

Architectural Conservancy Ontario – London Region Branch
Grosvenor Lodge
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October 28, 2021

Members of Planning & Environment Committee:

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

Mayor Ed Holder – mayor@london.ca

Re File: OZ8462 – 560 and 562 Wellington Street

Dear Councillors and Mayor Holder:

ACO London believes in development and intensification in accordance with the principles of the London Plan. For that reason, on behalf of ACO London, I write to express continued concern over the proposed Official Plan and zoning by-law amendments to allow a 17-storey tower on the site of 560 and 562 Wellington Street, overlooking Victoria Park. We support city staff's recommendation that the current application be refused. We encourage the City to insist that the property owner redevelop the property, if it wishes to do so, in accordance with the London Plan, the 1989 Official Plan, and the current zoning by-law.

This new proposal does not differ significantly from the 22-storey tower contemplated in 2017. Similarly, our reasons for concern have not changed significantly:

- The proposed building is approximately six times higher than is currently permitted (61 m vs. 10 m). As a matter of policy, we do not believe that the City should entertain a proposal that is this far outside the bounds of what has been deemed desirable and acceptable by the planning experts who drafted the London Plan, the predecessor Official Plan, the current zoning by-law, and by the city councillors who approved those documents.
- Approval of the proposed development would not seem to be in accordance with Sections 13.1 and 13.3.6 of the city's Official Plan, nor with Policy 4.3 under the West Woodfield HCD Plan. On this point, we respectfully disagree with the findings of the Heritage Impact Assessment report submitted by the proponent. Its shortcomings are self-evident. In the interests of brevity, we will not address those findings in detail in this submission. The adverse impact of this development on the West Woodfield HCD and on Victoria Park would be significant and irreversible.

- The proposed development is too tall for its location. It would undermine the integrity of the West Woodfield Heritage Conservation District, of which it is a part. It would have an adverse impact on the ambiance of Victoria Park, a London gem. At 17 storeys, the proposed building would tower over the neighbouring two-storey homes – some of which are residences while others have been converted to office use, depriving them of both privacy and sunlight. The proposed building would be more than twice as high as the West Woodfield HCD’s recommended maximum height for the adjacent City Hall Precinct (8 to 10 storeys for buildings facing Wellington Street, 3 storeys for buildings adjacent to houses on Wolfe Street). The City Hall Precinct is tentatively defined to include the parking lot across Wolfe Street from 560-562 Wellington Street, but to exclude 560-562 Wellington Street itself.
- The proposed development is inconsistent with the Ontario Municipal Board’s 2015 decision in *CHC MPAR Church Holdings v. City of Toronto*. In that case, the proponent wished to construct a 32-storey building adjacent to a designated property. The OMB determined that respectful separation distance was critical to conserving the heritage attributes of the neighbouring designated and listed properties. The 560-562 Wellington Street site is immediately adjacent to two properties (294 Wolfe Street and 568 Wellington Street) that are designated under Part V of the Ontario Heritage Act (as part of the West Woodfield HCD).
- The suggested design and massing are out of character with West Woodfield, a neighbourhood of Victorian homes, and with the other buildings bounding Victoria Park.
- This development would set a precedent for inappropriate construction in other London Heritage Conservation Districts (HCDs). There is little purpose to HCDs if their architectural heritage value is not to be respected by the City of London. Rules are of no use if exceptions are always granted to anyone who requests one.
- To our knowledge, the impact of this proposal on Victoria Park itself has not been researched. Changes to wind and sunlight patterns may have an adverse impact on vegetation and on public enjoyment of the park. The Victoria Park Secondary Park study, initiated by City Council as the result of an earlier iteration of this proposal, is not yet complete.
- The development would set a precedent for other very tall buildings around Victoria Park. If Victoria Park were to become surrounded by tall towers, it and its trees would be deprived of much sunlight. It would no longer be the appealing downtown gathering place that it is today.

ACO London supports infill development in the core as per the London Plan, but in appropriate locations and not in inappropriate locations. We would suggest:

- A policy of strict adherence to the London Plan, to the extent possible even in situations where it is not in full effect
- Proactive communication of that policy to potential developers in the very early stages of discussions with City planning staff: this would permit developers to minimize unnecessary expense and to focus on their energy on sites that the city has identified as appropriate for development or redevelopment
- Improvement of the process for identifying appropriate land parcels for infill development, including existing vacant lots, parking lots, or sites containing buildings that are not deemed to have cultural, contextual, or architectural merit, and improvement in the approach to communication of information regarding those parcels to interested developers
- A special effort to discourage development proposals that may adversely affect West Woodfield's residents and the physical fabric of its Heritage Conservation District
- Implementation of Tall Building Design Guidelines, similar to those in place for the City of Toronto

Sincerely,

Kelley McKeating
President, Architectural Conservancy Ontario – London Region

Copies: Cathy Saunders, City Clerk - csaunders@london.ca
Heather Lysynski, PEC Committee Secretary - pec@london.ca

(attachment)

Addendum to ACO London Submission to PEC

From the Provincial Policy Statement under the Planning Act:

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.3 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.

From the Ontario Heritage Act:

41.2 (1) Despite any other general or special Act, if a heritage conservation district plan is in effect in a municipality, the council of the municipality shall not,

- a) carry out any public work in the district that is contrary to the objectives set out in the plan; or
- b) pass a by-law for any purpose that is contrary to the objectives set out in the plan.

From the September 8, 2021 LACH Report:

“despite the changes that have been brought forward in the Notice of Planning Application, dated June 28, 2021, from S. Wise, Senior Planner, with respect to Revised Official Plan and Zoning By-law Amendments, related to the properties located at 560 and 562 Wellington Street, the London Advisory Committee on Heritage, reiterates its comments from the meeting held on January 11, 2017 with respect to concerns about the following matters related to the compatibility of the proposed application with the West Woodfield Heritage Conservation District Plan guidelines, Victoria Park and the adjacent properties:

- i) the height of the building;
- ii) the massing of the building;
- iii) the setbacks of the building;
- iv) the design of exterior facades; and
- v) shadowing impacts onto adjacent heritage properties.”

From the City of Toronto Tall Building Design Guidelines (March 25, 2013):

HERITAGE CONSERVATION

The City of Toronto values its heritage properties and requires that they be protected and that new development conserve the integrity of their cultural heritage value, attributes, and character, consistent with accepted principles of good heritage conservation (see Appendix A: Heritage Conservation Principles). Not every property is suitable for tall building development as a result of constraints imposed by its size or by the fact that such development may be incompatible with conserving heritage properties on or adjacent to a development site or within a Heritage Conservation District.

Heritage Conservation Districts (HCDs) are special areas dense with heritage properties and a unique historic character. The character and values of HCDs will be conserved to ensure that their significance is not diminished by incremental or sweeping change.