “Commercial Priority Area”, “High-Rise”, and “Mid-Rise”. The Choice Lands are located at the only identified “Main Intersection”, and a “Future Connection” is identified through the Choice Lands;
- Schedule 3: Land Use identifies the Choice Lands as “Transit-Village Mixed Use”;
- Schedule 4: Heights identifies the Choice Lands as “High-Rise [3-15 Storeys (up to 22)]”, “Mid-Rise [2-8 Storeys]”, and with a “Future Connection” through the lands;
- Schedule 5: Connections identifies a “Future Connection” through the Choice Lands, generally where the existing food store is located; and
- Schedule 6: Priority Streets identifies both Richmond Street and Fanshawe Park Road East as “Commercial Character Streets” where they align with the Choice Lands. A “Future Mixed-use Character Street” is identified within the Choice Lands, where there is an existing food store.

We note that the London Plan is subject to ongoing appeal, and is not yet in full force. As several policies in the proposed Secondary Plan are derived from the London Plan, in our submission, it would be premature to adopt a Secondary Plan until such time as the London Plan is in full force and effect. The Secondary Plan should be consistent with and based upon the overarching direction provided by the London Plan. While the London Plan remains under appeal, the policy direction remains unclear.

### **PRELIMINARY COMMENTS ON DRAFT MASONVILLE SECONDARY PLAN**

In general, at this time Choice does not have specific plans for the redevelopment of 1740 Richmond Street, and are seeking to maintain existing operations while allowing for short and medium term modest infill or expansion to respond to the market demand. Further, it is also our intent to consider and protect for potential redevelopment scenarios, should this be contemplated in the future.

On this basis and in considering that existing conditions of the Masonville Secondary Plan Area, we propose that it is essential that the draft Secondary Plan consider policies for interim development, to allow for modest growth or expansion to existing developed lands, in advance of comprehensive redevelopment. The redevelopment of lands within the Secondary Plan Area will likely take years or decades to fully realize the vision presented by the plan. In the interim and until redevelopment occurs, the viability of existing lands and buildings should be protected. We suggest Staff consider implementing interim development policies, which would recognize existing uses and permit expansion or infill development that is in accordance with the existing policy framework, and that does not necessarily realize the vision for comprehensive redevelopment. At this time, the Secondary Plan is silent with respect to the existing uses within the plan area, and interim development.

Further to the above, we are concerned with the identification of a new road through the Choice Lands, in direct conflict with the existing food store building. Food stores require a significant amount of parking in front of the store to allow for safe and efficient customer access and navigation of shopping carts. A new road in this location would compromise the viability of continued operations of the food store, which as noted is the intent for the lands. We are seeking to ensure any new road system does not compromise ongoing operations of the Choice Lands, and that should a new road be created, that it is done at an appropriate time (when comprehensive redevelopment is contemplated), and that flexibility be maintained in the interim.

We understand that draft Policy 9.9 in the Secondary Plan would guide any new street creation, stating:

“New public and private streets will be created through the following processes: i) Plan of Subdivision. ii) Plan of Condominium. iii) Site Plan. iv) Consent. v) Land Dedication. vi) Land Purchase.

Schedule 5 shows the Conceptual Street Network. This Secondary Plan establishes a street pattern that represents the foundation for the community and establishes the framework for the layout of land uses. This Secondary Plan identifies the general alignment of roads and allows for minor changes to the street alignments to be made without amendments to this Secondary Plan provided that the general intent and objectives of this Secondary Plan and the Official Plan are maintained. The street network may need to be modestly realigned to address

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constraints and opportunities identified through future planning and development applications or to allow for enhanced site or building design. Substantive changes or omissions to any road alignments will require an Official Plan amendment and shall only be permitted where they are consistent with the underlying principles of the Community Structure Plan and this Secondary Plan...

We note Policy 813 of the London Plan, which is applicable to the Transit Village and has been appealed to the LPAT: “The following intensity policies apply within the Transit Village Place Type: 4. For larger-scale projects on deep lots, a grid-based internal road network *should* [emphasis added] be established to facilitate further development/redevelopment over time.” The London Plan allows for flexibility in road creation, whereas the draft Secondary Plan would require new roads. We suggest the London Plan flexibility be maintained.

Further, draft guiding principle 1 (Section 1.5i) indicates that large commercial blocks would be fragmented through site development. We understand that Masonville presents significant redevelopment opportunity to make use of higher order transit, and act as a growth node. We are concerned with the abundance of new roads that are identified as *required*, and the implications that this has for achieving the growth objectives for the area, and that the prospect of significant road dedications will potentially dissuade redevelopment opportunities within the area. Interim development policies should be clear so as to not dissuade expansion due to a new road requirement, and we suggest that interim development policies clearly direct that the road network identified would not be implemented until comprehensive redevelopment is contemplated in accordance with the Secondary Plan. We are encouraged that new roads may be established as private roads, which may be publically accessible. We seek confirmation that the Choice Lands will not be required to dedicate lands for a new road, while the existing site operations remain, including if interim development such as an expansion or new retail pad is contemplated.

Further to the above comments, at this time our preliminary comments for the Draft Secondary Plan are as follows:

- Draft Policy 1.5i)b) indicates a key principle of the Plan as follows: “Break up large commercial blocks during site development to create a more fine-grain connectivity network and improve walkability throughout the area.” We suggest revised language as follows: “create a finer grained road network through the acquisition of lands within larger commercial blocks, as lands seek to comprehensively redevelop”;
- Draft Policy 3.1.1iii) states: “Connections shown on Schedule 5 are intended to break up large commercial blocks...” In our submission, revised language should be considered, which does not rely on the phrase “break up large commercial blocks”. We suggest alternative language such as, “creating a finer grained street network”. The policy as written, inappropriately targets a specific use;
- Draft Policy 3.1.1ix) indicates that variations to Schedule 5 may be considered by exception based on circumstances. We suggest that the phrase “circumstances such as” be replaced with “circumstances including but not limited to”, so as to not be restrictive in potential exceptions;
- Draft Policy 3.1.2ix) requires all new multi-unit residential developments include indoor and outdoor communal amenity spaces. In our submission, flexibility is important for site design and we suggest that “shall” be replaced with “should”;

- Draft Policy 3.2.2iii) states “Achieve net-zero or net-positive greenhouse gas emissions for buildings through efficient design and energy usage.” In our submission, flexibility should be introduced and we suggest revised language as follows “development should seek to achieve net...”;
- Draft Policy 3.2.2ix) would require all new mid and high rise development to include electric vehicle charging stations. In our submission, flexibility should be introduced to the draft policy, so as to best allow development to respond to demand. We suggest revised language as follows: “Opportunities for electric vehicle charging stations should be provided in new mid-rise and high-rise developments”
- Draft Policy 3.7i) would require a range of housing types to be provided on every site. In our submission, flexibility should be introduced to best respond to market demand;
- Draft Policy 3.7ii) would require all properties to provide for live-work opportunities. In our submission, flexibility should be introduced to best respond to market demand;
- Draft Policy 3.7iii) requires a range and mix of unit sizes and types. In our submission, flexibility should be introduced to best respond to market demand, and suggest “shall” be replaced with “should”;
- Draft Policy 4.1v) caps office use for the Secondary Plan area at 20,000sq.m. We request clarification if this cap site wide, or on a per property basis is based on recommendations of a market analysis. We are concerned with a cap that would apply to multiple properties throughout the study area, and would suggest the overall cap on office space be removed, so that development can best respond to market demand in the future, and make use of the transit opportunity in the area;
- Draft Policy 4.2.1iii) would restrict any new stand-alone single tenant commercial buildings. We encourage Staff to consider interim development opportunities that are reflective of the existing commercial nature of the Secondary Plan area;
- Draft Policy 5.1iii) requires buildings and main entrances to be located and oriented towards public streets. We suggest flexibility be introduced to accommodate site specific circumstances, and suggest replacing “shall” with “should”;
- Draft Policy 5.1vii) requires building entrances at grade. We suggest removing the word “(flush)”, to allow for a degree of flexibility to accommodate site specific circumstances;
- Schedule 4 Heights identifies the Choice Lands as in part permitted up to 15 storeys in height, and up to 22 storeys in height. The accompanying draft Policy 7.1iii) states “Heights exceeding 15 storeys up to 22 storeys may be permitted in accordance with the Transit Village intensity policies of The London Plan.” We note a recent Official Plan Amendment relating to Protected Major Transit Station Areas (PMTSA’s), which introduced policy applicable to the Secondary Plan Area as follows: “Within the Transit Village Protected Major Transit Station Areas, the minimum building height is either two storeys or eight metres and the maximum building height is 22 storeys” (Policy 815C). We suggest the Secondary Plan be updated to be consistent with the heights permitted by the London Plan, and that the reference to a 15 storey max be removed;
- Draft Policy 7.2ii) prescribes the maximum building height for mid-rise areas as eight (8) storeys, whereas Draft Policy 7.2i) applying to high-rise buildings allows for additional height beyond the allowable maximum. In our submission, lands identified for Mid-rise should be extended the opportunity to go beyond the

- maximum identified building height, subject to other criteria of the plan to ensure compatibility surrounding lands;
- We note that the lands north of the Choice Lands (230 Centre Road), which interface with established residential areas, are approved to accommodate 15 storey buildings. In our submission, adequate transition can be realized to existing residential areas on the Choice Lands, beyond 8 storeys in height, and contribute towards achieving the growth objectives of the Plan Area;
  - Draft Policy 8.5i) states “Loading docks and back of house activities will be located away from public and private streets” and Draft Policy 8.5ii) states “Loading areas shall be screened from public and private streets, and neighbouring uses by the combined use of building massing and landscaping.” We suggest flexibility be incorporated within these draft policies, in order to respond to site specific circumstances and site design. In particular, the Choice Lands are proposed to be surrounded on all 4 sides by the road network; and
  - Draft Policy 9.9 states: “New public and private streets will be created through the following processes: i) Plan of Subdivision. ii) Plan of Condominium. iii) Site Plan. iv) Consent. v) Land Dedication. vi) Land Purchase.” Clarity is required regarding “Land Purchase” and whether or not that applies to the sale of land between two private landowners. We suggest that “only” be added between “streets will” and “be created”. In addition, any approvals for interim development or minor expansions to existing buildings shall not be subject to this policy by adding the term “Major” before “Site Plan”.

We will continue to review the Masonville Secondary Plan in more detail, will monitor the implementation, and may provide additional comments as required.

Please kindly ensure that the undersigned is notified of any further meetings or notices related to this matter.

Yours very truly,

**ZELINKA PRIAMO LTD.**



Rob MacFarlane, MPL, MCIP, RPP  
Planner

cc. Choice Properties REIT (via email)