

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: George Kotsifas P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Farhi Holdings Corporation
435-451 Ridout Street North
Public Participation Meeting

Date: May 31, 2021

Recommendation

That, on the recommendation of the Director, Development Services, the following actions be taken with respect to the application of Farhi Holdings Corporation relating to the property located at 435-451 Ridout Street North:

- (a) Consistent with Policy 19.1.1. of the Official Plan for the City of London (1989), the subject lands, representing a portion of 435-451 Ridout Street North **BE INTERPRETED** to be located within the Downtown Area designation;
- (b) Consistent with Policy 43_1 of The London Plan, the subject lands, representing a portion of 435-451 Ridout Street North, **BE INTERPRETED** to be located within the Downtown Place Type;
- (c) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on June 15, 2021 to amend The London Plan by **ADDING** a new policy the Specific Policies for the Downtown Place Type and by **ADDING** the subject lands to Map 7 – Specific Policies Areas – of The London Plan;

IT BEING NOTED THAT The London Plan amendments will come into full force and effect concurrently with Map 7 of the London Plan.

- (d) The proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on June 15, 2021 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan for the City of London (2016) as amended in part (c) above, to change the zoning of a portion of the subject property **FROM** a Heritage/Regional Facility (HER/RF) Zone and a Downtown Area Special Provision (DA2(3)*D350) Zone **TO** a Holding Downtown Area Special Provision Bonus (h-3*h-55*h-_*DA2(3)*D350*B-_) Zone;

The Bonus Zone shall be implemented through one or more agreements to facilitate a high quality mixed-use office/residential apartment building, with a maximum height of 40-storeys (125 metres), and a maximum density of 500 units per hectare, in general conformity with the Site Plan and Elevations attached as Schedule "1" to the amending by-law in return for the following facilities, services and matters:

- 1) Exceptional Building Design
 - i) Retention in situ of the heritage buildings along the Ridout Street frontage;
 - ii) Materials on the podium of the building that are in-keeping with the surrounding heritage buildings;
 - iii) A slender point tower design;
 - iv) The tower portion of the building located to the south of the podium to increase the spatial separation between the tower and the Eldon House property;
 - v) Interesting architectural design features on the tower that will enhance the downtown skyline and break up the building mass;

- vi) Terraces overlooking Harris Park and providing opportunity for activating these terraces with the proposed adjacent office/commercial uses;
 - vii) Connections between Ridout Street North and Queens Avenue to Harris Park that provide new entrance opportunities to further connect the Downtown with the Park.
- 2) Provision of four (4) levels of underground parking, of which a minimum of 100 parking spaces will be publicly accessible;
- 3) Provision of Affordable Housing
The provision of affordable housing shall consist of:
- A minimum of twelve (12) residential units or five percent (5%) of the total residential unit count (rounded to the nearest unit), whichever is greater;
 - The mix of affordable one- and two-bedroom units will be based on the same proportion of one- and two-bedroom units as within the final approved plan. Subject to availability and with the concurrence of the City, some or all of these units may be secured through existing vacancies in developments owned and/or managed by the proponent or associated corporate entity;
 - Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - The duration of affordability shall be set at 50 years from the point of initial occupancy;
 - The proponent shall enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations.
- 4) Conservation, retention, and adaptive re-use of the existing heritage designated buildings at 435, 441, and 451 Ridout Street North
- The owner shall enter into a Heritage Easement Agreement with the City of London.
- 5) Construction of a Leadership in Energy and Environmental Design (LEED) certified building.
- (e) **IT BEING NOTED** that the following site plan matters were raised during the public participation process:
- i) Design the parking and drop-off areas between the building and the adjacent streets (Ridout Street North and Queens Avenue) as a shared plaza space, using pavers or patterned concrete to:
 - i. tie into the design of the terraces
 - ii. reduce the amount of asphalt
 - iii. provide a welcoming entrance to the development
 - iv. provide for a stronger connection between the stairs leading to Harris Park and the City sidewalks along the streets;
 - ii) Design the westerly stairway as a more naturalized landscape solution to soften the experience and avoid blank brick walls. This stairwell should provide for a grand entrance feature between the development and the Park.
 - iii) Final location and design of all vehicular accesses on-site, including service access;
 - iv) Final location, design, and landscaping of publicly accessible spaces, including terraces, staircases, and walkways;
 - v) The final building design is to incorporate bird-friendly design features;
 - vi) The applicant is to work with the City of London with regards to compensation restoration to create a wetland and other natural features (ie forest), either on-site or within Harris Park;
 - vii) The final building design is to include a fully enclosed mechanical penthouse, clad in materials complementary to the building, to screen rooftop mechanical equipment and contribute positively to the skyline.

- (f) Pursuant to Section 34(17) of the *Planning Act*, as determined by the Municipal Council, no further notice **BE GIVEN** in respect of the proposed by-law as the changes in building height and setback to the residential component of the building are minor in nature and the illustrations circulated in the Notice of Application and Notice of Public Meeting accurately depict the development as proposed.

Executive Summary

Summary of Request

The applicant has requested to amend The London Plan and Zoning By-law Z.-1. The requested amendment to The London Plan would add a Specific Policy to the Downtown Place Type to permit a mixed-use building with a maximum intensity of 40-storeys with Type 2 Bonus Zoning.

The requested Zoning By-law Amendment would change the zoning on a portion of the subject lands from a Heritage/Regional Facility (HER/RF) Zone and a Downtown Area Special Provision (DA2(3)*D350) Zone to a Holding Downtown Area Special Provision Bonus (h-3*h-55*h-_*DA2(3)*D350*B-_) Zone to facilitate the development of a 40-storey mixed-use building containing 280 residential units and 6,308 square metres of commercial/office gross floor area, in addition to the 1,627 square metres of commercial/office gross floor area in the existing heritage buildings. A total of 372 parking spaces are proposed, integrated in four-storeys of underground parking and at-grade surface parking areas. A site-specific bonus zone would permit the proposed development in return for: exceptional building design; provision of affordable housing; green building design; heritage conservation; and public parking.

Purpose and Effect of Recommended Action

The purpose and effect of the recommended action is to add a Specific Policy Area to The London Plan and to rezone a portion of the subject lands to facilitate the development of a 40-storey mixed-use building containing 280 residential units and 6,308 square metres of new office/commercial gross floor area. The recommended action would add a site-specific bonus zone to permit the proposed development, as well as holding provisions requiring additional reports and studies at a future Site Plan Approval stage.

Rationale of Recommended Action

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment, as well as enhancing the vitality and viability of downtowns and mainstreets;
2. The recommended amendment conforms to the in-force policies of The London Plan, including but not limited to the Downtown Place Type and Key Directions;
3. The recommended amendment conforms to the in-force policies of the 1989 Official Plan, including but not limited to the Downtown Area designation;
4. The recommended amendment conforms to Our Move Forward: London's Downtown Plan, by providing for a landmark development on an underutilized site;
5. The recommended amendment secures units for affordable housing through the bonus zone; and
6. The recommended amendment facilitates the development of an underutilized site at an important location in the Built Area Boundary and Primary Transit Area

Linkage to the Corporate Strategic Plan

Building a Sustainable City – London's growth and development is well planned and sustainable over the long term.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

September 30, 1996 – Report to Planning Committee: Z-5268 – 435-451 Ridout Street North

1.2 Planning History

In 1996, a portion of the site was rezoned from a Restricted Office (RO) Zone to its current Downtown Area Special Provision (DA2(3)*D350) Zone, permitting a broad range of uses restricted to the existing building, height as existing on the date of the passing of the by-law, and a density of 350 units per hectare. A Downtown Area (DA1) Zone was initially requested, along with a building height of 15 metres. Staff recommended refusal of this request, citing that the DA2 Zone was more appropriate given the site's location on the periphery of Downtown.

As the site is nearly entirely regulated by the Upper Thames River Conservation Authority (UTRCA), the applicant has consulted with the UTRCA since 2010 to establish a development proposal for these lands that align or closely align with UTRCA policy. The owner submitted three (3) applications to the UTRCA Hearings Committee for review and approval. Of those applications, the third and final submission, #67/18, was approved with terms and conditions for a future Section 28 permit application and additional supporting documentation.

1.3 Property Description

The subject site is located in the Central London Planning District on the northwest corner of Queens Avenue and Ridout Street North. The site backs onto the Thames River and is located northeast of the Forks of the Thames. The site has a total area of approximately 1.4 hectares, with approximately 0.73 hectares zoned for development. The site has frontages on Ridout Street North and Queens Avenue. The subject site is currently developed with three heritage buildings currently used for office/commercial uses. The existing buildings are individually designated under Part IV of the Ontario Heritage Act and are part of the Downtown Heritage Conservation District, designated under Part V of the Ontario Heritage Act. The existing buildings are proposed to be retained and repurposed, with the exception of a later addition to the building addressed as 451 Ridout Street North. The site is also located to the south of Eldon House, the oldest residence in the City of London.

1.4 Current Planning Information (see more detail in Appendix D)

- Official Plan Designation – Downtown Area and Open Space
- The London Plan Place Type – Downtown Place Type and Green Space Place Type
- Existing Zoning – Heritage/Regional Facility (HER/RF) Zone, Downtown Area Special Provision (DA2(3)*D350) Zone, and Open Space (OS4) Zone

1.5 Site Characteristics

- Current Land Use – Office
- Frontage – 73 metres (239.5 feet)
- Depth – 103 metres (337.9 feet)
- Area – 1.4 hectares (3.5 acres)
- Shape – Irregular

1.6 Surrounding Land Uses

- North – Eldon House and Harris Park
- East – Surface commercial parking lot

- South – Museum London
- West – Thames Valley Parkway and Thames River

1.7 Intensification

- The proposed 280 residential units represents intensification within the Built-Area Boundary and Primary Transit Area



Figure 1: Existing buildings at 435 and 441 Ridout Street North



Figure 2: Existing building at 451 Ridout Street North

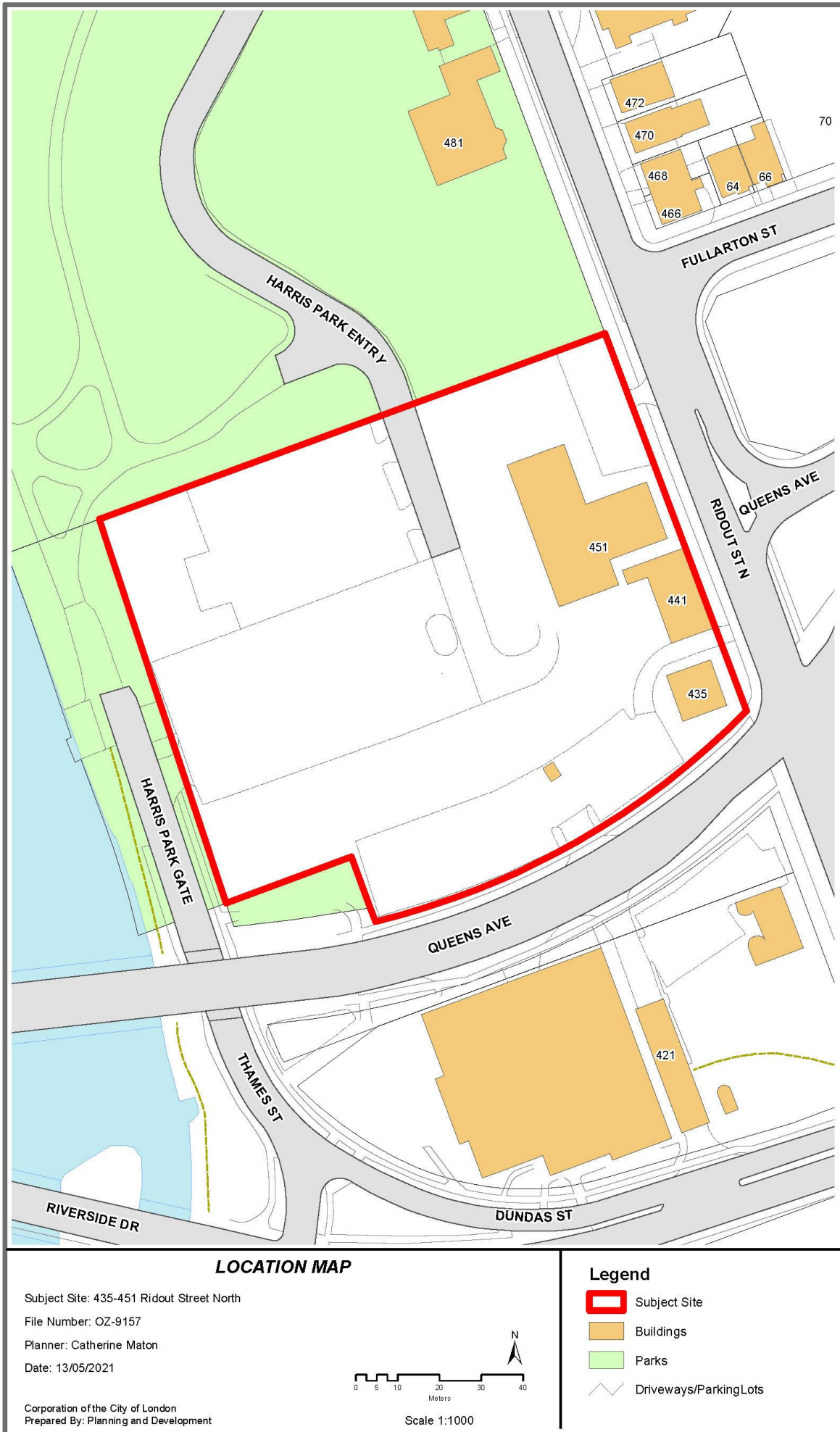


Figure 3: Existing parking along Queens Avenue frontage



Figure 4: Existing building at 451 Ridout Street (view from lower parking area)

1.8 Location Map



2.0 Discussion and Considerations

2.1 Development Proposal

The applicant is proposing to develop the site with a new 40-storey mixed-use apartment building containing 280 residential units, 6,308 square metres of commercial/office space, and a total of 372 parking spaces, of which 315 spaces would be located underground. The existing heritage buildings are proposed to be retained and will continue to be used for office and commercial purposes. The proposed development proposal is depicted in Figures 5 and 6 below. The applicant is also proposing to dedicate approximately 0.49 hectares of land to the City to be integrated into Harris Park and improve public connections to the Thames River. Various publicly accessible connections to the river and Harris Park are proposed through the proposed development, including stairways adjacent to the north and west facades of the building.

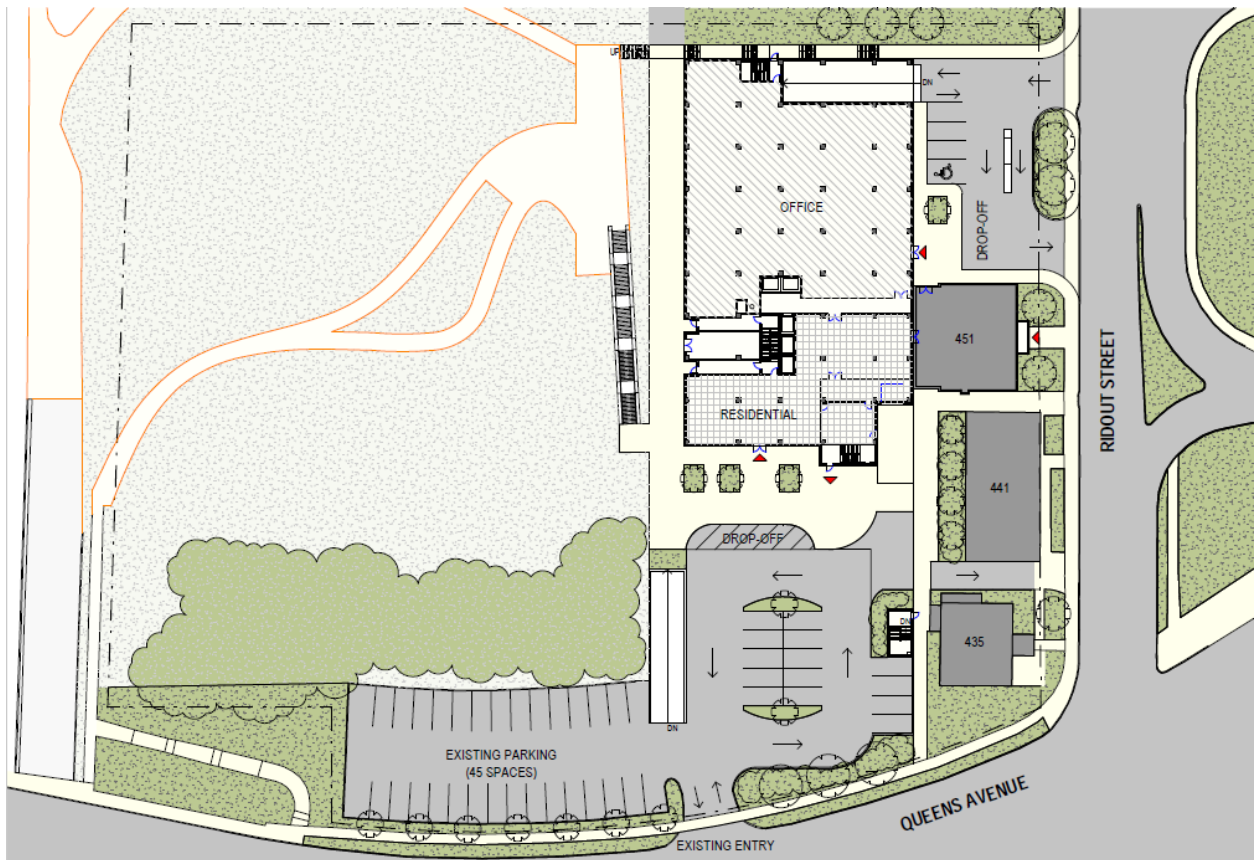


Figure 5: Site concept plan



Figure 6: Renderings of proposed development (top left: westerly view from Queens Avenue; bottom left: easterly view from the Thames River; right: southwest aerial view of tower and base)

2.2 Requested Amendment

The applicant has requested to amend The London Plan by adding a Specific Policy to the Downtown Place Type to permit a mixed-use building with a maximum intensity of 40-storeys with Type 2 Bonus Zoning. The applicant has further requested to change the zoning on a portion of the subject lands from a Heritage/Regional Facility (HER/RF) Zone and a Downtown Area Special Provision (DA2(3)*D350) Zone to a Downtown Area Special Provision Bonus (DA2(3)*D350*B-_) Zone.

2.3 Community Engagement (see more detail in Appendix B)

Eleven (11) written responses were received from members of the public, which will be addressed later in this report. The primary concerns were related to the proposed height and density.

2.4 Policy Context (see more detail in Appendix C)

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS), 2020 provides policy direction on matters of provincial interest related to land use planning and development. In accordance with Section 3 of the Planning Act, all planning decisions “shall be consistent with” the PPS.

Section 1.1 of the PPS encourages healthy, livable and safe communities which are sustained by promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term. The PPS directs settlement areas to be the focus of growth and development, further stating that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities (1.1.3).

The London Plan

The London Plan is the new Official Plan for the City of London (Council adopted, approved by the Ministry with modifications, and the majority of which is in force and effect). The London Plan policies under appeal to the *Local Planning Appeals Tribunal* (Appeal PL170100) and not in force and effect are indicated with an asterisk throughout this report. The London Plan policies under appeal are included in this report for informative purposes indicating the intent of City Council, but are not determinative for the purposes of this planning application.

The London Plan provides Key Directions that must be considered to help the City effectively achieve its vision (54_). These directions give focus and a clear path that will lead to the transformation of London that has been collectively envisioned for 2035. Under each key direction, a list of planning strategies is presented. These strategies serve as a foundation to the policies of the plan and will guide planning and development over the next 20 years. Relevant Key Directions are outlined below.

The London Plan provides direction to plan strategically for a prosperous city by:

- Planning for and promoting strong and consistent growth and a vibrant business environment that offers a wide range of economic opportunities.
- Creating a strong civic image by improving the downtown, creating and sustaining great neighbourhoods, and offering quality recreational opportunities.
- Revitalizing our urban neighbourhoods and business areas.
- Investing in, and promoting, affordable housing to revitalize neighbourhoods and ensure housing for all Londoners. (Key Direction #1, Directions 1, 2, 4, and 13).

The London Plan provides direction to celebrate and support London as a culturally rich, creative, and diverse city by:

- Protecting our built and cultural heritage to promote our unique identity and develop links to arts and eco-tourism in the London region.
- Revitalizing London’s downtown, urban main streets, and their surrounding urban neighbourhoods to serve as the hubs of London’s cultural community.

- Developing affordable housing that attracts a diverse population to the city. (Key Direction #3, Directions 7, 9, and 11).

The London Plan provides direction to become one of the greenest cities in Canada by:

- Protecting and enhancing our Thames Valley corridor and its ecosystem.
- Protecting and enhancing the health of our Natural Heritage System.
- Managing growth in ways that support green and active forms of mobility.
- Continually expanding, improving, and connecting our parks resources. (Key Direction #4, Directions 3, 4, 5, and 10)

The London Plan provides direction to build a mixed-use compact city by:

- Implementing a city structure plan that focuses high-intensity, mixed-use development to strategic locations - along rapid transit corridors and within the Primary Transit Area.
- Planning to achieve a compact, contiguous pattern of growth – looking “inward and upward”;
- Sustaining, enhancing, and revitalizing our downtown, main streets, and urban neighbourhoods.
- Planning for infill and intensification of various types and forms to take advantage of existing services and facilities and to reduce our need to grow outward.
- Ensuring a mix of housing types within our neighbourhoods so that they are complete and support aging in place. (Key Direction #5, Directions 1, 2, 3, 4, and 5).

The London Plan provides direction for a new emphasis on creating attractive mobility choices by:

- Linking land use and transportation plans to ensure they are integrated and mutually supportive.
- Focusing intense, mixed-use development to centres that will support and be served by rapid transit integrated with walking and cycling.
- Dependent upon context, requiring, promoting, and encouraging transit-oriented development forms. (Key Direction #6, Directions 4, 5, and 6).

Lastly, The London Plan provides direction to build strong, healthy and attractive neighbourhoods for everyone by:

- Protecting what we cherish by recognizing and enhancing our cultural identity, cultural heritage resources, neighbourhood character, and environmental features. (Key Direction #7, Direction 5).

The site is in the Downtown and Green Space Place Types, as identified on Map 1 – Place Types. A portion of the site proposed for development is within the Green Space Place Type. Policy 43_1 of The London Plan states that the boundaries between place types, as shown on Map 1, are not intended to be rigid except where they coincide with physical features (such as streets, railways, rivers or streams). The exact determination of boundaries that do not coincide with physical features will be interpreted by City Council and Council may permit minor departures from such boundaries, through interpretation, if it is of the opinion that the intent of the Plan is maintained and that the departure is advisable and reasonable.

As there are no streets, railways, rivers, or streams between the Downtown and Green Space Place Types, it is recommended that Council interpret a larger portion of the site to be in the Downtown Place Type. The interpretation would follow the existing DA2(3)*D350 Zone boundary, which would not be expanded through the recommended Zoning By-law Amendment aside from adding a small portion currently zoned a Heritage/Regional Facilities (HER/RF) Zone at the north of site adjacent to the Eldon House property.

The Downtown serves as the highest-order mixed-use centre, connected to the transit villages through rapid transit corridors and will also be connected to our recreational network, at the confluence of the two branches of the Thames River (798_). Large-scale

office developments, greater than 5,000 square metres, are to be directed to the Downtown to prevent the deterioration of the important Downtown office market (799_14).

1989 Official Plan

The site is designated Downtown Area and Open Space in accordance with Schedule 'A' of the 1989 Official Plan. A portion of the site proposed for development is within the Open Space designation. Similar to The London Plan, Chapter 19 of the Official Plan states that the boundaries between land use designations as shown on Schedule 'A' - the Land Use Map, are not intended to be rigid, except where they coincide with physical features such as streets, railways, rivers or streams (19.1.1i). Policy 19.1.1i) further states that the exact determination of boundaries that do not coincide with physical features will be the responsibility of Council and that Council may permit minor departures from such boundaries if it is of the opinion that the general intent of the Plan is maintained and that the departure is advisable and reasonable.

As there are no physical boundaries, as described in policy 19.1.1i), between the Downtown and Open Space designations, it is recommended that Council interpret a larger portion of the site to be designated Downtown. The interpretation would follow the existing DA2(3)*D350 Zone boundary, which would not be expanded through the recommended Zoning By-law Amendment aside from adding a small portion currently zoned a Heritage/Regional Facilities (HER/RF) Zone at the north of site adjacent to the Eldon House property..

The Downtown designation permits a broad range of uses and is intended to accommodate the greatest height and density of retail, service, office and residential development permitted within the City of London (4.1.7).

Our Move Forward: London's Downtown Plan

Our Move Forward: London's Downtown Plan (the Downtown Plan) serves as a guideline document adopted under Chapter 19 of the 1989 Official Plan. The Downtown Plan identifies specific sites in the downtown that are opportunity sites for redevelopment and sites that are currently underutilized. The subject site is identified as an underutilized site on Map 5: Priority Sites for Redevelopment.

Downtown Heritage Conservation District Plan

The Downtown London Heritage Conservation District Plan is intended to assist in the protection and conservation of the unique heritage attributes and character of London's Downtown. Its purpose is to establish a framework by which the heritage attributes of the Downtown can be protected, managed and enhanced as this area continues to evolve and change over time.

Thames Valley Corridor Plan

The site is located within the Thames Valley Corridor, northeast of the Forks of the Thames. The Thames Valley Corridor Plan serves as a guideline document to inform the Official Plan and other regulatory documents in the management of the valley lands. The values and principles articulated in the Thames Valley Corridor Plan should be considered in the review and approval of all development and redevelopment that may occur within the Thames Valley Corridor.

Key strategies of the Thames Valley Corridor Plan for Urban Nodes include: challenge new development to create a positive relationship with the Thames River; promote design excellence and innovation through building and site design to create legacy buildings; promote visual and physical access to the Thames River; form and design of new development shall complement and protect significant natural features; and apply sustainable green technologies to building and site design.

3.0 Financial Impact/Considerations

This application is eligible for financial incentives under the Heritage Community Improvement Program and Downtown Community Improvement Program.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Use

Provincial Policy Statement, 2020

The PPS promotes efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term; accommodate an appropriate affordable and market-based range and mix of residential types, employment, institutional, recreation, park and open space, and other uses to meet long-term needs; and the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs (1.1.1).

Settlement areas are directed to be the focus of growth and development. Land use patterns within settlement areas shall be based on densities and a mix of land uses which: efficiently use land and resources; are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion; minimize negative impacts to air quality and climate change, and promote energy efficiency; prepare for the impacts of a changing climate; support active transportation and are transit-supportive, where transit is planned, exists or may be developed (1.1.3.2). Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment (1.1.3.2).

Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by permitting and facilitating all types of residential intensification, including additional residential units, and redevelopment; promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations (1.4.3).

Policy 1.6.7.4 of the PPS further encourages land use patterns, densities and a mix of uses that reduce the length and number of vehicle trips and support current and future use of transit and active transportation. Lastly, the PPS encourages long-term economic prosperity to be supported by promoting opportunities for economic development and community investment-readiness (1.7.1 a)).

The recommended amendment facilitates the development of an underutilized site within a settlement area. The proposal provides for a mix of residential and commercial uses which are suitable and encouraged in the downtown. The PPS also promotes the provision of an appropriate mix of affordable and market-based residential types, which is achieved by the provision of affordable housing units that form part of the bonus zone. The proposed 40-storey mixed-use building contributes to a mix of housing types and provides choice and diversity in housing options for both current and future residents.

The London Plan

The Downtown is the highest-order mixed-use activity centre in the city (800_). A broad range of residential, retail, service, office, cultural, institutional, hospitality, entertainment, recreational, and other related uses are contemplated in the Downtown Place Type (800_1). Mixed-use buildings are encouraged, and along commercial-

oriented streetscapes, retail and service uses will be encouraged at grade with residential and non-service office uses directed to the rear of buildings and the upper floors (800_2 and 800_3). New surface accessory parking lots should not be permitted (800_4).

The proposed development provides for a mixed-use building with office/commercial uses at grade and residential above. While The London Plan discourages new accessory surface parking lots in the Downtown Place Type, the surface parking proposed as part of this development already exists on site servicing the existing buildings. These existing surface parking areas would be refined and reconfigured to integrate into the proposed development. Urban Design staff encourage these parking and drop-off areas between the proposed building and the adjacent streets (Ridout Street North and Queens Avenue) to be constructed as a shared-space plaza, using pavers or patterned concrete to reduce the amount of asphalt.

1989 Official Plan

Section 4.1.6 of the Downtown designation states “Council shall support the continued development of the Downtown as a multi-functional regional centre containing a broad range of retail; service; office; institutional; entertainment; cultural; high density residential; transportation; recreational; and open space uses.” The proposed office/commercial and high-density residential uses are contemplated in accordance with policy 4.1.6. Residential units may be created through new development or through the conversion of vacant or under-utilized space in existing buildings; office uses and government facilities may locate anywhere within the Downtown. Both office and residential development within the Downtown Shopping Area shall provide for retail or service-office uses at street level (4.1.6iii) and 4.1.6iv)).

The proposed mixed-use building provides for commercial/office uses at grade and high-density residential above. A portion of the ground floor includes active uses, such as a lobby, serving the residential units above. The balance of the ground floor would be occupied by office/commercial uses.

Our Move Forward: London’s Downtown Plan

Within the downtown there are many underutilized sites and opportunities for redevelopment. Of these underutilized sites, there are opportunity sites where new development could bridge streetwall gaps and/or link activity generators. These strategic locations are priority sites for redevelopment. The subject site is identified as an underutilized site in the Downtown Plan, in accordance with Map 5 – Priority Sites for Redevelopment (Figure 7).

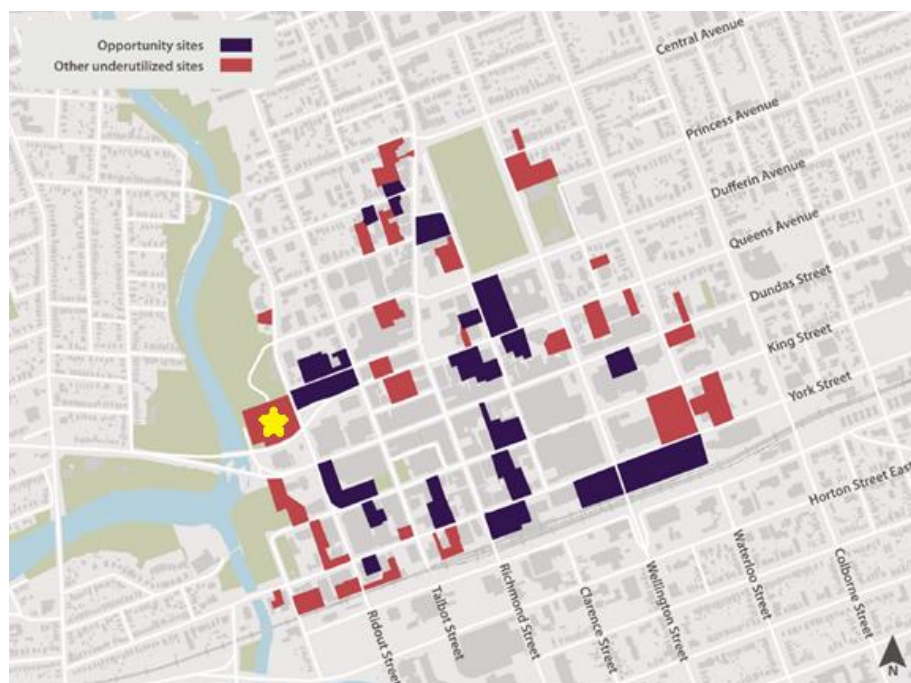


Figure 7: Map 5 – Priority sites for redevelopment (Our Move Forward: London’s Downtown Plan)

The proposed development is adjacent to the Forks of the Thames which is a transformational project identified in the Plan, and the proposed development is consistent with the following strategic directions and planning policies in the Plan:

Strategic Direction 2: Reconnect with the Thames River

- Enhance portions of the Forks of the Thames to introduce an urban riverscape edged with restaurants, retail, recreational and residential opportunities designed to acknowledge the natural and cultural heritage significance of the river (2.2).
- Enhance views of the Thames River from Ridout Street to establish a visual connection to the river (2.4).

Strategic Direction 4: Green our downtown

- Promote green infrastructure and construction techniques and materials during the construction and renovation of buildings (4.6).

Strategic Direction 5: Build a great neighbourhood

- Continue to support the development of a larger residential community in the downtown to foster a local trade market to offer a diverse array of neighbourhood 'daily needs' commercial enterprises (5.1).
- Create a distinct urban neighbourhood that builds upon and conserves downtown's cultural heritage values (5.5).

The proposed development includes publicly accessible pedestrian accesses to the river, as well as opportunity for a pedestrian look-out to the river. These accesses and river look-out would be further refined at a future Site Plan Approval stage. The applicant has also agreed to dedicate approximately 0.49 hectares of land to the City to be integrated into Harris Park and improve pedestrian connections to the Thames River. Various pedestrian connections are proposed throughout the site, including stairways adjacent to the north and west building facades, as well as a possible pedestrian lookout to the River. These public spaces would be formalized through a future Site Plan Approval stage, as would the detailed design of these spaces. The applicant intends to construct the building to meet LEED standards.

4.2 Issue and Consideration #2: Intensity

Provincial Policy Statement, 2020

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3).

Planning authorities are further directed to permit and facilitate all housing options required to meet the social, health, economic and well-being requirements of current and future residents as well as all types of residential intensification, including additional residential units and redevelopment (1.4.3b)). Densities for new housing which efficiently uses land, resources, infrastructure and public service facilities, and supports the use of active transportation and transit in areas where it exists or is to be developed, is promoted by the PPS (1.4.3d)).

The site is well-located to support higher intensities which will benefit from proximity to existing services and transit. The recommended amendment facilitates the redevelopment of an underutilized site currently developed with three low-rise commercial buildings. The proposed development supports the Province's goal to achieve a more compact, high density mixed-use form of development, consistent with the PPS.

The London Plan

The Downtown will permit the tallest buildings and the highest densities in the city (802_). Buildings within the Downtown Place Type will be a minimum of either three (3) storeys or nine (9) metres in height and will not exceed 20-storeys. Type 2 Bonus Zoning beyond this limit, up to 35 storeys, may be permitted in conformity with the Our Tools policies in The London Plan (802_1). Tall buildings will be permitted only where they achieve a high level of design excellence in conformity with the City Design policies (802_2). Large-scale office developments, greater than 5,000 square metres, are directed to the Downtown Place Type to prevent the deterioration of the important Downtown office market while still allowing for a reasonable supply of office uses outside of the Downtown (799_14).

The applicant has requested to add a Specific Policy to the Downtown Place Type to permit a mixed-use building with a maximum intensity of 40-storeys with Type 2 Bonus Zoning. The development proposal provides 6,308 square metres of office/commercial gross floor area, in addition to the 1,627 square metres of office/commercial space in the existing heritage buildings, in conformity with the policies of the Downtown Place Type and overall goal to direct large-scale office uses to the downtown.

The applicant has presented a number of facilities, services, and matters for the proposed bonus zone, commensurate for the requested increased intensity in conformity with The London Plan criteria for Type 2 Bonus Zoning. These facilities, services, and matters are addressed in Section 4.4 of this report. Staff is satisfied that the proposed facilities, services, and matters are commensurate for the proposed increased intensity.

1989 Official Plan

Development in the Downtown may be permitted up to a maximum floor area ratio of 10:1 for commercial uses and will normally not exceed 350 units per hectare for residential uses (4.1.7i)). Increases in density may be permitted without an Official Plan amendment, provided the proposal satisfies density bonusing provisions of Section 3.4.3.iv) and 19.4.4, conforms to the Site Plan Control By-law and addresses standards in the Downtown Design Guidelines. The proposed 280 residential units, 6,308 square metres of new office/commercial gross floor area, and existing 1,627 square metres of office/commercial gross floor area in the existing heritage buildings equates to a mixed-use density of 493 units per hectare. As such, the applicant has requested a bonus zone to permit a maximum density of 500 units per hectare and a maximum building height of 130 metres.

The applicant has proposed a number of public facilities, amenities, and design features in return for the requested height and density, in conformity with Chapter 19.4.4 of the 1989 Official Plan. These features are addressed in greater detail in Section 4.4 of this report. Staff is satisfied that the proposed features are commensurate for the proposed increase in height and density.

4.3 Issue and Consideration #3: Form

Provincial Policy Statement, 2020

The PPS is supportive of appropriate development standards which facilitate intensification, redevelopment and compact form (1.1.3.4). The PPS also identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form (1.7.1e)).

Consistent with the PPS, the recommended amendment would facilitate optimal use of land and infrastructure in the area. Located within a developed area of the City, the redevelopment and intensification of the subject lands would contribute to achieving more compact forms of growth. The proposed development would become an important landmark and represents an attractive and appropriate built form at a highly prominent location in the downtown along the Thames River.

The London Plan

All planning and development applications must conform with the City Design policies of The London Plan, and have regard for Our Move Forward: London's Downtown Plan and the Downtown Design Manual (803_1). Building design that represents individual creativity and innovation will be encouraged to create landmarks, develop a distinctive character, and contribute to the city's image (803_4).

High and mid-rise buildings should be designed to express three defined components: a base, middle, and top (289_). High-rise buildings should be designed to minimize massing, shadowing, visual impact, and the obstruction of views from the street, public spaces, and neighbouring properties. To achieve these objectives, high rise buildings should take the form of slender towers and should not be designed with long axis where they create an overwhelming building mass (293_).

Base

High-rise buildings will incorporate a podium at the building base, or other design solutions to reduce the apparent height and mass of the building on the pedestrian environment, allow sunlight to penetrate into the right-of-way, and reduce wind impacts (929_). The base should establish a human-scale façade with active frontages including, where appropriate, windows with transparent glass, forecourts, patios, awnings, lighting, and the use of materials that reinforce a human scale (289_1).

The base of the tower has been designed with a 4-storey podium positioned behind the existing heritage building at 451 Ridout Street North. While its positioning results in a larger setback from the Ridout Street North frontage, it assists in showcasing the prominence of the heritage buildings on site and enables them to be incorporated into the base itself. The UDPRP supports the scale and positioning of the podium relative to the existing heritage structures as well as the positioning of the tower component to the south which respects Eldon House and terminates the vista along Queens Avenue.

The base has been designed with materials that are in-keeping with the surrounding heritage buildings, including yellow brick façade treatments and substantial glazing, displaying creativity and uniqueness in the details while complementing the surroundings. At the rear of the site, the base is integrated into the bank and provides pedestrian connections to Harris Park and the Thames River. The base includes a rooftop amenity area on the north side, adjacent to Eldon House, allowing for spatial separation between the tower and Eldon House. The east and west elevations of the building base are provided in Figures 8 and 9.



Figure 8: Tower base (westerly view)



Figure 9: Tower base (easterly view from the Thames River)

The principal entrance to the building is provided along the Ridout Street North frontage. Urban Design staff recommend that the design of the proposed parking and drop-off areas between the building and the adjacent streets be further refined as a shared plaza space, using pavers or patterned concrete rather than asphalt. This would assist in providing a welcoming entrance to the development, enhancing the overall design of the podium.

Middle

The middle should be visually cohesive with, but distinct from, the base and top (289_2). The middle of the building is the portion of the building above the podium-base and consists of the residential tower. The proposed tower floorplate is measured at approximately 860 square metres, constituting a slender point tower. The positioning of the tower on the site will enable it to exist without imposing on the pedestrian experience and existing heritage buildings along Ridout Street and offers spatial separation between Eldon House. Details included in the design of the tower include balconies serving as private amenity spaces for residential units, which are defined by different colours and broken up along the façade to provide visual interest. Architectural design features enhance the downtown skyline and break up the building mass.



Figure 10: Southwest aerial view

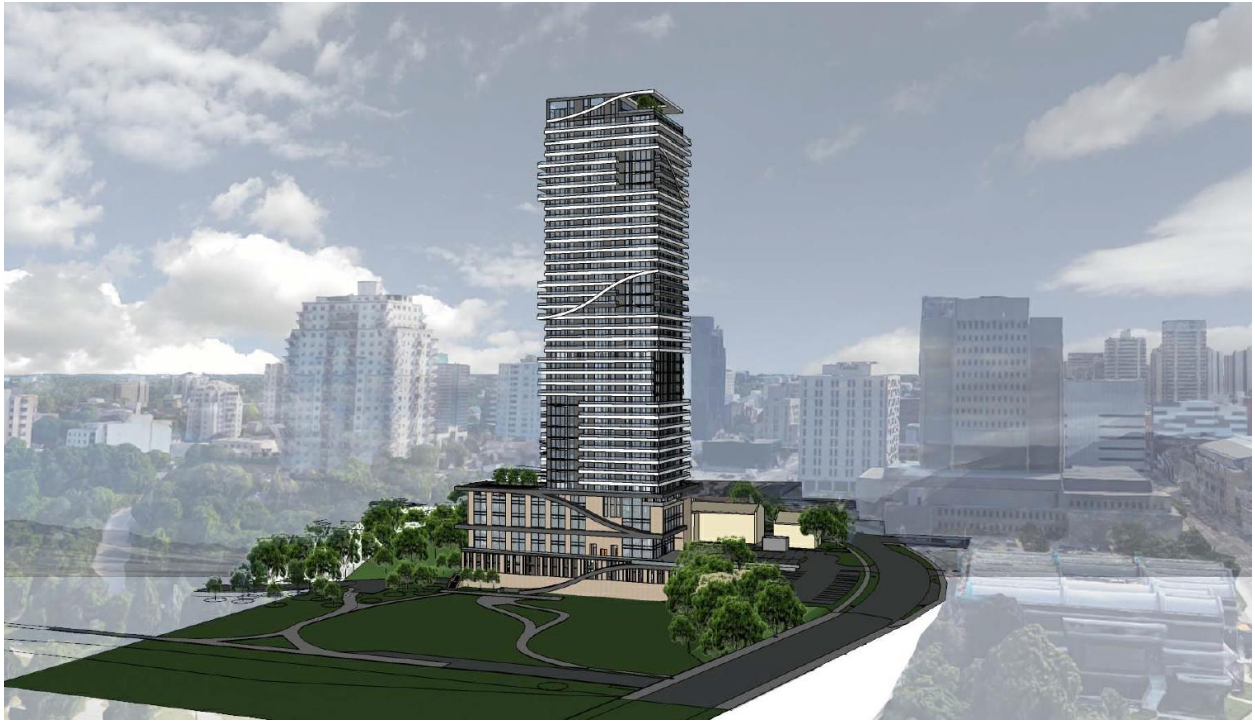


Figure 11: Easterly view

Top

The top should provide a finishing treatment, such as roof or a cornice treatment, to hide and integrate mechanical penthouses into the overall building design (289_3). As the subject lands are located at a prominent gateway to the Downtown and in proximity to the Forks of the Thames, the treatment of the building top will be highly visible and should contribute positively to the City's skyline.

Consistent with the tall building design direction in Section 2.3 of the Downtown Design Manual, the building design includes a sculpted roof form that contributes positively to an interesting and attractive skyline and create a distinguishable built landmark. The top of the building includes an integrated rooftop amenity area with a fin-like overhang. It is recommended to the Site Plan Approval Authority that through future design refinements, any roof-top mechanical equipment be enclosed in a mechanical penthouse to ensure it is appropriately integrated into the design.

Urban Design staff and the Urban Design Peer Review Panel (UDPRP) commend the applicant for incorporating the following into the design of the site and buildings: retention in situ of the heritage buildings along the Ridout Street North frontage; material on the podium of the building that are in-keeping with the surrounding heritage buildings; a slender point tower design; locating the tower portion of the building to the south of the podium to increase the spatial separation between the tower and the Eldon House property; interesting architectural design features on the tower that will enhance the downtown skyline and break up the building mass; terraces overlooking Harris Park and providing opportunity for activating these terraces with the proposed adjacent office/commercial uses; connections between Ridout Street North and Queens Avenue to Harris Park that provide new entrance opportunities to further connect the Downtown with the park.

The proposed development would be a landmark building at a prominent location in the Downtown. As shown in Figure 12, the proposed development provides a terminus vista from Queens Avenue with an attractive, slender tower and a base that complements the existing heritage buildings.



Figure 12: Westerly view of the proposed development from Queens Avenue

The London Plan directs the planning and design undertaken Downtown to place a priority on the pedestrian experience through site layout, building location, and a design that reinforces pedestrian comfort and safety (803_2). The evaluation of height and built form will consider access to sunlight by adjacent properties, wind impacts, view corridors, visual impacts on the Thames Valley Corridor, and potential impacts on public spaces and heritage properties located in close proximity to proposed development (802_3). The design and positioning of new buildings in the Downtown will not negatively impact pedestrian comfort by introducing inappropriate wind turbulence and velocity within the public realm. A wind assessment will be required for all buildings of 6 storeys or more, with the intent of mitigating wind impacts on the pedestrian and other ground level environments (803_4).

An h-3 holding provision is recommended to ensure a Wind Study is provided and implemented at a future Site Plan Approval stage. It is noted that some design considerations to assist in mitigating wind impacts have already been incorporated into the design, such as the use of a podium and the inclusion of balconies on the building façades. The importance of addressing wind impacts is paramount due to the presence of on-site heritage buildings and the site's proximity to Eldon House.

h-3 Purpose: To ensure that development over 30.0 metres (98.4 feet) in the DA1 Zone or over 15.0 metres (49.2 feet) in the DA2 Zone will not have an adverse impact on pedestrian level wind conditions in the Downtown Area of the City of London, a wind impact assessment which may, at the request of the City, include wind tunnel testing, shall be prepared by a qualified professional and submitted to the City, and any recommendation contained therein for building design or site modifications necessary to achieve acceptable wind conditions shall be incorporated in the proposed development to the satisfaction of the City of London prior to removal of the "h-3" symbol.

Permitted Interim Uses:

- i) For lands zoned DA1 for any building or use less than 30.0 metres in height: any use permitted by the DA1 zone;*
- ii) For lands zoned DA2 for any building or use less than 15.0 metres in height: any use permitted by the DA2 zone.*

As part of the complete application, a Shadow Study was provided to measure potential shadow impacts on adjacent properties. The slender design of the proposed tower assists in mitigating these impacts by reducing building mass and overall casting of

shadows. Images from the Shadow Study demonstrating impacts at various times of day and year are contained in Appendix H.

1989 Official Plan

The Urban Design considerations for the Downtown encourage projects in the Downtown to have regard for the positioning and design of buildings to achieve the urban design principles contained in Chapter 11 (4.1.7.ii). It is intended that Downtown development should enhance the street level pedestrian environment and contribute to the sensitive integration of new development with adjacent structures and land uses (4.1.7.ii).

The design and positioning of new buildings in the Downtown shall have regard for the potential impact that the development may have on ground level wind conditions on adjacent streets and open space areas (4.1.7.iii). New development should not alter existing wind conditions to the extent that it creates or aggravates conditions of wind turbulence and velocity which hamper pedestrian movement, or which discourage the use of open space areas (4.1.7.iii). City Council, as part of its review of major development proposals in the Downtown, may require the developer to undertake a street level wind impact statement for the project (4.1.7.iii)(a). An h-3 holding provision is recommended to ensure a Wind Study is submitted and implemented at a future Site Plan Approval stage.

4.4 Issue and Consideration #4: Bonusing

The London Plan

In accordance with the Our Tools policies of The London Plan, Type 2 Bonus Zoning may be applied to permit greater height or density in favour of a range of facilities, services, or matters that provide significant public benefit in pursuit of the City Building goals (*1650_). Specific facilities, services, or matters contemplated under Type 2 Bonus Zoning are contained in policy *1652_. A summary of the facilities, services, and matters proposed by the applicant in return for additional height and density is provided below:

**1652_1: Exceptional site and building design:*

- Building design and site layout incorporate contemporary architectural themes and design elements to establish a prominent, intensive high-rise design that is compatible with adjacent heritage buildings and local development context.
- Provision of a structured parking facility to reduce surface parking on-site.

**1652_2: Cultural heritage resources designation and conservation:*

- High-rise tower designed/positioned in a manner that is sensitive to existing heritage buildings on-site and the adjacent Eldon House historic site.
- Tower layout is intended to effectively integrate with 451 Ridout Street and preserve unobstructed view of 435, 441 and 451 Ridout Street North from the street frontage (and to promote a landmark vista at the western terminus of Queen Street).
- Existing heritage buildings to be renovated in accordance with applicable heritage preservation legislation/guidelines and pursuant to a Heritage Alternation Permit.
- The renovated heritage buildings are proposed to include common indoor amenity space for community group meetings, local artwork displays and other publicly-oriented activities.

**1652_8: Sustainable forms of development in pursuit of the Green and Healthy City policies:*

- Development would be designed and built with consideration for suitable sustainability techniques, materials and systems.
- Landscape plans for common outdoor amenity areas to incorporate sustainable design elements, including hard landscape components and drought resistant landscaping to reduce water consumption.

- The building would be designed and constructed to meet Leadership in Energy and Environmental Design (LEED) certification.

**1652_12: Affordable housing:*

- The applicant worked with the Housing Development Corporation (HDC) London through the application process on provision of affordable housing. The HDC has recommended the following:
 - A minimum of twelve (12) residential units or five percent (5%) of the total residential unit count (rounded to the nearest unit), whichever is greater, would be provided for affordable housing.
 - The mix of affordable one- and two-bedroom units would be based on the same proportion of one- and two-bedroom units as within the final approved plan. Subject to availability and with the concurrence of the City, some or all of these units may be secured through existing vacancies in developments owned and/or managed by the proponent or associated corporate entity.
 - Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy.
 - The duration of affordability set at 50 years from the point of initial occupancy.
 - The proponent enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations.

**1652_14: Car parking, car sharing and bicycle sharing facilities all accessible to the general public:*

- A total of 372 vehicle stalls would be accommodated on-site, with a minimum of 100 spaces made publicly accessible to help offset existing office parking demand in the Downtown.

Staff is satisfied the proposed facilities, services, and matters outlined above are commensurate to the requested increase in intensity.

1989 Official Plan

Under the provisions of Policy 19.4.4, Council may allow an increase in the density above the limit otherwise permitted by the Zoning By-law in return for the provision of certain public facilities, amenities or design features (3.4.3.iv)). Chapter 19.4.4ii) of the 1989 Official Plan establishes a number of objectives which may be achieved through Bonus Zoning. The following objectives are included in the applicant's bonus proposal: affordable housing; underground parking; and innovative and environmentally sensitive development which incorporates notable design features, promotes energy conservation, waste and water recycling and use of public transit.

Through discussions with the HDC, the applicant has agreed to provide twelve (12) affordable units or 5% of the total number of units, whichever is greater, for the purpose of affordable housing. Rents would not exceed 80% AMR for a period of 50 years from initial point of occupancy.

The proposed development includes a four (4) storey underground parking facility, in which the majority of on-site parking will be provided. A total of 372 parking spaces are proposed, of which 100 spaces would be made publicly accessible to offset parking demands in the Downtown. In addition to providing parking options for residents, employees, and visitors of the Downtown, it also offsets the demand for surface commercial parking. This is consistent with the recommendations of the Downtown Parking Strategy and ultimately encourages long-term redevelopment of surface commercial parking lots in the Downtown.

Lastly, the applicant has committed to a green building design which would be constructed to meet LEED standards.

Staff is satisfied the proposed public facilities, amenities, and design features is commensurate for the requested increase in height and density.

4.5 Issue and Consideration #5: Cultural Heritage

4.5.1 Heritage Designations

The subject site is individually designated under Part IV of the Ontario Heritage Act and is located in the Downtown Heritage Conservation District, designated under Part V of the Ontario Heritage Act. All three (3) buildings have historic and landmark significance and are recognized as some of the City's oldest and most historically significant, dating back to as early as c1836. 435 Ridout Street North dates from c1836 and is in the Georgian style; it is the earliest commercial building in the City of London (Bank of Upper Canada). 441 Ridout Street North dates from c1847 and is in the Georgian style. 451 Ridout Street North dates from c1855, is in an eclectic style, and is referred to as the Anderson House. The subject lands are known collectively as "The Ridout Street Complex." The Complex is listed as a National Historic Site of Canada (NHSC) which formally recognizes Canada's most important historic places.

As part of the complete application, the applicant submitted a Heritage Impact Assessment (HIA) which was reviewed by the London Advisory Committee on Heritage (LACH) and City Heritage Planning staff. Full comments from LACH and Heritage staff are included in Appendix C. Comments from the Eldon House Board of Trustees are also included in Appendix C. The applicant's response to the LACH Working Group's comments is included in Appendix G.

Provincial Policy Statement, 2020

The PPS provides direction to conserve significant built heritage resources (2.6.1). 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 (2.6.3).

The London Plan

The City Building policies of The London Plan directs planning and development to: promote, celebrate, and raise awareness and appreciation of London's cultural heritage resources; conserve London's cultural heritage resources so they can be passed on to our future generations; and ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources (554_1 to 3). Conservation of whole buildings on properties identified on the Register is encouraged and the retention of façades alone is discouraged (568_).

The Downtown Place Type of The London Plan provides direction for new development to be designed to provide for continuity and harmony in architectural style with adjacent uses that are of architectural or historical significance (803_3).

1989 Official Plan

The Downtown contains many of the City's original buildings and some of the most architecturally important structures in our community. Policies for preservation are balanced against policies which promote growth and development in the Downtown. The Official Plan supports a blending of these two approaches to the Downtown by encouraging property owners to incorporate buildings and features of cultural heritage value into new development projects (4.1).

Chapter 13 of the 1989 Official Plan provides a policy framework for properties of cultural heritage value or interest. The objectives include: protect in accordance with Provincial policy those heritage resources which contribute to the identity and character of the City; encourage the protection, enhancement, restoration, maintenance, and utilization of buildings, structures, areas, or sites within London which are considered to be of cultural heritage value or interest to the community; encourage new development, redevelopment, and public works to be sensitive to, and in harmony with, the City's heritage resources; and increase public awareness and appreciation of the City's heritage resources, and encourage participation by the public, corporations, and other

levels of government in the protection, restoration, and utilization of these resources.

Downtown Heritage Conservation District Plan

One of the goals of the Downtown Heritage Conservation District Plan is to influence the renovation or construction of modern era buildings so that it is done with regard to the District and complementary to the character and streetscape (3.2.1). To achieve this, development should be distinguishable but also compatible with the heritage character of the Downtown Heritage Conservation District. An additional goal relevant to this application is to encourage the rehabilitation and restoration of heritage buildings that is sensitive and respectful to the historical significance of the structure (3.2.1).

Sections 6.1.4.1 and 6.1.5 of the Downtown Heritage Conservation District Plan directs that new construction shall ensure the conservation of character-defining elements of the buildings it neighbours. New construction is to be made both physically and visually compatible with the historic place while not trying to replicate it in the whole, and should be easily decipherable from its historic precedent while still complementing adjacent heritage buildings.

Further, sections 6.1.4. and 6.1.5 outline heritage guidelines for new and infill construction. Those most relevant to this application are as follows:

- Use roof shapes and major design elements that are complementary to surrounding buildings and heritage patterns.
- New buildings and entrances must be oriented to the street and are encouraged to have architectural interest to contribute to the streetscape.
- Horizontal rhythm and visual transition between floors [should be] articulated in the façade design. String courses, changes in materials, and a shift in the proportion of glazing [should be used to] illustrate a change in use between the commercial first story and upper residential.
- New and renovated buildings must enhance the character of the street through the use of high-quality materials such as brick, stone and slate; stucco should be avoided as it is not a historically relevant material for the district.
- Detailing should add visual interest and texture.
- Up to 80% glazing is appropriate at-grade; second levels and above should approximate 50% glazing, with not more than 75% glazing, and no less than 25% glazing.
- The floor to ceiling height of the ground floor façade must be consistent with the predominant heights of buildings and respect the scale of adjacent buildings.
- New buildings should respect the significant design features and horizontal rhythm of adjacent buildings. Blank façades are not permitted facing main or side streets (excluding lanes), without exception.
- New and renovated buildings must be designed to be sympathetic to the district heritage attributes, through massing, rhythm of solids and voids, significant design features, and high-quality materials.
- New and renovated buildings must maintain and enhance the continuity of the street edge by building out to the front property line, with no side yard setbacks fronting the major streets of the HCD.
- Façades must be a minimum of 2 storeys and no more than the permitted maximum height of 18 metres. Above these heights, it is recommended that buildings be setback from the building line at setback of 2 metres for each two metres of height.
- New and renovated buildings must maintain and enhance the continuity of the street edge by building out to the front property line.
- New and renovated buildings must build the full extent of the property width fronting the HCD streets. However, double lots must maintain the visual rhythm of single lots by breaking up their façade in some manner.

Heritage staff have cited some concern regarding the close proximity of the proposed 40-storey development to the heritage buildings on the subject lands and the ability of any development of this scale to be compatible with 2-3 story mid-19th century brick buildings in the surrounding area. However, Heritage staff comments also recognize the

limitations of the subject lands and the prevailing high-rise environment that already exists in the downtown, as stated in the HIA.

As well, there have been efforts in the design approach to be sensitive to heritage scale and character through a developed podium (bringing the scale down at grade to that of the heritage buildings), the use of an architectural vocabulary that relies on a base, mid-section and cap supporting a pedestrian scale at the street level, and employing a sympathetic colour palette. Many of the guidelines contained in sections 6.1.4 and 6.1.5 of the Downtown Heritage Conservation District Plan have been incorporated into the design.

4.5.2 Potential Impacts on the Ridout Street Complex and Eldon House

At its meeting on February 12, 2020, LACH designated a Working Group to review and provide detailed comments in response to the HIA and proposed development. The comments from the Working Group cited several concerns with the HIA and overall scale and design of the proposed development, including the base, middle, and top. Staff wish to note that the LACH comments on building design conflict with those of the UDPRP, a panel of urban design and architecture professionals, whose comments support the scale and positioning of the podium relative to the existing heritage structures. The UDPRP also support the positioning of the tower to the south, stating that it respects Eldon House and terminates the vista along Queens Avenue. In addition, comments from City Urban Design staff commend the applicant for use of materials on the podium of the building that are in-keeping with the surrounding heritage buildings.

To balance some of the competing comments between the UDPRP and the LACH, as well as to mitigate impacts on the Ridout Street Complex and Eldon House, a holding provision is recommended to ensure necessary reports and studies are submitted and reviewed through the detailed design at Site Plan. The recommended holding provision is as follows:

h-__

Purpose: To ensure that development will not have negative impacts on cultural heritage resources on, and adjacent to the subject property, and to ensure the long term conservation of these resources, the following shall be prepared and accepted to the satisfaction of the City of London, prior to the removal of the “h-__” symbol:

- i) An Arborist Report – from a certified arborist and landscape architect – which will include a detailed assessment of existing vegetation on the Eldon House grounds, Harris Park and other adjacent properties, and make recommendations to protect significant vegetation and minimize potential impacts during preconstruction, construction and post-construction activities, as well as recommendations to minimize long term impacts (i.e. shadowing, micro-climate changes) due to development on the subject property;*
- ii) A Building Condition Assessment – from a licensed architect and professional structural engineer with experience with heritage buildings – which will include a comprehensive assessment of the current condition (including a structural evaluation) of cultural heritage resources on and adjacent to the subject property, along with identification of potential construction impacts and proposed mitigation measures;*
- iii) A Conservation Plan – from a qualified member of the Canadian Association of Heritage Professionals (CAHP) – which will include a strategy for the management and conservation of cultural heritage resources on the subject property along with a detailed plan related to their retention, restoration (exterior and interior attributes), future use and integration in the new development, as well plans for buffering and protection during construction; and*
- iv) A Vibration Study – from a professional engineer – to determine the levels of vibration that are acceptable to avoid negative impacts during*

construction, and establish benchmark levels, and include the development of an inspection, monitoring and implementation plan, along with proposed mitigation measures.

Permitted Interim Uses: All permitted uses within the existing buildings.

In addition to the holding provision described above, the applicant has agreed to enter into a Heritage Easement Agreement with the City of London as part of the recommended bonus zone. This will ensure long-term protection and conservation of the heritage resources on the property, as well as future implementation of any recommendations of the above noted reports and studies.

4.6 Issue and Consideration #6: Archaeology

The subject site is located within an area of archaeological potential, as identified by the City's Archaeological Management Plan (2017). A Stage 1-2 Archaeological Assessment (AECOM, December 2018) was completed and submitted as part of the complete application. The Archaeological Assessment did not result in the identification of any archaeological material or sites and recommended no further archaeological be required.

A clearance letter from the Ministry of Tourism, Culture, and Sport was also submitted with the application, confirming the Archaeological Assessment has been entered in the public register. As such, City Heritage Planning staff have confirmed archaeological conditions can be considered satisfied for this application.

4.7 Issue and Consideration #7: Natural Heritage and Floodplain

The PPS directs that natural features and areas shall be protected for the long term (2.1.1). The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features (2.1.2). As well, long-term economic prosperity should be supported by minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature (1.7.1k)).

A significant portion of the site is in the Green Space Place Type of The London Plan and designated Open Space in the 1989 Official Plan.. As part of the complete application, the applicant submitted an Environmental Impact Study (EIS) prepared by Natural Resource Solutions Inc. (July 2019). An addendum to the EIS was provided in April 2021 in response to comments from City Ecology staff.

Nearly the entire site is regulated by the UTRCA and portions of the existing development are located in the floodplain, including the rear portion of the building at 451 Ridout Street North and the lower parking area. The applicant has worked with the UTRCA since 2010 to establish a development proposal for these lands that aligns or closely aligns with UTRCA policy. The applicant submitted three (3) applications to the UTRCA Hearings Committee for review and approval. To accommodate the extent of the proposed development, a portion of the proposed building foundation and parking structure encroach into the floodplain. Through the application process with the UTRCA, it was determined that the concept presented in the third and final application (Application #67/18) had explored all feasible options for locations outside of the flood plain, which ultimately could not be accommodated due to setback requirements for the future Bus Rapid Transit route.

A preliminary flood modelling analysis was undertaken as a part of Application #67/18 to determine the approximate development impact on flood water displacement and storage. Mitigation strategies presented were determined to ensure a "net 0" impact on displacement and include: excavation of the new park space in the lower portion of the lands; remediation of the south bank; and understanding the overall connection to the Thames River flood storage system up and downstream. Application #67/18 was

ultimately approved by the Hearings Committee. On May 3, 2018, the UTRCA Hearings Committee resolved:

That the Upper Thames River Conservation Authority support the development concept submitted as Application #67/18 by Farhi Holdings Corporation. In supporting this application, the Hearings Committee requires the Applicant to proceed through all stages of planning approval under the direction and advice of the City of London, affording UTRCA staff full opportunity to provide input and comment on all aspects of the planning process, to ensure the development remains fully consistent with the design prepared and presented by architects Tillmann Ruth Robinson.

FURTHER, terms and conditions for approval pursuant to Section 28 of the Conservation Authorities Act shall include but not be limited to the following:

- 1. The development will be floodproofed to the Regulatory Flood elevation at a minimum, adding freeboard if feasible to account for UTRCA modelling updates and the impacts of climate change.*
- 2. Farhi Holdings Corporation will prepare site plans in consultation with the City of London and the UTRCA which will address floodplain cut and fill compensation requirements ensuring no net loss of flood plain storage resulting from the proposed development.*
- 3. Valley embankments around the development perimeter (southern and eastern boundaries) will be remediated in consultation with the City of London and UTRCA.*
- 4. Upon issuance of a Section 28 permit, work must be completed within a two-year period.*
- 5. Comprehensive sediment and erosion control plans and site drainage/grading plans must be prepared as part of site plan drawings submitted to the UTRCA for review and approval.*

AND FURTHER, if in the opinion of the UTRCA the development concept deviates from the submission made at this time, the UTRCA reserves the right to bring the proposal back to the Hearings Committee for further consideration.

UTRCA staff have confirmed the development concept proposed through this Official Plan and Zoning By-law Amendment is generally consistent with the concept considered through that application. Approval of a Section 28 permit from the UTRCA is required for the proposed development and would ensure the terms and conditions identified in the Hearings Committee's resolution are addressed.

As previously noted, approximately 0.49 hectares of land would be dedicated to the City of London and integrated into Harris Park. The applicant proposes to naturalize these lands as compensation for the proposed development. However, Parks Planning and Design staff have commented that while they are in agreement with partial removal of the parking area, they wish to retain some parking and return the balance of the lands to grass as parkland/event space. Parks Planning and Design staff have further advised that there are future plans to naturalize other areas within Harris Park as part of the upcoming master planning process. These matters are to be resolved through the review of a future Site Plan application, and the Site Plan Approval Authority is advised that the applicant is to work with the City of London with regards to compensation restoration to create wetland and other natural features (ie forest), either on-site or in Harris Park. Implementation of flood mitigation strategies, including possible excavation of the new park space in the lower portion of the lands, would also be addressed and formalized through the future Site Plan and Section 28 permit processes.

Lastly, both Ecology staff and EEPAC have identified the need for the tower to incorporate bird friendly design features to minimize bird strikes. As the City of London has been recently recognized by Nature Canada as a Bird Friendly City, it is recommended as a note to the Site Plan Approval Authority that features for bird friendly design be incorporated into the final building design.

4.8 Issue and Consideration #8: Transportation

The applicant has submitted a Transportation Impact Assessment (TIA) as part of the complete application (Paradigm Transportation Solutions Limited, April 2019). The TIA includes an analysis of existing traffic conditions, a description of the proposed development, traffic forecasts for the 2026 horizon year (estimated five years from full build-out), and transportation demand management options for the site. In response to City Transportation comments, an addendum to this report was provided in April 2021. City Transportation staff have reviewed the TIA and addendum and have requested further revisions to be made prior to Site Plan Approval. An h-55 holding provision is recommended to ensure these revisions are made and the TIA is accepted by City Transportation staff prior to Site Plan Approval:

h-55 Purpose: To ensure the appropriate development of the site and limit the impact of the development on the existing roadways, a traffic impact study for the entire site is to be completed prior to site plan approval to determine the location and number of access points, the traffic impact on surrounding roads and roadway improvements required to accommodate this development. The "h-55 " symbol shall be deleted upon the acceptance of the traffic study by the City of London.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the in-force policies of The London Plan, including but not limited to the Key Directions and Downtown Place Type policies, and the in-force policies of the 1989 Official Plan, including but not limited to the Downtown designation and Downtown Shopping Area. The recommended amendment aligns with the strategic directions of Our Move Forward: London's Downtown Plan by providing for a landmark development at a prominent location in the Downtown.

The proposal facilitates the development of an underutilized site with an appropriate form of development at a prominent location. The recommended bonus zone ensures the building form and design fits within the surrounding area while providing a high quality design standard. The recommended bonus zone also provides for some flexibility for further refinements through the detailed design review at a future Site Plan Approval stage. The subject lands are situated in a location where intensification can be accommodated given the existing municipal infrastructure, location within the Downtown Shopping Area, and existing and future public transit facilities in the area.

Prepared by: Catherine Maton, MCIP, RPP
Senior Planner

Recommended by: Paul Yeoman, RPP, PLE
Director, Development Services

Submitted by: George Kotsifas, P. Eng
Deputy City Manager, Planning and Economic
Development

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. C.P.-XXXX-____

A by-law to amend The London Plan for
the City of London, 2016 relating to 435-
451 Ridout Street North

The Municipal Council of The Corporation of the City of London enacts as follows:

1. Amendment No. (to be inserted by Clerk's Office) to The London Plan for the City of London Planning Area – 2016, as contained in the text attached hereto and forming part of this by-law, is adopted.
2. This Amendment shall come into effect in accordance with subsection 17(27) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on June 15, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 2021

**AMENDMENT NO.
to the
THE LONDON PLAN FOR THE CITY OF LONDON**

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is:

The purpose of this Amendment is to add a policy to the Specific Policies for the Downtown Place Type and add the subject lands to Map 7 – Specific Policy Areas – of the City of London to permit a maximum intensity of 40-storeys with a Type 2 Bonus Zone.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 435-451 Ridout Street North in the City of London.

C. BASIS OF THE AMENDMENT

The site-specific amendment would allow for the development of a landmark 40-storey mixed-use apartment building at a prominent location in the Downtown.

D. THE AMENDMENT

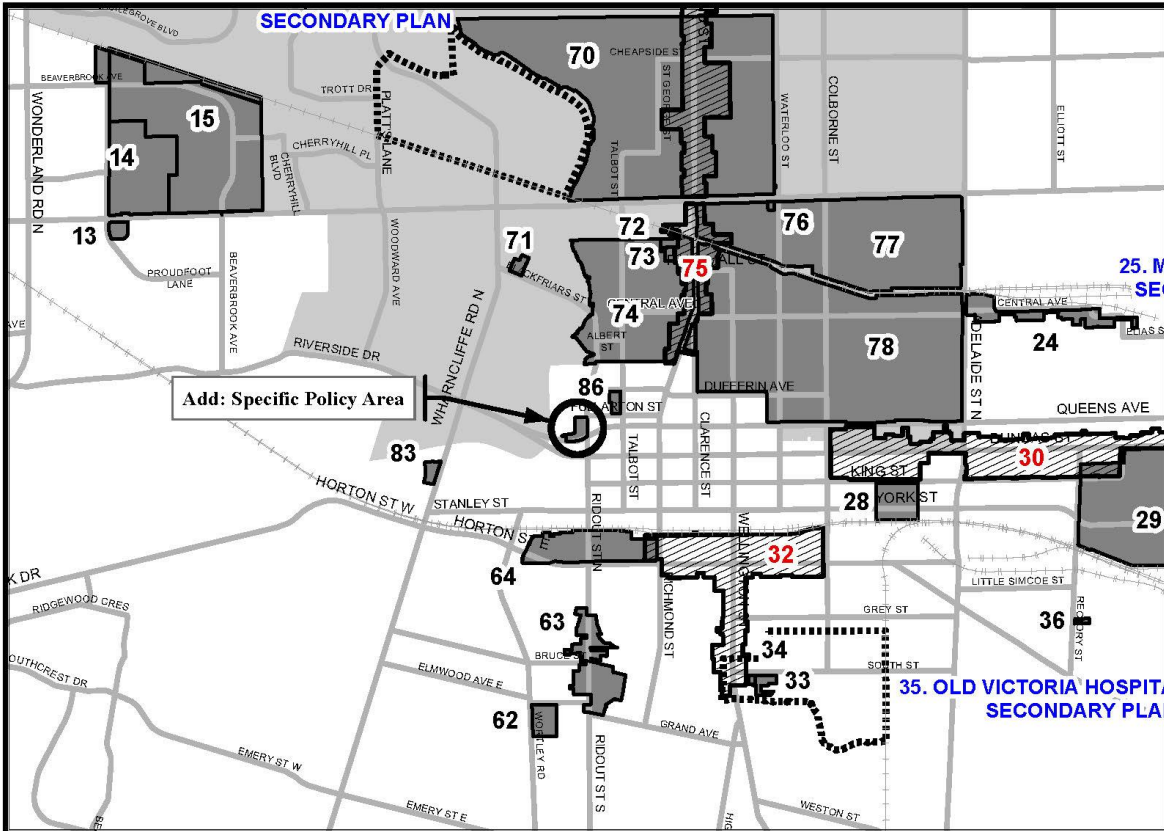
The London Plan for the City of London is hereby amended as follows:

1. Specific Policies for the Downtown Place Type of The London Plan for the City of London is amended by adding the following:

435-451 Ridout Street North

In the Downtown Place Type, a maximum intensity of 40-storeys, excluding a mechanical penthouse and measured from the Ridout Street North frontage, is permitted with a Type 2 Bonus.

2. Map 7 – Specific Policy Areas, to The London Plan for the City of London Planning Area is amended by adding a Specific Policy Area for a portion of the lands located at 435-451 Ridout Street North in the City of London, as indicated on “Schedule 1” attached hereto.



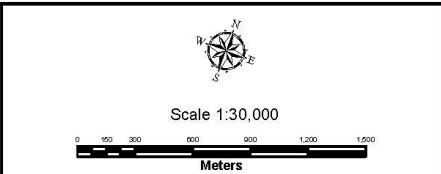
LEGEND	BASE MAP FEATURES
Specific Policies	Streets (See Map 3)
Rapid Transit and Urban Corridor Specific-Segment Policies	Railways
Near Campus Neighbourhood	Urban Growth Boundary
Secondary Plans	Water Courses/Ponds

This is an excerpt from the Planning Division's working consolidation of Map 7 - Special Policy Areas of the London Plan, with added notations.

**SCHEDULE #
TO
THE LONDON PLAN**

AMENDMENT NO. _____

PREPARED BY: Planning Services

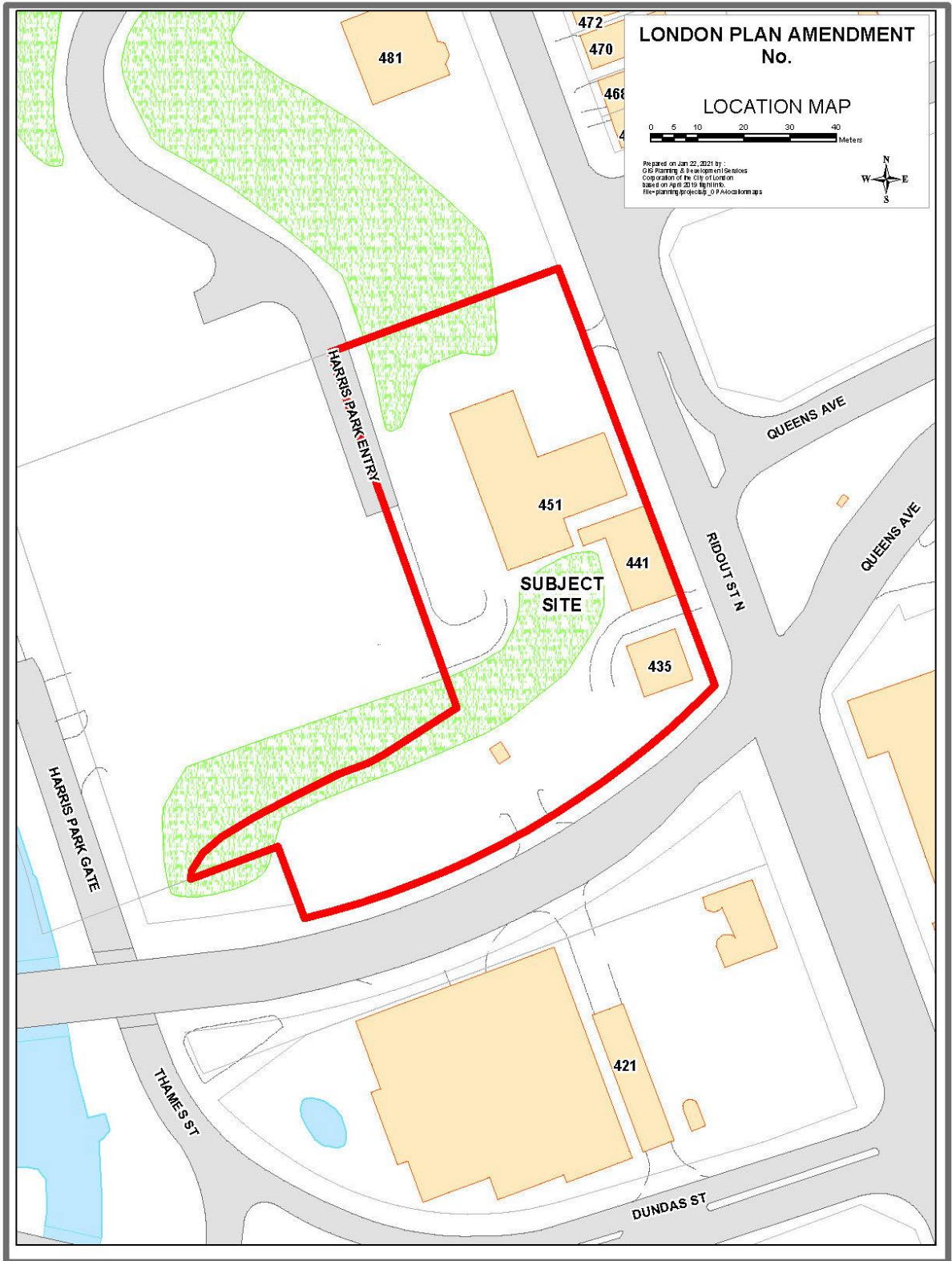


FILE NUMBER: OZ-9157

PLANNER: CM

TECHNICIAN: RC

DATE: 5/13/2021



Appendix B

Bill No. (number to be inserted by Clerk's Office)
2021

By-law No. Z.-1-21 _____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 435-
451 Ridout Street North

WHEREAS Farhi Holdings Corporation has applied to rezone an area of land located at 435-451 Ridout Street North, as shown on the map attached to this by-law, as set out below;

AND WHEREAS upon approval of Official Plan Amendment Number (number to be inserted by Clerk's Office) this rezoning will conform to the Official Plan;

THEREFORE the Municipal Council of The Corporation of the City of London enacts as follows:

- 1) Schedule "A" to By-law No. Z.-1 is amended by changing the zoning applicable to a portion of the lands located at 435-451 Ridout Street North, as shown on the attached map comprising part of Key Map No. A107, from a Heritage/Regional Facility (HER/RF) Zone and a Downtown Area Special Provision (DA2(3)*D350) Zone to a Holding Downtown Area Special Provision Bonus (h-3*h-55*h-_*DA2(3)*D350*B-_) Zone.
- 2) Section Number 3.8 2) of the Holding "h" Zone is amended by adding the following Holding Provision:

) h-__

Purpose: To ensure that development will not have negative impacts on cultural heritage resources on, and adjacent to the subject property, and to ensure the long term conservation of these resources, the following shall be prepared and accepted to the satisfaction of the City of London, prior to the removal of the "h-__" symbol:

- i) An Arborist Report – from a certified arborist and landscape architect – which will include a detailed assessment of existing vegetation on the Eldon House grounds, Harris Park and other adjacent properties, and make recommendations to protect significant vegetation and minimize potential impacts during preconstruction, construction and post-construction activities, as well as recommendations to minimize long term impacts (i.e. shadowing, micro-climate changes) due to development on the subject property;
- ii) A Building Condition Assessment – from a licensed architect and professional structural engineer with experience with heritage buildings – which will include a comprehensive assessment of the current condition (including a structural evaluation) of cultural heritage resources on and adjacent to the subject property, along with identification of potential construction impacts and proposed mitigation measures;
- iii) A Conservation Plan – from a qualified member of the Canadian Association of Heritage Professionals (CAHP) – which will include a strategy for the management and conservation of cultural heritage resources on the subject property along with a detailed plan related to their retention, restoration (exterior and interior attributes), future use and integration in the new development, as well plans for buffering and protection during construction; and

- iv) A Vibration Study – from a professional engineer – to determine the levels of vibration that are acceptable to avoid negative impacts during construction, and establish benchmark levels, and include the development of an inspection, monitoring and implementation plan, along with proposed mitigation measures.

Permitted Interim Uses: All permitted uses within the existing buildings.

- 3) Section Number 4.3 of the General Provisions in By-law No. Z.-1 is amended by adding the following new Bonus Zone:

4.3) B- 435-451 Ridout Street North

The Bonus Zone shall be implemented through one or more agreements to facilitate the development of a mixed-use apartment building, with a maximum height of 40-storeys or 130 metres, excluding a mechanical penthouse, and a maximum density of 500 units per hectare, in general conformity with the Site Plan and Elevations attached as Schedule “1” to the amending by-law, and provides for the following:

- 1) Exceptional Building Design
 - i) Retention in situ of the heritage buildings along the Ridout Street frontage;
 - ii) Materials on the podium of the building that are in-keeping with the surrounding heritage buildings;
 - iii) A slender point tower design;
 - iv) The tower portion of the building located to the south of the podium to increase the spatial separation between the tower and the Eldon House Property;
 - v) Interesting architectural design features on the tower that will enhance the downtown skyline and break up the building mass;
 - vi) Terraces overlooking Harris Park and providing opportunity for activating these terraces with the proposed adjacent office/commercial uses;
 - vii) Connections between Ridout Street North and Queens Avenue to Harris Park that provide new entrance opportunities to further connect the Downtown with the Park.
- 2) Provision of four (4) levels of underground parking, of which a minimum of 100 parking spaces will be publicly accessible;
- 3) Provision of Affordable Housing
 - A minimum of twelve (12) residential units or five percent (5%) of the total residential unit count (rounded to the nearest unit), whichever is greater;
 - The mix of affordable one- and two-bedroom units will be based on the same proportion of one- and two-bedroom units as within the final approved plan. Subject to availability and with the concurrence of the City, some or all of these units may be secured through existing vacancies in developments owned and/or managed by the proponent or associated corporate entity;
 - Rents not exceeding 80% of the Average Market Rent (AMR) for the London Census Metropolitan Area as determined by the CMHC at the time of building occupancy;
 - The duration of affordability shall be set at 50 years from the point of initial occupancy;
 - The proponent shall enter into a Tenant Placement Agreement (TPA) with the City of London to align the affordable units with priority populations.

- 4) Conservation, retention, and adaptive re-use of the existing heritage designated buildings at 435, 441, and 451 Ridout Street North
 - The owner shall enter into a Heritage Easement Agreement with the City of London.
- 5) Construction of a Leadership in Energy and Environmental Design (LEED) certified building.

The following special regulations apply within the bonus zone upon the execution and registration of the required development agreement(s):

a)	Regulations	
	i) Density (Maximum)	500 Units per Hectare
	ii) Building Height – Excluding Mechanical Penthouse (Maximum)	40 storeys or 130 metres, whichever is greater, to be measured at the Ridout Street North frontage
	iii) Setback to Residential Component (Minimum)	14.9 metres (48.88 feet)

The inclusion in this By-law of imperial measure along with metric measure is for the purpose of convenience only and the metric measure governs in case of any discrepancy between the two measures.

This By-law shall come into force and be deemed to come into force in accordance with Section 34 of the *Planning Act, R.S.O. 1990, c. P13*, either upon the date of the passage of this by-law or as otherwise provided by the said section.

PASSED in Open Council on June 15, 2021.

Ed Holder
Mayor

Catharine Saunders
City Clerk

First Reading – June 15, 2021
Second Reading – June 15, 2021
Third Reading – June 15, 2021

AMENDMENT TO SCHEDULE "A" (BY-LAW NO. Z.-1)



Zoning as of April 30, 2021

File Number: OZ-9157
 Planner: CM
 Date Prepared: 2021/05/13
 Technician: RC
 By-Law No: Z.-1-

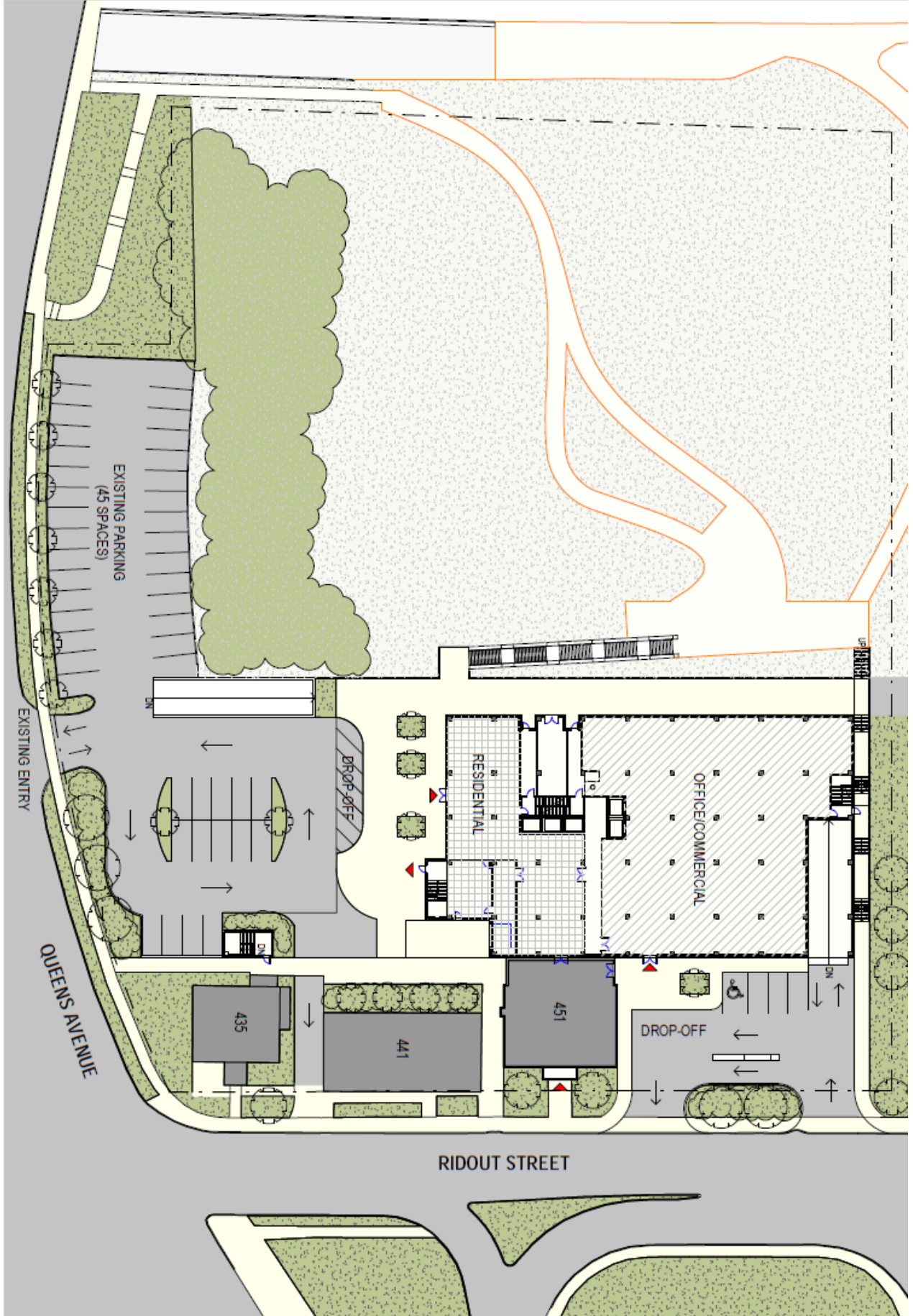
SUBJECT SITE 

1:2,000

0 10 20 40 60 80 Meters



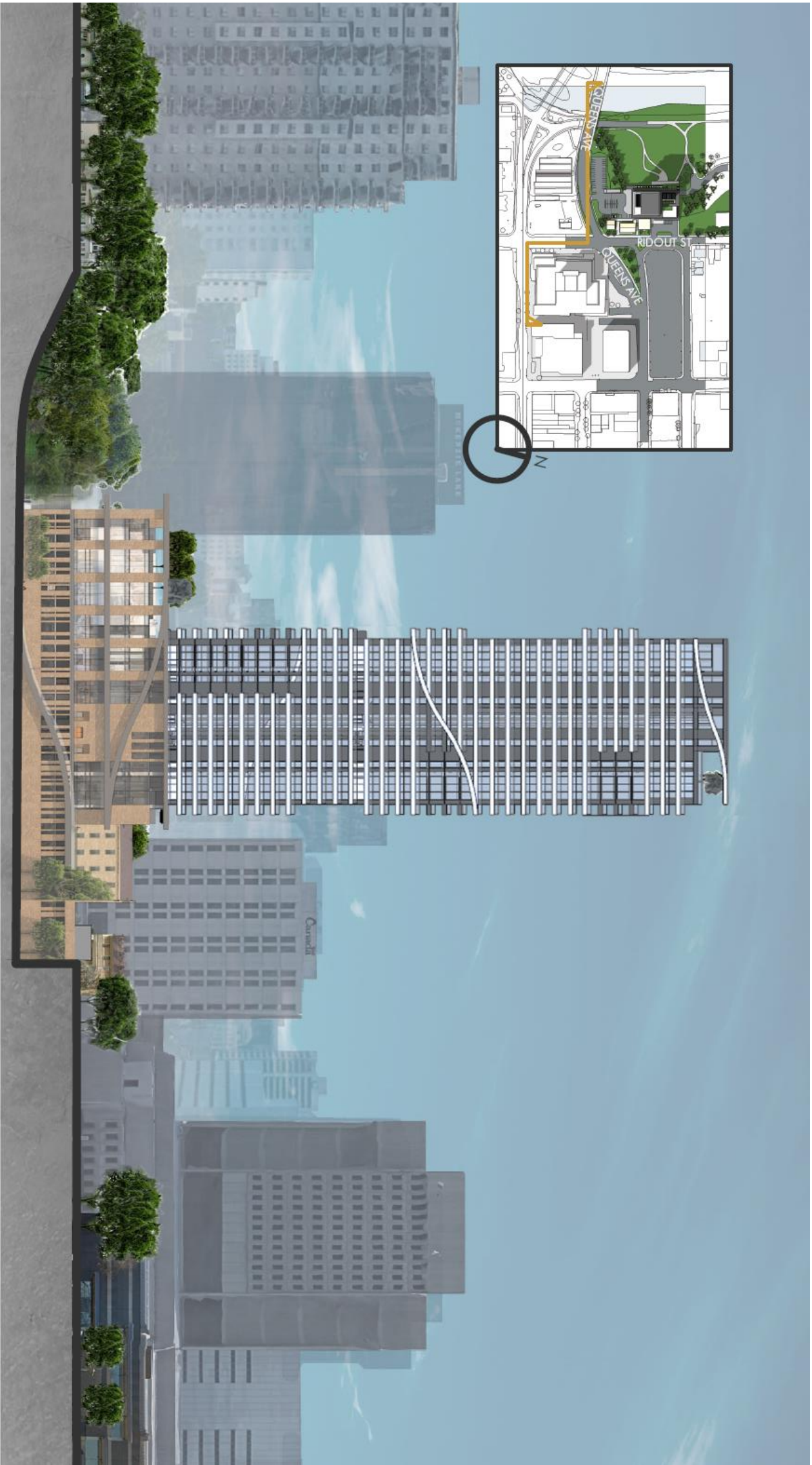
Schedule "1"











Appendix C – Public Engagement

Community Engagement

Public liaison: On December 18, 2019, Notice of Application was sent to 10 property owners and 224 tenants in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 19, 2019. A “Planning Application” sign was also posted on the site. The applicant hosted a Community Information Meeting on November 18, 2020.

Ten (10) replies to the Notice of Application were received from eight (8) interested parties.

Nature of Liaison: The purpose and effect of this Official Plan and zoning change is to facilitate the adaptive reuse of the existing heritage buildings and to incorporate a 40-storey mixed-use building with 451 Ridout Street North. Possible Official Plan Amendment to the 1989 Official Plan to **ADD** a Chapter 10 specific policy to permit a 40-storey mixed-use apartment building containing 280 residential units and 6,308 square metres of office/commercial space, in addition to 1,627 square metres of office/commercial space in the existing heritage buildings. Possible Official Plan Amendment to The London Plan to **ADD** a specific policy to the Downtown Place Type to permit a maximum of building height of 40-storeys. Possible change to Zoning By-law Z.-1 **FROM** a Downtown Area Special Provision (DA2(3)*D350) Zone, a Heritage/Regional Facility (HER/RF) Zone, and an Open Space (OS4) Zone **TO** a Downtown Area Special Provision (DA2(_)*D500*H125) Zone and an Open Space (OS4) Zone to permit the proposed mixed-use building. Density and height provisions would permit a maximum density of 500 units per hectare and a maximum building height of 125 metres. A special provision would permit a reduced setback for the residential component of the building of 17.9 metres, whereas 44.4 metres is required. Alternatively, a bonus zone may be requested to permit the proposed density, height, and setback in return for eligible facilities, services, and matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638_ to 1655_ of The London Plan.

Responses: A summary of the various comments received include the following:

Concern for:

Concerns were raised regarding the proposed height and density of the building and its impact on the heritage buildings. Concerns were also raised regarding the environmental impact and flooding risks.

Responses to Public Liaison Letter and Publication in “The Londoner”

Telephone	Written
Sarah Mastroianni	Piper Kearney
Marvin Simner 191 Iroquois Avenue London, ON N6C 2K9	Andrew Campbell 1805-500 Ridout Street North London, ON N6A 0A2
Mary Frances Damaren 500 Ridout Street North London, ON N6A 0A2	Bevan Lindsay
	Peter Behr 472 Ridout Street North London, ON N6A 2P7

	Rick Konrad
	Jennifer Grainger Architectural Conservancy of Ontario – London Region Branch Grosvener Lodge 1017 Western Road London, ON N6G 1G5
	Alex Farrell 2006-500 Ridout Street North London, ON N6A 0A2
	Eldon House Board of Directors c/o Mark Tovey and Tara Wittmann
	Sarah Mastroianni Blyth Education
	Marvin Simner 191 Iroquois Avenue London, ON N6C 2K9
	Ron Coristine

From: Piper Kearney
Sent: Thursday, December 19, 2019 7:54 PM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] Hi

Hi Catherine,

My name is Piper Kearney. I was looking at current Planning and development applications.

I have a concern with 435, 441 and 451 Ridout Street North a 40 story apartment building is being proposed by Farhi Holdgins Corporation.

I know Harris Park floods every year and part of the apartment building is in Harris park near the river.

There doesn't seem to be any flood protection in place to protect the building from spring flooding.

I hope my input is helpful.

Piper

Andrew Campbell
Suite 1805 – 500 Ridout St. N.
London ON N6A0A2

Dec. 29, 2019

Ms. Catherine Lowry
City of London – Development Services
300 Dufferin Ave., 6th floor
London ON., PO Box 5035 N6A4L9

Planning Application File: OZ-9157

Applicant: Farhi Holdings Corporation

Dear Ms. Lowry:

I am always an advocate for intelligent city development; but, this proposal appears to lack common sense. At least two reasons should lead to "**Rejecting**" this application. The map attached to your "request for comments" indicates the proposed development is close to the river, bridge, and Harriston park. This land is more of a park area for good reason. When Farhi Holdings Corporation bought the land overlooks the forks of the Thames, they either knew or ought to have known this flood plane is prized public park space for each person in the city.

Reason #1 to reject: it infringes on the public space/beauty

It is the responsibility of The City of London to develop the waterfront area for all to enjoy. This proposed development infringes on one of the city's focal points, main attractions and part of its natural beauty. It compromises the enjoyment of the average citizen who pays taxes.

Reason #2 to reject #2: it's a flood zone

Every year, the river floods. In Spring 2019, water rose to approximately 0.5m (2 feet) below the bridge. This makes ground unstable for any development like this. It will make it risky for tenants. If the building topples, it is a city safety issue. If there is underground parking, flood waters will envelop parked cars. No cost-effective engineering can alleviate this. Climate change means flooding will get worse. You don't develop a flood plane this way; it's parkland!

While either reason alone is enough to "kill" this proposal, the combo of these 2 reasons make it a 'no-brainer' to reject. It's really simple: the proposal has critical flaws.

Yours truly

Andrew Campbell
B.Comm, CPA – CA

CC: Ward Councillor Arielle Kayabaga

From: Bevan Lindsay

Sent: Sunday, January 5, 2020 7:20 PM

To: Kayabaga, Arielle <akayabaga@london.ca>; City of London, Mayor <mayor@london.ca>; Lowery, Catherine <clowery@london.ca>

Cc: London Transit, Commission <ltc@Londontransit.ca>; London's Bus Rapid Transit Team <ldnbrt@london.ca>; Harriston Info <info@theharriston.com>; info@terracorp.ca

Subject: [EXTERNAL] 435-451 Ridout Street North

Staff, Mayor, Councillor:

Thank you for the information for this site. This is a bit of a ramble but these new developments affect life for all residents, and should be a source of city wide upgrades.

Traffic Flow

The immediate effect will be more construction traffic, in addition to the dump trucks, cement trucks, and obstructions to traffic flow such as on Talbot street between Dufferin and Fullarton today.

The Talbot street underpass at CPR needs redevelopment to ease traffic flow to and from Central London. Remove Tim Hortons at Oxford and Talbot, and Pursuit Health Mall to widen underpass so it is straighter, deeper, and pedestrian friendly. More students living in Central London, Ann and St. George plus Talbot at John, need safe access to Oxford Street.

Ridout at CNR will need an underpass.

City and Developers should work with Western and Fanshawe to study effects on wind and noise distribution. I already use earplugs to sleep.

The design is less derivative than others, but will this further deflect sounds from the current musical festivals in Harris Park. Lower decibel level from current 90 to 80, and have bylaw officers equipped with sound meters employed during concert hours, including practices. Empower these officers to order immediate reductions if db level is exceeded.

Access to parking in the new complex will be awkward because Thames Street, behind Museum London Floods annually.

Affordable Housing

The City of London should immediately enter into agreements with all current, announced, and future developments to rent 10% of apartments and condos available to house the working poor by paying a subsidized rent. This would distribute people to avoid "social housing" stigma and as the city would be a major renter keep rents lower. Should apply to commercial space during November to April.

Express buses should run on all major arteries, eg. Richmond, Riverside, York, Wharncliffe, Oxford.

As is being done with BRT (White Oaks Mall) parking garages should be located at major malls around London, Argyle, Masonville, Westmount, plus Hyde Park and Sunningdale, Sunningdale and Highbury, Arva, Byron, Lambeth. Pay to Park and ride free. Increase downtown parking rates by 10% per annum to encourage use of LTC and Brt.

Encourage malls to include Apartment development on parking lots.

Green Buildings.

All new developments must approach energy self sufficiency, solar panels, cylindrical wind turbines, trees, and green space.

Incentives provided to retrofit green space, solar and or wind turbines on existing flat roofs.

Roundabouts.

Dufferin and Ridout becomes a bottle neck already in the mornings and evenings. Most drivers obey STOP signs at this these times. to keep traffic moving all non major intersections in London should become roundabouts. A few deigns would be needed to provide utility access yo sewers. As many Londoners jaywalk, pedestrian crossings should be in the middle of the block, and protected by speed bumps

Green Space.

All remaining wood lots within the city limits should be protected from development.

No approvals for development of vacant surrounding fields should be approved until all vacant, and parking lots in downtown London, London East, vacant industrial buildings and lots are redeveloped for parkland, parking garages, and residential complexes. As well a third "sports temple" should be developed for spring, summer and fall sports to balance off the Budweiser Centre (basketball, hockey, entertainment) and Labatt Park (baseball).

Arterial Roads

Wellington-Dufferin-Richmond, Oxford Street, Fanshawe Park Road, York Steet, Horton/ Hamilton Road/ Florence, Hyde Park from Sunningdale to Oxford, Riverside, Springbank, Wonderland, Wharncliffe, Southdale, and Sunningdale Road, should be

declared arterial roads, with no left turns allowed except at traffic lights, and roundabouts. Yes divided by concrete barriers, until timber or concrete planting areas can be installed. Express and BRT routes on these roads.

The Forks

Unfortunately with the sale of County property to York Development the city has lost some control.

Two bridges, King Street walking Bridge, and Dundas Street bridge already exist. A second walking bridge should be installed from below HMCS Provost to the Blackburn Memorial (Press Freedom) memorial instead of the current crescent proposed walkway. Much more practical for walkers, e-bikes, and bike riders.

Reinforce existing by-laws, and Transportation act to get bicycles, e-bikes, powered wheel-chairs off sidewalks in London. Sidewalks are for pedestrians.

Bevan Lindsay
N6A 0A2

472 RIDOUT ST. N,
LONDON, ON N6A 2P7
TEL. (519) 438-4530
FAX (519) 679-6576
Berhlawfirm@gmail.com

PLEASE REFER TO: Peter M. Behr

January 9, 2020

clowery@london.ca
akayabaga@london.ca

RE: File 0Z1957

As owner of 472 Ridout Street North we are absolutely opposed to the application made. The reasons follow.

As I'm sure you are aware, there has been a major residential development just completed at the corner of Dufferin and Talbot which is within a city block of our property. There is a second major development presently taking place on the west side of Talbot Street between Dufferin and Fullarton. Again, this development is within a city block of our property. The net result has been a constant stream of heavy equipment and delays on Ridout and the accompanying streets. That difficulty will continue for at least two years until the last mentioned project is completed.

With the developments being built, the traffic tie ups have been a major concern for the past 1 year plus. Southbound traffic on Ridout Street is inordinately slow at all times but especially at rush hour when it backs up well beyond Dufferin Street. Likewise, northbound traffic on Talbot Street moves at a snail's pace at all times but especially so during rush hour.

The proposed development would substantially impact the horrible traffic pattern that has developed in this area of the City and this is especially so because I note that the proposed Farhi plan has next to no frontage for vehicles to pull off Ridout Street when making deliveries and/or delivering or picking up passengers.

Furthermore, I note that the bulk of the proposed plan is being built on a flood plain. The area in question floods in the spring on a yearly basis and I expect the City should have grave environmental concerns with respect to building on a flood plain.

There is ample residential accommodation in this area with the existing buildings and those that are presently approved to be built. Additionally, there is ample commercial

space in the downtown area which is vacant, most of which is owned by the applicant, Farhi Holdings. I don't believe the City needs yet another vacant Farhi building.

Yours truly,

Peter M. Behr

P.S. As I send this on January 13, 2020, the entire area for the proposed development is under water as a result of the Thames River flooding.

From: Rick Konrad
Sent: Wednesday, January 15, 2020 9:48 AM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] File: OZ-9157- Farhi Holdings

Dear Ms. Lowery

I am opposed to the proposed development of 435-451 Ridout Street.

I am a resident of 500 Ridout, just north of the proposed development.

Drawing from the City's Official Plan:

Section 4.1 of the 1989 Official Plan provides policy direction for development in the Downtown designation:

"It is intended that the Downtown will continue to be the major office employment centre and commercial district in the City, and that its major function as a location for new medium and high density residential environment will be strengthened over time. Limitations on the scale of development will be less restrictive in the Downtown and policies will allow for flexibility in the application of these limitations."

As a major owner of downtown London commercial and retail property, in my opinion, Farhi has failed miserably as a corporate citizen in respecting this plan, having merely accumulated real estate holdings and having failed to maintain them.

Rather than serving as a magnet for attracting major office employment and commercial development, Farhi's neglect of its responsibilities as a landlord has had the opposite effect in stigmatizing the downtown as a somewhat seedy almost squalid city centre.

I have spoken to three tenants of Farhi residential properties and all have expressed the same concerns about Farhi, a failure to provide adequate property maintenance. One of my contacts, a professor at Western had lived in a downtown apartment owned by Farhi and had accidentally spilled a gallon of paint on her carpet. She quit the apartment which was subsequently rented to two of her PhD candidates in subsequent tenancies. Though all had complained, no attempt was made by Farhi to replace this carpet.

I have attached a Windsor Star article link that outlines Farhi's record of broken promises and undeveloped dreams:

<https://windsorstar.com/feature/undeveloped-dreams>

In a London Free Press article, similar skepticism was raised:

<https://lfpres.com/2017/01/15/pressure-may-be-building-but-shmuel-farhi-isnt--yet/wcm/0c7cbe8b-4a50-3a01-0609-23e4ccc230da>

In fact, the article highlights Farhi's lack of residential building experience based on this quote from Windsor's mayor:

"Dilkins said the city's goal is to have a highrise residential tower built on Farhi's waterfront property downtown and a sports complex, with residential, created in east Windsor to support nearby commercial development. But Farhi would like to bring in a partner because residential development is not his forte, Dilkins said. "He does commercial."

London should choose its business partners carefully partially based on the track record of the developers, not just an economic decision based on roseate and perhaps unrealistic expectations. There is a track record of accumulating properties and failure to remediate or develop them. The property management "character" speaks for itself.

I hope that the City considers very carefully the sordid record of this "developer"- a term which barely applies to what we have seen downtown.

Sincerely,

Richard Konrad

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

January 20, 2020

Catherine Lowery, Planner II – clowery@london.ca

Dear Ms. Lowery:

Re: File OZ-9157 – Planning Application for 435-451 Ridout St. N., including 40-storey mixed-use building

On behalf of the London Region branch of Architectural Conservancy Ontario (ACO London), I am writing to you regarding the Notice of Planning Application by Farhi Holdings Corporation for 435-451 Ridout St. N. The purpose of this letter is to express our concern about the proposed development for the following reasons:

- This proposed tower and the one proposed by York Developments at 50 King Street are a “slippery slope,” setting precedents for more towers to be built along the Thames downtown. When highrises crowd the waterfront, they detract from the ambiance of the river forks, Harris Park, walking path, and river view.
- Twenty per cent of the downtown core consists of surface parking lots, according to Planning Department. Developers should be encouraged to build on these available spaces, rather than on sites where there are already heritage buildings.
- This is a floodplain, as seen in the two downloaded photos attached. The overflowing Thames has been known to cover Harris Park and its adjacent parking lot. How will flooding impact a building perched on the park’s edge?
- While design appeal is subjective, ACO believes the proposed highrise and its podium are not in keeping with the style of the current heritage buildings, a National Historic Site. The Ridout Restoration provides a capsule view of the appearance of mid-19th century Ontario cities. It cannot continue to do so with an unsympathetic contemporary development behind.
- Besides the Ridout Restoration, this part of Ridout Street contains: Eldon House, London’s oldest house, open as a museum; Museum London, the city’s best-known gallery; the Old Courthouse, the city’s oldest building. Together, this streetscape constitutes the heart of London, of interest to tourists. A highrise development will overwhelm and diminish the other structures, making this area look less like London, Ontario and more like bland modernity everywhere.

Thank you for considering our comments.

Yours truly,

Jennifer Grainger

President

Architectural Conservancy Ontario – London Region

From: Alex Farrell

Sent: Wednesday, January 22, 2020 1:38 PM

To: Lowery, Catherine <clowery@london.ca>

Subject: [EXTERNAL] 435-451 Ridout Street North - Notice of Application concerns

Dear Catherine,

My name is Alex Farrell. I am writing with concern regarding the proposed Notice of Application for 435-451 Ridout Street N. I know your time is limited, but if I could summarize my concerns succinctly, please watch the following 14min video:

<https://www.youtube.com/watch?v=Hy4QjmKzF1c>

FYI, I moved to London, Ontario in July 2018 to get away from the downtown core of Toronto, where I had been living for almost 20 years. The construction of large towers by greedy developers has been non-stop for 20 years. This will continue for another 20 years. Unfortunately, Toronto has made a lot of city planning mistakes because of developers' air rights and building up (unlike its sister city Chicago).

I moved primarily to London to be close to family, and I chose where I am currently living at 500 Ridout St North in London (The Harriston apartment building) to be closer to downtown and to nature. This area of the city has a lot of historical and environmental significance, much like the area where I previously lived in Toronto, called St Lawrence Market. They are very very similar. I lived at 25 The Esplanade, and used to feel like a village, close to downtown. Now it's overrun with pedestrians, cars, buses, construction, and chaos.

<https://condos.ca/toronto/the-esplanade-25-the-esplanade>

1. London has the opportunity to do things differently where many North American cities have made mistakes. Beauty for a city is not subjective; it is scientific. As the video noted, there are six (6) fundamental principles to make an attractive city:

- i. Order
- ii. Visible Life
- iii. Compact
- iv. Orientation and Mystery
- v. Scale
- vi. Make it Local

2. Based on my background in Corporate Finance at various levels including real estate, it appears that Fahri Holdings owns a lot of real estate in London that is undeveloped. Why is Fahri not developing other locations in the city?

It may have its own reasons, but oftentimes when you don't develop a property to attract new tenants you are less concerned with day to day cash flow of rental income. If you don't need the cashflow from rental income (for your investment returns), then you would rely on capital gain speculation and hope that prices will rise due to changing demographics and supply and demand economics (buy low/ sell high). It's obvious that as more people move to Toronto, and as boomers get older, more people are moving west to London and this is driving up real estate prices. By only paying the bare minimum of repairs, maintenance, insurance and taxes, and not investing in new capital expenditures into existing properties (and making rent reasonable) the culture of the city and its citizens will suffer.

3. Why are they proposing to put a ridiculous 40 storey property on Bankers' Row? It will be unsightly and will ruin the integrity of one of the few remaining historical areas of London. The proposed applications should match the specific character of London's history (like Eldon House, London Museum, the Old Courthouse). The proposed development should be 5 storeys maximum.

4. London has many things going for it. I grew up in Halifax, NS and lived in Toronto for almost 20 years. I have travelled extensively. Halifax is compact and unique and has a population of almost 500k. Toronto is just like any other big city in the world. London reminds me of a cross between various parts of Los Angeles (villages, vast landscape

and beautiful sunsets and sunrises), Austin, Texas (historical, artistic and technological "keep Austin weird"), Boston (historical significance and Charles river), and Nashville (musical history).

Keep and make London unique.

Thank you very much for the opportunity to voice my concerns,
Alex

Potential Heritage Impacts to Eldon House by a proposed Farhi Holdings Corporation (FHC) Development at 435-451 Ridout Street North – File OZ-9157

This submission is made by the Eldon House Board of Directors at the request of the City of London.

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Introduction

Set in the heart of the city overlooking the historic Forks of the Thames, Eldon House is London's oldest residence. Situated on a scenic lot, the home was built for founding Londoners John Harris (1782–1850), Treasurer of the London District, and his wife Amelia Harris (1798–1882). The couple moved into the 'new' home with their large family in September 1834 and it remains virtually unchanged since the 19th century. With its original design, Eldon House shines as a fine example of Georgian architecture with Regency elements, such as a timber frame and lovely wrap-around verandah, and its gardens are considered among the most beautiful in the city. This charming house belonged to the Harris family for four generations, until the death of Milly Harris in 1959. Milly was the last Harris to reside in the home.



In 1960, the great-grandchildren of John and Amelia Harris donated Eldon House and its 11-acre property to the City of London. The property was subsequently divided to create Harris Park, as a public greenspace along the Thames River, while Eldon House and gardens opened as a heritage museum, housing the Harris family's furnishings and collections. Recognizing the historical importance of Eldon House, the City of London designated the property in 1977, under Section 29 of the *Ontario Heritage Act* (By-law 2329-578). The home's exterior, and portions of the interior, became protected by a registered Ontario Heritage Trust conservation easement in 1985.

Throughout several decades, Eldon House was managed under existing boards of the City. The first-ever Eldon House municipal service board was launched in January 2013 to specifically steward the heritage property, as a thriving community museum at 481 Ridout Street North. Now, as this London treasure rests immediately next to the proposed Farhi Holdings Corporation (FHC) development at 435–451 Ridout, our Board has been asked by the City to advise on all potential heritage impacts associated with this 40-storey development project.

As such, this submission is made by the Eldon House Board of Directors and its Curator Director. As stewards, we consider preservation of this historic gem to be our top priority. With that in mind, we are grateful for an opportunity to provide key information, as a direct neighbour, in order to inform decision-making about this significant development and its potential impacts on Eldon House, its grounds and the historic character of its immediate area.

To enhance clarity, we have aligned several potential impacts into four categories: 1) construction impacts; 2) long-term impacts; 3) heritage designation impacts; and 4) potential impacts on the wider area.

Although we were not able to provide the list of impacts requested by the City in time for inclusion in the Heritage Impact Assessment, we hope that we have been able to provide this material in a timely fashion in such a way that it will be included in the planning process and in the discussion of heritage impacts.

We remain open to discussion on ways to mitigate all potential impacts to Eldon House and to ensure the future viability of this heritage gem. Therefore, we are committed to maintaining meaningful dialogue with all stakeholders throughout the planning process for this future downtown development.

1. Construction Impacts

A. Structural Stability and Fire

Eldon House has fragile built elements that will react to any nearby seismic vibrations of construction.

These elements include, but not limited to, plaster cracking or spalling, sash window damage and artifact movement within the museum.



Areas of the house where structural damage could be worsened are illustrated by the existing weaknesses in wall plaster, with an underlying structural cause

It is already on record that noticeable artifact movement occurred due to vibrations caused by construction of The Harriston high-rise tower across the street from Eldon House.



Sample of ceramic artifacts subject to movement due to vibration

There is also concern that sparks from the FHC construction site will increase the fire risk to Eldon House and its grounds.

B. Environmental Particulate Pollution

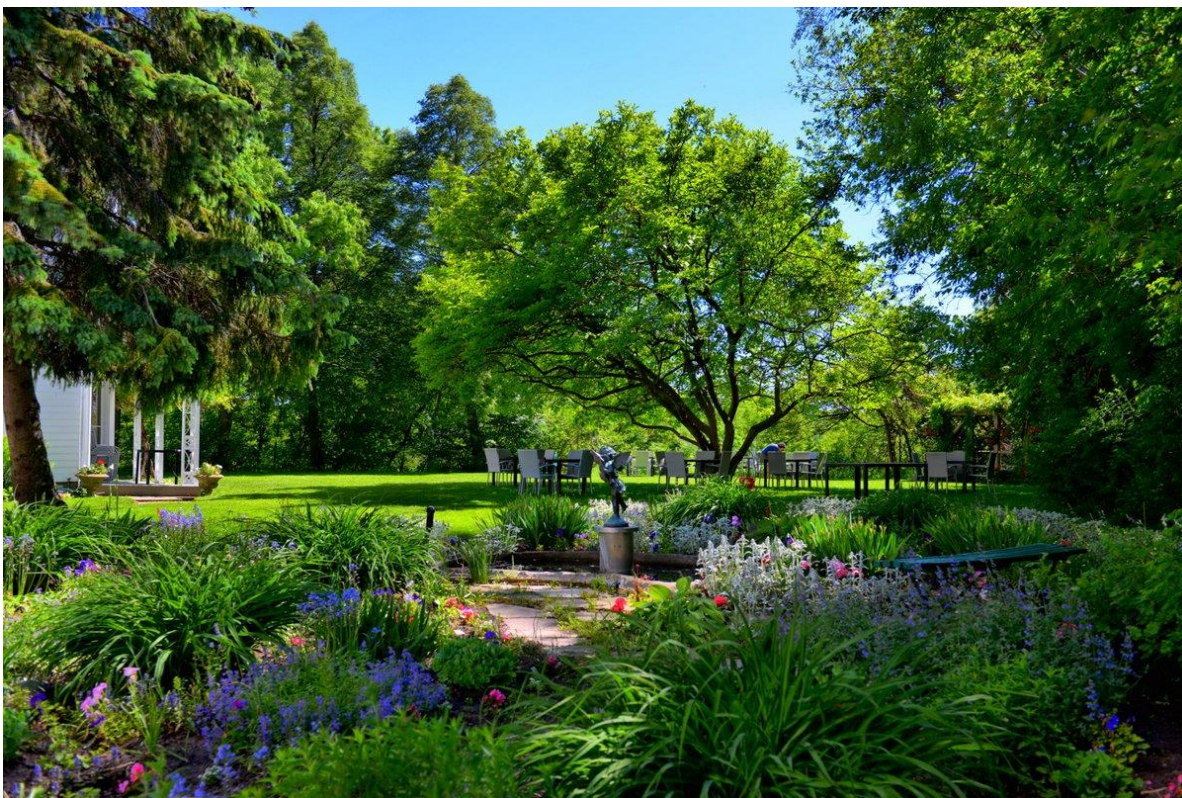
Due to the historic fabric of Eldon House, airborne dust and debris created during construction will find entrance into the heritage home's interior. Currently, the museum environment is carefully maintained and monitored by staff to protect and preserve its buildings and the Eldon House collection. However, current preservation protocols will be insufficient to combat particulate pollution entering the museum from the nearby development project.

Noise Impeding Museum Operations

There will be significant impact to outdoor enjoyment and use of the Eldon House gardens and grounds in our busy summer seasons during the proposed three years of construction on this estimated 40-storey tower. Construction noise will especially hurt our annual Summer Tea Program, which runs daily on the lawn of Eldon House throughout July and August.

This summer tradition is a key component of our museum's revenue budget and a major draw for Eldon House, as visitors flock to enjoy the serenity of our beautiful gardens.

However, with a wide array of construction noise consistently happening next door, we fear many of our patrons will be deterred from visiting Eldon House during this extensive time period.



The Eldon House gardens

D. Land Disturbance to Slope

The impact of construction on the slope leading from Eldon House on Ridout Street down to the flood plain below is of significant concern. One corner of Eldon House is only 10 feet from the start of the steep slope. Slope assessments and concerns about erosion have been the subject of regular testing by the City of London since 2010.

E. Loss of Revenue to Eldon House

Construction of the proposed 40-storey tower at 435–451 Ridout Street North is estimated to take in excess of three years. As the development's closest neighbour, the potential loss of mainstream revenue to Eldon House over this extended period of time could be catastrophic to the museum's financial stability. Outdoor special events,

including Eldon House's pivotal Summer Tea Program, are essential to the museum's funding model. As well, the museum relies on tour donations and year-round public programming events for revenue generation, but experience has shown that tourists and locals are unlikely to seek out these activities in their usual numbers amid a major construction zone.

F. Reduced Visitorship to Eldon House

i. Impact of reduced attendance on funding

In addition to the revenue generated by attendance, sustaining attendance numbers is also vital to meeting targets identified in the Strategic Plans of both the City of London and Eldon House. In fact, maintaining our visitor targets is needed to qualify for essential external funding, including a cornerstone Community Museum Operating Grant received annually from the Province (CMOG). As such, Eldon House would require extraordinary funding to remain viable during the three-year construction period.

ii. Road closure and parking impact

As well, roadway and sidewalk closures in the surrounding area, due to construction, will have an impact on accessibility to Eldon House by patrons. Located in the downtown core with no dedicated parking lot, Eldon House visitors rely on street parking spaces in the immediate area to access the museum when traveling by car. A potential reduction in available parking due to construction and road closures will further impact accessibility. Related sidewalk closures will also affect walk-in traffic from the community, in particular during key events like our Canada Day celebration and Doors Open weekend, which both generate high volumes of walk-in visitors in the downtown district. As visitorship is identified as a key strategic priority for Eldon House by the City of London, any reduction in attendance during the construction of the tower may also have long-term impact on future external funding.

iii. Lack of positive impact on visitorship

Also, based on past development experience, our Board wishes to dispel any potential suggestion that having more residents eventually living nearby to Eldon House will result in increased museum visitor numbers. Such an outcome was promised when The Harriston apartment was built across the street at 500 Ridout Street North. Since The Harriston was completed more than a decade ago, no positive impact on visitorship has come to pass.

Long-Term Impacts

As a result of the 2008 development of the adjacent high-rise apartment tower called The Harriston, it is important to note that Eldon House has since been living with several of its long-term impacts. Therefore, as The Harriston is only 23 storeys, and the new development is to be 40 storeys, it is anticipated the heritage museum will be even more significantly impacted by the following factors.

A. Altered Wind Patterns

The wind patterns in London's core have already been altered by growing high-rise construction in the Ridout Street area, causing stress on Eldon House, its carriage house, greenhouse and heritage trees. Trees on the Eldon House property are currently under stress and the increased loss of tree limbs in the last two years has caused damage to the exterior of the house museum.

As a further example of wind impact, in June 2018, a cigarette butt — fanned by high winds — caused a significant fire on the grounds of The Harriston, causing destruction of all gardens and irrigation at that location. The same could have just as easily happened at Eldon House.

Fire Risk

According to a Risk Assessment prepared in 2010 by the Canadian Conservation Institute of Canada, fire is the primary risk to Eldon House.

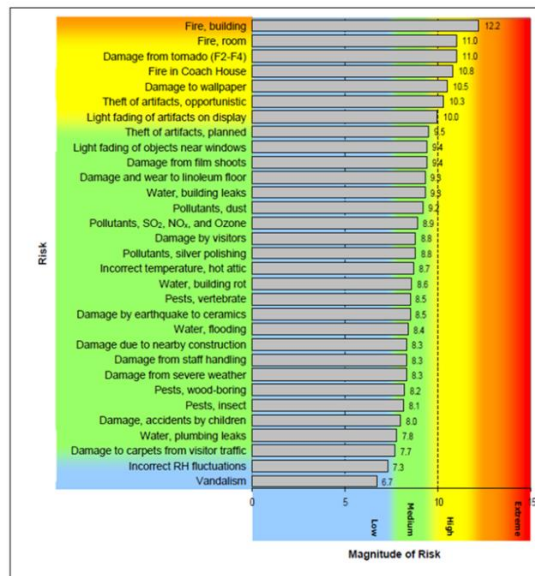


Figure 2. Preservation risks at Eldon House in order of decreasing magnitude of risk.

Its wooden frame and wood clad structure have well-seasoned wooden elements and its roof is covered in wooden shingles. Debris, such as cigarette butts from above (as evidenced by Eldon's House's tracking documentation), coupled with increased wind patterns caused by a corridor of high-rise buildings, are of significant concern to the museum.

C. Increased Shade

The vast impact of shade patterns on Eldon House property is of huge concern, both to the gardens and historic building. As evidenced since the erection of The Harriston apartment, increased shade has altered the appearance and planting of the gardens at Eldon House. Now, several species of plants that are not shade-tolerant will potentially be lost. Most significantly, heritage plants dating from the 19th century, which are part of the Eldon House catalogued collection, are at greatest risk.

Increased shade will also have an impact on the exterior maintenance of the buildings on the Eldon House site, as corresponding dampness will affect the wooden and painted finishes of built components. Increased shade will also impact the City's future life cycle renewal plans for the site, as the frequency of repair and maintenance will inevitably increase.

D. Grounds and Gardens Impact

The grounds and gardens of the Eldon House site are a unique draw for visitors, community groups and horticultural organizations. Increased shade, caused by the introduction of a high-rise of the proposed magnitude, will dramatically impact the museum's gardens and the site's created ecosystem, including large numbers of birds and bees. As well, the development will further isolate Eldon House and its grounds from its surrounding environment.

E. Damage from Above

Again, since the adjacent development of The Harriston at 500 Ridout Street North in 2008, damage to Eldon House has regularly been incurred, due to projectiles originating from residential balconies above. Causing most damage are glass bottles through the greenhouse roof. When a new roof was installed on Eldon House in 2017, construction workers found a great deal of debris and shingle damage caused by objects either being dropped or thrown from above. Applying this same impact to the proposed building at 435-451 Ridout Street North, the greater height of 40 storeys will generate a significant force on falling objects, which is of concern to the preservation of the Eldon House garden and structures, along with the safety of its staff and visitors. In this context, the presence of balconies on the tower's north side registers as a specific concern and a considerable hazard risk to the heritage site.

Heritage Designation Impacts

A. Heritage Impact Assessments and Conservation Plans

Furthering our concern for the protection of heritage, it is evident several cited impacts to Eldon House regarding the proposed FHC development align with key categories of impact previously outlined by the Ontario Ministry of Heritage, Sport, Tourism and Culture Industries for other cultural heritage resources. Specific reference to five of these categories can be found on Page 3 of the Ministry's Heritage Impact Assessments and Conservation Plan on Info Sheet #5. Specific sections corresponding to each of these categories are listed in brackets below.

- i. Destruction of significant heritage attributes or features (1 A. B.; 2 A.B.C; 4 A. potential structural damage to Eldon House)
- ii. Isolation of heritage attributes from its surrounding environment (1 C. loss of Revenue/visitorship to EH during construction; 3 A. Eldon House Easement and Infringement landscape and contextual value; 4 B. historic character of immediate area)
- iii. Land disturbance such as change in grade that alters soils and drainage patterns (1 D. during construction)
- iv. Shadows created that alter the appearance of a heritage attribute change the viability of a natural feature or plantings, such as a garden (2 D.E. grounds and garden impact and shade)
- v. Direct or indirect obstruction of significant views or vistas (4 B.)

B. Heritage Easement and Listing Infringements

Eldon House is considered a significant heritage building by the province and municipality, and as such, conforms to several stipulations. In the Ontario Heritage Trust's Statement of Significance for Eldon House, two defining elements will be impacted, should construction of a neighbouring tower go forward. Specifically, they are: 1) a connection to the heritage district of Ridout Street, including Bankers' Row at 435–451 Ridout Street North and the historic Courthouse at 399 Ridout Street North, and 2) the landscape value connected to an unobstructed link with the Forks of the Thames River. The following are excerpts from the Ontario Heritage Trust's statement of significance:

Landscape Value

As Eldon House was constructed adhering to the picturesque movement and Regency style, it fosters a connection with the local surrounding landscape. The house is situated on a romantic setting, surrounded by a manicured lawn with trees, pathways and gardens. The house was originally situated on an 11 acre (4.45 hectare) scenic property, on the edge of a steep river bank overlooking the Thames River and lower floodplain area. The lower floodplain property which originally was a vegetable garden [for the family] is now Harris Park. A buff-brick carriage house, greenhouse and 1920s rock garden with pond and fountain are also situated in the landscape.

Contextual Value

Eldon House is situated in the oldest district of the City of London. Just to the south on Ridout Street North, Middlesex County Court House (1827) was constructed, with the help of John Harris and whose office was located in the building. Ridout Street North was the original roadway through London, and is now where some of the oldest historic buildings reside, including Banker's Row (1835-1864). Beginning in the 1850s and 1860s, numerous large residences were built north of Eldon House on Talbot Street and were occupied by London's business and political leaders.

Potential Impacts to the Wider Area

A. Structural Stability, Fire and Other Physical Risks

Structural damage from construction vibration, damage from falling objects and an increase in fire risk due to sparks are all concerns for Eldon House and the significant architectural resources in Bankers' Row (The Labatt Restoration). In addition to concerns for Eldon House, there is also risk of potential damage to the buildings of Bankers' Row, through demolition by neglect, both prior to and during construction. The

September 24th, 2018 fire in the southernmost building of Bankers' Row (435 Ridout Street) is a reminder that these heritage buildings are extremely vulnerable to fire.

B. Historic Character of the Immediate Area

As the architectural design of the tower project evolves due to various pressures, there is potential for heritage considerations to be forgotten or marginalized in the process (e.g., if the current plan of matching the colour and bond of the bricks on the Bankers' Row Buildings is set aside or any changes in design that would compromise the view of Bankers' Row from the north). Similarly, it would be important to avoid unsympathetic conservation measures to Bankers' Row (e.g., use of inappropriate replacement materials), or damage to the spolia (collection of architectural fragments) in the southwest corner of the current parking lot behind 435–451 Ridout Street North.

C. The Amenity of the Immediate Area

The location, massing and 40-storey height of the tower are all relevant factors impacting this heritage area. As well, the development's close proximity to Eldon House has great potential to nullify a sense of "being in a heritage garden," while on the museum's south lawn. The tower is expected to affect views from the Eldon House gardens, porch and windows, and impact the view of Eldon House from Harris Park and from other sides, including the sidewalk along Bankers' Row. Similarly, the tower will alter the historic vista looking up the hill from the Forks of the Thames. And, there will be a view of the underground parking drive from the south garden of Eldon House.

The development will also have an effect on the view of Eldon House from Harris Park, and from other sides, including the sidewalk in the area of Bankers' Row. There will similarly be an impact on the historic vista looking up the hill from the Forks of the Thames. Therefore, consideration for these viewsheds is worthwhile, especially retaining visibility of as much of Bankers' Row as possible from the south and west.

Meantime, this proposed FHC project cannot be considered in isolation. Any large-scale development proposals in the wider downtown district must also be considered in the context of the core's "high-rise building boom" (The London Free Press, July 5, 2019). To this end, the FHC project joins several other proposals that include, but are not limited to, these recent announcements: 1) York Developments' plans for the Middlesex-London Health Unit lands on King Street; 2) York Developments' three-tower proposal at St. George and Ann Streets; and 3) Old Oak Properties' plans, backed by the Federal Government, for a 40-storey development at Talbot and Fullarton. As well, the potential for another future development on the FHC parking lot surrounded by Fullarton, Ridout, Queens and Talbot should also be considered.

Summary

Against the backdrop of extensive heritage impacts outlined in our submission, we acknowledge that high-density development will continue to happen in downtown London and we do not seek to stop it. In fact, we support the principle of building up on existing sites, as outlined in the London Plan. However, we ask that this FHC proposal and any development in proximity to key downtown heritage properties proceed with genuine respect for the value of built heritage, in particular Eldon House and the Bankers' Row streetscape. As designated sites, these are priceless legacies we leave for future generations.

Meantime, as heritage stewards amid a modern and ever-changing city, our collective goal is for Eldon House and its lovely gardens to remain a place of beauty, tranquility and opportunity. Eldon House is indeed the hub of London's history launched at the Forks of the Thames and a key stakeholder in nearby development. As such, our Board and Staff appreciate being consulted and look forward to ongoing liaison regarding this pivotal matter, through the signatories below.

Signed and submitted by,

Mark Tovey, PhD, Eldon House Board Chair

Tara Wittmann, Eldon House
Curator Director

On behalf of the Eldon House Board of Directors

Joe O'Neil, Vice Chair
Manosij Majumdar, Treasurer
Theresa Regnier, Secretary
Maureen Spencer Golovchenko
Rebecca Griesmayer
Mike Donachie
Louanne Henderson

From: Sarah Mastroianni
Sent: Sunday, January 26, 2020 11:29 PM
To: Lowery, Catherine <clowery@london.ca>
Subject: [EXTERNAL] 435, 441 and 451 Ridout Street North

Hello Catherine,

I'm following up on my call to you on Friday morning, regarding the zoning and development application that encompasses 441 Ridout Street, where Blyth currently rents space.

If you could please add me to the list to receive updates on the progress and development of this application, I would greatly appreciate it.

Please let me know if you need anything further from me in order to do this.
Thank you,

SARAH MASTROIANNI
BLYTH EDUCATION

I am writing on behalf of the London and Middlesex Historical Society to express our concern over the proposed development of a 40-story residential tower near the corner of Ridout Street and Queens Avenue by Farhi Holdings Corporation. While the Society is extremely grateful for the care that has been taken in the proposal to preserve the three important heritage properties adjacent to the tower, as well as to address the needs of Eldon House, our concern is over the 40-story height of the tower, which is scheduled to appear next to another important heritage site, Harris Park.

On page 12 of the proposal developed by the Corporation, Harris Park is listed as a Designated Part V Downtown Conservation Heritage District. This designation was adopted by the Municipal Council in 2012 and fell under Part V of the Ontario Heritage Act in 2013 which means that Harris Park is considered to be as central to London's history and is as much of a heritage site as Victoria Park. Therefore we believe that Harris Park deserves the same degree of consideration as has been granted to Victoria Park. Although today both parks are used for a variety of purposes that benefit London's citizens throughout much of the year, city council recently drafted recommendations to limit the height of all future buildings to be erected adjacent to Victoria Park in order to maintain the ambience of this park. In keeping with these recommendations, we believe that similar thought needs to be given by the council to the height of the proposed residential tower which could also negatively impact the ambience of Harris Park. While we do not wish to discourage the Corporation from constructing a tower on this site, any means that can be enacted to reduce the height of this tower by 10 to 15 stories would be very much appreciated.

One way to achieve our goal would be to increase the current size of the footprint for the tower as given on the site plan submitted by the Corporation. As shown on the plan, immediately to the south of the tower there is a reasonable amount of land owned by Farhi which does not impinge upon designated flood plain territory. If the footprint is

enlarged in this direction, it should be possible to reduce the height by our requested amount without any loss in the number of apartments proposed by the Corporation.

Thank you for your consideration.

Sincerely

Marvin L. Simner
Board Member, London and Middlesex Historical Society
Chairman of the Publications Committee

From: Ron Coristine
Sent: Friday, May 14, 2021 1:06 PM
To: Kayabaga, Arielle <akayabaga@london.ca>
Subject: [EXTERNAL] 435-451 Ridout Zoning Amendment

Dear Arielle

The proposed building is partially on the floodplain. How is this building even a consideration? It's 2021 and we are into climate change. Is there any clear information on how flooding will be mitigated?

Thank-you for your attention.

Ron Coristine
500 Ridout St. N.
London

Agency/Departmental Comments

January 2, 2020: London Hydro

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense. Above-grade transformation is required. London Hydro may require a easement. **Note: Transformation lead times are minimum 16 weeks. Contact Engineering Dept. to confirm requirements & availability.**

London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. However, London Hydro will require a easement.

February 10, 2020: Engineering

Engineering comments are as follow:

General:

- Comments below are to be read in conjunction with comments provided as part of SPC process for above site, see attached.

Stormwater:

In addition to comments provided as part SPC process, the following comments apply to the site:

- The subject lands are located within a subwatershed without established targets. City of London Standards require the Owner to provide a Storm/Drainage Servicing Report demonstrating compliance with SWM criteria and environmental targets identified in the Design Specifications & Requirements Manual. This may include but not be limited to, quantity control, quality control (70% TSS), erosion, stream morphology, etc.
- This site plan may be eligible to qualify for a Stormwater Rate Reduction (up to 50% reduction) as outlined in Section 6.5.2.1 of the Design Specifications and

Requirements manual. Interested applicants can request more information and an application form by emailing stormwater@london.ca.

- Any proposed LID solutions should be supported by a Geotechnical Report and/or hydrogeological investigations prepared with focus on the type of soil, its infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. The report(s) should include geotechnical and hydrogeological recommendations of any preferred/suitable LID solution. All LID proposals are to be in accordance with Section 6 Stormwater Management of the Design Specifications & Requirements manual.
- To manage stormwater runoff quantity and quality, the applicant's consulting engineer may consider implementing infiltration devices in the parking area in the form of "Green Parking" zones as part of the landscaping design.
- Additional SWM related comments will be provided upon future review of this site.

Sewers:

- The existing heritage buildings are currently connected to the local 200/250mm sanitary sewer on Ridout Street which outlets to the 790mm egg shaped sanitary sewer on Ridout Street. SED has no concerns from a dry weather capacity perspective.

Water

- Water Engineering have no objections to the Zoning By-Law Amendment application; previously provided water comments to the site through SPC19-108 remain applicable (see attached).

Transportation:

In addition to comments provided as part SPC process, an updated TIA is required to address the following comments:

- The TIA does not match the number of units being purposed in the OPA, & ZBA amendment (TIA uses 182 units, purposed is 280), unit count should match what is being sought
- Similar to above commercial floor area contained in the TIA for trip generation should match the proposed contained in the OPA, ZBA.
- Please provide the fitted curve equation used to calculate trip generation
- Trip distribution should be updated to recognise the conversion of Ridout Street to two way travel as per the RT EA
- A right in right out access located immediately north of the Queens Avenue and Ridout Street intersection is not supported as it falls within the functional area of the intersection this is to be removed and is consistent with comments previously provided as part of the TIA scoping, pre-zoning, and site plan consultation.
- The 2026 analysis should be revised recognising the two way conversion of Ridout street purposed in the RT EA (also identified as part of TIA scoping)
- A road widening of 0.692m is required to achieve 10.75m from the centerline. Please provide 33R plan of required dedication.

February 12, 2020: London Advisory Committee on Heritage (LACH)

C. Lowery, Planner II, BE ADVISED that the London Advisory Committee on Heritage (LACH) is not satisfied with the research, assessment and conclusions of the Heritage Impact Assessment (HIA) associated with the proposed development at 435, 441 and 451 Ridout Street North as the HIA has not adequately addressed the following impacts to the adjacent and on-site heritage resources and attributes:

- the HIA is adequate as far as history of the subject lands is concerned, however, insufficient consideration has been given to the importance of the subject lands and adjacent properties to the earliest beginnings of European settlement of London;
- the HIA gives inconsiderate consideration to the importance of the on-site buildings being representatives of remaining Georgian architecture;

- the HIA gives insufficient consideration given to London's Downtown Heritage Conservation District Guidelines (DHCD) and further efforts should be made in reviewing the proposal with the Eldon House Board;
- the HIA gives insufficient consideration given to the impacts on surrounding neighbouring heritage resources (Forks of the Thames, Eldon House, Old Courthouse and Gaol); it being noted that the Historic Sites and Monuments Board of Canada (HSMBC) refers to impacts of the viewscape of the complex as a whole (which is highly visible from a distance) and the DHCD Guidelines state that the historic context, architecture, streets, landscapes and other physical and visual features are of great importance; it being further noted that the DHCD ranks the site as 'A' and 'H' which require the most stringent protection and new construction should 'respect history' and 'character-defining elements' should be conserved and it should be 'physically and visually compatible';
- the HIA gives insufficient consideration to views and vistas associated with proximity between the new building and the existing on-site buildings (no separation); it being noted that the 'heritage attributes' of the Ridout Street complex include its view and position and the HIA gives insufficient consideration to the visual barrier to and from the Thames River and Harris Park; it being further noted that views, vistas, viewsapes and viewsheds are recognized as important heritage considerations in the statements of the DHCD and HSMBC documents and the designating by-law;
- the HIA gives insufficient consideration to impacts of the proposed building height on both the on-site and adjacent heritage resources; it being noted that the proposed 40 storey height minimizes the historical importance of these buildings; it being further noted that the shadow study does not adequately address the effect on Eldon House, including its landscaped area, given that the development is directly to the south;
- the HIA gives insufficient consideration to the potential construction impacts to on-site and adjacent heritage resources; it being noted that, given the national importance of the subject lands, it is recommended that Building Condition Reports and Vibration Studies be undertaken early in the process to determine the feasibility of the development;
- the HIA gives insufficient consideration to the transition/connection between the tower and the on-site and adjacent heritage resources; it being noted that the LACH is concerned that the design of the 'base, middle and top' portions of the tower fail to break up the development proposal and have little impact on its incongruity;
- the LACH is of the opinion that the use of white horizontal stripes on the tower structure does not mitigate the height impacts and the 'curves' detract from the heritage characteristics of the on-site and adjacent heritage resources, also, the proposed building materials, with the exception of the buff brick, do not adequately emphasize differentiations with the on-site heritage resources (notably the extensive use of glass); and,
- the HIA gives insufficient consideration to how the existing on-site heritage buildings will be reused, restored and integrated as part of the development proposal;

it being noted that the Working Group Report appended to the 3rd Report of the London Advisory Committee on Heritage, with respect to the tower proposal at 435, 441 and 451 Ridout Street is included to provide further information;

LACH Working Group 435, 441, and 451 Ridout St – Tower Proposal

General Comments: The proposal fails to adequately reflect or consider the very high importance of this site to the history of London and its remaining heritage properties. This is London's 'stellar' site in an area that saw the earliest beginnings of London. Far more proper understanding and acknowledgement of this should have required, at the least, consultation among heritage groups, professionals and the people of London to change this very important site.

The existing buildings are not only of hugely significant importance to London's history, but are architecturally distinguished, comprising part of London's almost entirely lost 'Georgian architecture'. Surmounted (in views) by a glass tower, they would lose most of this distinction.

This proposal requires multiple zoning amendments regarding height and use which would alert the community to the incompatibility of this application. The education component is a current and historic use of the buildings. The height of construction on this site is zoned to the height of the existing buildings – this requires a variance to a height just over 10 times higher than an existing National Historic Site. How can this tower 'provide for continuity and harmony in architectural style with adjacent uses that are of architectural and historical significance'? The height totally overwhelms and impacts the 'heritage attributes' of these heritage properties.

The *Downtown Heritage Conservation District Guidelines (DHCD)* have also frequently been ignored.

Furthermore as this is a National Historic Site, so there should have been far more consultation with the *Historic Sites and Monuments Board (NHSM)* and their standards and guidelines.

The HIA statement is adequate as far as history is concerned, but there is little correspondence between this and the plans for the proposal itself which does not adequately cover the issues and frequently fails to answer the questions it asks. There are no proper renderings of how this proposal would fit within the historic surroundings and a lack of acknowledgement of the historic nature of the site. There should be a 'view study' including historic views or paintings of the Forks for instance. It lacks terms of reference and – in the absence of any Tall Buildings guidelines in London – does not have any proper oversight.

Constant iterations of the fact that the historic buildings will be conserved are misleading – they will be severely compromised by this adjacent development.

Specific Comments:

Context: This is one of the major issues: the site next to the place where London was founded at the Forks of the Thames. It is flanked by the historic properties of Eldon House and the Old Courthouse and Gaol – it is in the heart of a very important heritage environment, which it would compromise or destroy. The *NHSM* statement refers to the viewscape of the complex as a whole (which is highly visible from a distance). The municipal Designation documents state that the historic context, architecture, streets, landscapes and other physical and visual features are of great importance.

The *DHCD* ranks the site as 'A' and 'H' which require the most stringent protection. In *DHCD* new construction should 'respect history' and 'character-defining elements' should be conserved and it should be 'physically and visually compatible'. It is hard to see this development as visually compatible in any way. This is not in the Central Business District or the commercial heart of London where it might possibly fit, and it is highly visible from the Downtown and prominent on the cliff of the Thames River banks.

Site and siting: The proposed development is crammed up right behind the historic properties – presumably to get above the flood line. Even so, it is extremely close to this. This also means that the tower is far more visible and obtrusive to the views and vistas.

The 'heritage attributes' of the Ridout St complex include its view and position. This proposal would obliterate those.

The proposal constitutes a barrier to the river visually, physically and psychologically. It serves to isolate the Forks and Harris Park as public, community-wide amenities. It also impinges significantly on the views from the river and the Forks.

In the HIA construction related impacts have not yet been determined. Building Condition Reports and Vibration studies could have already been carried out as the proponent owns the buildings. There should have been a request to, and consultation with, the Eldon House board to facilitate necessary onsite analysis and this should have been shared with the City.

Mitigation measures reference a 40-m buffer between construction and properties but potential impacts need to be determined before the application proceeds.

It is noted that this proposal is sited above the existing flood line. However, climate change may continue to heighten this line. *UTRCA* should be consulted. The HIA also does not consider what threats to the heritage structures and grounds could occur as a result of any intrusion by new development into areas that have or might serve as a stormwater retention/detention area at this critical juncture of the Thames River. It may also impact waters upriver leading to flooding within Harris Park.

Size: The footprint is minimized because of the precarious site, but the height is maximized.

Height: The 40-storey tower is far too high – and would be the tallest building in London. This is not the right place for this. The historical importance of these buildings is minimized and trivialized by the structure, and reduced to a footnote. It is noted that views, vistas, viewscapes and viewsheds are recognized as important heritage considerations in the statements of the *DHCD* and *NHSM* and designation documents.

The ‘new’ and the ‘old’ are not joined or linked in this proposal and the heritage buildings appear only as an afterthought. There are no references in the proposal prepared as to how the existing structures could be restored, reused and incorporated into the overall site.

The shadow study does not adequately address the effect on Eldon House, given that the development is directly to the south and building is butted right up the garden wall. The grandeur of the estate is effected by its lawns, mature trees and ornamental vegetation and the views of visitors and customers of its teas on the lawn and verandah will be severely limited. The proposed development will not just shadow but overwhelm the estate and visitors will be greeted by a wall of glass and a looming modern 40-storey tower.

Before any development proceeds an Arborist Report should be conducted.

Massing/design: There is no transition between the tower and its surroundings. It forms no connections with, or address the heritage attributes of Eldon House in particular. The ‘base, middle and top’ portions of the design, designed to break it up conspicuously fail to do that and have little impact on its incongruity. The base or podium is faced with buff brick does not work in ‘joining up’ and instead overwhelms the heritage structures which should constitute the primary focus at this site.

Materials: The use of white horizontal stripes on the Tower structure does not mitigate, in any way, its height. The ‘curves’ are a poor attempt to add interest. There is no attempt, except for the buff brick,(which can be scarcely seen from the front) to reference the heritage of the existing structures.

The overwhelming use of glass is also not in any way consistent with, or compatible to, the heritage structures in front of it.

Mitigations: The differences in height cannot be mitigated in any way. The report admits there is ‘no one way to mitigate adverse impacts’.

LACH does not recommend the implementation of this proposal.

March 5, 2021: Ecology

- 1) Not enough detail has been provided to identify the total area removed for the development and recognition of their significance as these features are part of the Thames Valley Significant Valleyland, especially given the limited terrestrial habitat in the area.
- 2) Figure 5 does not show the exact area being converted to a restoration area, it was previously discussed to be the excess parking area west of the building, but no indication of this is presented. This needs to be properly identified.
- 3) If this entire area will form a restoration area (and integration with pathway system), this would provide a net benefit for the Significant Valleyland and compensation for the feature impacts. This should be better articulated and highlighted as this is a very positive outcome for this area.
- 4) More details for the recommendations are needed that are standard with any development. Please see previous NRSI reports that have standard recommendation lists that cover the need for restoration plans, tree preservation plans, invasive species management plan, water balance (if needed for features), erosion and sediment control recommendations, wildlife exclusion fencing, recommendations for pre-development actions, during construction, post construction etc.
- 5) Remove reference to the 1994 plant list as this is outdated, NRSI can provide a detailed restoration plan for the varied habitats that will form the restoration area using native pollinator friendly species etc.
- 6) The EIS does not identify bird strikes on this new building as an impact to local breeding populations and migrating populations that use this important corridor. A section is needed that identifies this, is included in the net effects table, and recommendation to incorporate bird friendly design according to accepted standards as part of the building design.
- 7) The environmental management and monitoring plan will need more detail and identify minimum requirements (at a high level, with a detailed plan required as the project progresses). The naturalization area will likely include habitat components that will need to be monitored as well.

March 18, 2021: Environmental and Ecological Planning Advisory Committee (EEPAC)

The 435-451 Ridout Street Working Group comments, appended to the Environmental and Ecological Planning Advisory Committee Agenda, BE FORWARDED to the Civic Administration for consideration;

General Comments: A proposed multi-use development is planned on a, roughly rectangular in shape, approximately 1.4ha plot of land, bordered by Harris Park to the north, Ridout Street North to the east, Queens Avenue to the south, and a small access road to the west, which borders the North Thames River. The property contains parking lots, existing heritage buildings with established businesses, manicured lawn, and small cultural natural areas. A large portion of the subject property is identified as being within the floodplain and regulated area by the Upper Thames River Conservation Authority (UTRCA).

“The primary objective of the Environmental Management and Monitoring Plan is to restore the function and structure of features which are removed and to enhance any areas on-site. It is proposed that this brownfield site be remediated, as well as the non-natural fill materials be excavated from the bank. There is opportunity to stabilize the bank and re-naturalize it with native species through new landscaping.” (p. 37).

Recommendation 1: Support the Landscape plan described on p. 24 and the outlined process to identify species to plant and invasive species to remove. All applicable City, Provincial, and Federal regulations must be followed this is a Brownfield site. Ontario Records of Site Condition regulations for Brownfields are here: <https://www.ontario.ca/laws/regulation/040153>.

“Stormwater management will need to consider the Thames River and the floodplain, as well as the One River Environmental Assessment (if finalized at the time).” (p. 24).

Specific Comment 1: The subject property is within floodplain lands considered for the “Back to the River” conceptual plan:

https://backtotheriver.ca/sites/default/files/DIL1501_Back-to-the-River_Final-Book_DIGITAL%20%281%29.pdf and is also part of the Thames Valley Corridor. “The majority of the study area falls within the significant valleyland corridor” (p. 20). A 100 m buffer is suggested on p. 7, citing the Thames Valley Corridor Plan from 2011.

Recommendation 2: Even if the One River Environmental Assessment has not been finalized at the time of writing, concepts in the One River Environmental Assessment and the Back to the River plan must be accommodated.

“Specific to the subject property, and just beyond, included Redbud and Canada Yew (Taxus canadensis), both species believed to be associated with landscaping of the subject property and the adjacent Eldon House.” (p. 13).

“Canada Redbud, which is considered Extirpated from Ontario (SX), was noted growing within the Cultural Woodland Inclusion. This species has escaped from the gardens at Eldon House, so this observation is also not considered significant.” (p. 14).

Specific Comment 2: These statements offer varying degrees of certainty. Is the presence of Redbud and Canada Yew naturalized from nearby landscaping the opinion of NRSI? Cite source if not.

Recommendation 3: “The Tree Inventory Data” table in Map 3 doesn’t indicate which species are invasive. Indicate which species are invasive/non-invasive, perhaps as an asterisk in the native/ non-native column.

Recommendation 4: More discussion should take place regarding management of invasive vascular plants. There should be a clear differentiation between non-native species which are not considered invasive (such as London Plane-Tree (*Platanus X acerifolia*)) and those that are (such as Norway Maple (*Acer platanoides*)).

“It is expected that once detailed designs, grading plans, and servicing information is known, that an addendum will be required to this EIS in order to update the impact analysis and identify further mitigation measures.” (p. 1).

Recommendation 6: EEPAC should be invited to give feedback at this point and to review the monitoring plan.

Regarding the site concept (Map 5 – Development Plan):

Recommendation 7: All glass on the exterior of the building up to the 4th floor should either: a) comply with the Canadian Standards Association (CSA) 2019 Bird Friendly Building Design Standard using materials that will reduce the risk of bird-window collisions, or b) meet requirements to be laid out in London's Bird-Friendly Design Guidelines (to be finalized by Development Services in Q1 2021). Priority areas should be facades that face surrounding vegetation. In general, adding lines or dots or some form of pattern on the exterior surface of the glass should suffice.

Recommendation 8: Light pollution could be minimized, particularly on upper floors, by installing light timers and ensuring outdoor light fixtures are cut off (downward-directed).

March 18, 2021: Urban Design

Urban Design staff reviewed the submitted site plan and elevations for the zoning by-law amendment at the above noted address and provide the following urban design comments consistent with the Official Plan, applicable by-laws, guidelines, and Urban Design Peer Review Panel comments.

- The applicant is commended for incorporating the following into the design of the site and buildings: Retention in situ of the heritage buildings along the Ridout Street frontage; Material on the podium of the building that are in-keeping with the surrounding heritage buildings; a slender point tower design; Locating the tower portion of the building to the south of the podium to increase the spatial separation between the tower and the Eldon House Property; Interesting

architectural design features on the tower that will enhance the downtown skyline and break up the building mass; Terraces overlooking Harris Park and providing opportunity for activating these terraces with the proposed adjacent office/commercial uses; Connections between Ridout Street and Queens Ave to Harris Park that provide new entrance opportunities to further connect the Downtown with the park;

- As this site is requesting a bonus zone, the following site related design issues should be resolved through the zoning process:
 - Design the parking and drop-off areas between the proposed building and the adjacent streets (both Ridout and Queens) as a shared space plaza, using pavers or patterned concrete to tie into the design of the terraces, reduce the amount of asphalt, providing a welcoming entrance to the development, and provide for a stronger connection between the proposed stairs (leading to Harris Park) and the City sidewalks along the streets.
 - Explore opportunities to design the proposed westerly stairway, leading from the west terrace down to Harris Park, as a more naturalized landscape solution to soften the experience and avoid blank brick walls taking into consideration different public uses of the stairs (walking, running, strollers, cycling, etc.) and how the stair design could support these uses to access the park. This stairwell should provide for a grand entrance feature between the proposed development and the Park.

Staff are willing to work with applicant to come up with suitable solutions to the above mentioned comments.

March 19, 2021: Heritage Planning

1. Overview + Proposed Development

The subject lands of this official plan/zoning by-law amendment application (OZ-9157) is a single consolidated property (subject lands) which includes addresses at 435, 441 and 451 Ridout Street N – in total measuring approximately 1.4 ha in area. The subject lands contains three existing heritage buildings (at 435, 441 and 451 Ridout St. N), as well as surface parking. The subject lands is located at the northwest corner of Queens Avenue and Ridout Street N, immediately east of the Thames River corridor and Harris Park, and adjacent to Eldon House and its grounds which are located to the north.

With its adjacency to the Thames River and Harris Park, the naturalized landscape is an important character defining feature of the area surrounding the subject lands. The intersection at the Thames River and Queen's Avenue corridor forms a gateway into the Downtown Core, while the Ridout Street Complex physically and visually links the Middlesex Courthouse and Gaol and Eldon House. The subject lands is also located adjacent to an area colloquially known as 'North Talbot' – which is associated with very early urban development in London.

The proposal is for a 40-storey, mixed-use development (comprising a slender tower and podium) with office/commercial space on lower floors and a total of 280 residential units on the upper floors; underground parking facilities and at grade parking along with outdoor amenity spaces are also included. The proposed development is located to the rear (west) of the existing heritage buildings at 435, 441 and 451 Ridout St. N; the proposal would maintain these 3 existing heritage buildings. The proposed development is physically connected and integrated with the existing heritage building at 451 Ridout St. N. The rear portion of this building – which currently encompasses a three-storey addition – would be removed and replaced with the proposed development. No modifications are proposed to the other heritage buildings addressed at 435 and 441 Ridout St. N (Planning Justification Report, MHBC, July 2019).

Farhi Holdings Corporation is proposing to amend the City's official plan and zoning by-law to support this development. As a requirement of the *Official Plan-1989* (13.2.3.1) and *The London Plan* (Policy 586), a Heritage Impact Assessment (HIA) was submitted by AECOM (November 2019) – on behalf of Farhi Holdings Corp. An archaeological assessment and an HIA were both conditions of a complete application for an official

plan and zoning by-law amendment. The primary purpose of the HIA is to assess the impacts of the proposed development on the cultural heritage value and attributes of buildings on the subject lands. Impacts on the adjacent significant heritage property – Eldon House at 481 Ridout Street N and Harris Park at 531 Ridout Street N – are also to be evaluated, as well as the impacts on the Downtown Heritage Conservation District, the surrounding character of North Talbot and the Thames River (Forks of the Thames). Evaluation of the proposal and its design and compliance with the City's heritage policies and guidelines is a goal of the HIA report. Recommendations to mitigate any adverse impacts that may arise are a critical outcome of the report.

2. Heritage Status and Adjacencies

The subject lands are located within the *Downtown London Heritage Conservation District* (HCD) and designated under Part V of the *Ontario Heritage Act* (L.S.P.-3419-124; June 27, 2013).

- All three (3) properties have historic and landmark significance and are recognized as some of the City's oldest and most historically significant, dating back to as early as c1836.

The subject lands is also individually designated under Part IV of the *Ontario Heritage Act* (L.S.P.-3330-152; registered July 5, 2001).

- 435 Ridout St. N dates from c1836 and is in the Georgian style; it is the earliest commercial building in the City of London (Bank of Upper Canada). All restored elements including portico and fanlight over entryway.
- 441 Ridout St. N dates from c1847 and is in the Georgian style. Referred to as the Labatt Restoration; all restored elements including door and carriageway.
- 451 Ridout St. N dates from c1855 and is in an eclectic style. Referred to as the Anderson House, the structure has been rebuilt and has been restored; interior elements are also part of reasons for designation.

Further, the subject lands are known collectively as *The Ridout Street Complex*. The Complex is listed as a National Historic Site of Canada (NHSC) which formally recognizes Canada's most important historic places. <https://www.pc.gc.ca/en/lhn-nhs>

- The Ridout Street Complex is (1) of (4) NHSC sites in London.
- The Complex “[c]ompris[es] three mid-19th-century residential and commercial buildings, the grouping is representative of the appearance of Ontario cities in that period and of London's early residential and commercial architecture.

The subject lands are also listed on the Canadian Register of Historic Places (CRHP); this list formally recognizes their heritage value by local, provincial, territorial and/or federal authorities. <https://www.pc.gc.ca/en/culture/rclp-crhp>

Finally, the subject lands is adjacent to Eldon House (c1834) and Harris Park at 481 and 531 Ridout Street N, and the Thames River, a heritage designated river. Harris Park is designated under Part V of the *Ontario Heritage Act* (OHA) and is part of the Downtown HCD, while Eldon House individually designated under Part IV of the OHA, and also located within the Downtown HCD.

3. Policies

Heritage resources are to be conserved and impacts evaluated as/per fundamental policies in the *PPS-2020*, the *Ontario Heritage Act*, the London *OP-1989* and *The London Plan*. The subject lands are designated both individually and as part of the Downtown HCD, and are as such, subject to policies under Part IV and Part V of the *Ontario Heritage Act*.

In 33(1) of the OHA, concern is directed to alterations to the property that are likely to affect the property's heritage attributes. The proposal indicates that no modifications are planned for 435 and 441-447, however, as designated buildings on the subject lands, an HIA should evaluate potential impacts to heritage attributes on these properties. 435 Ridout St. N is a 2-storey, Georgian style white brick building with a stone foundation. Additional attributes include parapet gables, an Adamesque doorway with side and upper fan lights, and classical porch. 441-447 Ridout St N consists of two, 3-storey,

Georgian style white brick structures with a central carriageway. Additional attributes include corbelled parapet walls, cornice with dentil work, and doors with transoms. 451 Ridout St. N is a 3-storey, Victorian Eclectic brick building with a stone foundation. Additional attributes include a Georgian arched front doorway with side lights and transom and mullioned windows on the third floor. Note that significant modifications are proposed to 451 Ridout St. N, with the removal of a sizable, contemporary rear addition leaving the west, rear wall of 451 Ridout St. N open, and necessitating restoration. Presently, it is unclear if new development directly abuts the existing heritage building (to provide a physical interior connection), or if the two remain completely separated.

In 41.2(1) of the *OHA*, focus is on consistency of alterations/new development with the objectives of heritage conservation district plans. More specific area-based policies and guidelines – part of the *Downtown Heritage Conservation District Plan (DWTN HCD Plan)* – contain both; 1) policies establishing intention, and 2) specific guidelines that provide direction how to achieve conservation of resources, attributes, and character.

One of the goals of the *Downtown Heritage Conservation District Plan* is to “influence the renovation or construction of modern era buildings so that it is done with regard to the District and complementary to the character and streetscape” (3.2.1). This supports policies in *The London Plan* including to “encourage new development, redevelopment, and public works to be sensitive to, and in harmony with, the City’s heritage resources” (*The London Plan*, 554_3). To achieve this, development should be distinguishable but also compatible with the heritage character of the Downtown Heritage Conservation District. An additional goal relevant to this application is to “[e]ncourage the rehabilitation and restoration of heritage buildings that is sensitive and respectful to the historical significance of the structure.” (3.2.1)

Principles outlined in Section 3.1 of the *DWTN HCD Plan*, establish heritage fundamentals derived from *The Venice Charter* (1964). One of these heritage principles – particularly pertinent to this application – is the importance of preserving the traditional setting. A building is intimately connected to its site and to the neighboring landscape and buildings, requiring its neighbours to illustrate the original design intent. When buildings need to change there is a supportive setting that should be maintained (p3.8).

To support and implement goals and objectives of the *DWTN HCD Plan*, select policies most pertinent to this application include the following:

- “The design of new development, either as infilling or as additions to existing buildings, should complement the prevailing character of the area;” (*OP-1989*, 13.3.6 ii)
- “Ensure that new development and public works are undertaken to enhance and be sensitive to our cultural heritage resources.” (*The London Plan*, 554_3)
- “Where a property of cultural heritage value or interest is designated under Part IV of the Ontario Heritage Act, no alteration, removal or demolition shall be undertaken that would adversely affect the reasons for designation except in accordance with the *Ontario Heritage Act*.” (*The London Plan*, 587_)
- “Within heritage conservation districts established in conformity with [*The London Plan*], the following policies shall apply: 1. The character of the district shall be maintained by encouraging the retention of existing structures and landscapes that contribute to the character of the district. 2. The design of new development, either as infilling, redevelopment, or as additions to existing buildings, should complement the prevailing character of the area.” (*The London Plan*, 594_)*
- “[N]ew construction shall ensure the conservation of character-defining elements of the buildings it will neighbour, and also the building being added to when considering additions. New work is to be made both physically and visually compatible with the historic place while not trying to replicate it in the whole. The new work should easily be decipherable from its historic precedent while still complementing adjacent heritage buildings.” (*DWTN HCD Plan*, 6.1.4.1 and 6.1.5)
- Create new additions or related new construction so that the essential form and integrity of an historic place will not be impaired [...].” (*DWTN HCD Plan*, 6.1.5)

More specifically, Sections 6.1.4. and 6.1.5 of the *DWTN HCD Plan* outline heritage guidelines for new and infill construction. Those most relevant to this application are as follows:¹

- Use roof shapes and major design elements that are complementary to surrounding buildings and heritage patterns. (p6.39)
- New buildings and entrances must be oriented to the street and are encouraged to have architectural interest to contribute to the streetscape. (p6.39)
- Horizontal rhythm and visual transition between floors [should be] articulated in the façade design. String courses, changes in materials, and a shift in the proportion of glazing [should be used to] illustrate a change in use between the commercial first story and upper residential.
- New and renovated buildings must enhance the character of the street through the use of high-quality materials such as brick, stone and slate; stucco should be avoided as it is not a historically relevant material for the district. (p6.39)
- Detailing should add visual interest and texture. (p6.40)
- One-storey commercial faces must characterize new and renovated buildings. Storefronts that have a 2-level or greater presence on the street should be avoided. (p6.40)
- New buildings should respect the significant design features and horizontal rhythm of adjacent buildings. Blank façades are not permitted facing main or side streets (excluding lanes), without exception. (p6.40)
- New and renovated buildings must be designed to be sympathetic to the district heritage attributes, through massing, rhythm of solids and voids, significant design features, and high-quality materials. (p6.40)
- New and renovated buildings must maintain and enhance the continuity of the street edge by building out to the front property line, with no side yard setbacks fronting the major streets of the HCD. (p6.41)
- Façades must be a minimum of 2 storeys and no more than the permitted maximum height of 18 metres. Above these heights, it is recommended that buildings be setback from the building line at setback of 2 metres for each two metres of height. [...]” (p6.42)
- New and renovated buildings must maintain and enhance the continuity of the street edge by building out to the front property line. (p6.42)
- New and renovated buildings must build the full extent of the property width fronting the HCD streets. However, double lots must maintain the visual rhythm of single lots by breaking up their façade in some manner. (p6.42).
- Up to 80% glazing is appropriate at-grade; second levels and above should approximate 50% glazing, with not more than 75% glazing, and no less than 25% glazing. (p6.40)
- The floor to ceiling height of the ground floor façade must be consistent with the predominant heights of buildings and respect the scale of adjacent buildings. (p6.40)

Assessment of potential impacts to significant adjacent properties, areas or features, is also considered in a heritage impact assessment (HIA). With respect to this application, this includes Eldon House and Harris Park, the area of North Talbot, and the Thames River – Forks of the Thames.

The Eldon House property is located adjacent to the subject lands – directly to the north. The property consists of a two-and-a-half storey wood house constructed in 1834, with a pyramidal roof with a flat top, a coach house, a green house, and a landscaped garden. In addition to these general heritage attributes, conservation of the following attributes include: an enclosed wood veranda; enclosed brick chimneys; an estate setting emphasized by landscaping and landscape features; and, siting of the property on the southeast corner of Harris Park. Harris Park is a public park located adjacent to the subject lands – to the west and north – and intersected by the Thames Valley Parkway. The park is known for its mature trees on its east side, and a greensward on the west side to the river’s edge.

The North Talbot area has been prioritized for a potential, future HCD as a mid-Victorian neighbourhood. It is located adjacent to the subject lands – to the north and east,

spanning generally from Fullarton to Oxford Streets, and from Ridout North to Richmond Streets. Although not currently designated as an HCD, compatibility of the proposed development with the character of North Talbot should be a consideration. Policy (598_) of *The London Plan* recognizes the importance of evaluating impacts of development and conserving district attributes when development occurs adjacent to a heritage conservation district. The recently prepared *Cultural Heritage Inventory of North Talbot* (Oct 2020) notes the importance of this adjacency with 435-451 Ridout St N and Eldon House sharing many characteristics with the former and current built fabric of the North Talbot Study Area (p14).

Finally, the subject lands is adjacent to the Thames River and is positioned at the key Forks of the Thames. The Thames River has played a vital role in the City of London's history and is recognized as an important heritage river in southwestern Ontario. It is an integral part of the City's current and future vision and is an important cultural heritage resource. The Thames River and its Forks have been identified as strategic areas in the *One River Master Plan* (Jun 2019) and *London's Downtown Plan* (Feb 2015). The strategic direction most relevant to this application relates to 'reconnecting with the Thames'. Strategies include enhancing views and physical connections to the river, providing improved pedestrian access linkages and activating the river edge for public use and enjoyment. A development of this size and magnitude located at this juncture, will have an impact on this strategic direction.

4. Heritage Staff Comments – Heritage Impact Assessment (HIA)

The current heritage impact assessment (dated Nov 2019) was reviewed by staff and was determined to be sufficient to satisfy heritage requirements for a complete application for this official plan/zoning by law amendment request (OZ-9157). This HIA represents a significant update from one previously submitted (Dec 2018). Several heritage staff memos have already been prepared – dating from Jun 2017, Feb 2018, Aug 2019. These past memos reflected general comments around: opportunities for the proposed development to enhance and support the area in which it is situated; the compatibility and sensitivity of the proposed development within the surrounding area; how the character defining elements of buildings on and adjacent to the subject lands will be conserved; and, the nature of the interface of the proposed development with heritage buildings on the subject lands. Heritage staff comments that follow are a more detailed extension of ones previously provided with reference to contents of the heritage impact assessment (HIA) and applicable heritage policy, and with particular attention to how potential adverse impacts to heritage designated properties and resources on and adjacent to the subject lands as a result of the proposed development are to be mitigated as/per the HIA.

Heritage staff's comments are organized around these issue areas: 1) general compliance with of the proposed development with the Downtown Heritage Conservation District Plan (DWTN HCD Plan); 2) integration and interface of the proposed development with the existing heritage buildings at 435-451 Ridout St. N; 3) conservation of heritage resources and mitigation of development impacts; 4) potential impacts of the proposed development on Eldon House; and, 5) implications and potential impacts of the proposed development on strategic directions related to the Thames River (Forks at the Thames).

4.1 Compliance with Downtown Heritage Conservation District Plan

The HIA describes that the location of new development/tower on the subject lands is said to have been determined to minimize impacts on the site, and that positioning is intended to complement, and be sympathetic to, the character of these heritage buildings (p24, 27). Heritage staff has some concerns regarding the very close proximity of a 40-storey development to the heritage buildings on the subject lands and the ability of any development of this scale to be compatible with 2-3 story mid-19th century brick buildings in the surrounding area. However, heritage staff does recognize the stated limitations of the subject lands and the "prevailing high-rise environment that already exists in the downtown" (HIA, pp32-33). As well, there have been efforts in the design approach to be sensitive to heritage scale and character through a developed podium (bringing the scale down at grade to that of the heritage buildings), the use of an architectural vocabulary that relies on a base, mid-section and cap supporting a

pedestrian scale at the street level, and employing a sympathetic colour palette. Many of the guidelines in the *DWTN HCD Plan* – specific to new and infill construction have, to some extent, been incorporated in the proposed design (6.1.4, 6.1.5). Issues remain around compliance with the *DWTN HCD Plan* mainly at the policy level – around ensuring conservation of the heritage resources (and associated attributes) on, and adjacent to, the subject lands.

4.2 Integration of Heritage Resources with New Development

The HIA states that “it is understood that the buildings on the subject site will be integrated into the proposed project” (p36). At this point, the extent of integration consists primarily of retention of the buildings with construction of the new development at the rear and a developed podium feature. However, details are lacking regarding the extent of this podium, and the specificity of how this interface will be handled between the rear of 451 Ridout St. N and the new development. Design drawings indicate a direct, physical connection and even entrance doors at the rear of 451 Ridout St. N to the new development. The HIA so far as mentions that some transition will need to be planned, in order to facilitate the connection between the old and new structures”, but goes on to state that, “at this time, no alterations to the interior [...] of 451 Ridout are anticipated” (pp35-36). There is a lack of clarity of design intention and details of how the interface is to be handled; these details are critical to evaluating and mitigating potential impacts to 451 Ridout St. N.

If – when – and how – the heritage buildings on the subject lands will be integrated is completely unknown at this time. A key recommendation from the HIA is that: “[d]etails related to the exterior design, the streetscape character, and the future re-use of the heritage structures should be considered in depth as a part of the proposed project in order to mitigate impacts and conserve the cultural heritage value of the property” (p i). Addressing this integration and interface early on though, is critical to the conservation of the cultural heritage value of the property and buildings on the subject lands. Heritage staff will require more detailed information to demonstrate there will be no adverse impacts to heritage designated properties and resources on, and adjacent to, the subject lands as a result of the proposed development as well as how impacts are to be mitigated. The HIA already suggests that additional studies will be required (p49) including a(an):

- Condition Assessment Report(s) re: retention of structural integrity
- Vibration Study/Monitoring Program
- Construction Buffering and Protection Plan
- Conservation Plan
- Arborist Report

Findings and recommendations from the above studies may have implications on the design and buildability of the proposed development.

4.3 Conservation of Heritage Resources and Mitigation of Development

The proposed development retains the (3) existing heritage structures located on the property at 435, 441, and 451 Ridout Street N. This is a necessary and positive step towards conservation of cultural heritage resources on the subject lands, but it is only the initial step and only one aspect to achieving conservation. As/per the *Provincial Policy Statement (PPS-2020)*, the development proposal must demonstrate that significant heritage resources and attributes have been conserved (2.6.1). Specifically, ‘conserved’ means, “the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained.” Derived from the architect’s project description, the HIA outlines an approach for how conservation is being achieved for this proposal:

“The three heritage buildings will remain intact and preserved in their entirety in keeping with the heritage designations that protect them. The sitework at street level both along Ridout Street and Queens Avenue will be enhanced with hard and soft scape features that will complement the significance of these three historic gems. Very special attention and measures will be afforded during the construction to absolutely ensure that the integrity and all architectural features of

435, 441 and 451 Ridout St. N remain preserved in their found state. 435 Ridout St. N will have its windows re-instated (lost in a fire) in keeping with the architectural style and period of its original construction. When the early 1970's addition is removed from the west face of 451 Ridout St. N, it will be replaced with new construction that ensures that 451 Ridout St. N remains intact and fully historically correct on the interior" (p24).

Heritage staff supports this approach with additional clarification to establish that:

- alterations to the exteriors of the heritage buildings at 435 and 441 Ridout St. N are not anticipated as a part of this project; heritage attributes outlined in the designating by-laws will be conserved.
- alterations to the exterior of 451 Ridout St. N are anticipated due to the removal of the contemporary addition at the rear-west exterior wall, and the abutment of the new development to the original heritage building.
 - during restoration of the rear-west exterior wall of the building, heritage attributes outlined in the designating by-law will be conserved.
 - the rear-west exterior wall face will be replaced with new construction that ensures that 451 Ridout St. N heritage resources and attributes are conserved and that the interior remains intact and fully historically correct (p24).
 - demolition approval will likely be required for removal of the addition at the rear.
- any alterations to protected heritage elements as described in the designation by-law for 435, 441 and 451 Ridout St. N will require a heritage alteration permit (HAP).

Heritage staff supports the identification and mitigation of impacts noted in the HIA that recommend that:

"analysis of detailed impacts to the heritage buildings on the subject property and adjacent properties related to vibration and other construction practices [] be documented and assessed by a qualified structural professional, and mitigation recommendations identified prior to commencement of excavation on the site, as well as a strategy for dealing with unanticipated impacts as a result of vibration during construction" (p44).

Heritage supports these recommendations with additional clarifications to establish a:

- vibration monitoring program be established during construction which may include a preconstruction vibration assessment to identify a benchmark for impacts, and post-construction, to identify whether impacts have occurred; or if a 50 metre buffer area around the cultural heritage resource is not feasible given the construction requirements and site constraints, prepare vibration studies by a qualified engineer to determine the maximum acceptable vibration levels, or peak particle velocity (PPV) levels and the appropriate buffer distance between project activities and the cultural heritage resource.
- buffering/protection plan and protocols 40 metre buffer, or the maximum possible, between construction activities and structures identified as cultural heritage resources during the construction phase.

Of critical importance, heritage staff recommends that a detailed assessment of the current status of the general condition and structural state of buildings on the subject lands be conducted as soon as possible to establish the feasibility of the proposed construction activity, with particular attention to potential impacts of underground parking located adjacent to foundations of the heritage buildings. Subsequent assessments should follow during and post-construction to assess potential impacts to the heritage buildings which may be long lasting and require conservation measures.

4.4 Impacts + Mitigation – Eldon House and Harris Park

Potential indirect impacts to Eldon House and Harris Park are noted in several places in the HIA. These include diminished views of the sky from the south side of the house and park, increased shadowing, and potential impact on the health of mature and ornamental vegetation on the property (p12). Conclusions from the sun study as part of

the Planning Justification Report (July 2019) indicate negligible shadow impact on Eldon House building and gardens and Harris Park (p39) citing that shadows move through the site (pp39-41). Given the significance of Eldon House's landscape setting and garden as a noted heritage attribute in its designating by-law along with its relationship to Harris Park, heritage staff is recommending that a more fine-grain shadow study be prepared to better assess shadowing impacts and potential impacts on the micro-climate of the gardens at Eldon House. Impacts of wind on the micro-climate should also be considered. Consultation with an arborist should also be considered – recommended in the HIA – to determine the need to bolster future tree canopy with shade tolerant trees.

Eldon House and its grounds are within 50m of the subject lands and development may result in impacts related to vibration and construction activities. While impacts of vibration on heritage buildings are not well understood, studies have shown that impacts may be perceptible within buildings 40 metres from activity (when heavy traffic is present and construction involves heavy excavation and pouring foundations). This may result in vibrations that have potential to affect historic concrete and masonry foundations of the adjacent buildings (Ellis 1987). If left unaddressed, these could result in longer-term issues for the maintenance, continued use, and conservation of the buildings. These impacts could directly affect the structure and attributes of Eldon House and the health of mature vegetation on the property. The HIA specifically notes construction related impacts and suggests that:

“analysis of detailed impacts to the heritage buildings on the subject property and adjacent properties related to vibration and other construction practices [] be documented and assessed by a qualified structural professional, and mitigation recommendations identified prior to commencement of excavation on the site, as well as a strategy for dealing with unanticipated impacts as a result of vibration during construction” (p44).

Additionally:

“analysis of detailed impacts to significant mature vegetation on the subject property and adjacent properties resulting from construction practices should be documented and assessed by a qualified arborist, and mitigation recommendations identified prior to commencement of excavation on the site.” (p44)

Heritage supports these recommendations with additional clarifications to establish a:

- vibration monitoring program be established during construction which may include a preconstruction vibration assessment to identify a benchmark for impacts, and post-construction, to identify whether impacts have occurred; or if a 50 metre buffer area around the cultural heritage resource is not feasible given the construction requirements and site constraints, prepare vibration studies by a qualified engineer to determine the maximum acceptable vibration levels, or peak particle velocity (PPV) levels and the appropriate buffer distance between project activities and the cultural heritage resource.
- buffering/protection plan and protocols 40 metre buffer, or the maximum possible, between construction activities and structures identified as cultural heritage resources during the construction phase.

Finally, of critical importance, heritage staff recommends that a detailed assessment of the current status of the general condition and structural state of Eldon House be conducted with subsequent assessments to follow during and post-construction. This is to assess potential impacts to the building which may be long lasting and require conservation measures.

4.5 Thames River Strategic Directions

The HIA notes that the proposed development responds to several of the City's strategic directions related to the Thames River (Forks at the Thames) by supporting the Downtown Plan, Back to the River Initiative and the One River Environmental Assessment. This is primarily accomplished by providing direct public access to, and enjoyment of, the river through lookouts, terraces and new pathways that connect the street with the Thames River (p25). The architect's original project description proposes

a “public space located behind the 435 and 441 Ridout Street N buildings that would connect the street level with Harris Park, the Thames River, and the trail below the slope” (p24). However, several iterations of the development’s design have been prepared since, and it remains unclear in site/floor plan drawings at street level how much (if any) of this access-way is public as well how much is encroached upon by surface parking. There is the potential of isolating the River as a heritage resource from its surrounding environment, context and its significant relationship to the downtown district – reinforcing a perceived visual and physical barrier to the River. There is, however, an opportunity with this development to strengthen linkages from the downtown to the river’s edge by continuing to think of the Ridout Street edge as being permeable – wrapping around and weaving within and between the spaces of heritage buildings and the new development. Further enhancement of the design in this area is encouraged during Site Plan, to ensure public accessibility and to better define what is public and private.

5. Additional Comments Related to Application

Archaeological Potential and Assessments

Heritage staff has reviewed the following and find the report’s (analysis, conclusions and recommendations) to be sufficient to fulfill the archaeological assessment for complete application requirements (OZ-9157):

- AECOM. *Stage 1-2 Archaeological Assessment 435-451 Ridout Street North* [...] Middlesex County, now City of London, Ontario (PIF P131-0085-2018), December 7, 2018.

An Ontario Ministry of Tourism, Culture and Sport (MTCS) archaeological assessment compliance letter has also been received. Archaeological conditions can be considered satisfied for this application. [See attached memo].

Rear demolition – 451 Ridout Street N

Removal of the rear portion at 451 Ridout St. N may be deemed ‘demolition’ and would require the completion of a demolition clearances form and Council approval – this process should occur prior to or during site plan approval. This point needs further discussion, with and interpretation by the Building Department.

Heritage Alteration Permit Approval (HAP)

As per Section 33(1) and 42(1) of the *Ontario Heritage Act (OHA)*, heritage permit approval will be required for alterations to 451 Ridout St. N. Consultation with The London Advisory Committee on Heritage is required prior to Municipal Council decision. Heritage alteration permit approval should occur concurrently with site plan approval and is required prior to issuance of a Building Permit.

6. Summary Comments

Based on heritage staff review of the heritage impact assessment submitted, it is certain that additional studies will be required to provide information in assisting the mitigation of potential adverse impacts to the heritage resources on and adjacent to the subject lands. Presently, what remains unclear is if heritage resources and attributes are, or even can be conserved, because not enough information is known about the existing condition mainly of the buildings on 435-451 Ridout Street N, and there is insufficient detail regarding design intentions to integrate and interface with these heritage resources on the subject site.

The City is encouraged to pursue measures to remedy these uncertainties and secure assurances within a holding provision, bonus zone agreement, and/or heritage easement agreement.

March 19, 2021: Heritage Planning (Archaeology)

This memo is to confirm that I have reviewed the following and find the report’s (analysis, conclusions and recommendations) to be sufficient to fulfill the archaeological assessment for complete application requirements (OZ-9157):

- AECOM. *Stage 1-2 Archaeological Assessment 435-451 Ridout Street North* [...] Middlesex County, now City of London, Ontario (PIF P131-0085-2018), December 7, 2018.

Please be advised that heritage planning staff recognizes the conclusion of the report that states that “[b]ased on the results of the Stage 1-2 archaeological assessment, no further archaeological work is required” (p i).

An Ontario Ministry of Tourism, Culture and Sport (MTCS) archaeological assessment compliance letter has also been received, dated Mar 14, 2019 (MTCS Project Information Form Number P131-0085-2018, MTCS File Number 0009632).

Archaeological conditions can be considered satisfied for this application.

April 13, 2021: Parks Planning and Design

The Parks Planning & Design Section has reviewed the OP/Re-zoning application for 451 Ridout Street North and generally support the proposal to permit a 40-storey mixed-use building containing a combination of residential units and office/commercial space. We understand the multiple goals of the City and applicant to intensify these Downtown lands while protecting key heritage assets. The Site is also of key importance along the Thames Valley Corridor and for the City’s Parks System, in particular Harris Park. Floodplain lands on this site have been used at times to support major events in Harris Park, but more recently closed off to public use. We note that in 2016/17 the current landowner converted most of the lawn area to a gravel parking lot and was perhaps utilizing this as a “commercial” parking lot. We understand that this use is not permitted under the current zoning and that the UTRCA did not issue a permit for this activity.

We have recently been apprised of the May 3, 2018 UTRCA Board approval to permit an encroachment of the proposed building footprint into the floodplain. Conditions of the approval require that:

1. The development will be floodproofed to the Regulatory Flood elevation at a minimum, adding freeboard if feasible to account for UTRCA modelling updates and the impacts of climate change
2. Farhi Holdings Corporation will prepare site plans in consultation with the City of London and the UTRCA which will address floodplain cut and fill compensation requirements ensuring no net loss of flood plain storage resulting from the proposed development.
3. Valley embankments around the development perimeter (southern and eastern boundaries) will be remediated in consultation with the City of London and the UTRCA.
4. Upon issuance of a Section 28 permit, work must be completed within a two-year period.
5. Comprehensive sediment and erosion control plans and site drainage/grading plans must be prepared as part of site plan drawings submitted to the UTRCA for review and approval.

Parks & Recreation look forward to participation in how items 2 and 3 are resolved. We are initiating a park master planning process later this year to look at enhancements to Harris Park and anticipate including these floodplain lands into that plan. In securing this approval, the Applicant’s submission to the UTRCA notes that “approximately 40% of the lands would be dedicated to the City”, which is discussed below. Flood volume loss due to the building footprint is to be “compensated” for by the developer at their cost – ideally this happens in conjunction with future park improvements.

The applicant’s submission also stated that the removal of the floodplain parking lot and “naturalization” of the floodplain lands would occur. We are in agreement with partial removal of the parking area while retaining some for continued event use and accessible parking for park users and returning the lands to grass as parkland/event space. It is not suitable for these actively programmed parklands be naturalized. We do have plans to naturalize other areas within Harris Park as part of the upcoming master planning process. Removal of the existing fencing by the applicant should be included in

this discussion. The City has no interest in acquiring the steep southern slope as parkland.

Consistent with past comments, Parks & Recreation has the following comments and outstanding concerns with the proposed development:

Parkland dedication: Dedication has not been made previously for development on this site. To support this development and to help the City secure a critical piece of parkland in the Thames Valley Corridor, the Parks Planning & Design Section recommend the following:

Parkland dedication for the commercial area is 2% of the value of the property for the commercial portion of the site, as assessed on the day before the day of issuance of a building permit. An appraisal undertaken by an Accredited Appraiser (AACI) is to be submitted to Development Services for review and the value of payment is to be included as a condition of site plan approval.

Parkland dedication for residential portions of the development is calculated at 1/300 unit and results in 0.93 Ha of “developable” lands for parkland. On this site, all developable lands are proposed for intensification and the City’s main interest is receiving the flat floodplain lands for parks and event use – approximately 70x72m (0.50Ha). As such, and in lieu of developable lands, the City would accept dedication of the non-developable floodplain lands. Normally floodplain hazard lands are valued at the 1:27 rate as per the CP-9 By-law. Or at the 1:16 rate where recreational uses are possible. Given the importance of the lands to the City’s parkland system and future uses that support on-going event and cultural activities that support all of London and beyond, we recommend that a higher rate of dedication be applied. The lands cannot be considered at the 1:1 developable land rate, but in this case a 2:1 rate would be appropriate. This equates to 0.25Ha parkland dedication.

The outstanding parkland dedication of 0.68Ha would be received at the CP-9 cash-in-lieu rate of \$800/unit for 204 of 280 apartment units (1/300 x 0.68).

Service Access Driveway: The application continues to show utilization of the Harris Park driveway from Ridout Street to access the lower level of the parking garage. To the City’s knowledge there is no easement in favour of 451 Ridout Street to use this driveway.

Comments/concerns with this proposal have been raised at every step of this process since 2017, but to date, no discussions have occurred with Parks & Recreation, nor any technical details provided. Outstanding concerns are:

- For the larger events we have historically closed this driveway to permit safe pedestrian use and event-holder access. This has been up to 20 days per year. The driveway would not be available for use on those days. On all other days, the driveway is utilized by the public, primarily as a cycling route. We have concerns with permitting on-going vehicular access on this route.
- we have noted that there may be deficiencies in the capability of the driveway to structurally handle additional traffic / design issues with driveway radii / issues with winter maintenance – it is very steep. Upgrades to this driveway may be required by the applicant, if a use easement is approved.
- If approved, we anticipate a yearly fee and on-going maintenance costs to be covered by the applicant. As well as a life cycle rebuild cost of the driveway included in the easement / condominium by-laws.

Proposed public access and connecting to the River: We are impressed with the Applicant’s understanding of the City’s various goals and directives to reconnect Londoners to the river. In their presentation to the UTRCA, they have identified the following:

Support the Downtown Plan:

Strategic Direction 2: Reconnect with the Thames River.

- Engage the river with publicly accessible lookouts, terraces, and new pathways that connect the street with the river
- Bring people to the river by providing new places to live, work, and play overlooking the Thames

Support the Back to the River Initiative:

Understanding the importance of the Thames River for the City and its Future, this project aligns with the following Back to the River goal:

“Striving to enhance community quality of life, environmental and economic development, the goal is simple: give Londoners a place to work, to play and call home. Give Londoners a place that brings the entire community together” – Back to the River

Support the One River Environmental Assessment:

Understanding the importance of this EA and the Thames River, this project will improve the natural environment at this important junction of the River and draw more people there to enjoy it.

*“The Thames River is both our inheritance and our living legacy. It is our collective responsibility to maintain and enhance its shared natural, cultural, recreational and aesthetic resource.”
– One River EA*

Support the Thames Valley Corridor Plan:

This project meets the following Objective as identified in the Thames Valley Corridor Plan:

“Determine and map compatible recreation uses. Identify suitable points of access, pathway and trail systems, lookout points and linkages to communities and Thames Valley Parkway.” – Thames Valley Corridor Plan

Connecting to Eldon House:

This project will improve the Eldon House experience by:

- Adding new landscape features to its front lawn as part of this development
- Draw people to this site and connect the southern side of the Eldon House property to a new path that links to the river-side circulation routes.

And they state that one of the main Site Planning goals is to “Connect the public space at street level to the Park and River”. We support all of these goals and the applicant’s plan to incorporate them into their plans. As such, further information is needed on how these will be accomplished and how public easements will be utilized to assure access through the private lands to the parkland and river front.

The applicant’s conceptual plans show landscape enhancements and walkway linkages on the floodplain lands which will help achieve the connectivity needs. These should be included in the Site Plan requirements. The final design of these features needs to be reviewed and approved by Parks Planning.

The proposed pedestrian access from Ridout down the slope into the park along the north edge of the development is a good idea. We’d like to work with the proponent and Eldon House to explore the best and safest way to do this. The City has been contemplating a lookout at this location, so ideally it is incorporated into this plan.

Bonussing: If bonusing provisions are being considered, there are several items that could be considered to support parkland development, beyond what is required above:

- enhancement to Eldon House grounds in keeping with the historic landscape and trail to the floodplain. Estimated value of \$200,000
- improvements to Harris Park. Value of this could be set at the “urban park” \$/ha in the Development Charges By-law for the 0.50ha parcel = \$450,000

Parks Planning staff would welcome the opportunity to meet with the applicant and Development Services to decide how best to resolve outstanding items and how we can work with the applicant to support this creative development proposal and satisfy our joint interests in making the site and new parklands a major asset in the City.

May 10, 2021: Upper Thames River Conservation Authority

Dear Ms. Maton:

Re: Application to Amend the Official Plan and Zoning By-law

File No. OZ-9157

Applicant: Farhi Holdings Corporation

435, 441 and 451 Ridout Street North, London, ON

The Upper Thames River Conservation Authority (UTRCA) has reviewed this proposal as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3.1 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 157/06. The proposal has also been reviewed through our role as a public body under the *Planning Act* as per our Conservation Authority Board approved policies contained in *Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006)*. Finally, UTRCA has provided advisory comments related to policy applicability and to assist with implementation of the *Thames Sydenham Source Protection Plan* under the *Clean Water Act*.

PROPOSAL

The subject lands are approximately 1.4 ha in size and currently contain three (3) heritage buildings municipally known as 435, 441 and 451 Ridout Street North, an existing parking area off of Queens Avenue, and an existing parking area on the lower portion of the lands adjacent to Harris Park.

The current proposal includes:

- A new 40-storey mixed use building incorporating 6,308 m² of office/commercial space on floors one (1) through four (4) along with a maximum of 280 dwelling units on floors five (5) through forty (40);
- A new four-level underground parking area consisting of approximately 320 spaces;
- Two (2) pedestrian stair access points from the upper residential/commercial area to Harris Park;
- Retaining the existing parking area on Queens Avenue consisting of 45 spaces;
- Retaining the existing three (3) heritage buildings located along Ridout Street North; and,
- Removal of the lower parking area adjacent to Harris Park.

The following amendments are requested by the applicant:

- Official Plan Amendment to add a specific policy to Chapter 10 to permit 40-storey mixed-use building;
- London Plan Amendment to add a specific policy to the Downtown Place Type to permit a maximum building height of 40 storeys; and,
- A Zoning By-law Amendment to rezone the lands from Downtown Special Area Provision (DA2(#)*D350), Heritage/Regional Facility (HER/RF), and Open Space (OS4) to Downtown Area Special Provision (DA2(_)*D500*H125) and Open Space (OS4).

A bonus zone may be requested to permit the proposed density, height, and setback in return for eligible facilities, services, and matters outlined in Section 19.4.4 of the 1989 Official Plan and policies 1638 to 1655 of the London Plan.

The following documentation was received, as identified in the City's complete application requirements and through continued discussions with the applicants consulting team:

- Notice of Application provided by the City of London, dated December 2019;
- Planning Justification Report prepared by MHBC, dated July 2019;
- Site Concept Plan prepared by Tillman Ruth Robinson Architects, dated March 2019;
- Conceptual Elevation Drawings prepared by Tillman Ruth Robinson Architects, no date;
- Conceptual Renderings prepared by Tillman Ruth Robinson Architects, dated February 2019;
- Draft Geotechnical Engineering Report prepared by Englobe Corporation, dated April 5, 2017;
- Heritage Impact Assessment prepared by AECOM, dated November 2019;
- Sanitary Servicing Feasibility Study prepared by Strik Baldinelli Moniz, dated November 2018;
- Transportation Impact Assessment prepared by Paradigm Transportation Solutions Limited, dated April 2019;
- Response letter and Plan Overlay drawings from Tillman Ruth Robinson Architects, dated March 12, 2020; and,
- Scoped EIS Addendum prepared by NRSI Inc., dated April 2021.

At this stage in the planning process, a high-level review of all the aforementioned documents has been undertaken to aid in understanding the proposed amendment requests. Further detailed review and comments on some of these reports will be required through the Site Plan Application process.

BACKGROUND

UTRCA staff have had on-going consultations with the owner dating back to 2010. Since 2010, the owner has submitted three (3) applications to the UTRCA Hearings Committee for consideration of development on these lands. The following is a summary of those applications:

1. Application #122/14: Consultation on this file began in February 2013, focusing on the delineated flood and erosion hazards. The proposal included a new apartment building fronting on Queens Avenue with below grade parking that would extend into the lower lying area within Harris Park. This proposal also included the removal of the existing larger parking area located adjacent to Harris Park and retaining the existing three (3) heritage buildings along Ridout Street North. A large portion of the proposal extended into the riverine hazards adjacent to the Thames River.

This application went to the UTRCA's Hearings Committee on October 28, 2014 where the Committee resolved:

...that the proposal contravenes UTRCA policies regarding development within hazard lands and cannot support the concept plan as presented.

2. Application #70/15: This proposal relocated the apartment building to run parallel to and have access from Ridout Street North. This proposal also included the removal of the existing larger parking area within Harris Park and retaining the existing three (3) heritage buildings along Ridout Street North. The majority of this proposal was located inside the flood plain with a large setback from both Queens Avenue and Ridout Street North.

This application went to the UTRCA's Hearings Committee on June 9, 2015 where the Committee resolved:

...that the proposal contravenes UTRCA policies regarding development in the floodway and cannot support the concept plan as presented as it adversely affects the control of flooding.

3. Prior to the submission of a formal application to the Hearings Committee, a revised concept was submitted that had the proposed apartment building along Ridout Street North, almost completely located outside of the flood plain with an associated five (5) level parking structure located along Queens Avenue. The

lower parking area was to remain along with two (2) heritage buildings. One (1) of the heritage buildings was going to be incorporated into the design and lower level of the proposed building. Due to a proposed Bus Rapid Transit (BRT) plan undertaken by the City of London, an additional 3-metre setback along Queens Avenue eliminated the feasibility of this option.

Application #67/18: This proposal included a 40-storey building containing 169 residential units, 60 hotel rooms, street-level office/retail, and four (4) levels of below grade parking. Vehicular access to the site was proposed from Ridout Street North with an additional pedestrian access proposed along the west flank of the building to connect to Harris Park below. The three (3) heritage buildings would remain along with the existing surface parking area along Queens Avenue, however the lower parking area adjacent to Harris Park would be removed and naturalized. A portion of the building and a slightly larger portion of the parking structure were proposed to encroach into the flood plain.

An analysis was completed to determine the proposal's impact on flood water displacement from the Thames River. It was determined that approximately 943,824 US gallons/3,572,763 litres of water would be displaced under this revised proposal. Mitigation strategies were proposed that would result in "net 0" flood water displacement and net benefits for changes to increase flood storage for the surrounding flood plain area. Additionally, a number of other public benefits including reduced hardscape in the floodplain, elimination of risk to vehicles in the flood plain, new park space to extend Harris Park, opportunity to remove brownfield materials, renaturalization of river bank, etc.

This application went to the UTRCA's Hearings Committee on May 3, 2018 where the Committee resolved:

... that the Upper Thames River Conservation Authority support the development concept submitted as Application #67/18 by Farhi Holdings Corporation. In supporting this application, the Hearings Committee requires the Applicant to proceed through all stages of planning approval under the direction and advice of the City of London, affording UTRCA staff full opportunity to provide input and comment on all aspects of the planning process, to ensure the development remains fully consistent with the design prepared and presented by architects Tillmann Ruth Robinson.

FURTHER, terms and conditions for approval pursuant to Section 28 of the Conservation

Authorities Act shall include but not be limited to the following:

- 1. The development will be floodproofed to the Regulatory Flood elevation at a minimum, adding freeboard if feasible to account for UTRCA modelling updates and the impacts of climate change.*
- 2. Farhi Holdings Corporation will prepare site plans in consultation with the City of London and the UTRCA which will address floodplain cut and fill compensation requirements ensuring no net loss of flood plain storage resulting from the proposed development.*
- 3. Valley embankments around the development perimeter (southern and eastern boundaries) will be remediated in consultation with the City of London and UTRCA.*
- 4. Upon issuance of a Section 28 permit, work must be completed within a two-year period.*
- 5. Comprehensive sediment and erosion control plans and site drainage/grading plans must be prepared as part of site plan drawings submitted to the UTRCA for review and approval.*

AND FURTHER, if in the opinion of the UTRCA the development concept deviates from the submission made at this time, the UTRCA reserves the right to bring the proposal back to the Hearings Committee for further consideration.

As noted in the summary above, the concept that was approved at the UTRCA's Hearings Committee included hotel rooms in addition to the commercial and residential uses proposed. Despite the removal of the proposed hotel rooms in the current proposal, the design of the building has not changed footprint has not been altered and the decision made the Hearings Committee remains relevant to this proposal.

CONSERVATION AUTHORITIES ACT

The UTRCA has the provincially delegated responsibility for the natural hazard policies of the PPS, as established under the "Provincial One Window Planning System for Natural Hazards" Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry (MNR) and the Ministry of Municipal Affairs and Housing. This means that the Conservation Authority represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards and ensures that the proposal is consistent with the PPS.

The UTRCA's role in the development process is comprehensive and coordinates our planning and permitting interests. Through the plan review process, we ensure that development proposals meet the tests of the *Planning Act*, are consistent with the PPS, conform to municipal planning documents as well as the policies in the UTRCA's Environmental Planning Policy Manual. (2006) Permit applications must meet the requirements of Section 28 of the *Conservation Authorities Act* and our policies as set out in our Environmental Planning Policy Manual. This approach ensures that the principle of development is established through the *Planning Act* approval process and that subsequently, the necessary approvals can issued under Section 28 of the *Conservation Authorities Act* once all of the planning matters have been addressed.

Section 28 Regulations - Ontario Regulation 157/06

The subject lands are regulated by the UTRCA in accordance with Ontario Regulation 157/06, made pursuant to Section 28 of the *Conservation Authorities Act*. The regulation limit is comprised of:

- A riverine flooding hazard associated with the Thames River; and,
- A riverine erosion hazard associate with the Thames River.

The UTRCA has jurisdiction over lands within the regulated area and requires that landowners obtain written approval from the Authority prior to undertaking any site alteration or development within this area including filling, grading, construction, alteration to a watercourse and/or interference with a wetland.

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)

The UTRCA's Environmental Planning Policy Manual is available online at:
<http://thamesriver.on.ca/planning-permits-maps/utrca-environmental-policy-manual/>

NATURAL HAZARDS

As indicated, the UTRCA represents the provincial interest in commenting on *Planning Act* applications with respect to natural hazards. The PPS directs new development to locate and avoid natural hazards. In Ontario, prevention is the preferred approach for managing hazards in order to reduce or minimize the risk to life and property. This is achieved through land use planning and the Conservation Authority's regulations with respect to site alteration and development activities.

The UTRCA's natural hazard policies are consistent with the PPS and those which are applicable to the subject lands include:

3.2.2 General Natural Hazard Policies

These policies direct new development and site alteration away from hazard lands. No new hazards are to be created and existing hazards should not be aggravated. The Authority also does not support the fragmentation of hazard lands through lot creation which is consistent with the PPS.

3.2.3 Riverine Flooding Hazard Policies

These policies address matters such as the provision of detailed flood plain mapping, flood plain planning approach and uses that may be allowed in the flood plain subject to satisfying the UTRCA's Section 28 permit requirements.

Portions of the existing development are located within the flooding hazard on these lands, including the rear portion of the heritage building at 451 Ridout Street North and the lower parking area. As a result of this application, the lower parking area will be removed and naturalized, and the risk associated with this use will no longer exist. Subsequently, a portion of the proposed building foundation and parking structure will encroach into the flood plain to accommodate the extent of the proposed development. Through the application process with the UTRCA, it was determined that the concept presented in Application #67/18 explored all feasible options for locations outside of the flood plain but could not be accommodated due to an additional setback required for the proposed Bus Rapid Transit route.

Based on the proposals encroachment into the flood plain, a preliminary flood modelling analysis was undertaken as a part of Application #67/18 that went to the UTRCA's Hearings Committee to determine the approximate development impact on flood water displacement and storage. It was determined that 943,824 US gallons/3,572,763 litres would be displaced as a result of the proposed concept. The mitigation strategies presented were determined to ensure a "net 0" impact on displacement. Some mitigation strategies identified include excavation of the new park space in the lower portion of the lands, remediation of the south bank, and understanding the overall connection to the Thames River flood storage system up and downstream.

The UTRCA will require a full modelling analysis to be completed to ensure the "net 0" impact will be maintained and an overall benefit for flood storage along this reach of the Thames River is established as a result of the current proposal. This analysis will need to be reviewed and supported by UTRCA staff prior to the approval of any future *Planning Act* applications (such as Site Plan).

3.2.4 Riverine Erosion Hazard Policies

The Authority generally does not permit development and site alteration in the meander belt or on the face of steep slopes, ravines and distinct valley walls. The establishment of the hazard limit must be based upon the natural state of the slope, and not through re-grading or the use of structures or devices to stabilize the slope.

Discussions around the significance of the erosion hazard date back to 2013. At this time, preliminary geotechnical investigations deemed this feature as a slope constraint, and not a slope hazard as it was comprised largely of fill material. A slope constraint has the ability to be addressed through engineering design considerations, whereas a slope hazard is to be avoided with suitable setbacks.

A Draft Geotechnical Engineering Report was prepared by Englobe Corporation, dated April 2017. For the purpose of this application, the UTRCA has not undertaken a detailed review of this document. Prior to approval of any future *Planning Act* applications (such as Site Plan), UTRCA sign-off will be required on this document.

NATURAL HERITAGE

The UTRCA provides technical advice on natural heritage to ensure an integrated approach for the protection of the natural environment consistent with the PPS. The linkages and functions of water resource systems consisting of groundwater and surface water features, hydrologic functions and the natural heritage system are necessary to maintain the ecological and hydrological integrity of the watershed. The PPS also recognizes the watershed as the ecologically meaningful scale for integrated and long-term planning which provides the foundation for considering the cumulative impacts of development.

The UTRCA's natural heritage policies are consistent with the PPS and those which are applicable to the subject lands include:

3.3.4 Valleyland Policies

The Authority will strive to maintain all existing valleylands in their natural state by prohibiting and/or minimizing development and site alteration within these areas. New development and site alteration is not permitted in natural valleylands. Increased fragmentation of ownership, through lot creation, within natural valleylands is discouraged. Further, new development and site alteration is not permitted on adjacent lands to valleylands unless an EIS has been completed to the satisfaction of the UTRCA which demonstrates that there will be no negative impact on the feature or its ecological function. The EIS/DAR must examine the impact on the valleyland feature which includes the impact of the proposed development on the site, but also consider the broader impact on corridor.

A Preliminary Environmental Impact Study and Scoped EIS Addendum were completed by Natural Resources Solutions Inc., dated July 2019 and April 2021 (respectively). For the purpose of this application, the UTRCA has not undertaken a detailed review of this document. Prior to approval of any future *Planning Act* applications (such as Site Plan), UTRCA sign-off will be required on this document.

3.3.6 Policies for the Habitat of Endangered Species, Threatened Species, Species of Special Concern & Locally Rare Species

The Authority does not permit development and site alteration in the habitat of endangered and threatened species. Furthermore development and site alteration is not permitted on lands which are adjacent (within 50 metres) of the habitat of endangered and threatened species unless an EIS has been completed. We are aware of species at risk to occur within the vicinity of the property.

DRINKING WATER SOURCE PROTECTION: Clean Water Act

The subject lands have been reviewed to determine whether or not they fall within a vulnerable area (Wellhead Protection Area, Highly Vulnerable Aquifer, and Significant Groundwater Recharge Areas). Upon review, we can advise that the subject lands **are** within a vulnerable area. For policies, mapping and further information pertaining to drinking water source protection, please refer to the approved Source Protection Plan at: <https://www.sourcewaterprotection.on.ca/approved-source-protection-plan/>

COMMENTS & REQUIREMENTS

As indicated, the subject lands are regulated by the UTRCA. A summary of our comments/requirements on the proposal are as follows:

1. The Planning Justification Report provides a summary of the proposal in relation to various policy documents.
 - a) The report does not consider Section 3.1 of the PPS as it relates to Natural Hazards. A significant amount of background work and consultation has occurred with the applicant/consulting team to get the application to this point with consideration given to these policies. A summary of this work with applicability to these policies should have been included. However, there are other areas within the report that briefly speak to the floodplain and the Open Space zoning.
 - b) Overall, the proposal design was largely based off of requirements and permissions under the *Conservation Authorities Act* yet no detailed discussion has been included within this report. Section 2.1 of this report identifies the northwest portion of this site within the floodplain. In addition, the entirety of the lands are regulated by the UTRCA for the presence of floodplain and erosion concerns associated with the valleylands of the Thames River.
 - c) This report does not clearly identify the dedication of parkland to the City. Through the UTRCA Hearings Committee, the entirety of the lands within the floodplain (that will remain undeveloped) are to be conveyed to the City of London for parkland purposes. These lands will also form part of the regrading exercise to ensure floodplain storage volume will remain at a net zero.
2. The UTRCA requested confirmation that the Site Concept Plan aligned with that previously approved the Hearings Committee in May 2018. In response to this

request, Tillmann Ruth Robinson architects provided plan overlay drawings and a letter confirming minimal changes to the proposal with no further encroachment into the floodplain. The UTRCA is satisfied with this information for the purpose of this application.

3. A Final Geotechnical Assessment considering the naturalization and restoration of the slope constraint will be required through Site Plan.
4. The Scoped EIS and Addendum prepared by NRSI satisfy the UTRCA's requirements as it relates to the establishing zone boundaries on the subject lands. Further information will be required through Site Plan to address the various restoration and monitoring measures identified in the recommendations of this report.
5. The UTRCA has been undertaking revised modeling along the Thames River which identifies that the flood hazard elevation on these lands is 237.7 masl. Please ensure the zoning line appropriately captures the extent of the floodplain in relation to the proposed development.
 - a) The elevation shall be utilized to undertake future studies by the applicant to ensure a net zero in flood storage volume will be maintained.
6. A significant amount of background work and negotiations have occurred between the applicant, City staff and UTRCA staff to get this application to a point satisfactory for Planning Act approvals. As noted throughout this letter, agreements were set to aid in securing these approvals and ensure this application could get to Site Plan with the understanding of future works required.

As part of these ongoing discussions and agreements, the applicant has agreed to remove the lower parking lot that is located within the floodplain and dedicate these lands to the City for parkland. Prior to dedication, these lands will be needed by the applicant to undertake grading works to ensure a net zero of floodplain storage volume. This agreement formed a critical part in the decision making on this application to ensure protection of people and property from the flooding hazard.

Parks Planning comments have been received and reviewed by the UTRCA. There are significant areas of concern within these comments as it pertains to the future use of these lower lands. Additional discussion will be required with Parks Planning staff and UTRCA staff regarding uses permitted within this area.

7. The Service Access Driveway through the Harris Park entry has been continually noted through application the UTRCA's Hearing Committee. Parks Planning staff have identified concerns over the use of this driveway. If further discussions are required to address this driveway and easements, the UTRCA would appreciate involvement given past and potentially future approvals.
8. A Section 28 permit application will be required prior to undertaking site alteration or new development on these lands. The permit application requirements will be conveyed in further detail through the Site Plan process ensuring the conditions of approval issued by the UTRCA Hearings Committee in May 2018 are achieved.

MUNICIPAL PLAN REVIEW FEES

Consistent with UTRCA Board of Directors approved policy, Authority Staff are authorized to collect fees for the review of *Planning Act* applications. For the review of the Official Plan and Zoning By-law Amendment applications, the applicant will be invoiced **\$1,500** under separate cover.

SUMMARY

The UTRCA has been working with the applicant and consulting team since 2010 to establish a development proposal for these lands that align or closely align with UTRCA

policy. The owner submitted three (3) applications to the UTRCA Hearings Committee for review and approval. Of those applications, the third and final submission, #67/18, was approved by the Committee with requirements laid out for a future Section 28 permit application and supporting documentation.

The Section 28 permit application will be required prior to establishing new development and undertaking any site alteration works. Requirements for the Section 28 permit application will be conveyed through the site plan process partially identified above.

Overall, the UTRCA is satisfied with the work undertaken by the applicant to date and looks forward to the opportunity to continue working through the final details of this project through the Site Plan and Section 28 permit application processes.

RECOMMENDATION

The UTRCA has no objections to these Official Plan and Zoning By-law Amendment applications. Please ensure the hazard lands are appropriately zoned for Open Space.

Thank you for the opportunity to comment.

Yours truly,
UPPER THAMES RIVER CONSERVATION AUTHORITY

Appendix D – Policy Context

The following policy and regulatory documents were considered in their entirety as part of the evaluation of this requested land use change. The most relevant policies, by-laws, and legislation are identified as follows:

Provincial Policy Statement, 2020

1.1, 1.1.1, 1.1.3, 1.1.3.2, 1.1.3.3, 1.4.3.4, 1.4.3, 1.4.3b),1.4.3d), 1.6.7.4, 1.7.1a), 1.7.1e),1.7.1k), 2.1.1, 2.1.2, 2.6.1, 2.6.3

The London Plan

(Policies subject to Local Planning Appeals Tribunal, Appeal PL170100, indicated with asterisk.)

54_1, 54_3, 54_4, 54_5, 54_6, 54_7, 289_, 289_1, 289_2, 289_3, 293_, 554_1, 554_2, 554_3, 568_, 729_, 798_, 799_14, 800_, 800_1, 800_2, 800_3, 800_4, 802_, 802_1, 802_2, 803_1, 803_2, 803_3, 803_4, *1650_, *1652_, *1652_1, *1652_2, *1652_8, *1652_12, *1652_14

Official Plan (1989)

3.3.3iv), 3.4.3iv), 4.1, 4.1.6, 4.1.6iii), 4.1.6iv), 4.1.7, 4.1.7i), 4.1.7ii), 4.1.7iii), 19.1.1i), 19.4.4, 19.4.4ii)

Our Move Forward: London's Downtown Plan

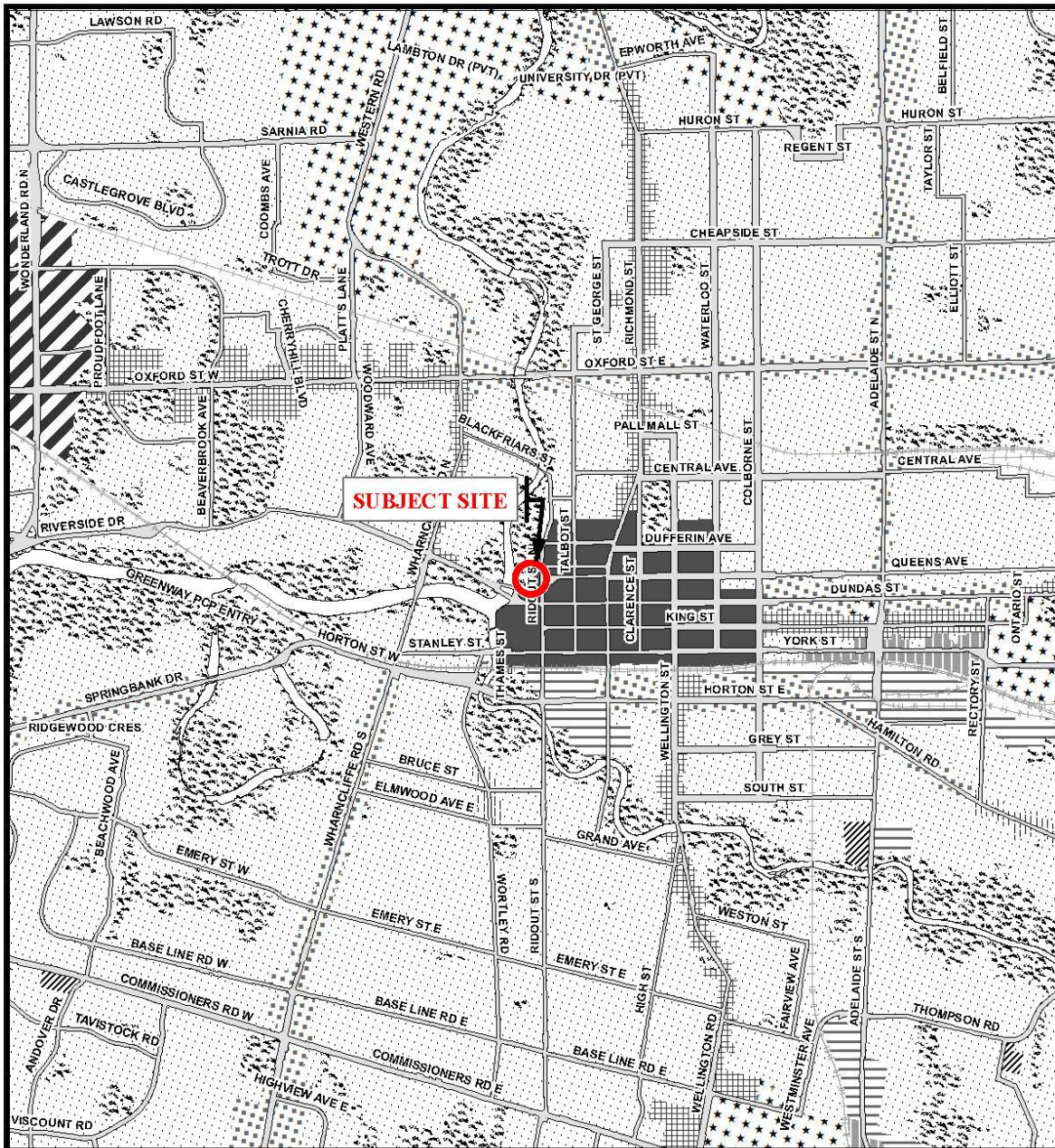
2.4, 4.6, 5.1, 5.5, Map 5

Downtown Heritage Conservation District Plan

3.2.1, 6.1.4.1, 6.1.5

Appendix E – Relevant Background

Additional Maps



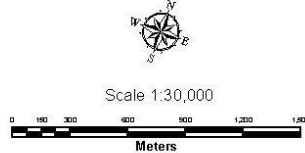
Legend

- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management Resource Recovery Area |
| Urban Corridor | Commercial Industrial | Urban Growth Boundary |
| Main Street | Institutional | |
| Neighbourhood | Green Space | |

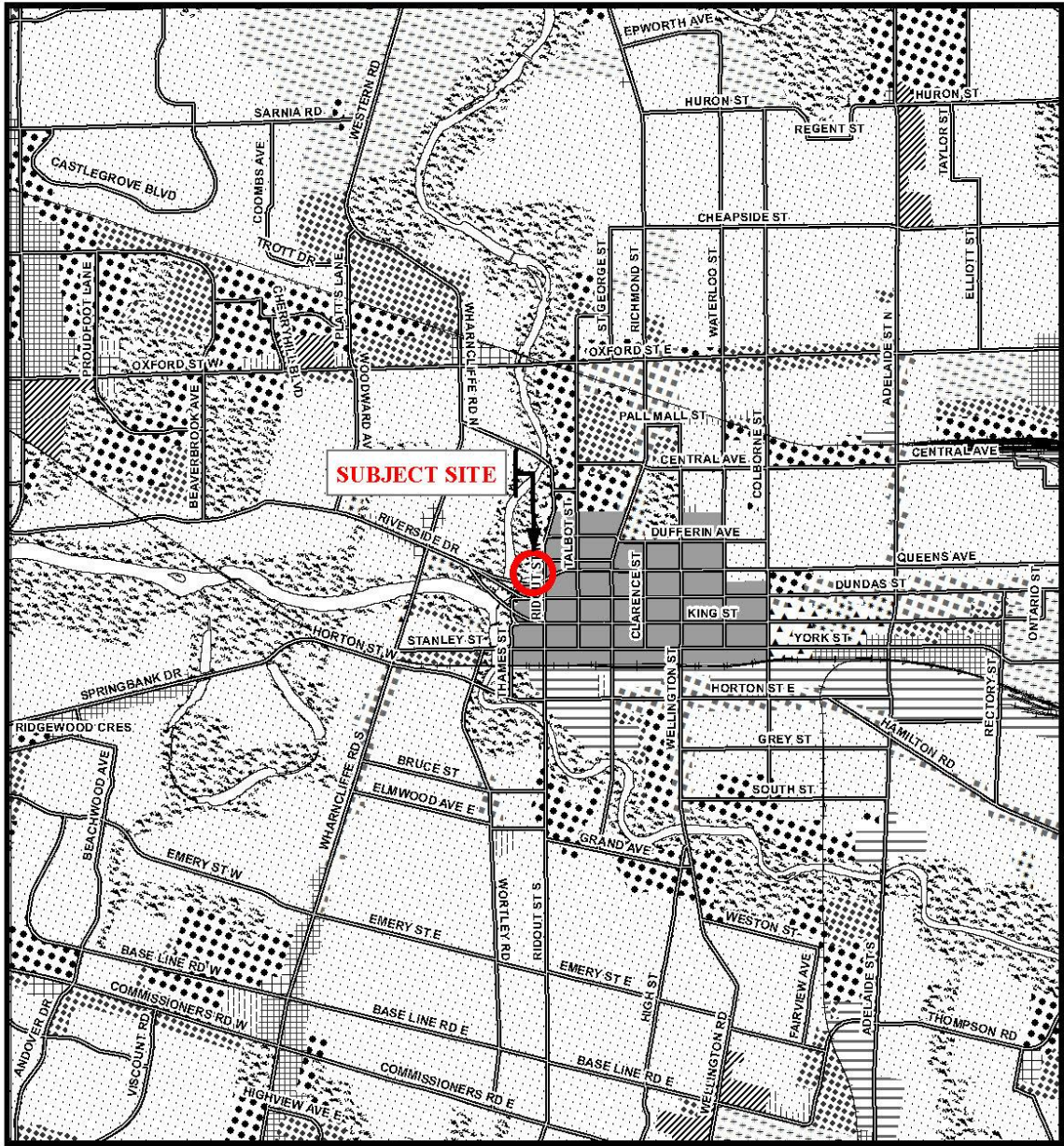
This is an excerpt from the Planning Division's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

At the time of the printing of this map, the Rapid Transit EA is in progress. This map shows the Rapid Transit Corridors and Urban Corridors to recognize potential alignments. These Place Types will be modified to align with the results of the EA process for the final version of The London Plan.

CITY OF LONDON
 Planning Services /
 Development Services
LONDON PLAN MAP 1
- PLACE TYPES -
 PREPARED BY: Planning Services



File Number: OZ-9157
Planner: CM
Technician: RC
Date: May 13, 2021



Legend

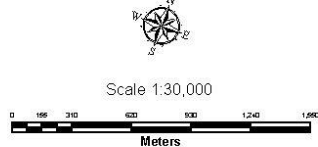
- | | | |
|---|--|-------------------------|
| Downtown | Multi-Family, Medium Density Residential | Office Business Park |
| Wonderland Road Community Enterprise Corridor | Low Density Residential | General Industrial |
| Enclosed Regional Commercial Node | Office Area | Light Industrial |
| New Format Regional Commercial Node | Office/Residential | Commercial Industrial |
| Community Commercial Node | Regional Facility | Transitional Industrial |
| Neighbourhood Commercial Node | Community Facility | Rural Settlement |
| Main Street Commercial Corridor | Open Space | Environmental Review |
| Auto-Oriented Commercial Corridor | Urban Reserve - Community Growth | Agriculture |
| Multi-Family, High Density Residential | Urban Reserve - Industrial Growth | Urban Growth Boundary |

CITY OF LONDON

Planning Services /
Development Services

OFFICIAL PLAN SCHEDULE A
- LANDUSE -

PREPARED BY: Graphics and Information Services

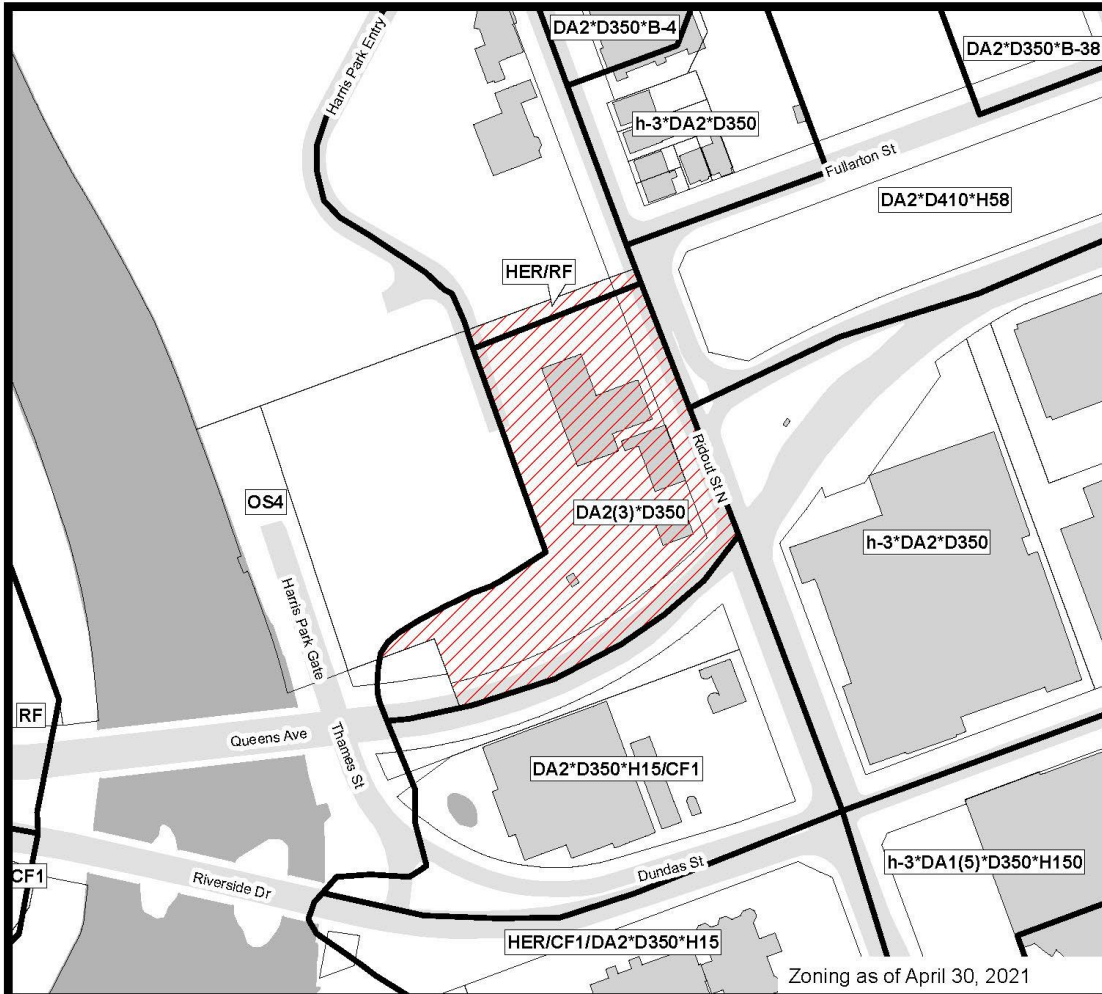


FILE NUMBER: OZ-9157

PLANNER: CM

TECHNICIAN: RC

DATE: 2021/05/13



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) **LEGEND FOR ZONING BY-LAW Z-1**

- R1 - SINGLE DETACHED DWELLINGS
- R2 - SINGLE AND TWO UNIT DWELLINGS
- R3 - SINGLE TO FOUR UNIT DWELLINGS
- R4 - STREET TOWNHOUSE
- R5 - CLUSTER TOWNHOUSE
- R6 - CLUSTER HOUSING ALL FORMS
- R7 - SENIOR'S HOUSING
- R8 - MEDIUM DENSITY/LOW RISE APTS.
- R9 - MEDIUM TO HIGH DENSITY APTS.
- R10 - HIGH DENSITY APARTMENTS
- R11 - LODGING HOUSE

- DA - DOWNTOWN AREA
- RSA - REGIONAL SHOPPING AREA
- CSA - COMMUNITY SHOPPING AREA
- NSA - NEIGHBOURHOOD SHOPPING AREA
- BDC - BUSINESS DISTRICT COMMERCIAL
- AC - ARTERIAL COMMERCIAL
- HS - HIGHWAY SERVICE COMMERCIAL
- RSC - RESTRICTED SERVICE COMMERCIAL
- CC - CONVENIENCE COMMERCIAL
- SS - AUTOMOBILE SERVICE STATION
- ASA - ASSOCIATED SHOPPING AREA COMMERCIAL

- OR - OFFICE/RESIDENTIAL
- OC - OFFICE CONVERSION
- RO - RESTRICTED OFFICE
- OF - OFFICE

- RF - REGIONAL FACILITY
- CF - COMMUNITY FACILITY
- NF - NEIGHBOURHOOD FACILITY
- HER - HERITAGE
- DC - DAY CARE

- OS - OPEN SPACE
- CR - COMMERCIAL RECREATION
- ER - ENVIRONMENTAL REVIEW

- OB - OFFICE BUSINESS PARK
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- HI - HEAVY INDUSTRIAL
- EX - RESOURCE EXTRACTIVE
- UR - URBAN RESERVE

- AG - AGRICULTURAL
- AGC - AGRICULTURAL COMMERCIAL
- RRC - RURAL SETTLEMENT COMMERCIAL
- TGS - TEMPORARY GARDEN SUITE
- RT - RAIL TRANSPORTATION

- "h" - HOLDING SYMBOL
- "D" - DENSITY SYMBOL
- "H" - HEIGHT SYMBOL
- "B" - BONUS SYMBOL
- "T" - TEMPORARY USE SYMBOL

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

**ZONING
BY-LAW NO. Z-1
SCHEDULE A**



FILE NO:

OZ-9157

CM

MAP PREPARED:

2021/05/13

RC

1:2,000

0 10 20 40 60 80

Meters

THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

Appendix F – Applicant Response to UDPRP Comments

Comment:

The applicant is commended for a thorough submission and thoughtful design response to the site. The panel supports the scale and positioning of the podium relative to the existing heritage structures as well as the positioning of the tower component to the south which respects Eldon House and terminates the vista along Queens Avenue.

Applicant Response:

Noted.

Comment:

The panel is supportive of City policy directing that high-rise buildings should be designed with slender towers that reduce shadow impact, minimize the obstruction of sky views, and are less imposing to neighbouring properties and public spaces. The proposed tower floor plate of approximately 860m² is a good application of the slender point tower being sought. The positioning of the tower on the site will enable it to exist without imposing on the pedestrian experience and existing heritage buildings along Ridout Street.

Applicant Response:

Noted.

Comment:

The panel recommends the applicant review the relationship of the building to the Eldon House property to the north through the following measures:

- 45-degree angular plane analysis to determine the most appropriate transition of scale and relationship between the two properties.
- The pedestrian experience of transitioning from Ridout Street along the proposed public pathway and down into the park, or vice versa, including the width and design of the stair, north elevation materials and fenestration, and integration with the landscape.

Applicant Response:

Both recommendations will be followed up on in consultation with Eldon House. Applicant also desires to create a most welcoming experience.

Comment:

The panel recommends the applicant review the Ridout Street frontage through the following measures:

- Increase the pedestrian focus in the forecourt including integration with the interstitial spaces between the existing heritage structures.
- Confirm if the existing landscaping along Ridout Street and vehicular access between 441 and 435 Ridout Street is required to remain. Develop a coherent landscape strategy that unifies the site circulation, surface materials and building structures.
- Review the transition and integration of 451 Ridout Street into the podium structure such as a material reveal to ensure the heritage building is visually isolated and whether the podium backdrop should contrast or blend with the existing brick veneer.
- If feasible, explore options for bringing a portion of the podium closer to the street in lieu of the proposed north drop-off and parking.
- Precedents mentioned for the above points include Canada's National Ballet School, Joseph L. Rotman School of Management Expansion, and Royal Conservatory TELUS Centre for Performance and Learning/Koerner Hall in Toronto.

Applicant Response:

Applicant agrees with the first 4 bullet points and through design development will demonstrate at the next submission stage (SPA), how these points have been acted upon.

We also agree with the precedents highlighted and would also add the Art Gallery of Ontario/The Grange as another excellent example.

Comment:

The panel recommends the applicant review the Queens Avenue frontage through the following measures:

- Consider the potential impacts of future development in the existing west parking lot along Queens Avenue.
- Consider the relationship of the site to Museum London to the south, including the potential for public art, community space, and potential use of 435 Ridout Street to address the intersection of Ridout Street and Queens Avenue.

Applicant Response:

The Applicant will consider and review these 2 recommendations and will develop in further detail for the SPA submission.

Comment:

The panel recommends the applicant review the relationship of the podium to Harris Park through the following measures:

- As a key attribute of the site, consider ways to develop a more naturalized landscape solution which integrates the two public access stairs with terracing/ramping/berming to soften the experience of traversing the grade difference and avoid a blank brick wall where risk of flooding is most severe. Review precedents for flood mitigation and building integration.
- Work with the City to develop an integrated solution where the site transitions into Harris Park and interfaces with the appropriated land.
- Consider different public uses of the stairs (walking, running, strollers, rollerblading, cycling, etc.) and how the stair design can support these uses and ease public access to the park. This should take into consideration all times of day and night to ensure the connections are safe and well-lit.

Applicant Response:

The Applicant agrees with the 3 bullet points and will demonstrate how they have been considered in the next stage of the submission process (SPA).

Appendix G – Applicant Response to LACH Comments



November 30, 2020

Response to notes prepared by LACH Working Group
435, 441 and 445 Ridout Street North (copy attached)

aTRR have responded to the comments in the order that they were presented in the LACH notes.

1.0 General Comments:

- .1 The scale of the development is the first indication of the high importance Farhi Developments has placed on the Ridout Street Complex. The preliminary planning and concept have integrated the existing three heritage buildings into the overall proposal. These buildings will be accurately restored and will be activated again as office, commercial and educational space.
- .2 While still early in the planning process, currently seeking a zoning change, we fully expect to engage with heritage groups and professionals during the site plan approval process.
- .3 We do not agree with the observation that the Georgian architecture will be lost and surmounted by a glass tower. While the design concept is in early stages, the use of brick, metal and glass is being used as a backdrop to emphasize the heritage buildings. We are open to investigating the use of these materials, their arrangement and colours to creating the appropriate response to the setting while also recognizing the functions of the spaces within the new structure.
- .4 There are numerous precedents done successfully across the country and around the world where tall buildings have been placed adjacent to smaller heritage buildings and sites.

There will likely always be a debate of what is “too tall” but the increase being sought in building height is in keeping with the City of London’s desire to increase density in the core as well as complementing the current development of high rises in the area.
- .5 We have not intentionally ignored any of the Downtown Heritage Conservation District Guidelines. We welcome your input on these specific guidelines you believe we have not addressed.
- .6 We are open to consulting with the Historic Sites and Monuments Board when we proceed to the next stage – Site Plan Approval. This has always been the intention and is part of the logical next step following the approval of zoning amendment.
- .7 As the development is still in the early stages of design, more renderings will be developed to provide clarity as to how the heritage buildings are being integrated into the overall development at the ground plane.
- .8 We are of the opinion that there is nothing misleading about retaining and restoring the 3 heritage buildings. They are being kept and the podium element of the new complex has been established to be deferential to the Ridout Street Complex.

2.0 Specific Comments

Context:

- .1 It is the intention of the design to enhance the existing view scapes while also creating new vantage points for viewing Harris Park and the Thames River from the west side of the development. The tower will mark the Ridout Street Complex from a much further distance signifying the importance of the site. At the pedestrian level the intention is to use compatible building materials, site furniture, lighting and landscape materials. We propose that the site will

be more inviting to the public than it has been in the recent past. With the introduction of two public stairways that link Ridout Street to Harris Park and the Thames River we are of the opinion that the site will see a major increase of use from the public, thus increasing the awareness of this important heritage site.

- .2 As noted earlier, the three heritage buildings are being kept and will be accurately restored. The new building will take material cues from the existing site and the ground plane will be enhanced around all of the heritage buildings in a manner that is both physically and visually compatible. This approach will demonstrate the unique character and beauty of this site.

Site and Siting:

- .3 The observation that the development is "crammed up right behind" does not recognize that the west face of 451 Ridout Street has an existing 1970's addition built on it, that is going to be replaced. The flood plain issues have been addressed with the UTRCA and the flood plain exists well below 435, 441 and 451 Ridout Street Buildings. The tower will be visible and we make no other commentary to the contrary.
- .4 Through the use of the virtual reality model that we have created, we can demonstrate accurately that while some views would change, other views will remain the same or be enhanced.
- .5 We do not agree with the observation/opinion that the development would isolate the Forks and Harris Park. On the contrary, more public views and physical access points are being created. This and the dedication of a large portion of the property to Harris Park was seen as a very positive move by City staff.
- .6 The studies referred to (building condition, vibration study etc.), will of course be completed prior to any construction activity and are not required at this point in the development process. We have conducted two meetings to share our plans with the Eldon House Board of Directors and will continue to engage with Eldon House as the planning progresses. There is a serious effort being made by Farhi Developments to see Eldon House and its operations flourish both during and following construction.
- .7 As with any new construction projects and especially one such as this, where heritage structures are to be preserved, the mitigation measures will be developed by an expert consultant team who all have experience in successfully building adjacent, above and below heritage structures. These measures will form a part of the contract documentation with the constructor.
- .8 We have no comment as it relates to climate change as it is outside our area of expertise. Discussions with the UTRCA have been on-going for nearly 10 years with the preliminary acceptance of the UTRCA Board being granted on April 27, 2018, for this development. The UTRCA considered the hydrological impacts when flooding is present and determined that the measures being undertaken by Farhi Developments through flood proofing and cut and fill are acceptable.

Size:

- .9 The footprint was established to suit the parking garage requirement and had nothing to do with "the precarious site". It should be noted that the UTRCA staff were supportive of this footprint as conceived as it will stabilize the remnant slope.

Height:

- .10 We are not certain why a 40-storey tower has been deemed "far too high". As this is more of a subjective comment, we do not have a response to offer.
- .11 The integration of the heritage buildings is one of the foremost considerations of the design and will of course need more development, but we can assure the reader that they are not "an after-thought". This is one of the most exciting elements of the project to be designed. We will be delighted to share the model and renderings with the City of London as the design progresses.
- As stated earlier in this response, the heritage buildings will be accurately restored and all three buildings will become active components of the overall development.
- .12 With the development of the virtual reality model we can demonstrate the shadowing effects in real time. This model has been shared with Eldon House Board Members. Our Landscape Architect is familiar with the gardens and is confident that the placement of the new structure will not adversely affect the south garden.
- Should the City of London require an arborist's report then Farhi Developments will have that report prepared at the Site Plan Application stage.

Massing / Design:

- .13 The massing and design intent was to establish a strong and respectful built form which celebrates the importance of this site. We were disappointed to receive so many negative comments from LACH. We remain open to input from LACH members on building material and colour selection as well as building form as the design progresses.

Materials:

- .14 Please refer to our response in '.13 Massing/Design' above.

Mitigations:

- .15 No comment.

architects Tillmann Ruth Robinson



Tom Tillmann
B.Arch, OAA, FRAIC, LEED AP
Principal
TT/arc

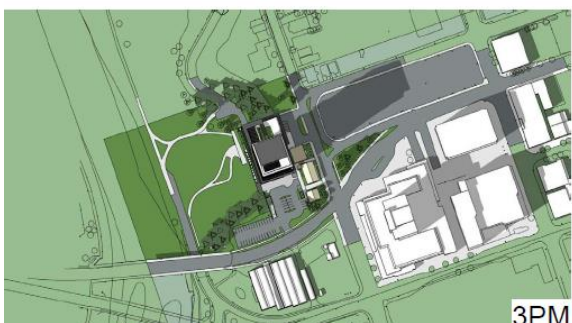
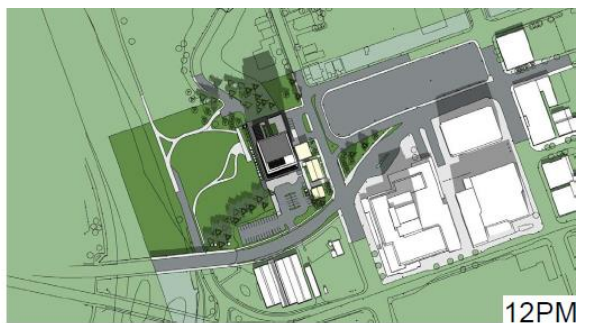
Appendix H – Shadow Study Images



March 21st



June 21st



September 2nd



December 21st



5PM