

# **Planning Justification Report**

**Re:**

**250 – 272 Springbank Drive  
London, Ontario**

**On behalf of  
2355440 Ontario Inc.**

**Knutson Development Consultants Inc.**

**December, 2020**

**In conjunction with:**

**Marsh Architects Inc.**

**MTE Engineering**

**IE Design**

**EXP**

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# PROPOSED





## PREVIOUSLY APPROVED





## **INTRODUCTION:**

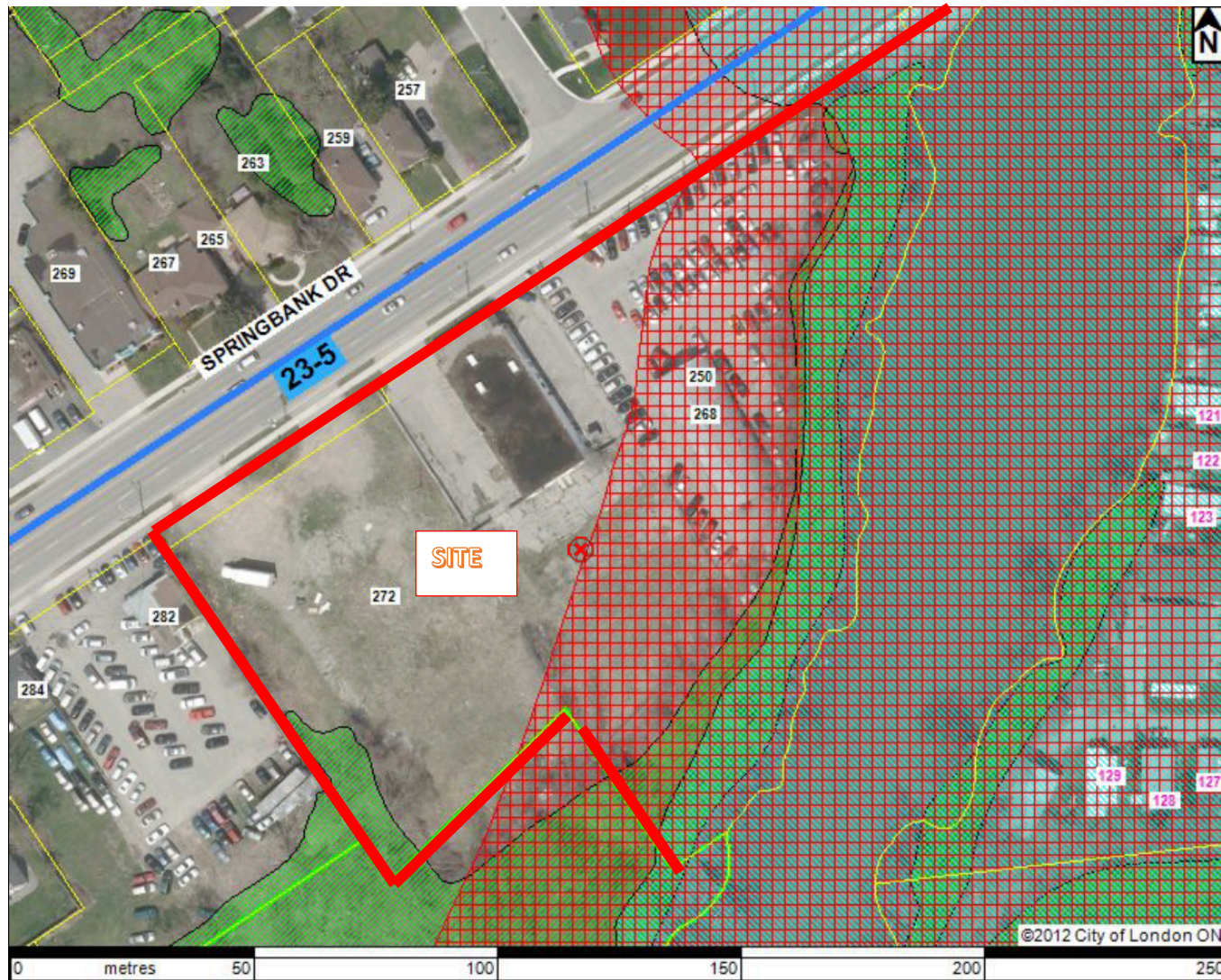
Since the approval of the site plan and Official Plan and Zoning By-law for the site by virtue of the OMB order November 18, 2018, much has been learned about the success of the project. From approximately 20 lenders, proposed partners or purchasers the site with the commercial component and the LEED certification requirement have universally resulted in the site being rejected by the marketplace. To deal with this and to address a number of concerns previously expressed by the City of London, namely, Urban Design, a fresh look has been taken with a new architect to rethink the site in context of the current approvals. This report will detail the changes required and why those subtractions and additions better reflect significant city policy initiatives developed since the project at 250 – 272 Springbank started.

Beyond the initial few sections the report will prefer point form and drawings in the analysis.

## **SITE:**

The site is located on the southside of Springbank Drive, immediately adjacent to the Coves West Pond. The following aerial view taken from City mapping will assist in understanding the site in terms of the adjacent pond, Upper Thames River Conservation Authority (UTRCA) site restrictions. The gross site area is 1.38 ha. With a net site of 0.85 ha. once the stable slope and access areas are taken into account. Over the years according to a variety of records, the site has been used most recently as a car lot, previously as the initial Toyotatown sales site. In history it has been a brick yard, the repair garage for the streetcar

line serving the then distant Springbank Park. The site has been significantly altered over the years now resulting in a brownfield condition.



## PREVIOUS APPROVALS:

The current Official Plan, Zoning and Site Plan as ordered by the Ontario Municipal Board (now LPAT) November of 2018, provide for the erection of:

- 2 residential towers to a height of 51 m.
- a total net site density of 306 u/ha (net of lands eliminated due to stable slope).
- a commercial podium of 2,000 sq. m. as a potential secondary use.

Subject to:

- enhanced building and site design features including a multifaceted street face and setback podium with a pedestrian link to the public sidewalk.
- remediation of an existing brownfield condition notwithstanding potential compensation through brownfield incentives.
- construction of 2 levels of fully underground parking.
- dedication of the OS4 lands as a public link and to compliment the adjacent Environmentally Sensitive Area with all asphalt and buildings removed and landscaped in conjunction with landscaping plans to be approved by Parks Planning.
- to provide a green roof on the office commercial podium for active open space for residents.
- current public transit lines (23 & 5).
- construction of a LEED certified building.



Based on the following Zoning regulations:

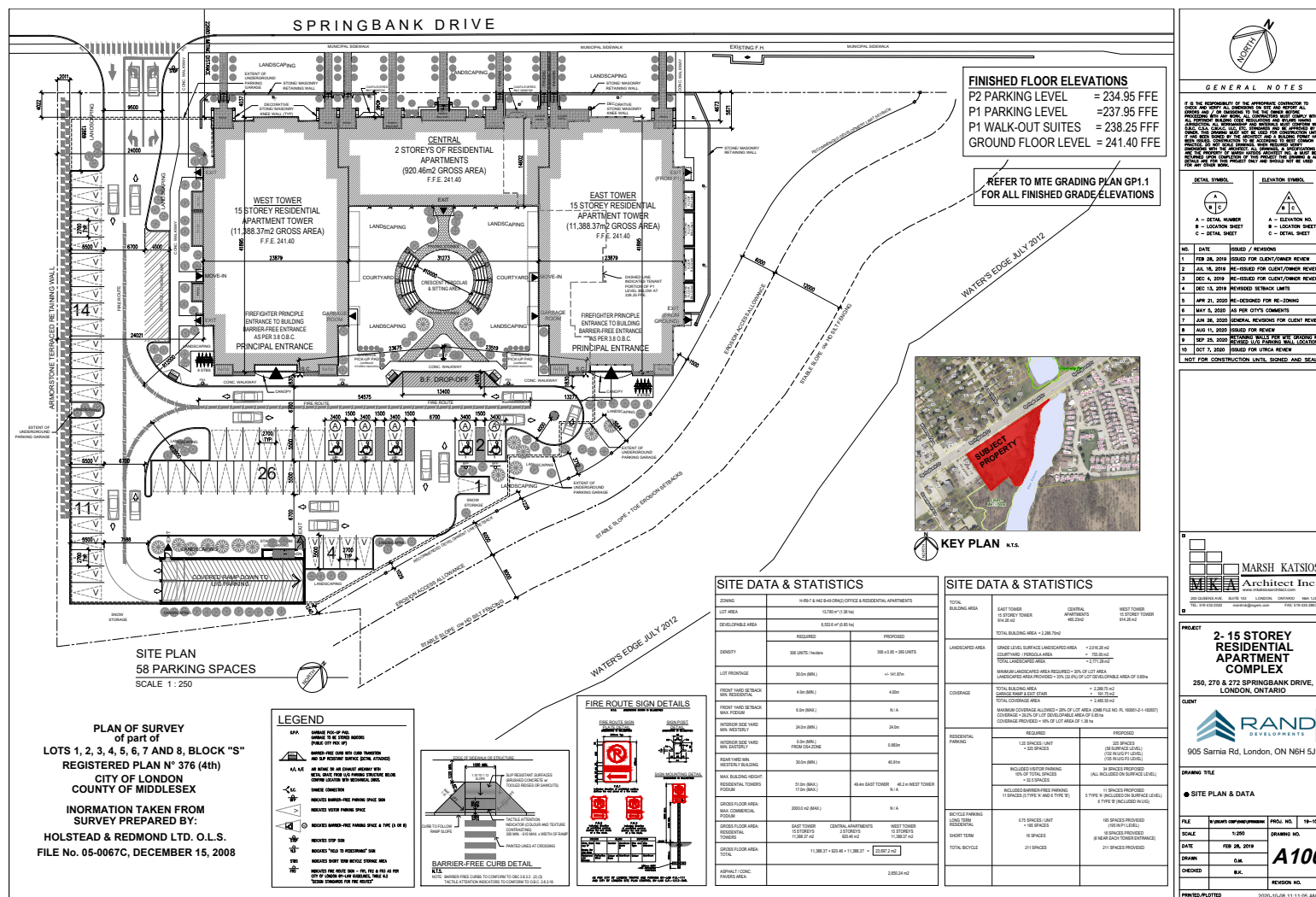
i) Height Maximum (Residential towers)	51.0 metres (167 feet)
ii) Height Maximum (3 storey Commercial podium)	17.0 metres (56 feet)
iii) Front Yard setback Minimum residential	4.0 metres (6.6 feet)
iv) Front Yard setback Maximum podium	6.0 metres (19.7 feet)
v) Density Maximum	306 units per hectare (114 units per acre)
vi) Maximum commercial gross floor area	2,000 sq.m (21,528 sq. ft)
vii) Minimum easterly side yard	0.0 metres from OS4 zone
viii) Minimum westerly side yard	24.0 metres (59 feet)
viii) Minimum rear yard westerly building	30.0 metres (98.4 feet)
ix) Maximum coverage	28%

# NEW PLAN SITE DATA

SITE DATA & STATISTICS		
ZONING	H-R9-7 & H42 B-49 OR4(2) OFFICE & RESIDENTIAL APARTMENTS	
LOT AREA	13,760 m <sup>2</sup> (1.38 ha)	
DEVELOPABLE AREA	8,552.6 m <sup>2</sup> (0.85 ha)	
DENSITY	REQUIRED	PROPOSED
	306 UNITS / hectare	306 x 0.85 = 260 UNITS
LOT FRONTAGE	30.0m (MIN.)	+/- 141.87m
FRONT YARD SETBACK MIN. RESIDENTIAL	4.0m (MIN.)	4.00m
FRONT YARD SETBACK MAX. PODIUM	6.0m (MAX.)	N / A
INTERIOR SIDE YARD MIN. WESTERLY	24.0m (MIN.)	24.0m
INTERIOR SIDE YARD MIN. EASTERLY	0.0m (MIN.) FROM OS4 ZONE	0.883m
REAR YARD MIN. WESTERLY BUILDING	30.0m (MIN.)	40.91m
MAX. BUILDING HEIGHT: RESIDENTIAL TOWERS PODIUM	51.0m (MAX.) 17.0m (MAX.)	49.4m EAST TOWER 46.2 m WEST TOWER N / A
GROSS FLOOR AREA: MAX. COMMERCIAL PODIUM	2000.0 m2 (MAX.)	N / A
GROSS FLOOR AREA: RESIDENTIAL TOWERS	EAST TOWER 15 STOREYS 11,388.37 m2	CENTRAL APARTMENTS 2 STOREYS 920.46 m2
		WEST TOWER 15 STOREYS 11,388.37 m2
GROSS FLOOR AREA: TOTAL	11,388.37 + 920.46 + 11,388.37 = 23,697.2 m2	
ASPHALT / CONC. PAVERS AREA:	2,650.24 m2	

SITE DATA & STATISTICS		
TOTAL BUILDING AREA	EAST TOWER 15 STOREY TOWER 914.26 m2	CENTRAL APARTMENTS 460.23m2
		WEST TOWER 15 STOREY TOWER 914.26 m2
	TOTAL BUILDING AREA = 2,288.75m2	
LANDSCAPED AREA	GRADE LEVEL SURFACE LANDSCAPED AREA = 2,016.28 m2 COURTYARD / PERGOLA AREA = 755.00 m2 TOTAL LANDSCAPED AREA = 2,771.28 m2  MINIMUM LANDSCAPED AREA REQUIRED = 30% OF LOT AREA LANDSCAPED AREA PROVIDED = 33% (32.6%) OF LOT DEVELOPABLE AREA OF 0.85ha	
COVERAGE	TOTAL BUILDING AREA = 2,288.75 m2 GARAGE RAMP & EXIT STAIR = 191.75 m2 TOTAL COVERAGE AREA = 2,480.50 m2  MAXIMUM COVERAGE ALLOWED = 28% OF LOT AREA (OMB FILE NO. PL 160951-Z-1-182657) COVERAGE = 29.2% OF LOT DEVELOPABLE AREA OF 0.85 ha COVERAGE PROVIDED = 18% OF LOT AREA OF 1.38 ha	
RESIDENTIAL PARKING	REQUIRED	PROPOSED
	1.25 SPACES / UNIT = 325 SPACES	325 SPACES (58 SURFACE LEVEL) (132 IN U/G P1 LEVEL) (135 IN U/G P2 LEVEL)
	INCLUDED VISITOR PARKING 10% OF TOTAL SPACES = 32.5 SPACES	34 SPACES PROPOSED (ALL INCLUDED ON SURFACE LEVEL)
	INCLUDED BARRIER-FREE PARKING 11 SPACES (5 TYPE 'A' AND 6 TYPE 'B')	11 SPACES PROPOSED 5 TYPE 'A' (INCLUDED ON SURFACE LEVEL) 6 TYPE 'B' (INCLUDED IN U/G)
BICYCLE PARKING LONG TERM RESIDENTIAL	0.75 SPACES / UNIT = 195 SPACES	195 SPACES PROVIDED (195 IN P1 LEVEL)
SHORT TERM	16 SPACES	16 SPACES PROVIDED (8 NEAR EACH TOWER ENTRANCE)
TOTAL BICYCLE	211 SPACES	211 SPACES PROVIDED

# PROPOSED SITE PLAN





## PRINCIPAL DIFFERENCES

- elimination of the commercial podium and related green roof. (open space now on top of parking garage between the towers).
- addition of garden suites adjacent to Springbank with sidewalk access.
- better street presentation and pedestrian connection.
- elimination of buildings on the bias.
- total site development is square to and oriented to Springbank Drive.
- Coverage increased slightly from 28% to 29.2%.

## ZONING AMENDMENTS SOUGHT TO LPAT APPROVED ZONE:

1. Amend clause 1 to read as follows:

Schedule 'a to By-law Z-1 as amended is amended by changing by deletion of any reference to the commercial zoning therefore delete the OR4 ( ) zone and amend the H42 to be consistent with the other regulations to H51. The resulting Zone would therefore be:

Holding Residential R9 Bonus Special Provision (h•R9-7•H51•B\_\_\_\_Zone and an Open space 4 (OS4) Zone.

Amend site regulations to increase coverage from 28% to 29.2%

Clause 2 to be amended by amending the Bonus provisions as follows:

- i. Delete reference to setback podium
- v. Delete in its entirety
- vi. Delete reference to (23 and 5)
- vii. Delete in its entirety
- viii. Add a new provision related to the number of affordable units to be provided. (Note: That detail will be finalized with the London Housing Corporation).

## **OFFICIAL PLAN:**

A site-specific amendment was ordered by LPAT to permit the 2 residential towers and also permit 2,000 sq. m. of commercial space as a secondary permitted use. The LPAT order is appended including the Official Plan amendment, Zoning amendment and Site Plan approval. The proposed revisions are consistent with but meaningfully different than that amendment.

## **LONDON PLAN:**

The London Plan contains many principles that the proposed revised plan is consistent with. Those policies will not be copied as this report would not conform to the requirements of brevity and point form.

## General Principles:

The proposed does contribute to a sustainable London:

- remediation of a brownfield condition.
- intensification of vacant and underutilized site.
- identification of stable slope adjacent to Coves West Pond and appropriate setbacks
- dedication to public authority of slope impacted lands (100-year stable slope and access).
- slope impacted lands provides rehabilitated buffer to existing ESA along West Cove.
- development of 260 residential units within a 20-minute walk of downtown, adjacent to bikeways.
- direct connection to the Thames Valley Corridor and Greenway Park.
- removal of a parking lot adjacent to an ESA and add landscaped lands to be dedicated to the public.
- the dedication will connect the Thames parkland with what is currently a landlocked woodlot.
- location adjacent to transit.
- utilization of existing infrastructure.
- provision of affordable housing units.
- Energy efficient built form, location reduces reliance on automobile use.



## Urban Regeneration:

- Utilization of existing infrastructure and full development charges.
- walking distance to downtown (2.4 km).
- Intensification of vacant or underutilized site (estimated brownfield remediation costs estimated at \$2.25 million).
- Development Charges (2021) estimate based on 2-bedroom units \$5,322,980.
- Remediation of brownfield site.
- Significant increase in tax revenues.
- provision of affordable housing units.

## City Design

- creation of 2 storey streetwall adjacent to Springbank Drive as a significant improvement relative to Urban Design.
- Site layout. Appropriate for site and topography.
- location minimizes impact on adjacent areas trailer park other side of west cove, woodlot to south, commercial to west and housing undergoing commercial conversion northside of Springbank.
- 2 levels fully underground parking and surface parking south of proposed buildings screened from view from Springbank.

## **Mobility**

- Site contains bike parking for 195 bicycles underground and 16 surface spaces.
- Springbank provides a number of bicycle connections to Greenway Park and the Thames trail system including connections to downtown.
- Pedestrian connections including mobility challenged are via Springbank and connections to the Thames Valley Parks system.
- Transit stop adjacent on Springbank and proposal is to move it to the current bus bay (west of site) to in front of the proposed development.

## **Project Cost / Revenue (Infrastructure)**

- It is understood that many of the Growth Management Policies are still under appeal.
- The project will generate in excess of \$5.3 million in Development Charges (2021)
- Existing infrastructure is relied upon for this project.
- Potential Pumping Station upgrade required for second tower (Brookdale).
- Minor roadwork revisions on Springbank related to lane marking changes.
- Brownfield remediation is expected to cost \$2.25 million (EXP separate Brownfield application report).
- Assuming a nominal \$2,500.00 per unit annual total tax revenue total \$650,000.00.

- The project represents a net surplus to the municipality with the brownfield remediation costs and minor roadworks. The pumping station may NOT need upgrading.

## Neighbourhood Context

The following map identifies the site in context of its surrounding area.





- Site borders the west pond of the COVES ESA on the east.
- ESA boundary coincides roughly with top of bank.
- north of site is Residential / Converted Office on Springbank.
- west of site is commercial, low-rise apartment and auto sales lot.
- further west is commercial associated with Kernohan Parkway.
- trailer park is separated from site via elevation difference and west pond.

## DISCUSSION:

The site has been approved in the 1989 Official Plan by LPAT order. The London Plan overlay of high-density sites (under appeal) should acknowledge the LPAT order.

The above issue aside, the many significant and general principles outlined in the London Plan are fully represented in the proposed changes from the original plan of 2 towers joined by a commercial podium to the now rotated and redesigned towers that are square to Springbank and joined by a 2-storey garden suite addition. This addition has the streetwall and sidewalk connections originally sought by staff in the original proposal but were not approved by LPAT.

The site:

- will be energy efficient.
- provide needed affordable housing units.

- enhance the ESA by removal of the asphalt parking lot and providing complimentary landscaping.
- is financially viable to the City even with the brownfield remediation incentives.
- does achieve many of the Urban Design objectives previously not existing.
- is connected to the city parkland system.
- with the proposed dedication will connect a landlocked woodlot to the Springbank sidewalk and the Thames Valley parklands.
- will be able to be built with the commercial podium removed as well as the LEED certification.
- LEED certification would result in a 2-year delay in the construction process.
- no high-rise project has been required to meet a LEED certification in London.
- will not contain the commercial podium that has been rejected by the real estate industry.
- compensation for deleting the LEED certification requirement is through identification of affordable housing units. A Special Needs population has been identified.

## **JUSTIFICATION TO DELETE LEED AND COMMERCIAL**

Both of these elements have been included in previous sections. This is to focus on each and the merits of exclusion and proposed additional benefit.

### **LEED:**

In previous reviews it had been determined that the site plan as approved would yield approximately 29 of the 41 points required for LEED certification. That was not estimated by an architect. The remaining 12 LEED points would be made up from HVAC, water

saving elements, insulation specifications, storm water quality and a number of other matters. Each of the elements mentioned would yield 2 to 5 points each.

Current construction methods in Ontario achieve many of the energy saving, storm water quality and water usage that the LEED point system anticipates. The process in having a building certified as, described to the author, is very onerous in terms of reviewing details of construction in a very picayune nature and those review delays having little to do with the inherent LEED requirements. That is the known cause for the delays that for a project of this magnitude would be approximately 2 years. The cost associated with carrying financing are significant and add nothing to the functional LEED issues. To clarify just the financing costs, a project of this size would be approximately \$60,000,000.00, assuming construction financing at 6%, a 2-year delay adds \$3,600,000.00 per year to the total project cost with no identifiable benefit other than a certificate..

The project can achieve most of the benefit of LEED just on its design. When required low flow water features are added, LED lighting, source storm water quality controls and quality construction, the benefit sought is already achieved.

There have not been any other multi-family buildings with a similar LEED requirement. The only situation that has occurred, is the residence redevelopment for the Sisters of St. Joseph who to their credit incorporated a wide variety of LEED requirements of the day. That was an offering from the Sisters as opposed to a City of London requirement.

With the inherent elements included in the design and construction of this project as amended, the energy savings and environmentally responsible benefits will be inherently achieved. Best efforts to achieve LEED but without certification.

## **COMMERCIAL PODIUM:**

Quite simply all realtors and developers have reacted negatively to the commercial podium as it not being leasable. It will be expensive construction that with no comfort in being able to be leased has resulted in part to the lack of success in partnering with or selling the site to another developer.

The loss of the commercial podium will also lose the green roof. That will be replaced with outdoor amenity space between the towers at grade and protected from north, west and east winds via the proposed buildings. The open space being at grade will be more accessible than what had previously been approved on the roof.

That space while called a green roof had never been intended in context of the architectural green roof but rather a landscaped area of congregation for BBQ's, potentially containing facilities such as meeting pergola which is proposed on the new plan.

## **COMPENSATION**

In our meetings with staff including those from the London Housing Corporation, there is agreement to provide a number of affordable housing units in the development as the

alternative to the above 2 elements. The exact number of units will be determined through the process>. The London Housing Corporation will be providing a business case for those units.

The type of units required are to serve a difficult service population where there are those adults still in the care of full-time adults. The handicapped individuals are capable of living independently with some unit modifications. The adult caregivers would also be able to live nearby in the same complex and have a better quality of life. It is anticipated that there will be a mirroring of units, with the below market rent units for the adults capable of living independently and the other market rent units for the caregivers.

## **CONCLUSION:**

The rezoning applied for that:

- deletes the commercial podium and associated green roof
- deletes the requirement for LEED certification
- deletes the route numbers for transit (clarification)
- addition of clause specifying affordable housing units

The proposed rezoning represents good planning; is consistent within the development framework previously approved, achieves many of the objectives in the London Plan, and that achieves a more functional Urban Design interface with Springbank Drive. Further as compensation for the changes a to be determined number of affordable units will be specified in the bonus provisions. The revised plan and Zoning to implement that are commended to the City.



Respectfully submitted  
Original signed

Attachments:

1. Order of LPAT with OPA, Zoning amendment, and site plan approval (included site servicing plan provides details that are unchanged).
2. Pdf of various elevations.
3. Pdf of site plan.
4. Pdf of data sheet for site.
5. Pdf of excavation plan



