



Architectural Conservancy Ontario – London Region Branch  
Grosvenor Lodge  
1017 Western Road  
London, ON N6G 1G5

May 25, 2021

Members of Planning & Environment Committee:

- Phil Squire (Chair) – psquire@london.ca
- Steven Hillier – shillier@london.ca
- Anna Hopkins – ahopkins@london.ca
- Steve Lehman – slehman@london.ca
- Shawn Lewis – slewis@london.ca

Mayor Ed Holder – mayor@london.ca

**Re: File OZ-9157 – Official Plan and Zoning By-law Amendments – 435-451 Ridout Street North**

Dear Councillors and Mayor Holder:

On behalf of ACO London, I write to express our strong opposition to the proposed Official Plan and zoning by-law amendments which would permit a 40-storey building where current provisions do not permit a building that is higher than 2 or 3 storeys (the height of the existing building on the date of the passing of By-law Z.-1).

The property in question is a National Historic Site, one of only four in London. It is designated under both Parts IV and V of the Ontario Heritage Act and is part of the Downtown Heritage Conservation District. When these three buildings were threatened with demolition in the 1960s, a group of Londoners banded together to garner support for their preservation which led to the formation of the London Region branch of Architectural Conservancy Ontario (ACO) in 1966. Eventually, Labatt Brewery purchased the threatened buildings, restored them, and made the Ridout Street Complex their head office for 22 years (1970 to 1992), demonstrating how heritage buildings are easily adapted for many uses.

The proposed development would create a very large 40-storey-high wall, separating the Thames River from downtown. This is the opposite of what the city is intending to achieve through various initiatives that are contemplated for reconnecting the city and its residents to our roots at the river. The London Community Foundation, along with the city, has supported several Back to the River projects to improve access, recreational opportunities, and views at the Forks and to provide open spaces for the public's use. This proposed development violates all of the historical and cultural values of London as expressed through past publicly and privately funded projects. This application undoes the decades of work the city and its residents have put into preserving this unique and special space.

If this development is approved, then others are sure to follow. The result would be similar to what has happened in Toronto, where the downtown core is cut off from its waterfront even though separated by only a few hundred metres.

**Official Plan Amendment Application**

The Official Plan amendment application seeks to permit a building that is 20 storeys higher than the London Plan allows for downtown development (and 5 storeys more than would be allowed with maximum bonusing). It is unclear from the application which aspects of the proposal might merit bonusing – If bonusing were to be permitted under current provincial legislation. The heritage buildings in question have already been restored. They either are, or could be, in use.

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Grosvenor Lodge, 1017 Western Road, London ON N6G 1G5  
Telephone: 519-645-0981 | Fax: 519-645-0981 | Web: www.acolondon.ca | E-mail: info@acolondon.ca

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As a matter of policy, we do not believe that the city should entertain a proposal that is this far outside the bounds of what has been deemed desirable and acceptable by the planning experts who drafted the London Plan and the City Councillors who approved it.

It should also be noted that the property in question is not mapped as “high density” in the 1989 Official Plan.

### Zoning By-law Amendment Application

The zoning amendment application seeks to permit a building that is 10 times (36 storeys) higher than current zoning allows. It requests density that is 140% greater than current zoning allows (500 units per hectare rather than 350).

According to the Public Meeting Notice, one purpose of the zoning amendment is to allow adaptive reuse of the existing heritage buildings. We would note that these buildings were extensively restored approximately 60 years ago and have been in continuous use since then. A zoning amendment is not required for this purpose.

### Specific Comments Regarding the Applications

- We are in agreement with the comments and concerns expressed by LACH in their February 12, 2020 report (<https://pub-london.escrimetings.com/filestream.ashx?DocumentId=71450>). As far as we know, the November 2019 draft Heritage Impact Assessment report has not been updated to reflect LACH’s concerns and criticisms.
- Paragraph 802.5 of the London Plan provides for the Zoning By-law to include regulations to ensure that the “intensity of development is appropriate for individual sites”. Based on this, we believe that the current zoning for the property (no building taller than the current buildings) should be given considerable weight.
- The principles of the Downtown Heritage Conservation District Plan, in particular the following (from page 12 of the HCD plan), would not be adhered to if the application is approved. The proposed tower could not be construed to be a “supportive setting”:
  - **Preserve Traditional Setting** - A building is intimately connected to its site and to the neighbouring landscape and buildings. Land, gardens, outbuildings and fences form a setting that should be considered during plans for restoration or change. An individual building is perceived as part of a grouping and requires its neighbours to illustrate the original design intent. When buildings need to change there is a supportive setting that should be maintained.
- Paragraph 803.6 of the London Plan requires “continuity and harmony ... with adjacent uses that are of architectural or historical significance”. The sheer size of the contemplated development is such that harmony is not possible. We would note that the parcel of land to the west of Talbot Street, between Queens Avenue and Fullarton Street, would be an excellent location for this building. It could be situated on the east end of the block, respectfully distanced from Ridout Street. There could be a civic square at the west end of the block providing transition between the tower and the Ridout Street Complex, and a pedestrian-friendly gathering place for downtown residents, workers, and visitors.
- The proposed development is inconsistent with the Ontario Municipal Board’s 2015 decision in *CHC MPAR Church Holdings v. City of Toronto*. In that case, the proponent wished to construct a 32-storey building adjacent to a designated property. The OMB determined that respectful separation distance was critical to conserving the heritage attributes of the neighbouring designated and listed properties. The proposed development sits on the same parcel of land as 435-451 Ridout Street, and is immediately adjacent to Eldon House. These properties are designated under Parts IV and V of the Ontario Heritage Act. As mentioned earlier, the Ridout Street Complex is a National Historic Site. It was designated as such in 1966. We think that the LPAT would come to a similar conclusion in this matter, if asked.



- Approval of the application would be contrary, in our opinion, to Sections 2.6.1 and 2.6.3 of the Provincial Policy Statement which state that “Significant built heritage resources and significant cultural heritage landscapes shall be conserved” and that “Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved”.
- The commercial space in both the heritage buildings and the 1970 addition all have, in the words of the Farhi Holdings Web site, “outstanding views over the Thames River and plenty of natural light”. If the amendments are granted and the development proceeds as proposed, then 4 storeys of relatively modern commercial space with “outstanding views” of the Thames River would be demolished and replaced with a 4-level above-grade parking garage. In addition, the views from 441 and 451 Ridout (and from 435 Ridout to a lesser extent) would be lost – something that is inconsistent with Paragraph 802.3 of the London Plan. The heritage buildings’ access to sunlight would also be adversely impacted.
- The Downtown Plan’s section on reconnecting to the river sets out objectives to:
  - “enhance views of the Thames River from Ridout Street” (2.4) – This could easily be accomplished today by means of some pruning of vegetation behind and beside the existing buildings. If the proposed tower is constructed, those opportunities would be lost.
  - “provide better pedestrian access to the river at Fullarton Street and Dufferin Avenue” (2.5) – This could be accomplished today by means of a staircase to the south and west of 435 Ridout and improvements to the access road north of Eldon House. The proposed tower would not do anything to facilitate such access over what is already possible.
- The April 5, 2017 draft Geotechnical Report appears to be based on a proposed 32-storey building located to the north of the location set out in the July 2019 Planning Justification Report. Is further analysis required to determine whether or not the tower is even feasible in its proposed location?
- Farhi Holdings has made many public statements regarding the shortage of downtown parking spaces and the challenges that this shortage has created in terms of the company being able to rent out its downtown commercial office space. The property in question currently has close to 200 parking spots (49 in the lot near the corner of Queens Avenue and Ridout Street, 12 in the lot south of Eldon House and north of 451 Ridout Street, and in the range of 120 to 150 adjacent to Harris Park – since the lines are faded and some of this parking lot is gravel, an exact count was difficult). The proposed development would include 372 parking spaces, a net increase of less than 200 spaces. Given the proposed density (280 residential units, possibly a 5-storey hotel, and additional commercial office space), it would seem that this proposal would exacerbate rather than alleviate any parking space shortage that may exist downtown.
- According to the minutes of a January 16, 2020 meeting of the Eldon House Board, a document regarding potential heritage impacts on Eldon House was being prepared and was to be submitted to the city. We are disappointed that this document is not publicly available. We hope that Councillors have been given a copy to consider as they review this application.
- If the amendments are approved, several of the character-defining elements of the streetscape (as identified by the Historic Sites and Monuments Board of Canada) would be lost. These include “the spatial relationship of the individual buildings, close to one another and to the street” and “views from the complex as a whole from surrounding streets”. The proposal would cause some of the defining elements of 451 Ridout Street in particular to be lost. Its “monumental rectangular three-storey massing under a flat roof with a slight pitch to the rear and four end chimneys” would disappear under the mass of the new tower. Since this is a National Historic Site, we are surprised that the Historic Sites and Monuments Board of Parks Canada was not consulted for input.





- In the publicly available documents, we were unable to find any discussion of traffic flow to and from this proposed development – either the residential or the hotel component. We believe that Councillors should have access to such analysis prior to making their decision on this application.
- The proposed development is immediately adjacent to a flood plain, and only a few feet above regular river water level. In the publicly available documents, we were unable to find any input from the Upper Thames River Conservation Authority regarding the application. As the impacts of climate change become more and more apparent, the boundaries of the flood plain may change. Would the city permit a 40-storey building on a flood plain? Would the city permit a 40-storey building on land that may become flood plain in the near future? We hope that the UTRCA will be consulted regarding their projections in this regard.
- The April 2019 Transportation Impact Assessment report is based on 203 residential units. Since the current proposal contemplates 280 units (an increase of 38%), we hope that a revised report will be made available to Councillors before a decision on the application is made. We would note that this report is a little confusing. It recommends (on page 10) that Ridout Street North (north of Queens Avenue) be converted from one-way southbound to two-ways (see also page 21). However, it is already a two-way street north of Queens Avenue.
- Some of the documents refer to 5 storeys of the proposed development being a hotel. The Transportation Impact Assessment report does not appear to consider how this use may impact traffic volume. The various documents also do not address how this might impact on parking requirements. While some tourists would travel to London by plane or train and use taxis or public transit to get to their hotel, others would travel by personal motor vehicle. The latter would expect to be able to park at or near their accommodation, and they might want to travel to other locations in or near London by personal motor vehicle one or more times per day during their visit. It is unfortunate that more detail regarding this was not provided to city staff or Councillors.

In closing, we strongly urge Councillors to deny this application. It is unfortunate that the property owner has invested considerable time and money into their application. However, the amendments being requested are inconsistent with both the letter and the spirit of the London Plan. Our city has only four National Historic Sites. It seems most reasonable that they be respected and retained in their current state. There are many other locations within the downtown core that would be suitable for this development proposal.

Sincerely,

Kelley McKeating  
President, Architectural Conservancy Ontario – London Region

Copies: Cathy Saunders, City Clerk – [csaunder@london.ca](mailto:csaunder@london.ca)  
Heather Lysynski, PEC Committee Secretary – [pec@london.ca](mailto:pec@london.ca)

