

Agenda Including Addeds

Planning and Environment Committee

17th Meeting of the Planning and Environment Committee

October 23, 2023

4:00 PM

Council Chambers - Please check the City website for additional meeting detail information. Meetings can be viewed via live-streaming on YouTube and the City Website.

The City of London is situated on the traditional lands of the Anishinaabek (AUh-nish-in-ah-bek), Haudenosaunee (Ho-den-no-show-nee), Lūnaapéewak (Len-ah-pay-wuk) and Attawandaron (Add-a-won-da-run).

We honour and respect the history, languages and culture of the diverse Indigenous people who call this territory home. The City of London is currently home to many First Nations, Métis and Inuit today.

As representatives of the people of the City of London, we are grateful to have the opportunity to work and live in this territory.

Members

Councillors S. Lehman (Chair), S. Lewis, A. Hopkins, S. Franke, S. Hillier, Mayor J. Morgan

The City of London is committed to making every effort to provide alternate formats and communication supports for meetings upon request. To make a request specific to this meeting, please contact PEC@london.ca or 519-661-2489 ext. 2425.

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Report to Planning and Environment Committee

**To: Chair and Members
Planning and Environment Committee**
**From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development**
Subject: Streamline Development Approval Fund - Update
Date: October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following staff report on the Streamline Development Approval Fund - Update **BE RECEIVED** for information.

Executive Summary

The Province requires that recipients of the Streamline Development Approval Fund report back to the Province by no later than November 1, 2023, and include a staff report posted on a publicly accessible website summarizing the project, how the funds were spent, and measures or actions expected to be achieved. This staff report serves to fulfill the provincial requirement and identify projects that City staff have undertaken using the funding.

Linkage to the Corporate Strategic Plan

Council's 2023 to 2027 Strategic Plan for the City of London identifies "Housing and Homelessness" as a strategic area of focus. This includes increasing the efficiency and effectiveness of processes to support housing access and supply.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

- Planning and Environment Committee, October 3, 2023, Delegation of Authority – Part Lot Control.
- Planning and Environment Committee, May 1, 2023, Delegation of Authority – Subdivisions and Condominiums and Official Plan Amendment on policies for Public Meetings, City File# O-9606.
- Planning and Environment Committee, January 30, 2023, Streamline Development Approval Fund: Streamlining Development Approvals (2022) – Final Report.
- Planning and Environment Committee, April 25, 2022, Streamline Development Approval Fund: Continuous Improvement of Development Approvals – Single Source Contract Award.
- Planning and Environment Committee, April 25, 2022, Single Source Procurement of Consultant for an update to the Site Plan Control By-Law and Manual
- Strategic Priorities and Policy Committee, February 15, 2022, Streamline Development Approval Fund – Transfer Payment Agreement.

1.2 Background

- January 19, 2022 – the Province of Ontario announced an investment of \$45 million to unlock housing supply by streamlining, digitizing, and modernizing approvals for residential development applications, with London being eligible to receive up to \$1.75 million from the Streamlined Development Approval Fund.

- February 7, 2022 – the Province provided London the Transfer Payment Agreement and program guidelines, which requires a final report on the use of the funding and must include a publicly posted staff report.
- March 9, 2023 – the Province of Ontario amended the Transfer Payment Agreement, affording municipalities an opportunity to extend the funding window and the submission of their final report or November 01, 2023.

2.0 Discussion and Considerations

2.1 Eligible Projects Under the Streamline Development Approval Fund

The Province's Streamline Development Approval Fund covers 100% of the eligible costs, up to the approved amount of \$1.75 million for London, on any number of qualifying projects. As specified in Schedule 'C' of the Province's Transfer Payment Agreement, the following projects were eligible to receive funding:

1. *Procuring consulting or fee-for-service resources to do one or more of the following:*
 - a. *Identify and assist the Recipient to implement more efficient processes for the Recipient's development approvals.*
 - b. *Prepare draft changes to the Recipient's zoning by-laws and explore opportunities to accommodate new housing development as-of-right.*
 - c. *Implement or enhance implementation of a Community Planning Permits system with a housing component.*
 - d. *Review council decision-making processes related to development approvals and make recommendations for streamlining those processes, including delegating certain planning decisions to the Recipient's staff where considered appropriate.*
 - e. *Develop draft Community Improvement Plans that include housing incentives.*
 - f. *Undertake studies to support new housing types.*
2. *Implementing e-permitting systems or online "Manage My Application" systems that provide for online status checking, interaction between the applicant and planners, fee payments, and ability to start additional permits and view agency comments.*
3. *Implementing systems that enable the use of online application forms, which allow for the submission of supporting documents, drawings, and studies as well as standardizes forms, drawings, studies and data submissions.*
4. *Developing online application guides to help applicants select a location, identify development type, and follow a step-by-step guide to determine application submission requirements.*
5. *Implementing online booking and web meetings systems for pre-consultation and planning meetings.*
6. *Purchasing data/application management/workflow software, digital drawing software, or 3D tools to assist with design and visualization of development applications.*
7. *Purchasing software or hardware to improve the Recipient's efficiency in handling payments related to development approvals, such as new hardware or software to handle online payments or credit card payments.*
8. *Standardizing terminology, application processes, and data requirements as well as developing terms of reference to improve the customer experience and position partners for simpler data sharing.*
9. *Hiring temporary staff to deal with backlogs related to development approvals, including inspectors and Committee of Adjustment clerks.*
10. *Implement diversity internship programs to support diversification of planning or building departments including internships for qualified students or new graduates with a focus on people with disabilities, Indigenous, Black, and racialized individuals, and people from diverse ethnic and cultural origins, sexual orientations, and gender identities and expressions.*

11. Other initiatives to streamline the Recipient’s development approval processes, with the written approval of the Province.

2.2 Projects / Initiatives Undertaken

Given the above-noted criteria for projects under the Province’s Streamline Development Approval Fund, Staff identified a range of projects to be undertaken, categorized as either: backlog, standardization, continuous improvement, streamlining, or technology.

2.2.1 Backlog

Additional Temporary Staff

The largest planned allocation of the available funding was to retain additional temporary staff to assist with the Planning and Development division’s backlog of work. Additional resources included three (3) document coordinators to assist with administrative efforts; one (1) integrated land planning technologist to assist with updates to the Corporate City Map (including heritage mapping) and support current development applications; three (3) planners to assist with backlog and provide efficiencies on projects that are currently underway; two (2) development inspection technologists and (1) senior development inspection technologists to assist in the backlog of inspections that needed to be completed in the field to undergo releases of security and assist with compliance policy updates.

Estimated Cost	\$900,000
Actual Cost	Total amount projected to be \$782,213 (forecast to October 31, 2023)
Anticipated cost savings/outcomes	The additional temporary staff will have completed or significantly reduced the amount of backlog work, allowing for time to be re-allocated to newer applications and initiatives to support development approvals. As the streamlining work advanced, temporary staff became permanent as new openings from staff turnover became available. Depending on the timing of staff transitioning to permanent, it didn’t provide enough suitable time to hire more temporary staff. Permanent staff weren’t able to qualify for this funding. This is the main reason for the large discrepancy between estimated funding to actual/projected funding.

Consultant – Ecology Support

In addition to the above-noted temporary staffing positions, Staff also retained a consultant ecologist, Grounded Solutions, to provide additional ecological support with review of *Planning Act* applications.

Estimated Cost	\$70,000
Actual Cost	\$67,405 committed, \$22,995 relieved to date
Anticipated cost savings/outcomes	Timely review and commenting on planning applications to keep files moving towards approval.

2.2.2 Standardization

Digitization of Historic Files

Staff retained Hybrid Document Systems Inc., to digitize historical physical documents on the 6th floor of City Hall. Digitized records are stored in a central location and allows for easier search of historical information associated with a property. In the current hybrid working arrangement (50% working in-office and 50% working remote), or if Staff

are working from home due to an illness, having digital records provides access to historical information at any time.

Estimated Cost	\$28,000
Actual Cost	\$100,666
Anticipated cost savings/outcomes	<p>Reduced time to search files and retrieve historical information related to properties undergoing development applications.</p> <p>There is a significant difference between the original estimated cost and actual cost to undertake this project. The estimate was based on the cost of an assumed smaller scope of work, while the actual costs to complete this project came in higher than anticipated due to the volume of historical information that needed to be digitized.</p>

2.2.3 Continuous Improvement

Process Mapping and Improvements

Staff retained EZ Sigma Group to undertake a review of all development application processes. The primary focus of the project was on mapping current processes and developing business analytics to identify performance and performance improvements. The project followed the DMAIC model (Define, Measure, Analyze, Improve, Control) for continuous improvement. The project strived to untangle 30 years of organizational structure, map the current state, and identify opportunities for improvement in the development approval processes. The final report on the outcome of this project was presented to the Planning and Environment Committee on January 30, 2023.

Estimated Cost	\$445,000
Actual Cost	\$457,131
Anticipated cost savings/outcomes	The current state of all development application processes mapped. Identification of several recommended improvements to be implemented in both near-term and long-term to improve process flow.

2.2.4 Streamlining

Site Plan Control Manual Update

Staff retained SvN Architects to update London's Site Plan Control Manual. The updated manual will incorporate the policies of The London Plan (particularly City Building policies); current guidelines, regulations, and best practices; incorporate both regulatory and guideline or performance-based standards for site development; and assist with both the submission and review of development applications by the development community, members of the public, and various City departments. To date, a draft of the updated Site Plan Control Manual is complete. Staff are currently undertaking a comprehensive review of the draft by-law to further streamline the document and avoid duplication of City standards and possible future conflicts between other City documents (e.g., ReThink Zoning).

Estimated Cost	\$154,000
Actual Cost	\$152,896
Anticipated cost savings/outcomes	The updated Site Plan Control Manual will be easier to comprehend, and align with current City policies and industry standards, which should reduce the overall number of resubmissions on Site Plan applications, leading to more timely approvals.

Consultant – Archaeological Mapping

The City has retained a consultant archaeologist, Archaeological Services Inc., to undertake additional integrity mapping of specific areas of re-development within London to better identify areas that retain potential for archaeological resources. This detailed analysis will confirm which areas retain integrity from an archaeological perspective and will narrow the focus for any archaeological assessments required through a development application. Overall, this exercise aims to reduce the number of re-development applications requiring archaeological assessments, which is a burden to homeowners seeking permit approvals.

Estimated Cost	\$20,000
Actual Cost	\$21,620 committed, \$14,283 relieved to date
Anticipated cost savings/outcomes	Reduces the number of Minor Variance applications that would require archaeological assessment, which delay permit issuance.

Delegations of Authority

Subdivisions and Condominiums

On May 1, 2023, Staff brought forward a report to the Planning and Environment Committee recommending that Council delegate to Staff the approval of minor revisions to draft plans, extensions of draft plans, subdivision agreements with special provisions, and to change the requirement for public meetings for vacant land condominiums and common elements condominiums. The proposed changes are intended to streamline the overall development approval process by delegating items that can be completed administratively allowing development to proceed in a more timely manner.

Estimated Cost	n/a
Actual Cost	Outcome from EZ Sigma project (see 2.2.3 above)
Anticipated cost savings/outcomes	Process changes proposed aim to simplify the development approval process, with the expectation of reducing the process timeline by: <ul style="list-style-type: none">• 30 calendar days for subdivisions• 45 calendar days for condominiums

Exemption from Part-Lot Control

On October 3, 2023, Staff brought forward a report to the Planning and Environment Committee recommending that Council delegate to Staff the authority to approve requests and pass by-laws to exempt all, or parts of, registered plans of subdivision from part-lot control. The proposed changes are intended to streamline the overall development approval process by delegating an administrative step, allowing development to proceed in a more timely manner.

Estimated Cost	n/a
Actual Cost	Outcome from EZ Sigma project (see 2.2.3 above)
Anticipated cost savings/outcomes	Process changes proposed aim to simplify the development approval process, with the expectation of reducing the process timeline by 60 calendar days.

2.2.5 Technology

Software – Drawing Review

Staff have acquired 161 Bluebeam Revu software license keys for use by staff reviewing development applications. The Bluebeam Revu software has a multitude of features that aid with plan reviews in both the application and permit stages of development. The Planning and Development division, the Building division, and subject matter experts within the Environment and Infrastructure divisions that assist with development application reviews have been afforded the opportunity to have the most

up to date version of the software. Ultimately, this upgrade will improve the overall delivery and quality of review comments being provided.

Estimated Cost	\$80,000
Actual Cost	\$110,133
Anticipated cost savings/outcomes	With more staff having access to the latest review software, it is anticipated that review time (especially on resubmissions) will be reduced, leading to quicker turn-around of files.

Software – Collaboration

Staff acquired the ‘collaboration module’ for the City’s permitting, planning and licensing database, AMANDA. The module allows both internal and external commenting parties to easily provide application feedback that automatically updates the appropriate digital file without the individual needing to have a licence or full access to the system. This module will improve and expedite commenting processes for planning, licensing, and some permitting applications.

Estimated Cost	\$20,000
Actual Cost	\$16,000
Anticipated cost savings/outcomes	Reduced time to compile comments received from reviewers when commenting directly into the AMANDA database.

3.0 Financial Impact and Considerations

3.1 Impacts

To date, implementation of the above noted projects has had no financial impact to the City of London. The Province’s Streamline Development Approval Fund and associated Transfer Payment Agreement has financed the full cost of these projects/initiatives, up to the approved amount for expenses incurred during the funding period (i.e., ending November 1, 2023).

3.1.1 Long-term Operating Expenses

New software licenses acquired for drawing review are subscription-based (i.e., renewed annually) as opposed to perpetual licences (one-time payment). The initial costs to upgrade to the subscription-based software was covered under the Province’s funding. However, by upgrading to the most current version of the software, Staff were able to qualify for a promotional opportunity provided by the software vendor, securing a reduced year-over-year subscription rate, which will aid in lessening the overall operational impact to the divisions receiving the licenses.

Operating costs, including funds required to maintain software licenses for staff, are included in budgets being brought forward through the 2024-2027 Multi-Year Budget review.

3.2 Allocation of Funding

The below table is a simplified summary of the projects / initiatives that were undertaken within the maximum \$1.75 million allocation provided by the Province’s Streamline Development Approval Fund, including the estimated costs at the time of project scoping and actual costs incurred to date. Note that some projects / initiatives are still underway (e.g., staffing costs) and final costs will not be determined until the end of the funding period (i.e., November 1, 2023).

TABLE 1 - HIGH-LEVEL PROJECT COST SUMMARY

Project / Initiative	Estimated Cost	Actual Cost
Additional Temporary Staff	\$900,000	* \$782,213
Consultant – Ecology Support	\$70,000	* \$67,406
Digitization of Historic Files	\$28,000	\$100,666
Process Mapping and Improvements	\$445,000	\$457,132
Site Plan Control By-law Update	\$154,000	\$152,896
Consultant – Archaeological Mapping	\$20,000	* \$21,620
Software – Drawing Review	\$80,000	\$110,133
Software – Collaboration	\$20,000	\$16,000
Other	\$33,000	\$ 0
Total	\$1,750,000	\$1,708,066

*Note: where projects/initiatives are not complete, actual cost represents the total amount committed/forecast in JDE. Final costs to be reported to the Province at the time of submitting the final report.

4.0 Key Issues and Considerations

The majority of the Streamline Development Approval Fund was initially allocated to acquiring additional staff to address the current backlog. However, where permanent staff within the Planning and Development division have moved on to other career opportunities, temporary staff have been successful in backfilling the permanent vacancies, which in turn frees up anticipated costs within the fund. Furthermore, prior to the Province’s amending agreement, the original end date of the fund was February 28, 2023, so newly vacant temporary positions were not filled given the limited time until project completion. When the funding was extended to November 1, 2023, staff continued to work within the existing compliment, filling permanent vacancies within the division, as opposed to hiring additional temporary staff.

Conclusion

Through the use of the Province’s funding, Staff were able to advance several initiatives to modernize and streamline development approvals. Overall, this funding has aided in tackling the backlog of work within the Planning and Development division, establishing the current state of the development approvals process, and helped foster a culture of continuous improvement. Staff are now in a position to advance additional improvement opportunities that will enable more timely delivery of development approvals.

Prepared by: Matt Davenport, P.Eng.
Manager, Subdivision Engineering

Reviewed by: Peter Kavcic, P.Eng.
Manager, Subdivisions and Development Inspections

Britt O’Hagan, RPP
Manager, Current Planning

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: Contract Renewal for Management of Environmentally Significant Areas
Date: October 23, 2023

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development;

- (a) Approval **BE GIVEN** under Section 14.3 (c) of the Procurement of Goods and Services Policy to enter into an Agreement with the Upper Thames River Conservation Authority for the management of Environmentally Significant Areas in the City of London as a “Sole Source” contract;
- (b) The attached, proposed by-law **BE INTRODUCED** at the Municipal Council meeting to be held on November 7, 2023, to approve an Agreement between The Corporation of the City of London and the Upper Thames River Conservation Authority for the management of Environmentally Significant Areas in the City of London, substantially in the form attached to the by-law, and to authorize the Mayor and City Clerk to execute the agreement;

IT BEING NOTED that funding for this service is included within the base budget of Planning and Development.

Executive Summary

The current agreement with the Upper Thames Conservation Authority (UTRCA) to manage the City’s Environmentally Significant Areas (ESAs) is set to expire in December of 2023. It is recommended that the contract be renewed to December 2028.

The City’s leadership in the protection of ESAs is enhanced by the highly skilled members of the UTRCA ESA Team who have assisted the City with the majority of the ‘hands on’ aspects of ESA management since the original contract with the UTRCA was signed back in 2002. The UTRCA ESA Team’s skills, depth of knowledge, and ability to leverage additional funds through grants and other programs are a unique service that is key to the enhanced protection of our ESAs.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2023-2027 Strategic Plan areas of focus:

- Climate Action and Sustainable Growth
 - Waterways, wetlands, watersheds, and natural areas are protected and enhanced
 - Protect natural heritage areas for the needs of Londoners now and into the future

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

October 9, 2018 – Planning and Environment Committee – Contract Renewal for Management of Environmentally Significant Areas

November 26, 2013 – Planning and Environment Committee – Contract Renewal for the Management of ESAs

August 13, 2008 – Board of Control – Contract Renewal with the Upper Thames Conservation Authority to Manage City of London Environmentally Significant Areas

April 10, 2002 – Board of Control – Management Agreement for Environmentally Significant Areas

1.2 Environmentally Significant Areas

Environmentally Significant Areas (ESAs) are considered as the largest, highest quality areas within the City's Natural Heritage System and are identified in The London Plan as 'areas that contain natural features and perform ecological functions that warrant their retention in a natural state'.

There are 12 ESAs currently being managed within the City that require on-going management for the protection and enhancement of these key natural areas and to permit safe and appropriate recreational uses. These include: Westminster Ponds/Pond Mills, Meadowlily Woods, Kains Woods, Medway Valley Heritage Forest, Warbler Woods, Sifton Bog, Kilally Meadows, The Coves, Lower Dingman, Kelly Stanton, Pottersburg Valley and Byron Valley. These ESAs account for 778 hectares of land in the form of upland forests, floodplains, wetlands, meadows, etc.

The City's management and protection of London's ESAs is guided by policies in The London Plan, Environmental Management Guidelines, Guidelines for Management Zones and Trails in ESAs, Tree Risk Management Policy for ESAs and Invasive Plant Management Strategy. The ESAs are also included in Canada's Pathway to Target 1, categorized with the highest level of ecological management consideration. Wildlife habitat protection, invasive species management, ecological restoration and monitoring, native tree planting and research coordination set this management program apart from the environmental management of other natural areas in the City.

Due to the unique compliment of skills required to manage these significant natural areas, the City has a long-standing contract with the Upper Thames Conservation Authority (UTRCA) to manage London's ESAs on our behalf. The ongoing management of these areas is coordinated through an ESA Management Committee made up of City of London ecologists as well as ESA team members from the UTRCA.

1.3 ESA Management Activities

The importance of proactive, highly skilled management of ESA lands continues to be a priority for the City of London, the Ecological Community Advisory Committee, Nature London and the general public. Both the City and the UTRCA have continuously made improvements to enhance the effectiveness and sustainability of ESA management since the UTRCA was formally contracted in 2002. General management items as outlined in the current 2019 contract are as follows:

1. Monitoring and enhancing the natural resource – (40% of time)
2. Enforcing applicable provincial statues, regulations and municipal bylaws (20%)
3. Overseeing and implementing risk management and hazard tree policies (5%)
4. Developing and maintaining trail systems (30%)
5. Coordinating educational programs, events and community projects (5%)

To effectively fulfill these management items, the UTRCA has continued to broaden the professional and technical skills of their ESA Team to include the following skill sets:

- Provincial and Municipal By-law Enforcement Officers

- Ecological Restoration Technicians with pesticide applicator licenses
- Forestry Technicians with hazard-tree assessment and chainsaw qualifications
- Fish and Wildlife Technicians
- Trail Building and Design Specialists, and Carpenters
- Communication Specialists

An opportunity to assume aspects of the mandated duties along with corresponding funding associated with the work in the UTRCA contract was offered to relevant City Service Areas in early 2023. Due to the unique nature of the work, these offers were declined, and ESA conservation work will continue to be outsourced.

The UTRCA ESA Team meets the diverse operational needs and improves efficiency in the management of ESAs. For example, while building a boardwalk, planting native trees, or managing invasive species, the same staff could educate persons under the Parks and Recreation By-law, Conservation Authorities Act or Trespass to Property Act. While each of these tasks could be performed by individual contractors, it is the combination of these skills, depth of experience and access to a wide range of professional conservation staff at UTRCA that makes this team the most qualified to provide a unique service that cannot be met by any other general contractor.

2.0 Discussion and Considerations

2.1 Agreement Structure and Funding

The current management contract operates on a 5-year term that expires on December 31, 2023. UTRCA currently manages 778.3 ha of ESA land on the City's behalf on a per hectare rate. The 2023 budget for the program is \$615,603 or \$790.96 per hectare. It is proposed to renew the contract to December 31, 2028 with the following considerations:

Updated UTRCA Program Costs

The UTRCA has reviewed their Category 2 and 3 program costs, including the ESA program. Moving forward, any operational costs that were previously covered by the UTRCA levy must now be included in the ESA agreement. This includes salaries, benefits, vehicles and equipment, materials, human resources, etc. In 2023, the City has budgeted \$615,603 for the ESA program which is based on a base rate identified in 2018 that has been indexed to a maximum of 2% under the current agreement. The UTRCA has identified that the true cost of the program in 2023 is expected to be \$670,205 or \$861.11/ha, resulting in an expected shortfall for them this year of \$56,602.

In determining costs for the contract renewal, it is proposed to use the actual costs in 2023 as a baseline for 2024 costs. The 2023 cost of \$670,205 plus 3% based on the cost-of living increase noted below results in a 2024 cost of \$674,862 (\$867.10/ha).

Cost-of-Living Increase

The current agreement includes a provision that in each subsequent year of the term, the annual payment shall be increased by an amount equal to the annual increase in the Cost-of-Living Index, to a maximum of 2% on an annual basis.

Through discussions with UTRCA, the contract renewal proposes to increase the annual maximum to 3% as part of a future agreement to reflect changes since the 2019 agreement. For example, should the Consumer Price Index (CPI) continue to exceed 3% in 2023, the maximum 3% increase would be applied. However, should the CPI decrease below 3%, that number would be applied.

Additional Lands

The agreement allows for a maximum of 30 ha to be added annually to the contract at the \$/ha rate. Any lands to be added and their budgetary requirements are brought forward for Council consideration as a Budget Amendment Case. Since 2020, 12.9 ha have been added to the contract lands in this manner. This provision is proposed to remain unchanged as Council maintains the discretion through the annual budget process to add lands (and associated costs) or not.

Management Activities and Agreement Hours

The current agreement requires the UTRCA to provide 7,300 hours per year. This translates into four dedicated positions at 1800 hours per position per year with 100 hours remaining for other professional conservation staff at the UTRCA. Appendix #2 then divides management activities into five separate categories that are then assigned a percentage of total staff hours. The 2019 agreement identifies the following:

1. Monitoring and enhancing the natural resource activities (40%): wildlife habitat protection, invasive species management, ecological restoration and monitoring, native tree planting and research coordination.
2. Enforcing applicable provincial statutes, regulations and municipal bylaws (20%): enforcement of the City Parks and Recreation By-laws, including encroachments into City ESA lands, Trespass to Property Act, Conservation Bylaw
3. Overseeing and implementing risk management and hazard tree policies (5%): application of the City Hazard Tree Risk Management Policy and Procedure Manual including addressing storm and other reaction tree removal, annual inspection of built structures (e.g., stairs, boardwalks, docks, railings etc.)
4. Developing and maintaining trail systems (30%): maintenance and upkeep of built structures (e.g., boardwalks bridges, stairs, docks etc.), ESA entrances, the existing trail system, required signage and garbage pick-up.
5. Coordinating educational programs, events and community projects (5%): organizing and facilitating public meetings and presentations, community projects and volunteer groups, quarterly and annual reports to the City.

These activities can be categorized into two main groups: Activities 3 and 4 are required to meet risk management obligations such as keeping the trail system open, safe and in a good state of repair, removing refuse, addressing vandalism, and hazard tree management. Activities 1, 2 and 5 provide for ecological restoration, enforcement, and community programs. It is this group of activities that differentiate the ESA program from other management approaches taken in Parks and Woodlands in the City.

The contract renewal would maintain the 7300 hours and time allocations as identified in the 2019 contract.

2.1 Increased Management Pressures

There has been a range of increased management pressures on the ESAs since the last agreement update in 2019. Significant growth has occurred adjacent to the ESAs resulting in higher usage of the 55.9 km trail system. Increased trail use has resulted in trail widening, informal access points and trails, mudholes, trenching, erosion and vandalism. As such, the ESA Team has had to continuously divert efforts away from ecological restoration and towards projects to maintain the trail system in a state of good repair. The ESA Team is also responsible for abandoned encampments in ESAs under 'garbage pick-up'. Since 2019, the ESA Team has had to respond to a substantial increase in encampments. These cleanup efforts are time consuming and further pull resources away from ESA ecological management activities.

The constant need to divert hours from ecological restoration to risk management obligations like trail system needs and garbage collection has been raised on several occasions by the UTRCA and has been raised as a concern by the Ecological Community Advisory Committee (ECAC) and its predecessor. The level of service provided for ecological activities has declined since 2019; trail upkeep, refuse collection and risk management are resulting in little time leftover for ecological management activities that take advantage of the ESA Team unique cross-functional skillsets, and which make the ESA program so distinct.

A Multi-Year Business Case has been submitted for Council consideration in early 2024. The business case will present revised management hours for Council

consideration to better align actual hours with the hours needed to maintain the City's risk management obligations and ecological responsibilities in ESAs.

To ensure uninterrupted management of London's ESAs, the purpose of this report is to renew the current UTRCA contract that expires on December 31, 2023. The current contract will expire prior to multi-year budget consideration.

3.0 Financial Impact

In the first year of the term of this Agreement, the City would pay the UTRCA \$867.10 per hectare for the management of ESAs. In each subsequent year of the term, the annual payment shall be increased by an amount equal to the annual increase in the Consumer Price Index, to a maximum of 3%. For 2024, the cost of the services provided by the UTRCA is estimated to be \$674,862.

Funding for the services provided under this renewal period are included in the draft base budget for Planning and Development.

The agreement provides the flexibility to incorporate any additional funding approved by Council through the multi-year budget process.

Conclusion

The City's leadership in the protection of ESAs is enhanced by the highly skilled members of the UTRCA ESA Team who have assisted the City with the majority of the 'hands on' aspects of ESA management since the original contract with the UTRCA was signed back in 2002. The UTRCA ESA Team's skills, depth of knowledge, and ability to leverage additional funds through grants and other programs are key to the enhanced protection of our ESAs.

Prepared by: Emily Williamson, MSc
Ecologist Planner, Community Planning

Submitted by: Kevin Edwards, MCIP RPP
Manager, Community Planning

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

Appendix A - Contract

Bill No. [number to be completed by Clerk's Office]
2023

By-law No.

A by-law to approve a Agreement between the Corporation of The City of London and the Upper Thames Conservation Authority; and to authorize the Mayor and City Clerk to execute the Agreement.

WHEREAS section 5(3) of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides that a municipal power shall be exercised by by-law;

AND WHEREAS section 9 of the *Municipal Act, 2001*, S.O. 2001, C.25, as amended, provides a municipality with the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority;

AND WHEREAS it is deemed expedient for The Corporation of the City of London (the "City") to enter into an Agreement with the Upper Thames Conservation Authority, for the management of certain lands within the City of London (the "Agreement");

AND WHEREAS it is appropriate to authorize the Mayor and City Clerk to execute the Agreement on behalf of the City;

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

1. The Agreement attached as Schedule "A" to this By-law, being the Agreement between the Corporation of the City of London and the Upper Thames River Conservation Authority is hereby AUTHORIZED AND APPROVED.
2. The Mayor and City Clerk are authorized to execute the Agreement authorized and approved under section 1 of this by-law.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on November 7, 2023.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – November 7, 2023
Second Reading – November 7, 2023
Third Reading – November 7, 2023

SCHEDULE "A"

THIS AGREEMENT dated as of the 1 st day of January, 2024,

BETWEEN:

UPPER THAMES RIVER CONSERVATION AUTHORITY

(the "Authority")

OF THE FIRST
PART

and

THE CORPORATION OF THE CITY OF LONDON

(the "City")

OF THE SECOND PART

WHEREAS the Authority and/or the City are the owners of the Environmentally Significant Natural Areas ("ESAs") located within the City of London, in the County of Middlesex, known as the Westminster Pond/Pond Mills, Kilally Meadows, Medway Valley Heritage Forest, Sifton Bog, Warbler Woods, Meadowlilly Woods, Kains Woods, The Coves, Lower Dingman, Kelly Stanton, Pottersburg Valley, and Byron Valley which for the purposes of the City's Parks and Recreation Area By-law – PR-2 are considered to be ESAs under their joint management (hereinafter referred to as the "ESAs");

AND WHEREAS the Authority approves of the use of its ESA lands for public access as long as such public access is in compliance with the City's Parks and Recreation By-law;

AND WHEREAS the City desires the Authority to provide Management Activities for all of the ESAs under this agreement whether owned by the City or owned by the Authority;

AND WHEREAS the existing location and demarcation of the ESAs and their respective management areas are more particularly identified in the maps shown as Appendix #1 attached hereto;

AND WHEREAS the City and the Authority have previously entered into agreements dated the 2nd day of July, 1976 and the 15th day of March, 2002 and the 18th day of August 2008 and the 1st of January 2013 and the 1st of January 2019 with respect to the creation, development and management of environmentally significant natural areas in the City of London;

AND WHEREAS the Authority is governed by the *Conservation Authorities Act*, R.S.O. 1990, c. C.27, and s. 21.1.1(1) of that Act provides that, for the purpose of accomplishing its objects, an authority may provide, within its area of jurisdiction, municipal programs and services that it agrees to provide on behalf of the municipality situated in whole or in part within its area of jurisdiction under a memorandum of understanding, or such other agreement as many be entered into with the municipality, in respect to the programs and services;

AND WHEREAS the City is governed by the *Municipal Act, 2001*, S.O. 2006, c. 11, Sch. A. as amended, and s. 9 of that Act provides that a municipality has the capacity, rights, powers and privileges of a natural person for the purpose of exercising its authority under this or any other Act; and further in section 10(2) to pass by-laws respecting the "economic, social and environmental well-being of the municipality; health safety and well-being of persons; protection of persons and property; public assets of the municipality acquired for the purpose of exercising its authority under this or any other Act; providing services that the municipality considers necessary or desirable for the public; and animals;

AND WHEREAS the parties intend that the Authority's costs of providing its services to the City will not form part of the Authority's annual levy to the City for carrying out the Authority's regulatory services under the *Conservation Authorities Act*;

AND WHEREAS the City intends to identify within the City's annual operating budget the annual costs of this Agreement;

AND WHEREAS legislative changes have prompted the replacement of previous management agreements as set out above and to provide for the maintenance, repair, service, development and operation of the ESAs and their respective management areas on the terms and conditions contained herein;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the premises and the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. Management Activities

- (a) The Authority shall carry out the management activities described in Appendix #2, attached hereto ("Management Activities") for the ESAs and other lands according to objectives established in the Conservation Master Plans for the ESAs, and as directed by the joint agreement of UTRCA and the City Management responsible for the ESA program and as otherwise directed by the City;
- (b) It is understood and agreed between the parties that the scheduling and timing of Management Activities as set forth in paragraph 1 (a) will be completed at the discretion of the Authority on the basis of regular consultation with the City and to the City's satisfaction;
- (c) The parties shall from time to time develop risk management and hazard tree management policies applicable to all lands within the ESAs and their respective management areas, whether owned by the City or the Authority;
- (d) In performing its Management Activities under this Agreement, the Authority shall comply with all applicable policies as provided by the City, or as otherwise directed in writing by the City;
- (e) The Authority shall provide a minimum of 7300 hours of service per year carrying out the Management Activities;
- (f) The Authority shall provide quarterly reports to the City in a form acceptable to the City outlining progress on all Management Activities described in Appendix #2; and
- (g) The Authority shall not maintain ESA trails during the winter. Additionally, the Authority shall not provide snow and ice removal or road service maintenance and repair on roads, sidewalks, multi-use pathways and parking areas within ESA management areas; including snow and ice removal, and road surface maintenance and repair, as indicated on the maps in Appendix #3.

2. Term of Agreement

This agreement shall be for a term of five (5) years commencing on the 1st day of January, 2024 and shall expire on the 31st day of December, 2028.

3. Land Acquisition

Except as hereinafter provided, the parties hereto agree that the title to all lands within the ESAs shall remain in the name of the registered owner as of the date of the signing of this Agreement. As one of the methods of acquiring land necessary for implementation of the ESA Master Plans the Authority may, from time to time and when sums become available from the Province of Ontario, Ontario Ministry of Natural Resources and Forestry, obtain and register property in its own name. Any such land acquisitions shall only be done with the approval of the City.

The City may at any time acquire on behalf of itself or the Authority any land which may become available with respect to the ESAs or surrounding lands. It is hereby agreed between the parties that, with respect to any lands so purchased by the City, that the City may apply through the Authority, to the Ontario Ministry of Natural Resources and Forestry or any other municipal, provincial or federal agencies, for such grants as may be available, and the Authority shall assist to ensure that such application is in fact made to the proper body.

4. Payments to the Authority

- (a) The Authority's costs to provide the Management Activities to the City as defined in subparagraph (b) below, are separate and distinct from the Authority's annual levy to the City for carrying out the mandatory programs and services under the Conservation Authorities Act. The Authority shall not include in its annual levy to the City under the Conservation Authorities Act the costs for its Management Activities under this Agreement which is an agreement with the City of London under 21.1.1 of the Conservation Authorities Act.
- (b) In the first year of the term of this Agreement, the City shall pay the Authority eight hundred and seventy six dollars and ten cents (\$876.10) per hectare for the management of ESAs. As of January 1, 2024, the total area under management will be 778.3 ha. In each subsequent year of the term, the annual payment shall be increased by an amount equal to the annual increase in the Cost of Living Index, to a maximum of 3% on an annual basis, except as otherwise agreed by the parties.

In consultation and agreement with the Authority, the City shall reserve the right to fund additional ESA Land Management positions above and beyond the per hectare rate to bring the management level up to standard and/or in response to increased use pressures or Council direction. The Authority shall use the payments provided by the City pursuant to this Agreement only for the specific purpose for which the payment is provided.

Notwithstanding anything in this Agreement, the Authority shall immediately refund to the City any payments made by the City that are in excess of the amount to which the Authority is entitled.

- (c) The parties agree that a minimum of one (1) years notice will be given to the other party if any change to the payment formula described in paragraph 4 (b) is anticipated. In the event of a termination notice under section 11, the City's payment obligations for the following year shall be modified pro rata.
- (d) As new ESA lands are acquired, the City shall pay the corresponding increase in the contract amount in accordance with the formula established in paragraph 4 (b) commencing in the next year. Program costs and management activities will be adjusted with the agreement of the parties in order that newly acquired ESA lands can be managed in accordance with this Agreement.
- (e) The Authority shall submit its proposed expenses and revenues for providing the Management Activities for subsequent years to the City for its approval by November 30th in a format acceptable to the City and in accordance with generally accepted accounting and budgeting practices. The revenues shall include the value of any in kind services or donations received to offset the costs of maintenance, repair, development, operation and management of the ESAs.
- (f) Payment by the City in each year shall be in accordance with procedures agreed upon by the parties, but such payments shall not be less than one twelfth of the sum owing in each year payable monthly by the City.

5. Amendment

- (a) If the amounts per hectare and hours are changed through the Multi-Year Budget process in 2024, the City is entitled to amend the amounts in subsections 1(e) and 4(b) accordingly.
- (b) Notwithstanding subsection 4(c), the parties agree that any change in the payment funding as a result of the Multi-Year Budget approval process in 2024 shall come into effect with the approval of the 2024 Budget.
- (c) In the event that in change in the amount per hectare for the management of ESAs is granted through the City of London Multi-Year Budget process in 2024, in consultation and agreement with the Authority, the City shall reserve the right to amend the percentages for management activities indicated in Appendix #2, attached hereto.

6. Indemnification and Waiver

The Authority undertakes and agrees to defend and indemnify the City and hold the City harmless, at the Authority's sole expense, from and against all claims, demands, suits, losses, costs, damages and expenses that the City may sustain or incur by reason of:

- (a) Any breach of this Agreement by any of the Authority, the Authority's employees, any subcontractor of the Authority, or persons for whom the Authority is at law responsible;
- (b) Any loss or misuse of funds held by the Authority, the Authority's employees, subcontractor of the Authority, or persons for whom the Authority is at law responsible, under this Agreement;
- (c) The acts or omissions of the Authority, the Authority's employees, subcontractor of the Authority, or any person for whom the Authority is at law responsible in performing the services or otherwise carrying on the Authority's business, including any damage to any and all persons or property, whether deliberate, accidental or through negligence, and all tickets, fines or penalties;
- (d) Any claim or finding that any of the Authority, the Authority's employees, subcontractor of the Authority, or persons for whom the Authority is at law responsible are employees of, or are in any employment relationship with, the City or are entitled to any Employment Benefits of any kind; and,
- (e) Any liability on the part of the City, under the Income Tax Act (Canada) or any other statute (including, without limitation, any Employment Benefits statute), to make contributions, withhold or remit any monies or make any deductions from payments, or to pay any related interest or penalties, by virtue of any of the following being considered to be an employee of the City, from Authority: Authority's employees or others for whom Authority is at law responsible in connection with the performance of services or otherwise in connection with Authority's business.

7. Responsibility for Damage

If the said lands, or any property installed thereon by the City shall become damaged by an act, omission or negligence of the Authority, the Authority shall promptly remedy the damage or pay such reasonable amount as may be required to restore the property to its pre-damage condition.

8. Insurance

The Authority agrees to purchase and maintain during the *term* of the agreement at its own expense obtain and maintain until the termination of the contract, and provide the City with evidence of:

- a) Comprehensive general liability insurance on an occurrence basis for an amount not less than five million (\$5,000,000) dollars and shall include the City as an additional insured with respect to the successful bidder(s) operations, acts and omissions relating to its obligations under this Agreement, such policy to include non-owned automobile liability, personal injury, broad form property damage, contractual liability, owners' and contractors' protective, products and completed operations, contingent employers liability, cross liability and severability of interest clauses;
- b) Automobile liability insurance for an amount not less than five million (\$5,000,000) dollars on forms meeting statutory requirements covering all vehicles used in any manner in connection with the performance of the terms of this Agreement;
- c) The policies shown above will not be cancelled or permitted to lapse unless the Authority ensures that the insurer notifies the City in writing at least thirty (30) days prior to the effective date of cancellation or expiry. The City reserves the right to request such higher limits of insurance or other types of policies appropriate to the work as the City may reasonable require; and
- d) Evidence that the insurance described above is in force shall be provided to the City on commencement of the program and thereafter at least once annually prior to the renewal date of the policy. The City reserves the right to request such higher limits of insurance or other types of insurance policies appropriate to program as it may

reasonably require.

9. Licenses

The Authority shall have the right to licence the use of any lands within the ESAs that the Authority owns for the purposes consistent with the Master Plans, provided that the term of any such licence(s) shall not exceed one (1) year in duration. With respect to all licences having a term in excess of one (1) year, the Authority shall obtain the approval of the City regarding the terms and conditions of such licence prior to the issuance of the same. Any fees received by the Authority for such licensing hereunder shall be applied to and offset any costs, fees, charges, or other sums the City is responsible for pursuant to this agreement so as to so reduce such payments by the City.

10. Compliance

All parties shall at all times comply with all provisions of the *Conservation Authorities Act, R.S.O. 1990, c. C.27* and any amendments thereto and any regulations, by-laws and amendments in force from time to time and all rules and regulations pertaining to ESAs as may be enacted from time to time.

The Authority shall comply with all applicable federal, provincial and municipal legislation, regulations and by-laws.

The Authority shall ensure that it and all of its volunteers, employees or agents, if they deal with members of the public under this Agreement, receive training about the provision of services to persons with disabilities, in compliance with the *Accessibility for Ontarians with Disabilities Act, 2005* and its Regulations.

11. Development

In accordance with the *Conservation Authorities Act, R.S.O. 1990, c. C.27*, and for greater certainty only, the City shall comply with all regulations of the Authority concerning development, the placement of fill, or the straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or wetland on any lands within the ESA's unless the written consent of the Authority shall have been first obtained.

12. Termination

Either party may terminate this Agreement for any reason by giving one (1) year written notice to the other party.

13. The Authority's Contractual Status

- (1) The Authority acknowledges and agrees this Agreement shall in no way be deemed or construed to be an Agreement of Employment. Specifically, the parties agree that it is not intended by this Agreement that the Authority nor any person employed by or associated with the Authority (including but not limited to its agents, officers, subcontractors) is an employee of, or has an employment relationship of any kind with the City or is in any way entitled to employment benefits of any kind whatsoever from the City whether under internal policies and programs of the City. the *Income Tax Act*. R.S.C. 1985 c.1 (1st Supp); the *Canada Pension Act*. R.S.C. 1985. c.C8; the *Employment Insurance Act*. S.O. 1996.c.23; the *Workplace Safety and Insurance Act*. 1997;S.O. 1997. c.26 (Schedule "A"); the *Occupational Health and Safety Act*. R.S.O. 1990. c.o.1; the *Pay Equity Act*. R S. O. 1990. c.P.7; the *Health Insurance Act*. R.S.O. 1990. c.H.6; or any other employment related legislation. all as may be amended from time to time. or otherwise.
- (2) Notwithstanding subparagraph (1) above, it is the sole and exclusive responsibility of the Authority to make its own determination as to its status under the Acts referred to above and. in particular, to comply with the provisions of any of the aforesaid Acts and to make any payments required thereunder.
- (3) The parties are each independent of the other and this Agreement shall not operate to create a partnership, joint venture, employment arrangement, master servant relationship or any other similar relationship between the City and the Authority or between the City and any employees, agent or contractor of the Authority.

14. Assignment

Neither this Agreement nor any part or interest may be assigned, subcontracted or otherwise transferred by the Authority without the prior written consent of the City, which consent may be withheld.

15. Execution

The Authority acknowledges that it has read this Agreement, understands it and agrees to be bound by its terms and conditions.

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement, under the hands of their duly authorized officers in that behalf.

SIGNED, SEALED AND DELIVERED

UPPER THAMES RIVER CONSERVATION AUTHORITY

Per:

Per:

* We have the authority to bind the Upper Thames River Conservation Authority

THE CORPORATION OF THE CITY OF LONDON

Mayor

City Clerk

Appendix #1 ESA Management Area Maps



The Coves

2023 Management Area

Legend

Managed Structures

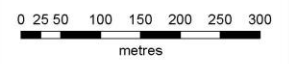
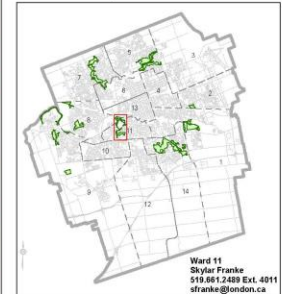
-  Bridge
-  Railing

Access Point

- 1 Springbank Drive
- 2 Brookdale Avenue
- 3 MacAlpine Avenue
- 4 Cove Road
- 5 Elmwood Avenue
- 6 Southcrest Drive
- 7 Phyllis Street
- 8 Centre Crescent
- 9 Baseline Road West
- 10 Beachwood Avenue
- 11 Rachel Street
- 12 Emery Street
- 13 Winston Avenue
- 14 Mackay Avenue
- 15 Briscoe Street West
- 16 Greenside Avenue
- 17 Thames Valley Parkway

-  Managed Trail (4936 m)
-  Thames Valley Trail
-  Management Area (47.4 ha)
-  City of London (47.4 ha)

Location Map



UPPER THAMES RIVER
CONSERVATION AUTHORITY

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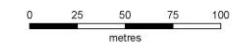
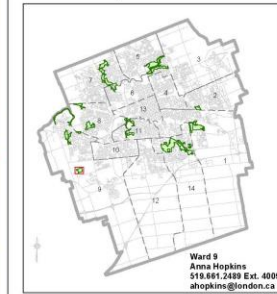


Lower Dingman
2023 Management Area

Legend

- Managed Structures**
- Boardwalk
- Access Point**
- Homewood Lane
 - Parking
- Managed (1637 m)
 - Management Area (20.8 ha)
 - City of London (20.8 ha)

Location Map



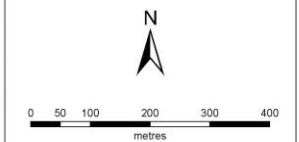
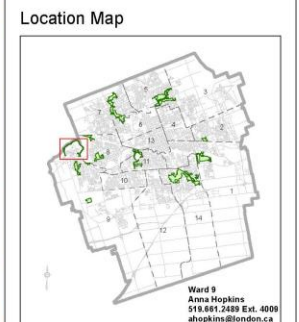
UPPER THAMES RIVER
CONSERVATION AUTHORITY

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Kains Woods 2023 Management Area

- Legend**
- Managed Structures**
- Barricade (Open)
 - Barricade (Closed)
 - Railing
 - Boardwalk
 - Bridge
- Access Point**
- 1 Tigerilly Road
 - 2 Shore Road South
 - 3 Oxford Street West
 - 4 Westdel Bourne
 - ○ ○ Thames Valley Trail
 - Managed Trail (5768 m)
 - Management Area (28.1 ha)
 - City of London (28.1 ha)



UPPER THAMES RIVER
CONSERVATION AUTHORITY

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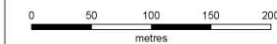
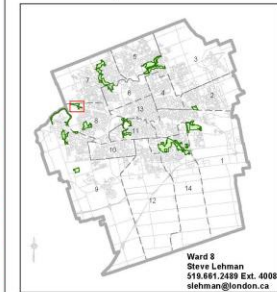


Kelly Stanton
2023 Management Area

Legend

- Managed (0 m)
- Management Area (18.5 ha)
- City of London (18.5 ha)

Location Map



UPPER THAMES RIVER
CONSERVATION AUTHORITY

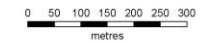
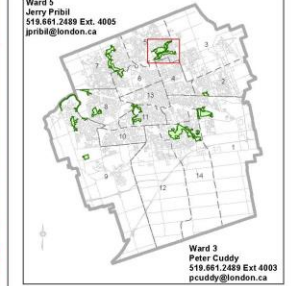
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Kilally Meadows 2023 Management Area

- Legend**
- Managed Structures**
- Barricade (Open)
 - Bench
 - ▭ Bridge
 - ▭ Staircase
- Access Point**
- 1 Windermere Road (East)
 - 2 Glenora Drive
 - 3 Glengarry Avenue & Glenora Drive
 - 4 Wakefield Crescent
 - 5 Benson Crescent
 - 6 Killamey Place
 - 7 Highbury Avenue - Bridge
 - 8 Edgevalley Road
 - 9 Kilaly Road (West)
 - 10 Blackmaple Court
 - 11 Slaghon Crescent
 - 12 Crosscreek Crescent
 - 13 Sweetbriar Road
 - 14 Ridgeview Drive
 - 15 Bride Path
 - 16 Adelaide Street Bridge (South)
 - 17 Adelaide Street Bridge (North)
- Parking
- Managed Trail (10482 m)
- Thames Valley Trail
- ESA Management Area (145.17 ha)
- City of London (115.5 ha)
- UTRCA (18.1 ha)
- Note:
ESA Management Area contains ~ 13 ha of riverbed.

Location Map



UPPER THAMES RIVER
CONSERVATION AUTHORITY

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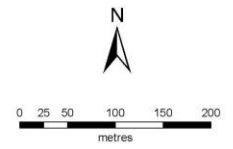
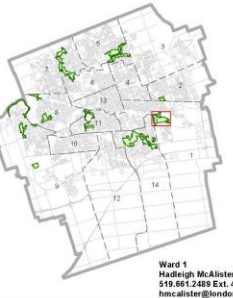


**Meadowlily Woods
2023 Management Area**

Legend

- Managed Structures**
- Barricade (Open)
 - Barricade (Closed)
 - Boardwalk
 - Bridge
- Access Point**
- Commissioners Road Parking Lot
 - Meadowlily Road South (South)
 - Meadowlily Road South (North)
 - Meadowlark Ridge
 - Meadowlily Road North
 - Thames Valley Parkway East (North)
 - Thames Valley Parkway East (South)
 - Thames Valley Parkway West
 - Parking
- Managed Trail (5590 m)
 - Management Area (83.9 ha)
 - City of London (76.81 ha)
 - UTRCA (7.08 ha)

Location Map



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Medway Valley Heritage Forest

2023 Management Area

Legend

Managed Structures

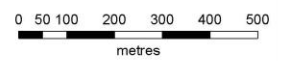
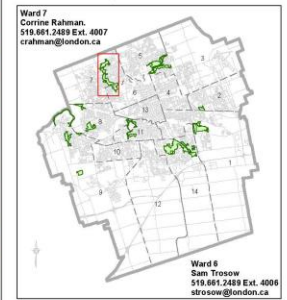
- Barricade (Open)
- Barricade (Closed)
- Boardwalk
- Bench
- Bridge
- Railing
- ▲ Staircase
- Viewing Platform

Access Point

- 1 Wonderland Road North
- 2 Attawandaron Gate
- 3 Attawandaron Road (Central)
- 4 Attawandaron Road (North)
- 5 Fanshawe Park Road West (West)
- 6 Fanshawe Park Road West (South)
- 7 Hickoryridge Common
- 8 Sunningdale Road West
- 9 Valleyrun Boulevard (West)
- 10 Glenridge Crescent
- 11 Ambleside Park
- 12 Gloucester Road
- 13 Windermere Road (West)
- 14 Elsie Perrin Williams Estate
- 17 Metamora Crescent
- 18 Wychwood Park
- 19 Doncaster Gate (East)
- 20 Pitcarrie Crescent
- 21 Valleyrun Boulevard (East)
- 22 CreekrIDGE Bend

- P Parking
- Managed Trail (11614 m)
- Management Area (133.4 ha)
- City of London (105.8 ha)
- UTRCA (27.6 ha)

Location Map



UPPER THAMES RIVER
CONSERVATION AUTHORITY

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Pottersburg Valley
2023 Management Area

Legend

Managed Structures

- Bench
- Kiosk
- Picnic Area

Access Point

- Trafalgar Street
- Parking

Managed (466 m)

Management Area (14.4 ha)

City of London (14.4 ha)

Location Map

Ward 2
Shawn Lewis
519.861.2489 Ext. 4002
stlewis@london.ca

N

0 20 40 60 80
metres

UPPER THAMES RIVER
CONSERVATION AUTHORITY

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Sifton Bog 2023 Management Area

Legend

Managed Structures

- Barricade (Open)
- Boardwalk
- ✕ Viewing Platform

Access Point

- 1 Oxford Street West (Kiosk)
- 2 Hyde Park Road (Kiosk)
- 3 Old Hyde Park Road
- 4 Mantle Place
- 5 Havenwood Way
- 6 Santa Monica Road
- 7 Naomee Place
- 8 Naomee Crescent
- P Parking

Managed Trail (2833 m)

Management Area (41.6 ha)

City of London (11.6 ha)

UTRCA (30 ha)

Location Map

Ward 8
Steve Lehman
519.861.2489 Ext. 4008
slehman@london.ca

N

0 50 100 150 200
metres

UPPER THAMES RIVER
CONSERVATION AUTHORITY

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Warbler Woods

2023 Management Area

Legend

Managed Structures

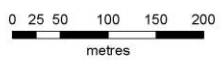
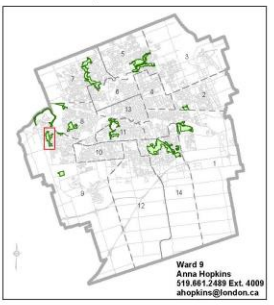
- Barricade (Open)
- Boardwalk
- Bridge
- Railing

Access Point

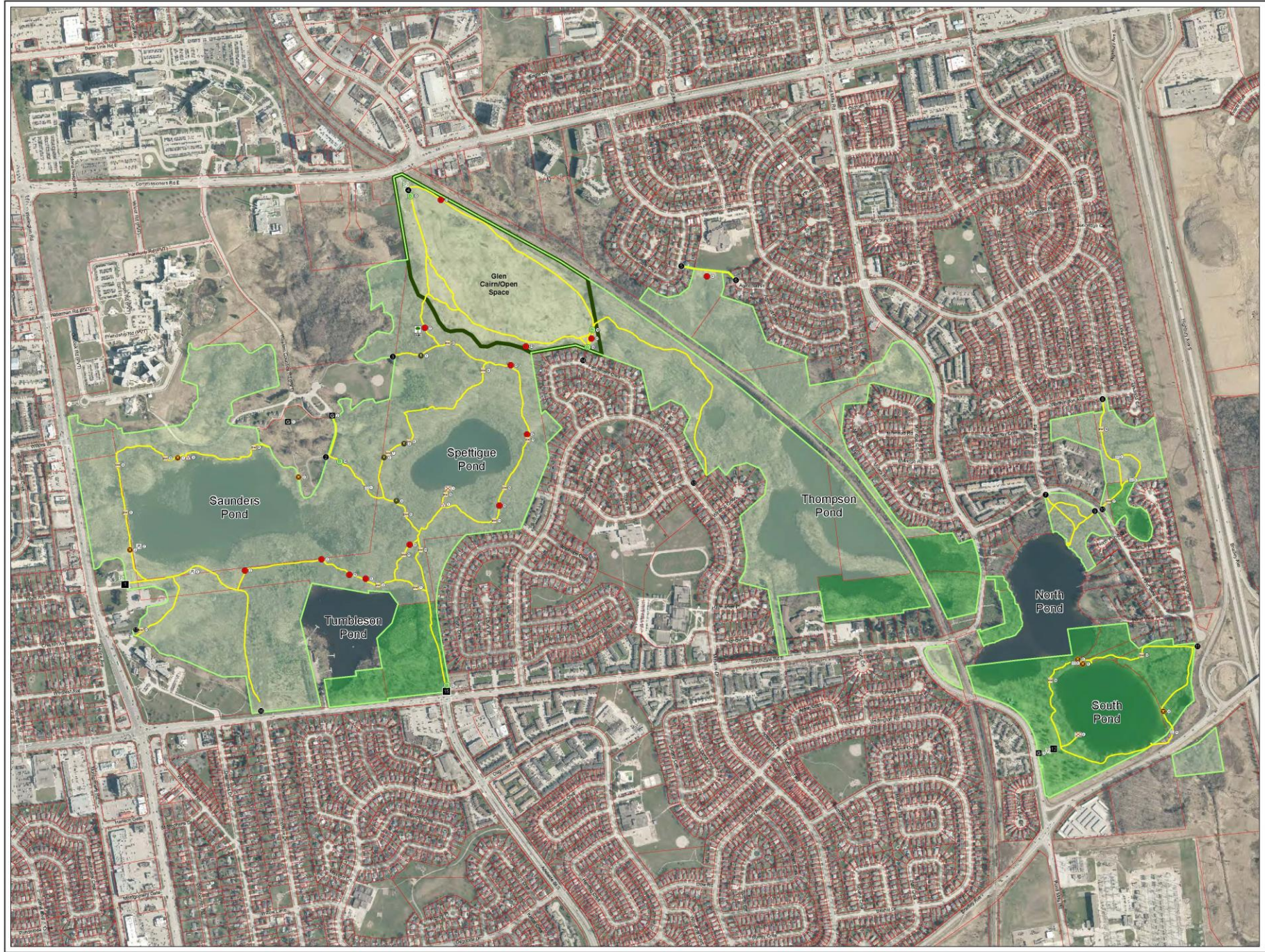
- 1** Commissioners Rd West (Kiosk)
 - 2** Chestnut Court
 - 3** Springfield Crescent
 - 4** Timber Drive
 - 5** Woodgate Place
 - 6** Conifer Place
 - 7** Baseline Road East
 - 8** Baseline Road West
 - 9** Warbler Woods Walk (North)
 - 10** Warbler Woods Walk (South)
 - 11** Upper West Avenue
 - 12** Boardwalk Way
- Parking

- Managed Trail (5381 m)
- Thames Valley Trail
- Management Area (40 ha)
- City of London (40 ha)

Location Map



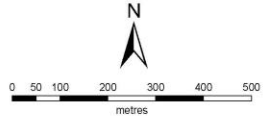
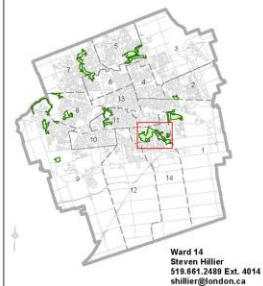
Map produced by UTRCA with data provided by the City of London. Copyright © UTRCA 2023/01.



**Westminster Ponds/
Pond Mills
2023 Management Area**

- Legend**
- Managed Structures**
- Barricade (Open)
 - Barricade (Closed)
 - Bench
 - Benches
 - Bridge
 - Floating Dock
 - Gate
 - Viewing Platform
 - Railing
 - Staircase
 - Heritage Tree
- Access Point**
- 1 Wellington Road at Tourist Info Centre (Pond)
 - 2 South Parkwood Hospital
 - 3 North Parkwood Hospital
 - 4 Commissioners Road at Adelaide Street
 - 5 Silverdale Crescent
 - 6 Agincourt Place
 - 7 Pond View Road Education Centre
 - 8 Worthington Avenue
 - 9 Pond View Road South
 - 10 Pond View Road North
 - 11 Pond View Terrace
 - 12 Pond Mills Road at Bradley Avenue (Pond)
 - 13 Millbank Drive
 - 14 Parkhurst Crescent
 - 15 Southdale Road at Adelaide Street (Pond)
 - 16 Cleanness
 - 17 Wellington Road South
- P Parking
 Managed Trail (11225 m)
 City of London (162.4 ha)
 UTRCA (36.1 ha)
 Management Area (199.5 ha)

Location Map



**UPPER THAMES RIVER
CONSERVATION AUTHORITY**

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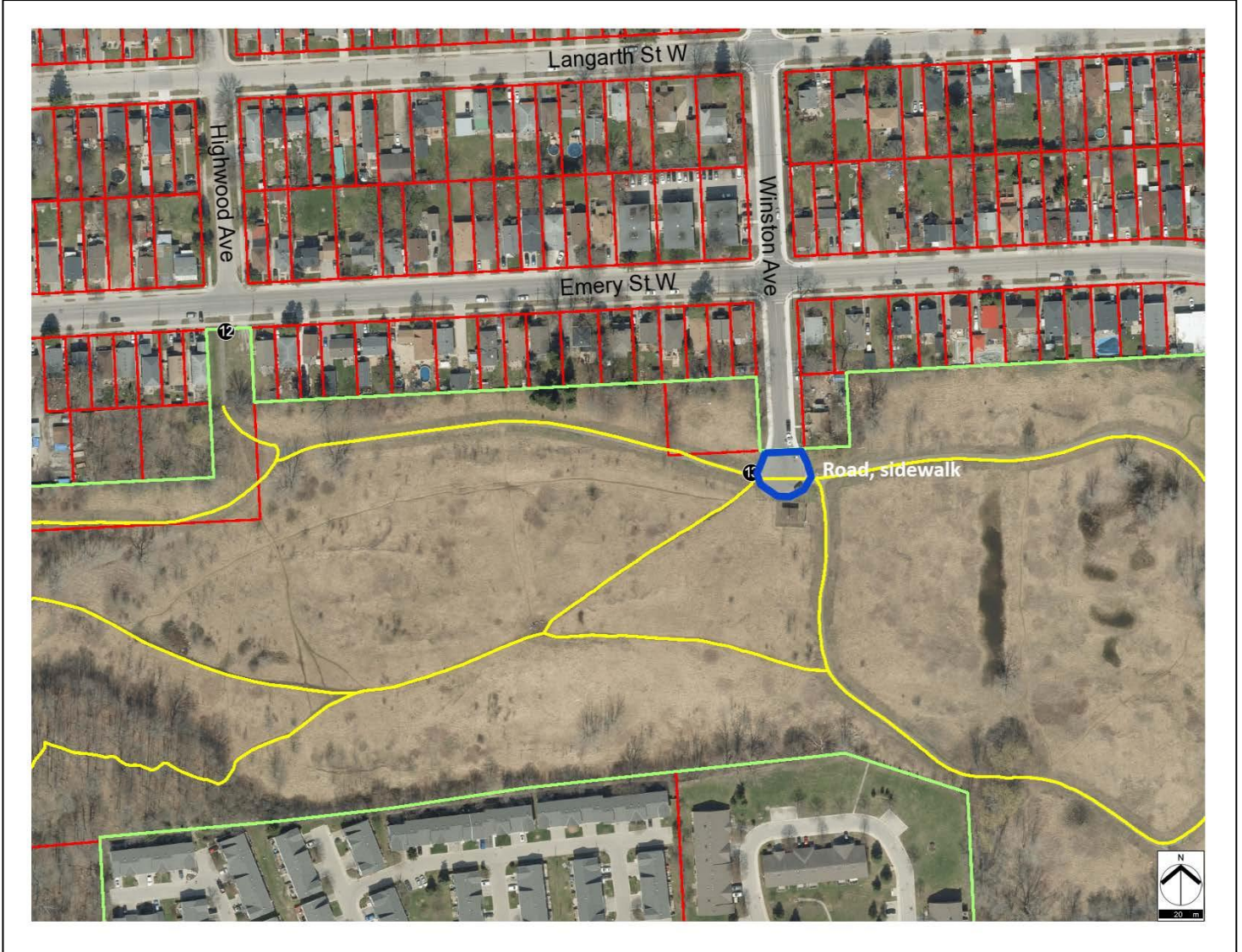
Appendix #2 Management Activities

The Management Activities to be performed by the Authority under this Agreement are:

1. Monitoring and enhancing the natural resource -Approximately 40% of total hours:
 - a. Wildlife and habitat protection
 - b. Invasive species management, ecological restoration, and, monitoring
 - c. Native tree planting
 - d. Coordinate research initiatives
2. Enforcing applicable provincial statutes, regulations, and municipal bylaws -20%:
 - a. City Parks and Recreation By-laws, including encroachments into City ESA lands
 - b. Trespass to Property Act
 - c. Conservation Authority Act
3. Overseeing and implementing risk management and hazard tree policies -5%:
 - a. City Hazard Tree Risk Management Policy and Procedure Manual including addressing storm and other reaction tree removal
 - b. Annual inspection of built structures (ex. stairs, boardwalks, docks, railings etc.)
4. Maintaining trail systems -30%:
 - a. Maintenance and upkeep of built structures (boardwalks, bridges, stairs, docks etc.)
 - b. Maintenance and upkeep of ESA entrances, and existing trail system
 - c. Maintenance and upkeep of all required signage
 - d. Garbage pick-up
5. Coordinating educational programs, events and community projects -5%:
 - a. Public meetings and presentations
 - b. Community projects and volunteer groups
 - c. Provide quarterly and annual reports to the City
6. Other management activities as agreed to in writing by the parties.

Appendix #3 Road, Multi-Use and Parking Lot Maps

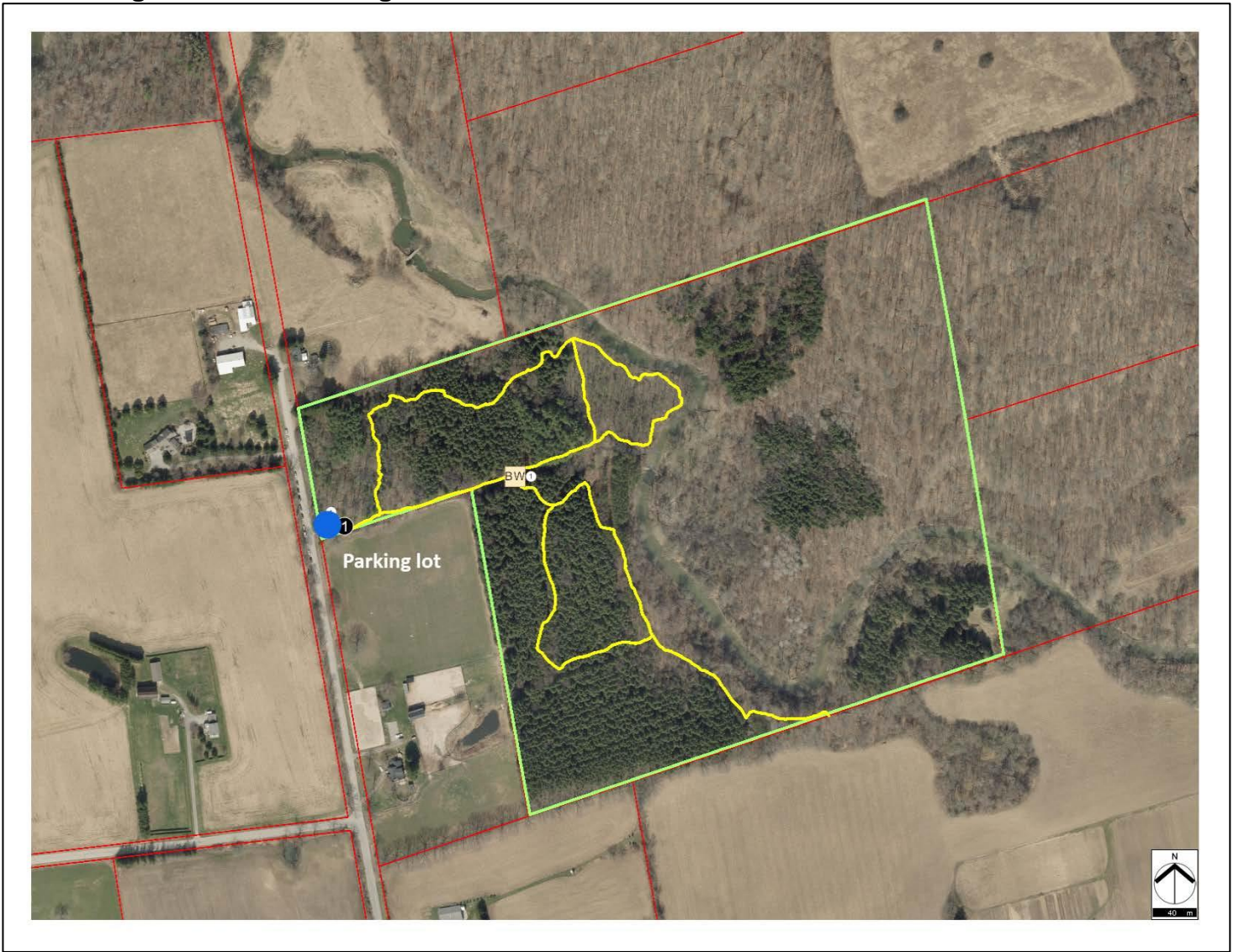
The Coves ESA – Euston Meadows Road and Sidewalk



The Coves ESA Greenway Road and Multiuse Pathway



Lower Dingman ESA – Parking Lot



Kains Woods ESA Multiuse Pathway



Kilally Meadows ESA - Multiuse Pathway



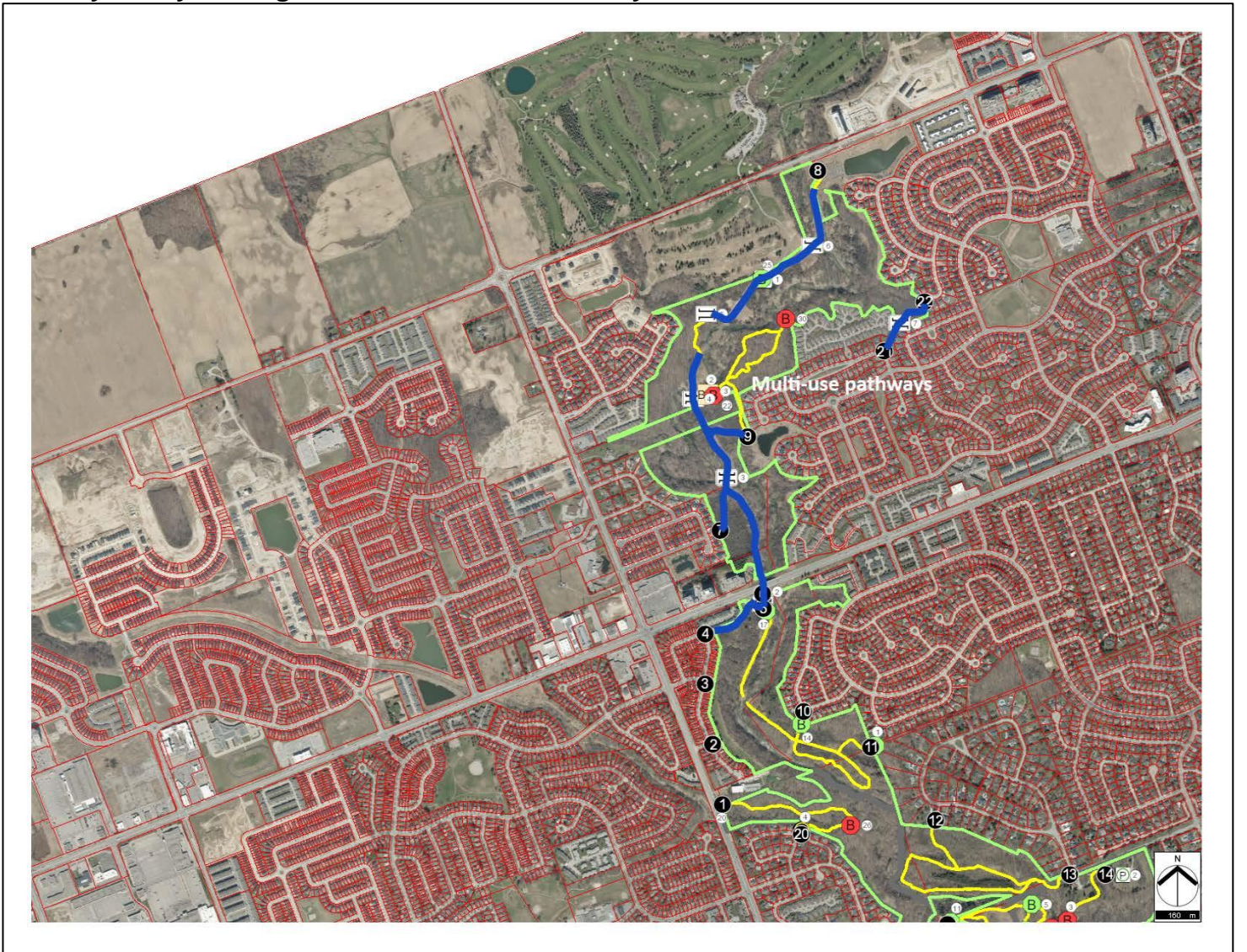
Meadowlily Woods ESA - Multiuse Pathway



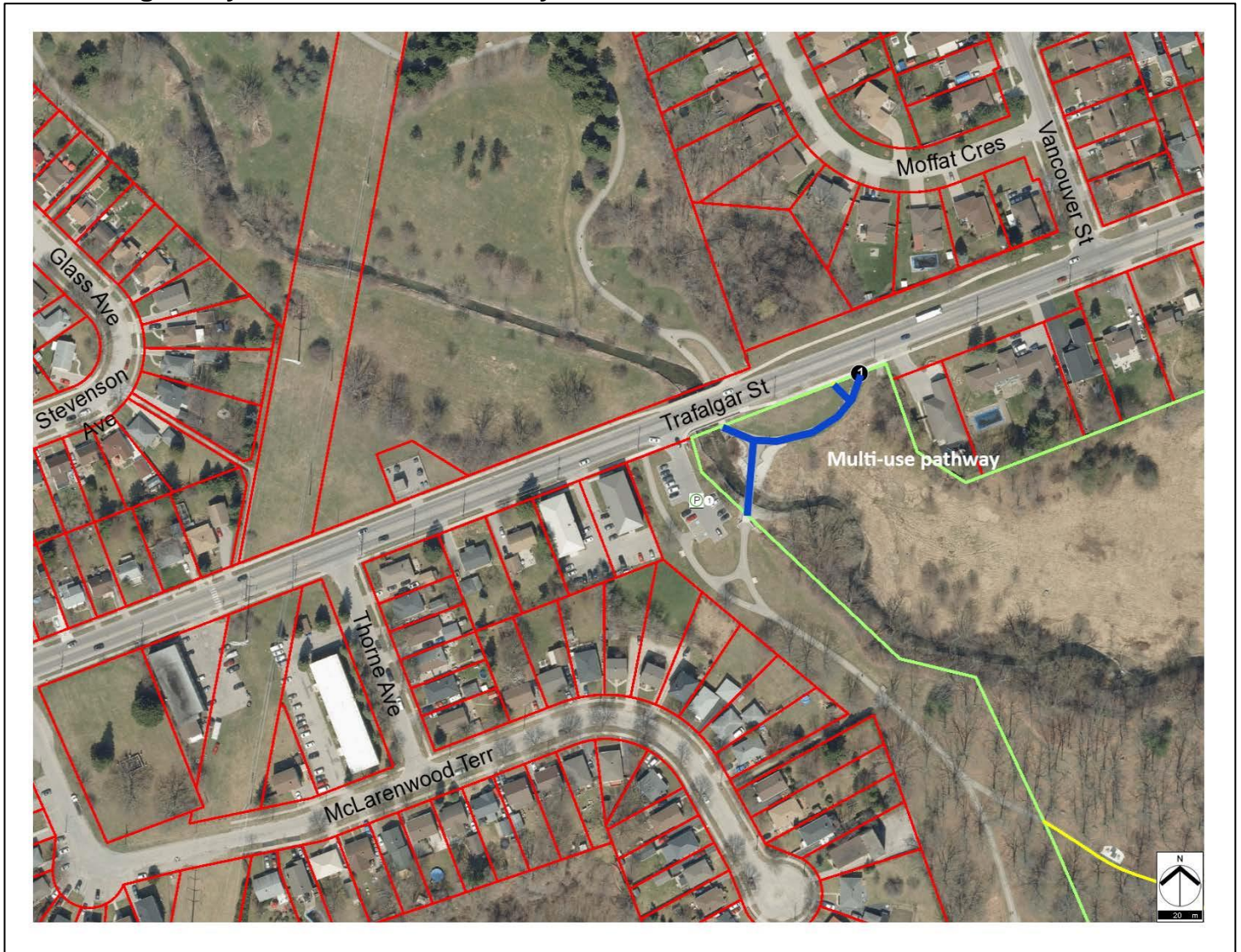
Medway Valley Heritage Forest ESA – Elsie Perin Parking lot and Multiuse Pathway



Medway Valley Heritage Forest - Multiuse Pathway



Pottersburg Valley ESA - Multiuse Pathway



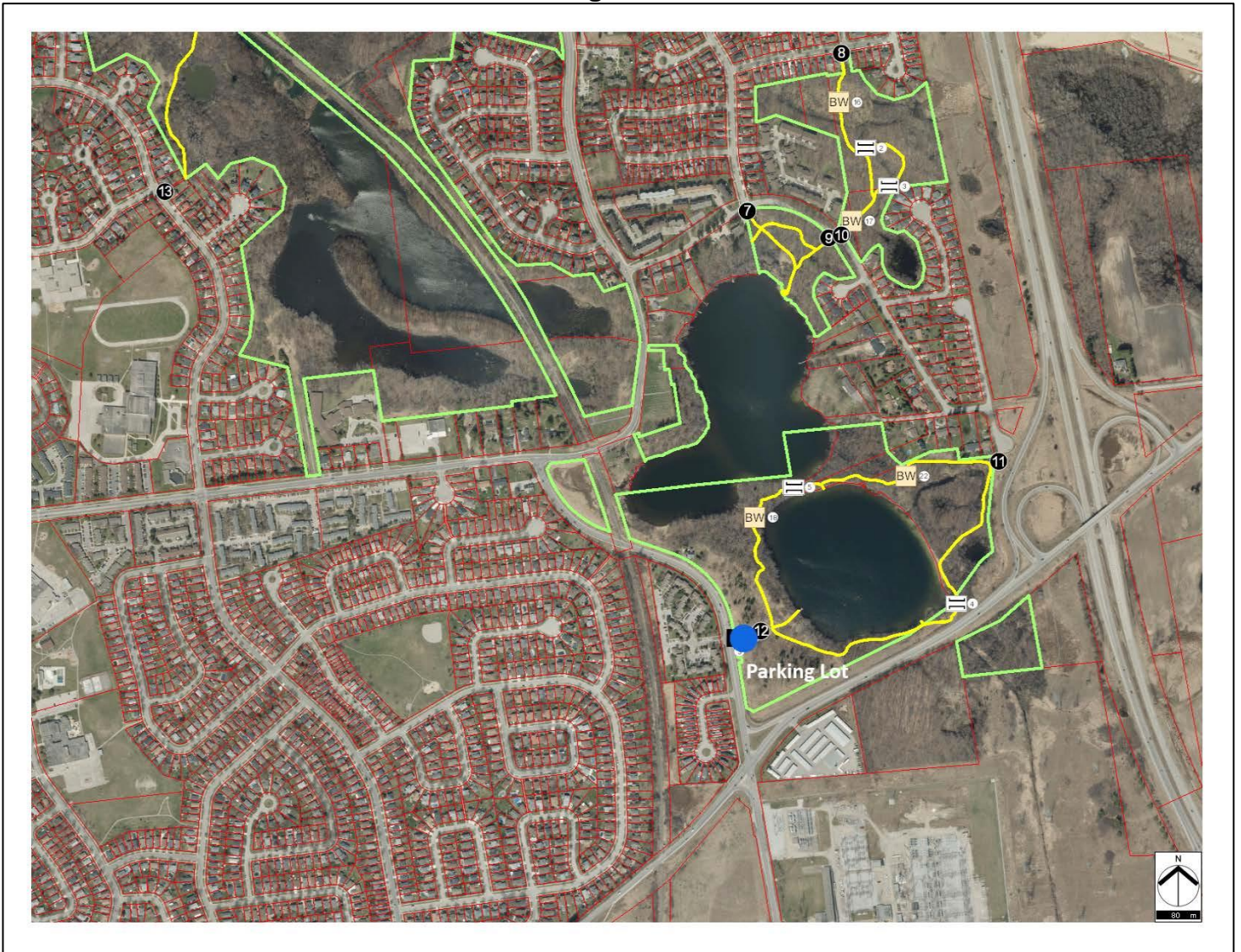
Sifton Bog ESA – Multiuse Pathway and Parking lot



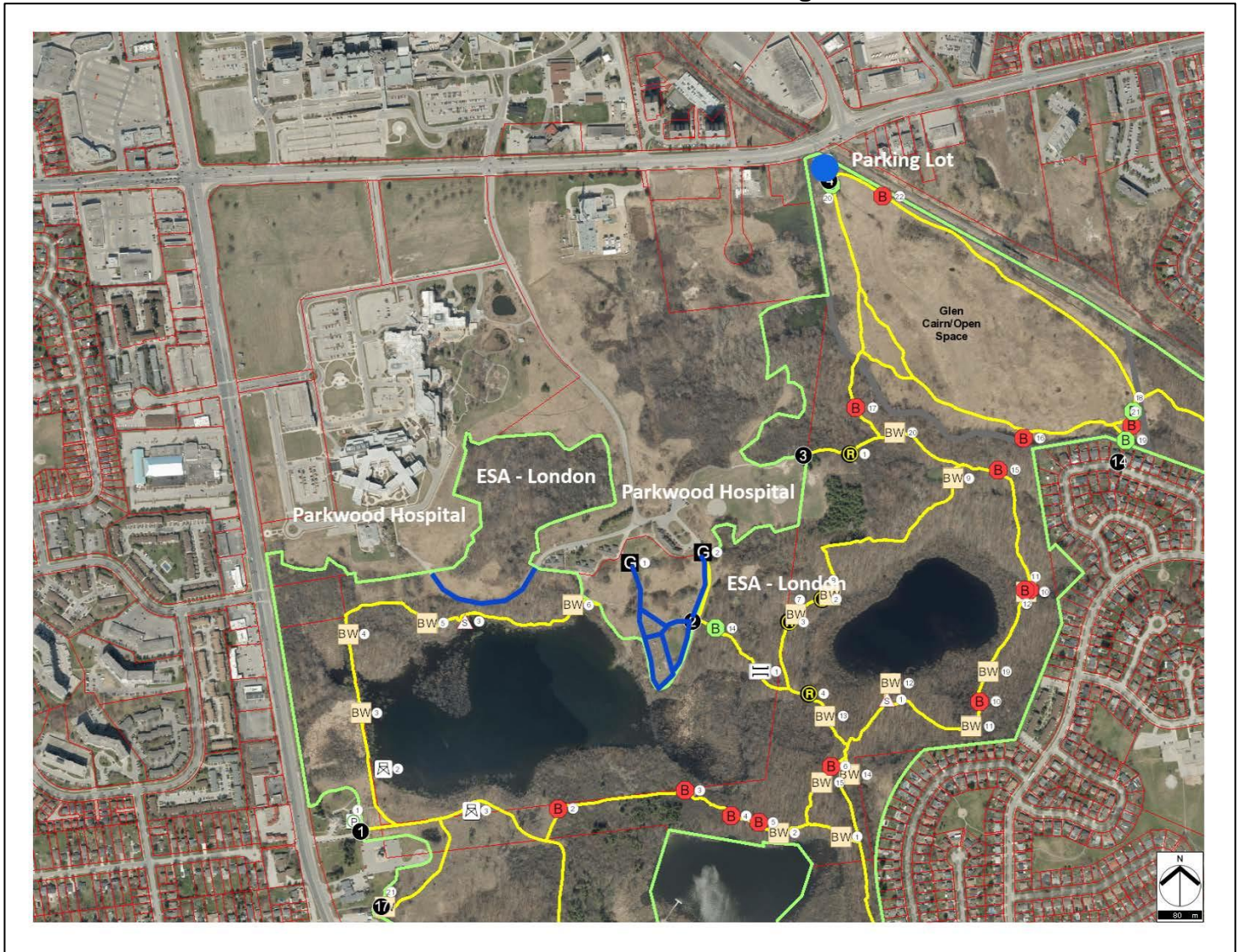
Warbler Woods ESA – Multiuse Pathway



Westminster Ponds ESA – South Pond Parking Lot



Westminster Ponds ESA – Western Counties Road and Parking Lots



Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Kelly Scherr, P.Eng., MBA, FEC
Deputy City Manager, Environment and Infrastructure

Scott Mathers, P.Eng., MPA
Deputy City Manager, Planning and Economic Development

Subject: Conservation Authority Cost Apportioning Agreements

Date: October 23, 2023

Recommendation

That, on the recommendation of the Deputy City Manager, Planning and Economic Development, the following actions be taken:

- (a) the attached proposed by-law (Appendix “A”) **BE INTRODUCED** at the Municipal Council meeting on November 7, 2023, to:
- (b) **APPROVE** the three separate Cost Apportioning Agreements between the Upper Thames River Conservation Authority, Kettle Creek Conservation Authority, and Lower Thames Valley Conservation Authority and The Corporation of the City of London;
- (c) **AUTHORIZE** the Mayor and City Clerk to execute any contract or other documents, if required, to give effect to these recommendations; and
- (d) **AUTHORIZE** the Mayor and the City Clerk to execute any amendments to the Agreement approved by the Deputy City Manager, Finance Supports or Deputy City Manager, Planning and Economic Development.

Executive Summary

Purpose

To implement changes made to the Conservation Authorities Act, as outlined by the Province, by January 1, 2024.

Context

In 2021, the Province of Ontario defined a new framework for programs and services to support the core mandate of Conservation Authorities (CAs) under Ontario Regulation 687/21. As part of the changes, CAs are now required to have cost apportionment agreements with municipalities for non-mandatory services. The new funding framework applies to the three CAs within the jurisdiction of the Municipality of City of London, including the Upper Thames River Conservation Authority (UTRCA), Kettle Creek Conservation Authority (KCCA), and the Lower Thames Valley Conservation Authority (LTVCA). This report recommends execution of the Cost Apportioning Agreements with the three CAs. The City also recommends including budget for the UTRCA to conduct a Service Level Review related to processing development applications and Section 28 permits.

Linkage to the Corporate Strategic Plan

This report supports the 2023-2027 Corporate Strategic Plan in the following areas:

- Climate Action and Sustainable Growth, making sure infrastructure is built, maintained, and secured to support future growth and protect the environment.

- Well-Run City, as the City works to improve governance processes.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

June 21, 2021, Planning and Environment Committee, Agenda Item 2.2, Memorandum of Understanding for Development and/or Planning Act Application Review Between the City of London and UTRCA.

November 22, 2022, Strategic Priorities and Policy Committee, Agenda Item 4.1, Bill 23, More Homes Built Faster Act, 2022, Information Report.

2.0 Discussion and Considerations

2.1 Background

According to subsection 21.1.2 of the *Conservation Authorities Act*, cost apportioning agreements must:

- Be in place by January 1, 2024.
- Specify a date and a review date within at least six months of the termination date.
- Provide for a minimum review every five years.
- Provide for early termination requirements.
- Include a process for resolution of disputes.
- Be approved by a resolution of the municipal council of each participating municipality.
- Be published on the Authority's website once finalized.

The attached Draft Cost Apportioning Agreements have been reviewed against these requirements by senior staff at the City of London as well as other member municipalities. Comments received have been incorporated into the final document. Unless a member municipality requests any substantive changes to the agreement, the Conservation Authorities' aim to have an executed Cost Apportioning Agreement with each member municipality for implementation effective January 1, 2024.

2.2 New Framework

As part of the new framework, the Conservation Authorities were tasked with the responsibility to provide an inventory of programs and services offered and broken down according to: Mandatory programs and services (Category 1), Municipal programs and services (Category 2), and Programs and services determined by the Conservation Authority as advisable to implement (Category 3). Only non-mandatory services (Category 2 and/or 3) would be subject to cost apportionment agreements or through separate Memoranda of Understanding. Category 1 mandatory programs and services would continue to be funded through the municipal levy without a cost apportionment agreement or other memoranda of understanding.

Category 1 services are mandatory and subject to the municipal levy. These services generally include:

- Preparing and managing for risk of natural hazards, including review of Planning Applications related to natural hazards
- Issuing Section 28 permits
- Conserving and managing lands owned or controlled by a Conservation Authority
- Continuing to implement Provincial stream and groundwater monitoring
- Developing a core watershed-based resource management strategy
- Conservation Authority duties, functions, and responsibilities as a source protection authority under the Clean Water Act

Category 2 offers non-mandatory programs and services at the request of, or on behalf of, a municipality through a Memorandum of Understanding or letter agreement. Financing of these programs is budgeted from City Capital accounts outside of the Municipal Levy. The identified Category 2 services are as follows:

Conservation Authority	Category 2 Services
Upper Thames River	ESA Management Beaver Management Watercourse Monitoring
Kettle Creek	Phosphorus Mitigation Program for Private Rural Property
Lower Thames Valley	None

Category 3 are non-mandatory programs and services the Conservation Authority considers advisable to conserve the watershed or meet community needs. These services can be provided through a cost-apportioning agreement between interested member municipalities. The identified Category 3 services are shown in the table below.

Conservation Authority	Category 3 Services
Upper Thames River	Stewardship and Restoration; Subwatershed Planning and Monitoring; Community Outreach and Education
Kettle Creek	Environmental Monitoring and Tree Planting
Lower Thames Valley	Watershed Stewardship Extension, Forestry, and Monitoring Services (various smaller programs)

For a detailed breakdown of non-mandatory programs and services offered by the identified Conservation Authority, refer to the respective cost apportionment agreements by the UTRCA, KCCA, and LTVCA found in the Appendix of this report.

2.3 UTRCA Service Level Review

Given the housing priorities, the City recommends including up to \$200,000 for the UTRCA to conduct a Service Level Review related to processing development applications, Section 28 permits, and building permits. The City will be involved in the scoping requirements with UTRCA to make sure the review is aligned with the City’s organization structure and benchmarking requirements for comments. As part of this review, the City is working with UTRCA to formalize a memorandum of understanding for planning applications, section 28 permits and building permits to streamline reviews and provide timely comments. The expectations and timelines set in the memorandum of understanding will guide the Service Level Review.

The Planning and Development team completed a similar exercise recently to streamline development applications. This review will provide UTRCA with recommendations to align service delivery with the recent Planning Act changes and the timelines the Planning and Development team are working towards as we strive to approve 47,000 units by 2031.

3.0 Financial Impact/Considerations

Category 1 Mandatory Services will form the primary basis of the municipal levy to the City of London.

Category 2 Non-Mandatory Services are established by Memorandum of Understanding or Letter Agreement for specific services as requested by the municipality. The specifics of these arrangements (including cost to the City) will be considered under separate agreements. For example, the City works with the UTRCA under separate contract to manage Environmentally Significant Areas.

By executing the Agreements outlined in this report, the City of London agrees to contribute its share to Category 3 programs. The City of London’s share towards Category 3 programs are outlined in the attached agreements. In these agreements, the percentage of cost apportionment to each municipality is calculated based on

proportionate Modified Current Value Assessment (MCVA) consistent with the general Municipal Levy, noting that the proposed Category 3 services are expected to be applied subwatershed-wide. MCVA is province-wide system for calculating Conservation Authority levies which is determined by adding the current value assessments of all lands within a municipality and applying factors prescribed by the Province for each class of property within the jurisdiction.

Cost Apportioning Agreements are to be in place by January 1, 2024. Therefore, the cost apportionment for the Category 3 services will part of the 2024 invoicing. In the future, once the Cost Apportionment Agreements are signed, Conservation Authority's will continue to separate the levy out with the anticipation of sending one invoice for all portions of the municipal levy.

Financial impacts associated with Category 1, 2 and 3 services will be incorporated in the 2024-2027 Multi-Year Budget.

Conclusion

City Staff have reviewed the attached Cost Apportionment Agreements and recommend executing these agreements with the Conservation Authority's in accordance with the requirements of O.Reg. 687/21. The City will have an opportunity to review the Conservation Authorities' budgets and services associated with the municipal levy for Category 1 mandatory services during the 2024-2027 Multi-Year Budget process.

Prepared by: **Shawna Chambers, P.Eng., DPA**
Division Manager, Stormwater Engineering

Submitted by: **Ashley Rammeloo, MSc., P.Eng.**
Director, Water, Wastewater and Stormwater

Heather McNeely, RPP, MCIP
Director, Planning and Development

Recommended by: **Scott Mathers, P. Eng., MBA**
Deputy City Manager, Planning and Economic Development

Concurred by: **Kelly Scherr, P.Eng., MBA, FEC**
Deputy City Manager, Environment and Infrastructure

Appendix "A" **By-law for Cost Apportioning Agreements**

cc: Paul Yeoman, Director, Parks and Forestry
Kyle Murray, Director, Financial Planning and Business Support
Peter Kavcic, Manager, Subdivisions and Development Inspections

APPENDIX "A":
BY-LAW FOR COST APPORTIONING AGREEMENTS

**Appendix “A”
By-law for Cost Apportioning Agreements**

Bill No. XXX
2023

By-law No. XXXXX

A by-law to authorize and approve Cost Apportioning Agreements between The Corporation of the City of London and The Upper Thames River Conservation Authority (UTRCA), The Kettle Creek Conservation Authority (KCCA), and The Lower Thames Valley Conservation Authority (LTVCA), and to authorize the Mayor and the City Clerk to execute the Agreements.

WHEREAS the UTRCA, KCCA, and LTVCA are conservation authorities established under the Conservation Authorities Act (“Act”) and are governed by members appointed by its participating municipalities in accordance with the Act.

AND WHEREAS a Participating Municipality, as defined under the Act, is located wholly or in part within the area under the jurisdiction of the applicable Conservation Authority.

AND WHEREAS the Act permits a Conservation Authority to provide non-mandatory programs and services on behalf of a Municipality under a Cost Apportioning Agreement or such other agreement as may be entered into with the Municipality pursuant to Ontario Regulation 686/21, when levy is required for the delivery of the non-mandatory programs or services that a Conservation Authority advises to further the purpose of the Act.

AND WHEREAS pursuant to Ontario Regulation 686/21, when Conservation Authorities are authorized to apportion costs to municipalities for the delivery of programs and services.

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

1. The Cost Apportionment Agreements substantially in the forms attached as “Schedule A”, “Schedule B,” and “Schedule C,” to this by-law, is hereby authorized and approved.
2. The Mayor and the City Clerk are hereby authorized to execute the Agreement authorized and approved under section 1 of this by-law.
3. This by-law shall come into force and effect on the date it is passed.

PASSED in Open Council on November 7, 2023.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – November 7, 2023
Second Reading – November 7, 2023
Third Reading – November 7, 2023

Schedule 'A'

Cost Apportioning Agreement ("Agreement")

THIS COST APPORTIONING AGREEMENT made the ____ day of _____, 2023.

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON

(hereinafter, "Municipality")

- and -

UPPER THAMES RIVER CONSERVATION AUTHORITY

(hereinafter, "UTRCA")

WHEREAS the UTRCA is a conservation authority established under the Conservation Authorities Act ("Act") and is governed by members appointed by its participating municipalities in accordance with the Act;

AND WHEREAS a Participating Municipality, as defined under the Act, is located wholly or in part within the area under the jurisdiction of UTRCA;

AND WHEREAS the Act permits UTRCA to provide non-mandatory programs and services on behalf of a Municipality under a Cost Apportioning Agreement or such other agreement as may be entered into with the Municipality pursuant to Ontario Regulation 686/21, when levy is required for the delivery of the non-mandatory programs or services that the UTRCA advises to further the purpose of the Act;

AND WHEREAS pursuant to Ontario Regulation 686/21, when Conservation Authorities are authorized to apportion costs to municipalities for the delivery of programs and services;

NOW THEREFORE in consideration of the terms of this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Term of Agreement

1. Initial Term of the Agreement is January 1, 2024, through December 31, 2028.
2. Thereafter, the Agreement shall continue for additional four-year periods (each "Renewal Term") unless either party provides written notice of their intention to terminate this Agreement and such notice will be given no less than one-hundred and eighty (180) days and no more than three hundred (300) days prior to the end of such calendar year.

Agreement Principles

3. The following principles shall guide the implementation of the Agreement between UTRCA and the Municipality:
 - a. The Agreement will provide the overarching terms and conditions for the delivery of non-mandatory programs and services by UTRCA that UTRCA deems advisable to further the purpose of the Act.
 - b. UTRCA agrees to provide the programs and services outlined in Schedule A.
 - c. The Municipality agrees to financially support the programs and services outlined in Schedule A and for such support to be apportioned among the participating municipalities using the Modified Current Value Assessment method, as outlined in Schedule B.
 - d. UTRCA will not add to or delete from the programs and services supported through the Agreement without first consulting with the Municipality and identifying such changes in the annual budget process. Any changes to the programs and services, or level of service provided, must be approved in writing by the Municipality and any such change

Schedule 'A'

- following the Municipality's written approval shall be reflected in an updated Schedule A and Schedule B to be circulated and posted once the final annual budget is approved.
- e. Any change to the total municipal support outlined in Schedule B will be reviewed and approved by the UTRCA Board of Directors within the annual budget process including a 90-day consultation period with the Municipality and applied effective January 1 each calendar year.
 - f. UTRCA may charge a user fee for the delivery of any of the programs and services outlined in Schedule A, where appropriate, to reduce the cost apportioned to the Municipality.
 - g. UTRCA will actively seek out, and make best efforts to secure, funding opportunities from other sources of revenue to offset the costs of the services provided and reduce the cost apportioned to the Municipality.

Review at Regular Intervals

4. This Agreement shall be reviewed by the parties prior to the expiry of the Initial Term and each Renewal Term. It shall be the UTRCA's responsibility to initiate the review with the Municipality at least one hundred and eighty (180) days prior to the expiry of the Initial Term or the Renewal Term, as the case may be.

Dispute Resolution

5. The Municipality and the UTRCA will strive to facilitate open and timely communication at all levels.
6. Where a dispute arises between two or more parties, the parties agree that dispute resolution practices will be implemented using the following principles:
 - a. Agree to a fair process for mediating issues;
 - b. Identify common agreement / ground, in the best interest of the parties;
 - c. Identify all options to resolve; and,
 - d. Agree on best resolution option.
7. If informal dispute resolution fails, and if requested in writing by either the Municipality of the UTRCA, the parties shall enter into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties. If a dispute cannot be settled within a period of ninety (90) calendar days with the mediator, the dispute shall be referred to and finally resolved by arbitration under the provisions of the Arbitration Act, R.S.O. 1991, Chapter 17.

Early Termination

8. Upon written notice of intention to terminate this Agreement being given in any calendar year during the Initial Term or Renewal Term, the date that is the last date of such calendar year or such date as may be otherwise agreed to by all parties in writing, shall be the "Termination Date." In the event this Agreement is terminated, any operating expenses and costs incurred by the UTRCA for providing these services shall be paid by the Municipality up to and including the Termination Date.

Available to the Public

9. This Cost Apportioning Agreement shall be made available on the UTRCA's website.

Execution

10. The Agreement may be executed in counterparts in writing or by electronic signature and delivered by mail, facsimile, or other electronic means, including in Portable Document Format (PDF); no one copy needs to be executed by all parties. When each party has executed a counterpart, each of such counterparts shall be deemed to be an original and all such counterparts, when taken together, shall constitute one and the same agreement.

Schedule 'A'

Letters of Agreement

11. The Agreement does not preclude parties from identifying opportunities for further collaboration to benefit both parties, and ensure efficiency, transparency, and accountability in the use of resources, including in-kind services and assistance, coordination of complementary policy and program initiatives, and projects involving third parties. During the term of this agreement, if additional programs and services are requested from UTRCA to be delivered on behalf of the Municipality, a separate Letter of Agreement will be established with the Municipality (or delegated staff member) and attached as an Appendix.

Watershed-based Resource Management Strategy

12. The Municipality acknowledges and agrees that all programs and services identified in Schedule A shall also be included in a Watershed-based Resource Management Strategy that UTRCA is required to develop and implement, in accordance with the Act.

IN WITNESS WHEREOF the Municipality and the UTRCA have signed this Cost Apportioning Agreement.

SIGNED SEALED AND DELIVERED THIS DAY OF , 2023.

THE UPPER THAMES RIVER CONSERVATION AUTHORITY

Per: _____
Chair – Brian Petrie

Per: _____
CAO / Secretary Treasurer – Tracy Annett

I/We have the authority to bind the UTRCA.

SIGNED SEALED AND DELIVERED THIS DAY OF , 2023.

THE CORPORATION OF THE CITY OF LONDON

Per: _____
Mayor – Josh Morgan

Per: _____
City Clerk – Michael Schulthess

I/We have the authority to bind the Corporation.

Schedule 'A'

Schedule A – Category 3 Programs and Services Requiring Municipal Financial Support Through Cost Apportioning

The UTRCA provides the following Category 3 service areas to its participating municipalities:

- Stewardship and restoration,
- Subwatershed planning and monitoring, and
- Community outreach and education.

These service areas are core components of integrated watershed management that have been provided for decades. They are funded by a variety of sources: provincial contracts and transfer payments, municipal levy, self-generated funds (user fees, donations, sponsorships, contracts), and municipal agreements. A program description for each service area is provided below:

Service Area: Stewardship and Restoration

- Delivering landowner stewardship services to improve soil health, water quality and quantity, and biodiversity, and offering Clean Water Program grants in partnership with municipalities. A healthy and vital Thames River will also benefit Lake St Clair and Lake Erie.

Service Area: Subwatershed Planning and Monitoring

- Making science-based decisions through natural heritage subwatershed planning, ecological monitoring and reporting, species at risk programs, and water quality database management. First Nations engagement through various initiatives and projects, to further the development of a more holistic approach in watershed planning that incorporates aspects of Indigenous Traditional Knowledge and an awareness of the river's spirit, in addition to western science and management objectives.

Service Area: Community Outreach and Education

- Empowering communities and youth through outreach and education programs. Community partnerships facilitate watershed "friends of" groups, community science programs, and community events. Curriculum-based environmental education programs reach 20,000 students/year at Fanshawe and Wildwood Conservation Areas, local natural areas, school yards/in class, and virtually.

Schedule 'A'

Schedule B – Example of Apportionment of Category 3 Programs

The municipal costs associated with the Category 3 programs and services outlined in Schedule A are included and clearly identified in the UTRCA's overall annual budget. These costs will be apportioned among the participating municipalities according to the Modified Current Value Assessment (MCVA), as outlined below.

Schedule B will be updated annually and distributed to the member municipalities following the final UTRCA budget and levy approval. The MCVA will also be updated as soon as the province provides it to the UTRCA.

A change, if any, to the total levy outlined in Schedule B for 2023 will be applied effective January 1 each calendar year and will be the same percentage as the UTRCA's overall budget increase.

Municipality	2023 MCVA Apportionment %	Cost Apportionment \$ Service Areas: Stewardship and Restoration Subwatershed Planning and Monitoring Community Outreach and Education
Oxford County	16.9093	\$134,214
London	64.0751	\$508,585
Lucan Biddulph	0.3517	\$2,792
Thames Centre	3.1897	\$25,318
Middlesex Centre	2.4127	\$19,150
Stratford	7.2647	\$57,662
Perth East	1.4275	\$11,331
West Perth	1.4827	\$11,769
St. Marys	1.4644	\$11,623
Perth South	1.2215	\$9,695
South Huron	0.2006	\$1,592
TOTAL	100%	\$793,731

Schedule 'A'

APPENDICES

Agreements for Category 2 Programs and Services and Letters of Agreement

Appendix #	Agreement	Municipality	Date / Status
1	ESA Management Program	City of London	Active
2	Beaver Management Program	City of London	Active
3	Watercourse Monitoring Program	City of London	Active

Note – The Municipality acknowledges and agrees that all programs and services identified in Appendices contained herein shall also be included in a Watershed-based Resource Management Strategy that UTRCA is required to develop and implement, in accordance with the Act.

Cost Apportioning Agreement
(hereafter, "Agreement")

THIS AGREEMENT is made on the _____ day of _____, 2023
(hereafter, "Effective Date").

BETWEEN:

THE CORPORATION OF THE CITY OF LONDON
(hereafter, "Municipality")

AND:

KETTLE CREEK CONSERVATION AUTHORITY
(hereafter, "KCCA")

WHEREAS KCCA is a conservation authority established under the *Conservation Authorities Act*

("Act") and is governed by members appointed by its participating municipalities in accordance with the Act;

AND WHEREAS the Participating Municipality, as defined by the Act, is located wholly or partly within the area under the jurisdiction of KCCA;

AND WHEREAS the Act permits KCCA to provide non-mandatory programs and services under a Cost Apportioning Agreement or such other agreement pursuant to Ontario Regulation 686/21, when levy is required for the delivery of the non-mandatory programs or services that KCCA advises to further the purpose of the Act;

AND WHEREAS pursuant to Ontario Regulation 686/21, Conservation Authorities are authorized to apportion costs to municipalities for delivery of programs and services;

NOW THEREFORE, in consideration of the terms of this agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

Term of Agreement

1. Initial Term of the Agreement is January 1, 2024 – December 31, 2028.
2. Thereafter, the Agreement shall continue for additional four-year periods (each a "Renewal Term") unless either party provides written notice of their intention to terminate this Agreement and such notice is given no less than one-hundred and eighty (180) days and no more than three hundred (300) days prior to the end of such calendar year.

Agreement Principles

3. The following principles shall guide the implementation of the Agreement between KCCA and the Municipality:
 - a. The Agreement will provide overarching terms and conditions for delivery of non-mandatory programs and services by KCCA that KCCA deems advisable to further the purpose of the Act.
 - b. KCCA agrees to provide the programs and services outlined in Schedule A and maintain a consistent level of service for the duration of this Agreement, in accordance with Schedule A.
 - c. The Municipality agrees to financially support the programs and services outlined in Schedule A and for such support to be apportioned among the participating municipalities using the Modified Current Value Assessment method, as outlined in Schedule B.
 - d. KCCA will not add to or delete from the programs and services supported through the Agreement without first consulting with the Municipality and identifying such changes in the annual budget process. Any changes to the programs or services, or level of service provided, must be approved in writing by the Municipality and any such change following the Municipality's written approval shall be reflected in an updated Schedule A and Schedule B to be circulated and posted once the final annual budget is approved.
 - e. Any change to the total municipal support outlined in Schedule B will be reviewed and approved by the KCCA Board of Directors within the annual budget process including a 90-day consultation period with the Municipality and applied effective January 1 each calendar year.
 - f. KCCA may charge a user fee in the delivery of any of the programs and services outlined in Schedule A where appropriate to reduce costs apportioned to the Municipality.

KCCA will actively seek out, and make best efforts to secure, funding opportunities from other sources of revenue to offset the costs of the services provided and reduce the cost apportioned to the Municipality.

Review and Regular Intervals

4. This Agreement shall be reviewed by the parties prior to the expiry of the Initial Term and each Renewal Term it shall be KCCA's responsibility to initiate the review with the Municipality at least one hundred and eighty (180) days prior to the expiry of the Initial Term or Renewal Term, as the case may be.

Dispute Resolution

5. The Municipality and KCCA will strive to facilitate open and timely communication at all levels.
6. Where a dispute arises between two or more parties, the parties agree that dispute resolution practices will be implemented using the following principles:
 - a) Agree to a fair process for mediating issues;
 - b) Identify common agreement / ground in the best interest of the parties;
 - c) Identify all options to resolve;
 - d) Agree on best resolution option.
7. If informal dispute resolution fails, and if requested in writing by either the Municipality or the KCCA, the parties shall enter into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties. If a dispute cannot be settled within a period of ninety (90) calendar days with the mediator, the dispute shall be referred to and finally resolved by arbitration under the provisions of the Arbitration Act, R.S.O. 1991, Chapter 17.

Early Termination

8. Upon such written notice of intention to terminate this Agreement being given in any calendar year during the Initial Term or Renewal Term, the date that is the last date of such calendar year or such date as may be otherwise agreed to by all parties in writing, shall be the "Termination Date". In the event this Agreement is terminated, any operating expenses and costs incurred by KCCA for providing these services shall be paid by the Municipality up to and including the Termination Date.

Available to the Public

9. This Cost Apportioning Agreement shall be made available on the KCCA's website.

Execution

10. The Agreement may be executed in counterparts in writing electronic signature and delivered by mail, facsimile, or other electronic means, including in Portable Document Format (PDF); no one copy needs to be executed by all parties. When each party has executed a counterpart, each of such counterparts shall be deemed to be an original and all such counterparts, when taken together, shall constitute one and the same agreement.

Letters of Agreement

11. The Agreement does not preclude the parties from identifying opportunities for further collaboration to the benefit of both parties, and ensure efficiency, transparency, and accountability in the use of resources, including in-kind services and assistance, coordination of complementary policy and program initiatives, and

projects involving third parties. During the term of this agreement if additional programs and services are requested from KCCA to be delivered on behalf of the Municipality a separate Letter of Agreement will be established with the Municipality (or delegated staff member) and attached as an Appendix.

Watershed-based Resource Management Strategy

12. The Municipality acknowledges and agrees that all Programs and Services identified in Schedule “A” shall also be included in a Watershed-based Resource Management Strategy that the KCCA is required to develop and implement in accordance with the *Conservation Authorities Act*.

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the Effective Date.

SIGNED SEALED AND DELIVERED THIS DAY OF , 2023.

THE KETTLE CREEK CONSERVATION AUTHORITY

Per: _____
Chair –

Per: _____
CAO / Secretary Treasurer –

I/We have the authority to bind the KCCA.

SIGNED SEALED AND DELIVERED THIS DAY OF , 2023.

THE CORPORATION OF THE CITY OF LONDON

Per: _____
Mayor – Josh Morgan

Per: _____
Clerk – Michael Schulthess

I/We have the authority to bind the Corporation.

Schedule A – Category 3 Programs and Services Requiring Municipal Financial Support Through Cost Apportioning

SERVICE AREAS

Under Section 21.1 of the Conservation *Authorities Act*, Conservation Authorities (CAs) are to classify their programs and services into 3 categories:

Category 1: Mandatory programs and services where municipal levy can be used without an agreement.

Category 2: Non-mandatory programs and services the CA delivers at the request of a municipality through an MOU or agreement.

Category 3: Other non-mandatory programs and services a CA determines are advisable to implement in the CA’s jurisdiction. These programs and services may use municipal levy when a MOU/agreement is in place. Programs and services in Category 3 may also be funded through other means. In the latter situation, an MOU/agreement with the municipality is not required.

It is recognized that natural systems benefit from a systems-wide approach and that watersheds are the ecologically meaningful scale for not only effective planning but to enact meaningful and sustainable change.

KCCA offers a comprehensive list of programs and services that benefit the health of the watershed, protects, and educates residents about natural hazards and mitigates the effects of a changing climate. The chart below identifies KCCA’s program areas by Category.

Category 1	Category 2			Category 3	
Mandated Programs and Services which all CAs must provide in their jurisdiction. Eligible to be funded by municipal levy. No agreement required. Programs or Services as described in Ontario Regulation 686/21.	Programs and Services at the request of and on behalf of a Municipality through a MOU or other agreement. Programs or Services as described in Section 21.1.1 of the <i>Conservation Authorities Act</i> .			Programs and Services the CA determines are advisable to implement in the CA’s jurisdiction. Apportionment Agreement required for municipal levy continuance. Programs or Services as described in Section 21.1.2 of the <i>Conservation Authorities Act</i> .	
	Agreement	Municipality	Date/Status	Agreement Proposed	No Agreement Required
Risk of Natural Hazards	Kettle Creek Dog Park	Central Elgin/St. Thomas	2014/Current	Watershed Monitoring	Campgrounds
Planning and Regulations	Belmont and Union Conservation Areas	Central Elgin	2020/Current	Tree Planting	Land Acquisition
Flood Forecasting/Warning/Low Water	Elgin County Woodlands Conservation Bylaw	County of Elgin	2023/Current		Stewardship
Dam Operations					Education
Natural Hazard Technical Studies	Category 2 Program and Services Agreements are posted on KCCA’s web site.				
Conservation and Management of CA Lands					
Significant Areas Management					
Land Acquisition/Disposition					
Inventory of CA Owned Lands					
Conservation Area Strategy					
Provincial Water Quality Monitoring					
Drinking Water Source Protection Program					
Watershed-Based Management Strategy					
General Operating Expenses					
Administration/Communications					
Information Technology/GIS					

Over half of the programs and services included in KCCA’s Category 3 program area are supported through self-generated means including fundraising, grant proposal writing and user fees and operate independent of municipal levy. These programs include Campgrounds, Stewardship, Education and Land Acquisition.

The remaining Category 3 services areas of Tree Planting and Environmental Monitoring are core components of integrated watershed management and have been provided within the watershed for decades. These programs have been funded historically through a combination of municipal levy and self-generated revenue.

KCCA is seeking the continued financial support of its member municipalities through levy for the delivery of the Tree Planting and Environmental Monitoring programs as described below:

Tree Planting

Currently, KCCA's forest cover is estimated at 14.15%, well below the 30% recommended by Environment Canada.

KCCA plants ~50,000 trees per year in the watershed through a mixture of large-scale plantings on public and private lands, over the counter tree sales and through the planting of large stock trees on roadsides and community volunteer events. This program area is crucial for bolstering forest cover, increasing biodiversity and is a cost-effective means to mitigate the effects of climate change, flooding, and erosion. KCCA strives to match funds provided by its member municipalities with its own fundraising efforts.

Environmental Monitoring (non-mandatory)

While water quality monitoring through the Provincial Water Quality and Groundwater Monitoring Networks are considered Category 1 or mandatory programs, KCCA monitors additional sites that are considered Category 3. KCCA monitors six additional surface water quality sites, conducts benthic invertebrate sampling at 25 locations, and evaluates fish communities through electrofishing at a minimum of 15 sites per year. Surface water and benthic monitoring sites are distributed throughout the watershed to provide a comprehensive analysis of local watershed conditions and are reported every five years through the Watershed Report Card. This long-term historical data is integral to the development of the mandatory Watershed Based Resource Management Strategy.

Schedule B – Apportionment of Category 3 Programs

The municipal costs associated with the Category 3 programs and services outlined in Schedule A are included and clearly identified in KCCA’s overall annual budget. These costs will be apportioned among the participating municipalities according to the Modified Current Value Assessment (MCVA) as outlined below.

An increase, if any, to the total levy outlined below for 2023 will be applied effective January 1 each calendar year and will be the same percentage as KCCA’s overall budget increase. Current MCVA will be updated as soon as available from the Province. Schedule B will be updated annually and distributed to Member Municipalities following final budget and levy approval.

Apportionment of Category 3 Programs Requiring Municipal Levy for 2023

Municipality	2023 MCVA Apportionment %	Total Cost Apportionment for Service Areas: Tree Planting Environmental Monitoring
Central Elgin	7.857	10,947.71
Middlesex Centre	1.6689	2,325.40
London	56.7532	79,078.21
Thames Centre	1.343	1,871.30
Malahide	0.6798	947.21
Southwold	3.9779	5,542.69
St. Thomas	27.7201	38,624.36
Total	100%	139,337

This Schedule will be updated annually and distributed to Member Municipalities following final budget and levy approval.

APPENDICES
Agreements related to Category 2 Programs and Services and Letters of Agreement

Appendix #	Agreement	Municipality	Date / Status
1	Phosphorus Mitigation Program for Private Rural Property	City of London	Effective January 1, 2024

Note – The Municipality acknowledges and agrees that all programs and services identified in Appendices contained herein shall also be included in a Watershed-based Resource Management Strategy that KCCA is required to develop and implement, in accordance with the Act.

Schedule 'C'

AGREEMENT FOR SERVICES

MUNICIPAL / LTVCA CATEGORIES OF PROGRAMS AND SERVICES AGREEMENT

THIS AGREEMENT dated this day of , 2023.

BETWEEN

The LOWER THAMES VALLEY CONSERVATION AUTHORITY
(Hereinafter called "Authority")

OF THE FIRST PART

– and –

THE CORPORATION OF THE CITY OF LONDON
(Hereinafter called the "Members")

OF THE SECOND PART

WHEREAS, pursuant to Ontario Regulation 686/21 (<https://www.ontario.ca/laws/regulation/210686>) Conservation Authorities are authorized to charge a levy to their members for delivery of mandatory services under the Regulation;

AND WHEREAS pursuant to Ontario Regulation 687/21 (<https://www.ontario.ca/laws/regulation/210687>) Conservation Authorities are required to enter into an agreement to levy members for services provided to Members other than mandatory services;

AND WHEREAS the Conservation Authority is prepared to provide certain non-mandatory services to its Member Municipalities;

AND WHEREAS the Members wish to avail themselves of these services and to pay the amount levied for the services;

NOW THEREFORE, that in consideration of the terms of this Agreement, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The Authority agrees to provide to the Members the services outlined in the Inventory of Services and Programs attached hereto as Schedule A.
2. The Members agree to be charged a levy for such services, to be apportioned among the Members.
3. The Authority will not add to or delete from the services or programs funded through the levy without first consulting with the Members. The Agreement does not preclude the parties from identifying opportunities for further collaboration to the benefit of both parties, and ensure efficiency, transparency, and accountability in the use of resources, including in-kind services and assistance, coordination of complementary policy and program initiatives, and projects involving third parties. During the term of this agreement if additional programs and services are requested from the LTVCA to be delivered on behalf of the Municipality a separate agreement/MOU will be established with the requesting municipality.
4. The parties will maintain the current annual approval process for increasing the levy and budget (i.e., weighted vote based upon current value assessment in the watershed for approval of the levy).

Schedule 'C'

- 5. The Members will continue to support the current Inventory of Services and Programs throughout the period of this Agreement.
- 6. That all elements of this Agreement will include consideration of Climate Change impacts.
- 7. This Agreement will be for a Term of five (5) years commencing on the date of the signature by the last of the parties.
- 8. The Municipality acknowledges and agrees that all Programs and Services identified in Appendix A shall also be included in a Watershed-based Resource Management Strategy that the LTVCA is required to develop and implement in accordance with the Conservation Authorities Act.

SIGNED SEALED AND DELIVERED THIS DAY OF , 2023.

THE LOWER THAMES VALLEY CONSERVATION
AUTHORITY

Per: _____
Chair – Sarah Emons

Per: _____
CAO / Secretary Treasurer – Mark Peacock

I/We have the authority to bind the LTVCA.

SIGNED SEALED AND DELIVERED THIS DAY OF , 2023.

THE CORPORATION OF THE CITY OF LONDON

Per: _____
Mayor – Josh Morgan

Per: _____
City Clerk – Michael Schulthess

I/We have the authority to bind the Corporation

Schedule 'C'

APPENDIX A

Category 1: Mandatory Services – Risk of Natural Hazards, Flood and Erosion

- a) Preparedness
 - i) Flood and or erosion risk emergency response planning with municipal members
 - ii) Flood and or erosion risk mapping updates
 - iii) Administration of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation in flood prone, watercourse, riverine/valleys, shoreline, dynamic beaches, and wetlands
 - iv) Plan input and review support to municipalities regarding natural hazard polices and development applications
- b) Monitoring
 - i) Year round monitoring and data acquisition for lake levels, wind upset, river levels, snow pack, ice thickness, precipitation, weather forecasts and runoff potential
 - ii) Maintenance of all rainfall and streamflow monitoring equipment
 - iii) Development and maintenance of flood forecasting software and hardware
 - iv) Monitoring bluff collapse, gully and toe erosion along the Thames River, Lake St. Clair, and Lake Erie shorelines
 - v) Low Water Response Monitoring across the watershed especially during drought conditions
- c) Flood and Erosion Control Infrastructure (Sixth Street Dam and Pumping Station, Rivard Dam and Diversion Channel, Sharon Creek Morning glory spillway)
 - i) Annual inspections
 - ii) Annual minor maintenance
 - iii) Major maintenance
- d) Response
 - i) Provide flood and or erosion forecasting / warnings and updates to municipalities regarding flood and or erosion events
 - ii) Work with municipal partners to design and implement mitigative measures to address these natural hazards
 - iii) For Low Water updates, undertake rainfall calculations and provide updates to the Committee members / postings to the community

Schedule 'C'

Required Services: Ontario Regulation 686/21 (<https://www.ontario.ca/laws/regulation/210686>)

Identification of Additional and or Enhanced Services to Meet Regulatory Requirements

1. Managing the risk posed by the natural hazards within their jurisdiction, including flooding, erosion, dynamic beaches, hazardous sites, hazardous lands, low water, and drought conditions. This program or service shall be designed to:

Develop an awareness of areas important for the management of natural hazards (e.g., wetlands, rivers and streams, shoreline areas, unstable soils, etc.)

- Understand risks associated with natural hazards and how they will change as the climate changes
 - Manage risks associated with natural hazards
 - Promote public awareness of natural hazards
- The LTVCA will provide a comprehensive communications, education, and outreach program to meet these regulatory requirements.
 - The LTVCA will identify where expertise can be found that is needed to develop a better understanding of the impact of climate change on natural hazards and low water or drought conditions in the watershed.
 - The LTVCA will review and streamline processes where possible.

2. Ice Management services (preventative and/or remedial) as appropriate and as supported by the CA's Flood Contingency Plan, including:

- LTVCA will continue to update the Flood Contingency Plan for the Thames River as needed, and provide it to our emergency services contacts and our municipal members. (we don't actively 'manage' ice jams, determined non-effective and costly and could pose a liability to the Authority if other areas flood as a result of the activity)
- LTVCA will review dock applications and their tolerances for ice damage with respect to the LTVCA's Dock Policy and the Technical Report, Ice Guideline, and the Ice Guideline for Docks.

Infrastructure - Operation, maintenance, repair and decommissioning of Flood and Erosion Control Structures.

3. Review of applications and issuance of permits under Section 28 and 28.0.1 of the Conservation Authorities Act (as amended from time to time), including associated enforcement activities

- The LTVCA will provide technical support for reviewing applications for development within Regulated Areas
- The LTVCA currently has limited ability to act on enforcement activities due to influx of applications and increased number of complaints received

The flood plain / erosion mapping / modeling that is currently in place for LTVCA watercourses requires updating

- Data collection, mapping, data sets, watershed photography
- Development and use of systems to collect and store data and to provide spatial geographical representations of data
- Studies and projects are required to inform natural hazard management programs including floodplain management, watershed hydrology, regulation area mapping update, flood forecasting system assessment, floodplain policy, Lake Erie, and St. Clair shoreline management

Schedule 'C'

Category 1: Mandatory Services – Conservation Areas

Conservation Area Services

Includes the management, development, and protection of significant natural resource lands, features and infrastructure on authority owned lands. The LTVCA has 34 conservation areas, with a land base of 1,713.58 acres (703.58 hectares) and continually increases this area by acquisitions and donations.

Service Components:

- a) Management and Development of Authority lands
 - Build resiliency and demonstrate good resource management within all conservation areas, ranging from day-use lands, wetlands, and forest tracts
- i) Lands and Infrastructure – inspections, maintenance, and enforcement
 - Identification and removal of hazards to reduce liability
 - Maintain essential infrastructure and dispose of surplus items
 - Manage public use that is compatible with the land and enforcement of regulations
- ii) Water Control Structures – inspections, maintenance, and operations
 - Operation of dams following regulatory requirements
 - Develop and monitor funding agreements with municipality(s) where dams are located for maintenance and major repairs
- iii) Forest Management
 - Implement activities identified in Managed Forest Plans (MFTIP's) to improve forest health, including harvesting, tree planting and monitoring of woodlots
 - Removal of invasive species and monitoring of disease and pests
- iv) Administration
 - Development of policies and procedures for conservation area use
- b) Land Acquisition
 - i) Review land donations or purchases for conservation purposes
 - Identify benefits and concerns for potential land acquisitions based on the LTVCA's Land Acquisition and Disposal Policy
- c) Leasing and Agreements on Authority Lands
 - i) Review agreements that are compatible with the land use
 - ii) Monitoring of agreements

Schedule 'C'

Required Services: Ontario Regulation 686/21

Identification of Additional and or Enhanced Services to Meet Regulatory Requirements

1. A Conservation Area Strategy, prepared on or before December 31, 2024 for all lands owned or controlled by the authority. The Strategy will include:
 - Objectives to provide decision making on lands including acquisition and disposition
 - An assessment of how lands owned may augment natural heritage / hazard strategies, and integrate with provincial, municipal, or publicly accessible lands and trails
2. An Inventory of Conservation Authority lands, prepared on or before December 31, 2024, including:
 - Identification of all parcel details including historical information, location, and surveys
 - Designation of land use categories based on activities or other matters of significance related to the parcel
3. Programs and services to ensure that the authority performs its duties, functions, and responsibilities to administer regulations made under Section 29 of the Conservation Authorities Act
 - Enforcement of Regulation 686/21 – Rules of conduct in conservation areas
 - Enhanced enforcement and control measures are required to limit trespassing of unauthorized vehicles on, and unauthorized use of, conservation area lands

Schedule 'C'

Category 1: Watershed Monitoring and Reporting
Services and Programs: Category 1 – Mandatory Program
Monitoring and Reporting <ul style="list-style-type: none">a) Provincial Water Quality Monitoring Network (PWQMN)b) A long standing (50+ years) CA/MECP partnership for stream water quality monitoring at 22 sites. CA takes water samples; MECP does lab analysis and data management. CA uses information for watershed report cards and stewardship project prioritization.c) Provincial Groundwater Monitoring Network (PGMN) (MECP funded network installation)<ul style="list-style-type: none">i. A long-standing CA/MECP partnership for groundwater level and quality monitoring at 7 stations. Costs include equipment, data collection, analysis, data management and reporting. MECP funded network installation.d) Thames River Clearwater Revival, Watershed Wide Strategic Resource Management Plans, Watershed Report Cards, individual Watershed and Sub-watershed Plans<ul style="list-style-type: none">i. Collaborative project of federal and provincial agencies, municipalities, First Nations, and Thames River conservation authorities to address broader-watershed scale water quality and quantity issues in river and contributing watersheds
Required Services: Ontario Regulation 686/21
Identification of Additional and or Enhanced Services to Meet Regulatory Requirements
Programs and services to support the authority's functions and responsibilities related to the development and implementation of a watershed-based resource management plan on or before December 31, 2024

Schedule 'C'

Category 1: Mandatory Services – Drinking Water Source Protection

Drinking Water Source Protection

- Services:
- a) Governance – Leadership
 - i. Thames - Sydenham & Region Drinking Water Source Protection Authority, Source Protection Committee and Joint Management
 - ii. Maintenance of local source protection program, including issues management

 - b) Communications
 - i. Promote the local source protection program

 - c) Program implementation
 - i. Ongoing support of local source protection program
 - ii. Implementation of Source Protection Plan policies where applicable
 - iii. Review of local applications / planning proposals / decisions in vulnerable areas to ensure source protection is considered

 - d) Technical Support
 - i. Support the preparation of amendments to local assessment reports and source protection plans to incorporate regulatory changes as well as technical assessment completed for new and expanding drinking water systems
 - ii. Review technical information received regarding changes to the landscape, such as new transport pathways in WHPA and IPZ's, to determine if assessment reports or source protection plans should be revised

Note: This program is currently funded by the Ministry of Environment, Conservation and Parks.

Required Services: Ontario Regulation 686/21

Identification of Additional and or Enhanced Services to Meet Regulatory Requirements

No additional changes need to be made to existing services

Schedule 'C'

Category 1: Mandatory Services
Corporate Services
<ol style="list-style-type: none"> 1. Governance and Leadership Responsibilities <ol style="list-style-type: none"> a) Setting priorities and policies b) Financial planning and monitoring c) Services and project development d) Conservation Ontario Council and Committees e) Reporting to member municipalities 2. Administration / Human Resources / Equipment <ol style="list-style-type: none"> a) Human resources planning and administration b) Workspace and equipment management c) Records retention and management d) Compliance with legislation related to employment, health and safety, accessibility, etc. 3. Financial Management <ol style="list-style-type: none"> a) Bookkeeping, investments, banking, financial planning b) Tangible capital asset management c) Management of financial agreements with external funders 4. Communications <ol style="list-style-type: none"> a) Communications strategy development and implementation 5. Information technology management and geographic information system <ol style="list-style-type: none"> a) Provide IT and GIS support 6. Vehicles, Equipment, and Infrastructure <ol style="list-style-type: none"> a) Provide and maintain vehicles and equipment b) Maintain and upgrade buildings and related infrastructure 7. Strategic Development <p style="margin-left: 20px;">An updated Strategic Plan is required by January 2024</p>
Required Services: Ontario Regulation 686/21
Identification of Additional and or Enhanced Services to Meet Regulatory Requirements
LTVCA Asset Management Plan due on or before December 31, 2024

Schedule 'C'

Category 2:
Private Land Stewardship Program
<ul style="list-style-type: none">1. Best Management Practices<ul style="list-style-type: none">a) Mitigate flood and erosion hazards on private lands (overlaps Cat 1 program)b) Improve and protect water qualityc) Restore flood plains and river valleys (overlaps Cat 1 program)d) Reduce nutrient contaminatione) Restore and enhance wetlands to reduce flooding peaks and augment low flow (overlaps Cat 1 program)f) Management of terrestrial non-native invasive speciesg) Protect groundwaterh) Improve aquatic species at risk habitat 2. Tall grass prairie establishment, tree planting and forestry services<ul style="list-style-type: none">a) Forestry services including planting, plan development, tree, and shrub plantingb) Private woodlot stewardship, technical assistancec) Tall grass prairie plan development and implementation
Additional Regulatory Requirements: Ontario Regulation 686/21
Identification of Additional and or Enhanced Services to Meet Regulatory Requirements
Apply for and maintain external funding

Schedule 'C'

Category 3: Watershed Stewardship Extension, Forestry and Monitoring Services

1. Natural Heritage Systems Implementation
2. Costs to Operate CA's
 - Costs to operate campgrounds and associated facilities on LTVCA lands. CM Wilson CA – 66% Active; Big Bend CA – 66% Active; Warwick CA – 66 % Active
3. Land acquisition
 - Strategic acquisition of environmentally-significant properties. Average appraisal, legal and other fees over last five years equates to \$10,000 per year. Average land donation equates to \$225,000 per year over the last five years. Periodic based on timing of donations.
4. Watershed Health Monitoring and Watershed Report Card Reporting:
 - Monitor and report on the health of forests, rivers and soil
 - Used to help track progress and to focus extension services
 - Used to determine extent and type of stewardship work needed in the watershed
 - The information is required to support the need for funding for stewardship projects when applying to Provincial, Federal and NGO agencies
 - Conservation Authorities report on local watershed conditions every five years
 - The LTVCA watershed is divided into 57 sub-watersheds grouped into 8 in the Watershed Report Card
 - Understanding of the watershed, focuses efforts and tracks progress (report card undertaken every five years)
5. Surface Water Quality Monitoring Program (benthic, spills, algae blooms)
6. Species At Risk Program
 - Species at risk research and assessment
 - Assisting landowners with land restoration projects and improving Species at Risks habitats on private and CA lands
7. Agricultural Research and Stewardship Programs
 - Stewardship and research undertaken jointly with the agriculture community
 - Programs address nutrient run off, healthy soils and development/implementation of local Best Management Practices
8. School Programs
 - Curriculum-based education programs for elementary and secondary students
 - The programs focus on local watersheds, ecosystems, and environmental issues
 - Programs take place at schools (indoors and outdoors), field trips to conservation areas, community parks and through online learning

Schedule 'C'

9. Community programs and events e.g. Chatham-Kent Water Festival

- Education and outreach programs and community events to assist in achieving the objectives of the conservation authority

10. Ska-Nah-Doht Longhouse Village and Museum

- First Nations education and programs

Category 3: CM Wilson Conservation Area Campground / Education Centre

- LTVCA provides overnight and seasonal camping at the CM Wilson Conservation Area
- LTVCA provides educational and community programming at the CM Wilson Education Centre
- The campground and education programs are partially funded by user fees charged for programs, day use and overnight camping to the area
- Revenue raised is used to fund the operations of the campground, with any surplus revenue used to fund education and community programs

Category 3: Big Bend Conservation Area Campground

- LTVCA provides overnight and seasonal camping at the Big Bend Conservation Area
- The campground is funded by user fees charged for day use and overnight camping to the area
- Revenue raised is used to fund the operations of the campground, with any surplus revenue used to fund operation / maintenance of conservation authority lands

Category 3: EM Warwick Conservation Area Campground

- LTVCA provides overnight and seasonal camping at the EM Warwick Conservation Area
- The group camping facility is funded by user fees charged for overnight camping to the area
- Revenue raised is used to fund the operations of the group camping facilities, with any surplus revenue used to fund operation / maintenance of conservation authority lands

Category 3: Longwoods Road Conservation Area / Ska-Nah-Doht Longhouse Village and Museum

- LTVCA provides educational and historic learning at the Longwoods Road Conservation Area / Ska-Nah-Doht Longhouse Village and Museum

Schedule 'C'

- The conservation area programs are partially funded by user fees charged for day use programs, special events and parking to the area
- Revenue raised is used to fund the operations of the resource centre museum and the historic village and buildings, with any surplus revenue used to fund education and community programs

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, P. Eng.
Deputy City Manager, Planning and Economic Development
Subject: Monthly Heritage Report – September 2023
Date: Monday October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following report **BE RECEIVED** for information.

Executive Summary

Approval, or approval with terms and conditions, of alterations affecting heritage designated properties may be granted administratively pursuant to the Delegated Authority By-law. The purpose of this report is to provide Municipal Council with information regarding Heritage Alteration Permits that were processed pursuant to the Delegated Authority By-law during September 2023.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2023-2027 Strategic Plan areas of focus:

- London has safe, vibrant, and healthy neighbourhoods and communities.
 - Londoners have a strong sense of belonging and sense of place.
 - Create cultural opportunities that reflects arts, heritage, and diversity of community.

Analysis

1.0 Background Information

Heritage Alteration Permit approval may be required to consent to or permit alterations to a heritage designated property. Pursuant to the Delegated Authority By-law, By-law No. C.P. 1502-129 as amended, staff may approve or approve with terms and conditions a Heritage Alteration Permit application. Only those Heritage Alteration Permit applications meeting a “condition for referral” defined by the Delegated Authority By-law are referred to the Community Advisory Committee on Planning (CACCP, the City’s municipal heritage committee) for consultation and require a decision to approve, approve with terms and conditions, or refuse by Municipal Council.

2.0 Discussion and Considerations

2.1 Heritage Alteration Permits

The following Heritage Alteration Permits were processed pursuant to the Delegated Authority By-law in September 2023:

- 94 Bruce Street (WV-OS HCD) – Replacement of non-original windows & front door; reconstruction of non-original front porch
- 169 Wortley Road (WV-OS HCD) – New porch railing
- 141 Duchess Avenue (WV-OS HCD) – Construction of exterior stair to upper-level unit
- 527 Princess Avenue (EW HCD) – Turret roof slate and gutter replacement with new slate and copper
- 226 Dundas Street (DNTN HCD) – New backlit channel letter signage on south elevation storefront

- 255 Queens Avenue (DNTN HCD) – North entrance modernization and construction of new exterior canopy
- 802 Waterloo Street (BH HCD) – Non-original window replacement
- 148 York Street (DNTN HCD) – New backlit channel letter signage on south and west elevations
- 140 Wortley Road (WV-OS HCD) – New non-illuminated projecting signage on west elevation
- 122 Wharnccliffe Road South (WV-OS HCD) – Masonry repairs and replacement of storefront windows and door due to vehicle impact
- 189 Dundas Street, Unit A (DNTN HCD) – New backlit channel letter signage on north elevation storefront
- 316 Grosvenor Street (BH HCD) – Non-original window replacement

The review of 100% of these Heritage Alteration Permit applications was completed within the provincially mandated timeline. No Heritage Alteration Permit applications were referred to the CACP or Municipal Council for a decision (Table 1).

Table 1: Summary of Heritage Alteration Permits (HAP) by review type and time period.

	Delegated Authority	Municipal Council	Total
HAP applications (September 2023)	12	0	12
HAP applications (year to date)	75	6	81
HAP applications (2022)	89	14	103
HAP applications (2021)	70	16	86

Conclusion

The purpose of this report is to provide Municipal Council with information regarding Heritage Alteration Permits that were processed pursuant to the Delegated Authority By-law during September 2023.

Prepared by: Kyle Gonyou, RPP, MCIP, CAHP
Manager, Heritage and Urban Design

Submitted by: Kevin Edwards, RPP, MCIP
Manager, Community Planning

Recommended by: Heather McNeely, RPP, MCIP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic Development

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, P. Eng.
Deputy City Manager, Planning and Economic Development

Subject: Demolition Request for the Heritage Listed Property at 5200 Wellington Road South, Ward 14
Public Participation Meeting

Date: Monday October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, with respect to the demolition request for the building on the heritage listed property at 5200 Wellington Road South:

- a) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the building on the property;
- b) The property at 5200 Wellington Road South **BE REMOVED** from the Register of Cultural Heritage Resources
- c) The property owner **BE ENCOURAGED** to implement the conservation strategies identified in Section 8.2 of Appendix C.
- d) The Site Plan Approval Authority **BE REQUESTED** to consider the following matters through the site plan process:
 - i. Commemorate the cultural heritage value for display in the new school, which may include the installation of a heritage plaque or marker in a prominent, visible location on the property.
 - ii. Salvaged elements should be incorporated to support the future commemoration and interpretation of the site.
 - iii. The use of a folded plate roof structure in the new school building designed to evoke the style and appearance of the original chapel.

Executive Summary

The subject property at 5200 Wellington Road South, Regina Mundi Catholic College, is listed on the Register of Cultural Heritage Resources. A demolition request has been received for the subject property, which triggers a formal review process pursuant to the requirements of the *Ontario Heritage Act* and the Council Policy Manual.

A Heritage Impact Assessment (HIA) that was submitted with the demolition request included an evaluation of the property according to the criteria of Ontario Regulation 9/06. The evaluation determined that the property met one of the nine criteria for designation under Part IV of the *Ontario Heritage Act*. As a property must meet two or more of the evaluation criteria, the evaluation determined that the property does not warrant designation under the *Ontario Heritage Act*. Although the property does not meet the minimum criteria for designation, commemorative strategies have been identified within the Heritage Impact Assessment. Staff recommend that Municipal Council remove the subject property from the Register of Cultural Heritage Resources and allow the demolition to proceed. Staff also recommend that the property owner be encouraged to implement the conservation strategies identified in Section 8.2 of the Heritage Impact Assessment.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2023-2027 Strategic Plan areas of focus:

- London has safe, vibrant, and healthy neighbourhoods and communities.
 - Londoners have a strong sense of belonging and sense of place.
 - Create cultural opportunities that reflects arts, heritage, and diversity of community.

Analysis

1.0 Background Information

1.1 Property Location

The property at 5200 Wellington Road South is located on the east side of Wellington Road South between Westminster Drive and Scotland Drive (Appendix A). The property is located in the former Westminster Township, annexed by the City of London in 1993.

1.2 Cultural Heritage Status

The property at 5200 Wellington Road South is a heritage listed property. The property was added to the Register of Cultural Heritage Resources in 2016.

1.3 Description

The subject property at 5200 Wellington Road is located in South London, in the former Westminster Township, annexed into the City of London in 1993. The property remains in a rural its general context. The property is approximately 17 hectares (42 acres) in size and includes the Regina Mundi Catholic College secondary school building as well as a separate building that houses the headquarters for the London District Catholic School Board on the same parcel. The property also includes internal road networks, surface parking lots, an outdoor running track, and athletic facilities.

Designed by the London firm of Watt and Tillman Architects, the building was originally constructed as a seminary in 1963. The Regina Mundi Catholic College building consists of a three-storey secondary school central school block with north and south Y-shaped additions. The exterior cladding is annotated within the original design drawings for the building as an alternating checkerboard pattern of precast insulated masonry panels and “random stone” with stone trim and copper flashing. The school building formerly included a prominent bell tower that extended above the front entry. The belltower was removed in 2011 due to concerns with its structural integrity.

The interiors of the school have been modified and re-built over time, including an extension renovation project in 1987 that resulted in the removal of the former residential facilities to accommodate an increase in classroom space.

The original portion of the building includes a chapel located on the first floor of the central wing. With an original capacity of 250 (including the use of its balcony area), the chapel is marked by a tapered column frame and a folded plate roof structure. Interior finishes of the chapel include painted glass windows featuring depictions of the seven sacraments of the Catholic Church. The painted glass is attributed to a Th. Lubbers, based in Montreal. The chapel also includes a memory wall displaying photographs of the former students and staff who passed away during their time at Regina Mundi Catholic College.

Further details related to the property and design of the Regina Mundi Catholic College can be found in Appendix C.

1.4 History

The Euro-Canadian history of the subject property first relates to the colonization of the London and surrounding areas under the efforts of Lieutenant-Governor John Graves Simcoe. Simcoe’s arrived at the Forks of the Thames with the intention establishing a new capital of Upper Canada. Though his intentions did come to fruition, European settlers began arriving in the early-19th century.

The subject property remained in agricultural use until the construction of the Regina Mundi Catholic College in 1963. The school was original established in 1962 by John C.

Cody, then Bishop of the London Diocese, and Archbishop Sebastiano Baggio, apostolic delegate to Canada. Originally named the Regina Mundi Junior Seminary, the school was situated on a 110-acre plot of land and the school included 10 classrooms, a science room, a library, gymnasium, and a chapel.

The school was originally established to provide training for boys intending to enter the priesthood. However, by 1965 the admission policy was widened to offer educational services for boys with other career goals as well. Accordingly, the school was renamed to the Regina Mundi Catholic College, a residential Roman Catholic private secondary school.

By 1971, Regina Mundi began offering non-residential classes, but still operate as a private secondary school with tuition requirements. By 1983, the school became a co-educational secondary school of the London and Middlesex Catholic School Board, alleviating overcrowding concerns at other Catholic schools in the area. The school continued to mix fee-paying boarders with day students.

In 1987, Regina Mundi's boarding school service ended. Later in the same year the expansion of the school was approved by the Ontario Ministry of Education. Shortly after, the additions to the school were completed to accommodate the increase in enrollment and to remove the former residential facilities in favour of increased classroom space.

In 2005, the London District Catholic School Board opened its new headquarters on the property, in a new building just north of the Regina Mundi Catholic College building.

For further details on the history and use of the property please see Appendix C.

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

Cultural heritage resources are to be conserved and impacts assessed as per the fundamental policies of the *Provincial Policy Statement (2020)*, the *Ontario Heritage Act*, and *The London Plan*.

2.1.1 Provincial Policy Statement

Heritage Conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement (2020)* promotes the wise use and management of cultural heritage resources and directs that "significant built heritage resources and significant cultural heritage landscapes shall be conserved" (Policy 2.6.1, *Provincial Policy Statement 2020*).

"Significant" is defined in the *Provincial Policy Statement (2020)* as, "resources that have been determined to have cultural heritage value or interest." Further, "processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*."

Additionally, "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."

2.1.2 Ontario Heritage Act

Section 27, *Ontario Heritage Act* requires that a register kept by the clerk shall list all property that have been designated under the *Ontario Heritage Act*. Section 27(1.2), *Ontario Heritage Act* also enables Municipal Council to add property that have not been designated, but that Municipal Council "believes to be of cultural heritage value or interest" on the Register.

The only cultural heritage protection afforded to heritage listed property is a 60-day delay in the issuance of a demolition permit. During this time, Council Policy directs that the Community Advisory Committee on Planning (CACP) is consulted, and a public

participation meeting is held at the Planning & Environment Committee. A Cultural Heritage Evaluation Report (CHER) and/or Heritage Impact Assessment (HIA) is required for a demolition request for a building or structure on a heritage listed property.

Section 29, *Ontario Heritage Act* enables municipalities to designate property to be of cultural heritage value or interest. Section 29, *Ontario Heritage Act* also establishes consultation, notification, and process requirements, as well as a process to appeal the designation of a property. Objections to a Notice of Intention to Designate are referred back to Municipal Council. Appeals to the passing of a by-law to designate a property pursuant to the *Ontario Heritage Act* are referred to the Ontario Land Tribunal (OLT).

2.1.2.1 Criteria for Determining Cultural Heritage Value or Interest

Ontario Regulation 9/06, as amended by Ontario Regulation 569/22, establishes criteria for determining the cultural heritage value or interest of individual property. These criteria are consistent with Policy 573_ of *The London Plan*. These criteria are:

1. The property has design or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
9. The property has contextual value because it is a landmark.

A property is required to meet two or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*.

2.1.3 The London Plan

The Cultural Heritage chapter of *The London Plan* recognizes that our cultural heritage resources define our City's unique identity and contribute to its continuing prosperity. It notes, "The quality and diversity of these resources are important in distinguishing London from other cities and make London a place that is more attractive for people to visit, live or invest in." Policies 572_ and 573_ of *The London Plan* enable the designation of individual property under Part IV of the *Ontario Heritage Act*, as well as the criteria by which individual property will be evaluated.

2.1.4 Register of Cultural Heritage Resources

Municipal Council may include property on the Register of Cultural Heritage Resources that it "believes to be of cultural heritage value or interest." The property is not designated but is considered to have potential cultural heritage value or interest.

The Register of Cultural Heritage Resources states that further research is required to determine the cultural heritage value or interest of heritage listed property. If a property is evaluated and found to not meet the criteria for designation, it should be removed from the Register of Cultural Heritage Resources.

The property at 5200 Wellington Road South is included on the Register of Cultural Heritage Resources as a heritage listed property.

3.0 Financial Impact/Considerations

None

4.0 Key Issues and Considerations

4.1. Demolition Request

Written notice of intent to demolish the Regina Mundi College building at 5200 Wellington Road South, along with a Heritage Impact Assessment (HIA), was received as a complete application by the City on September 13, 2023. The subject property is owned by the London District Catholic School Board.

Municipal Council must respond to a notice of intention to demolish a building or structure on a heritage-listed property within 60 days, or the request is deemed permitted. During this 60-day period, the Community Advisory Committee on Planning (CACP) is consulted, and pursuant to Council Policy, a public participation meeting is held at the Planning and Environment Committee (PEC).

The 60-day period for the demolition request for the property at 5200 Wellington Road South will expire on November 12, 2023.

4.1.1 Heritage Impact Assessment (HIA)

A Heritage Impact Assessment (ERA, dated July 18, 2023) was submitted as a part of the demolition request for the heritage listed property at 5200 Wellington Road South. The HIA included historic research, site photographs, description, an evaluation of the property according to Ontario Regulation 9/06 (Criteria for Determining Cultural Heritage Value of Interest), as well as an impact assessment and mitigation recommendations.

The evaluation of the property included within the HIA determined that the property met 1 of the 9 criteria (Table 1).

Table 1: Summary of Evaluation of the property at 5200 Wellington Street.

Criteria	Evaluation
1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.	No
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.	No
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.	No
4. The property has historical value or associative value because it has direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community.	No
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	No
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.	Yes
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.	No
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.	No

9. The property has contextual value because it is a landmark.	No
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Based on the evaluation, one criterion was met:

- Criteria 6 – The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.
 - *We believe that the subject property possesses historical/associative value due to its association with the locally-prominent firm of Watt & Tillman Architects. Since its genesis in 1908, the firm has designed and constructed a large body of work throughout the London region and beyond, and an evolved version of the firm continues to exist today. Regina Mundi College can be situated within Watt & Tillman’s broader oeuvre, with particularly strong stylistic and programmatic parallels to Mount St. Joseph Academy, constructed for the Sisters of St. Joseph in 1954. (ERA, p. 30).*

Building condition is not a criteria for heritage designation. The integrity of a resource is often considered when evaluating the potential cultural heritage value of a resource. Integrity is not a measure of originality, but a measure of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property. Likewise, the physical condition of a cultural heritage resource is not a measure of its cultural heritage value. Cultural heritage resources can be found in a deteriorated state but may still maintain all or part of their cultural heritage value or interest (MTC, 2006).

With regards to heritage integrity, the HIA states:

Evidence of the site’s reduced integrity includes:

- *The removal of the original bell tower over the front entrance in 2011 due to safety concerns. The bell tower was the primary architectural focal point of the building’s front (west) elevation.*
- *A defective building envelope which has required interim protective measures to buffer the building occupants from falling exterior cladding and debris.*
- *Most of the pieces of glass in the decorative glass windows in the chapel have delaminated and are at risk of falling, due to the use of an experimental method of lamination.*
- *Later additions and alterations, including the expansion of the original convent/garage wing, construction of the second-storey library addition, conversion of the second storey and third-floor residential quarters to classroom spaces, and extensive interior alterations throughout. These alterations have taken place in tandem with a shift away from the school’s operating model as an intimate, residential Junior Seminary.*

The evaluation of the property concludes:

In summary, the site meets one of the criteria for determining cultural heritage value or interest under Ontario Regulation 9/06 as a result of its historical/associative value but does not meet the two or more criteria under Ontario Regulation 9/06 that would make it eligible for designation under Part IV of the Act. This finding, along with the site’s reduced integrity, and the extent of widespread physical deterioration throughout the building, contributes to our assessment that the site should not be designated under Part IV of the Ontario Heritage Act, and that removal of the existing Regina Mundi College building is appropriately mitigated through the conservation strategy proposed in this HIA.

Recognizing that the property meets one of the nine criteria, the property has some cultural heritage value but does not meet the minimum criteria for designation under Part IV of the Ontario Heritage Act. Section 8.2 of the Heritage Impact Assessment recognizes this, and has identified

conservation strategies to “sustain the legacy” (ERA, 2023 p.46) of the 1963 school within the replacement school. The conservation strategies include:

- *Prior to the demolition, the building should be extensively documented to preserve a fulsome archival record of its existing condition, including detailed architectural plans and elevations of current conditions and photographic documentation.*
- *The preparation of a Heritage Interpretation Plan to identify strategies and implementation measures that will help commemorate the cultural heritage value of the site to the future occupants. The Interpretation Plan could be developed in consultation with the Regina Mundi community and result in material for display in the new school. The Interpretation Plan will provide detailed information regarding the location, content and format of interpretive materials to be used.*
- *A selection of salvaged elements should be incorporated to support the future commemoration and interpretation of the site. This could potentially include, but is not limited to: the red granite surround and inscription flanking the main entry; a representative example of painted glass panels from the chapel, and; exterior stone panels in sufficiently good condition to merit salvage.*
- *The use of a folded plate roof structure in the new school building designed to evoke the style and appearance of the original chapel. This box dormer motif could be used in a prominent common area of the new school.*
- *The installation of a heritage plaque or marker in a prominent location on the site to commemorate the original Regina Mundi College building and convey its historical significance. (ERA, 2023, p. 46).*

Staff agree with the evaluation of the property, and support and encourage the implementation of the conservation strategies through the Site Plan review process for the new school.

4.3 Consultation

As per Council Policy for the demolition of buildings or structures on heritage listed properties, notification of the demolition request was sent to property owners within 120m of the subject property, as well as community groups and interested parties including the Architectural Conservancy Ontario – London Region Branch, and the London & Middlesex Historical Society. Notice was also published in *The Londoner*.

In accordance with Section 27(4) and Section 27(9), Ontario Heritage Act, consultation with the Community Advisory Committee on Planning (CACP, the City’s municipal heritage committee) is required. The CACP was consulted on this request at its meeting held on October 11, 2023.

Conclusion

A written intention to demolish the Regina Mundi Catholic College on the heritage listed property at 5200 Wellington Road South was received by the City. Through a Heritage Impact Assessment, the property was evaluated according to the criteria of Ontario Regulation 9/06 and was determined to meet one of the criteria. In order to be eligible for designation under Part IV of the *Ontario Heritage Act*, a property must meet two or more of the criteria. Staff agree with the evaluation, conclusions, and recommendation of the Heritage Impact Assessment for the property at 5200 Wellington Road South. While the property does not meet the minimum criteria for designation under Part IV of the Ontario Heritage Act, staff encourage that the conservation strategies identified in Section 8.2 of Appendix C be implemented to commemorate the history and physical elements of the Regina Mundi Catholic College.

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Heritage Planner

Submitted by: Kyle Gonyou, RPP, MCIP, CAHP
Manager, Heritage and Urban Design

Recommended by: Heather McNeely, RPP, MCIP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic
Development

Appendices

Appendix A Property Location

Appendix B Images

Appendix C Heritage Impact Assessment (ERA, July 18, 2023)

Selected Sources

Corporation of the City of London. 2023-2027 Strategic plan.

Corporation of the City of London. Property file.

Corporation of the City of London. *Register of Cultural Heritage Resources*. 2022.

Corporation of the City of London. *The London Plan*. 2022 (consolidated).

Ministry of Culture. *Ontario heritage Toolkit: Heritage Property Evaluation*. 2006.

Ontario Heritage Act. 2023, c. 21, Sched. 6.

Westminster and Delaware Townships: Honouring Our Roots, Volume 1. 2006.

Appendix A – Property Location

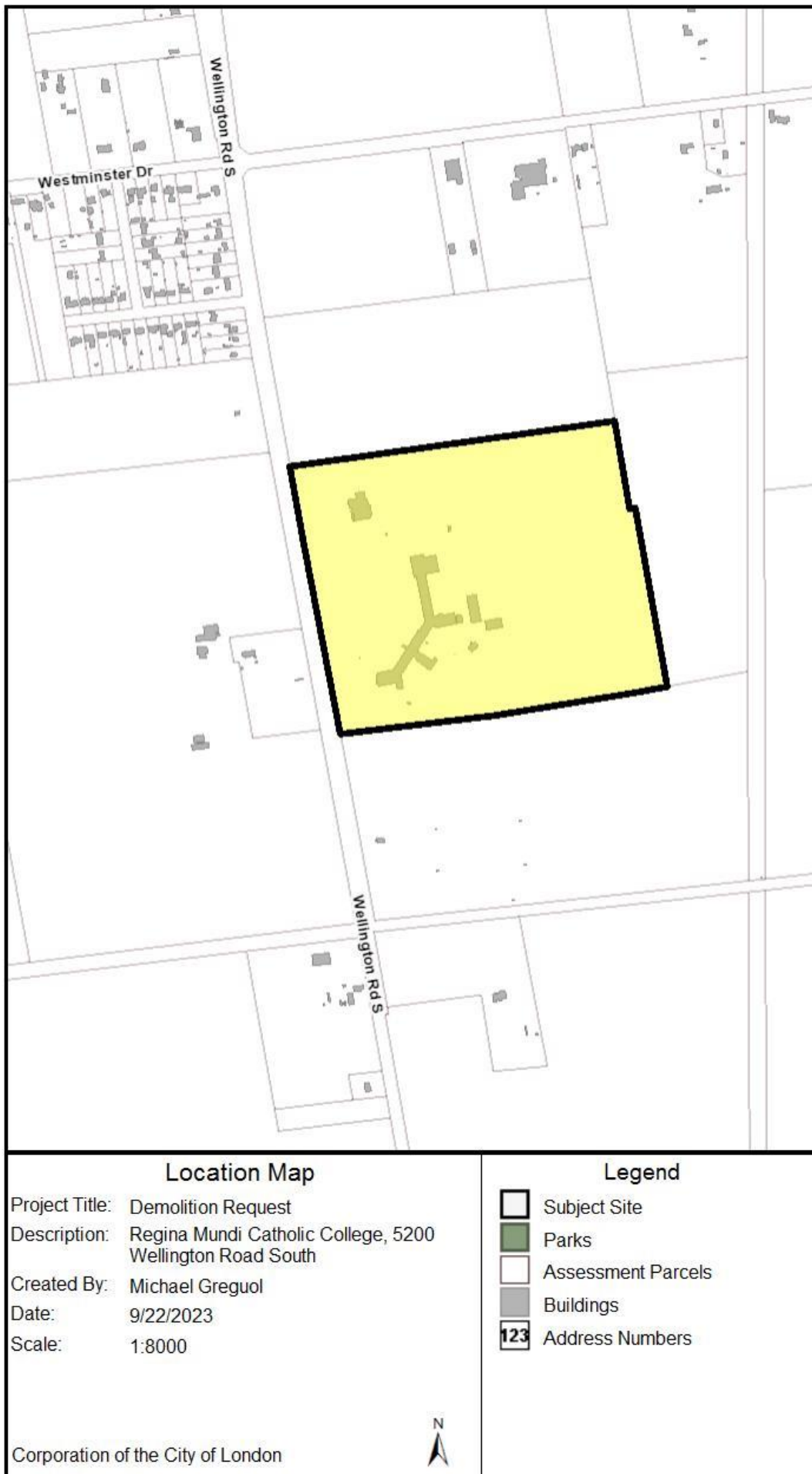


Figure 1: Location Map showing the location of the subject property at 5200 Wellington Road South.

Appendix B – Images



Image 1: Photograph showing the west (front) façade of the Regina Mundi Catholic College at 5200 Wellington Road South.



Image 2: Photograph showing the west (front) façade of the Regina Mundi Catholic College at 5200 Wellington Road South.



Image 3: Photograph showing the cross located above the entry way to Regina Mundi Catholic College. The bell tower that was previously constructed above the front entry was removed in 2011 due to safety concerns.



Image 4: Photograph showing the rear of the Regina Mundi Catholic College, showing the exterior of the chapel.



Image 5: Photograph showing stone exterior on the rear of the chapel at Regina Mundi Catholic College.



Image 6: Photograph showing stone exterior on the rear of the chapel at Regina Mundi Catholic College. Note the steel bracing observed on the exterior of the school is an interim protection measure.



Image 7: Photograph showing the exterior of the painted glass windows of the chapel.



Image 8: Exterior cladding of the Regina Mundi Catholic College showing "checkboard" pattern of precast masonry panels and "random stone" panels.



Image 9: Red granite surround with inscription around the front entry to the Regina Mundi Catholic College.

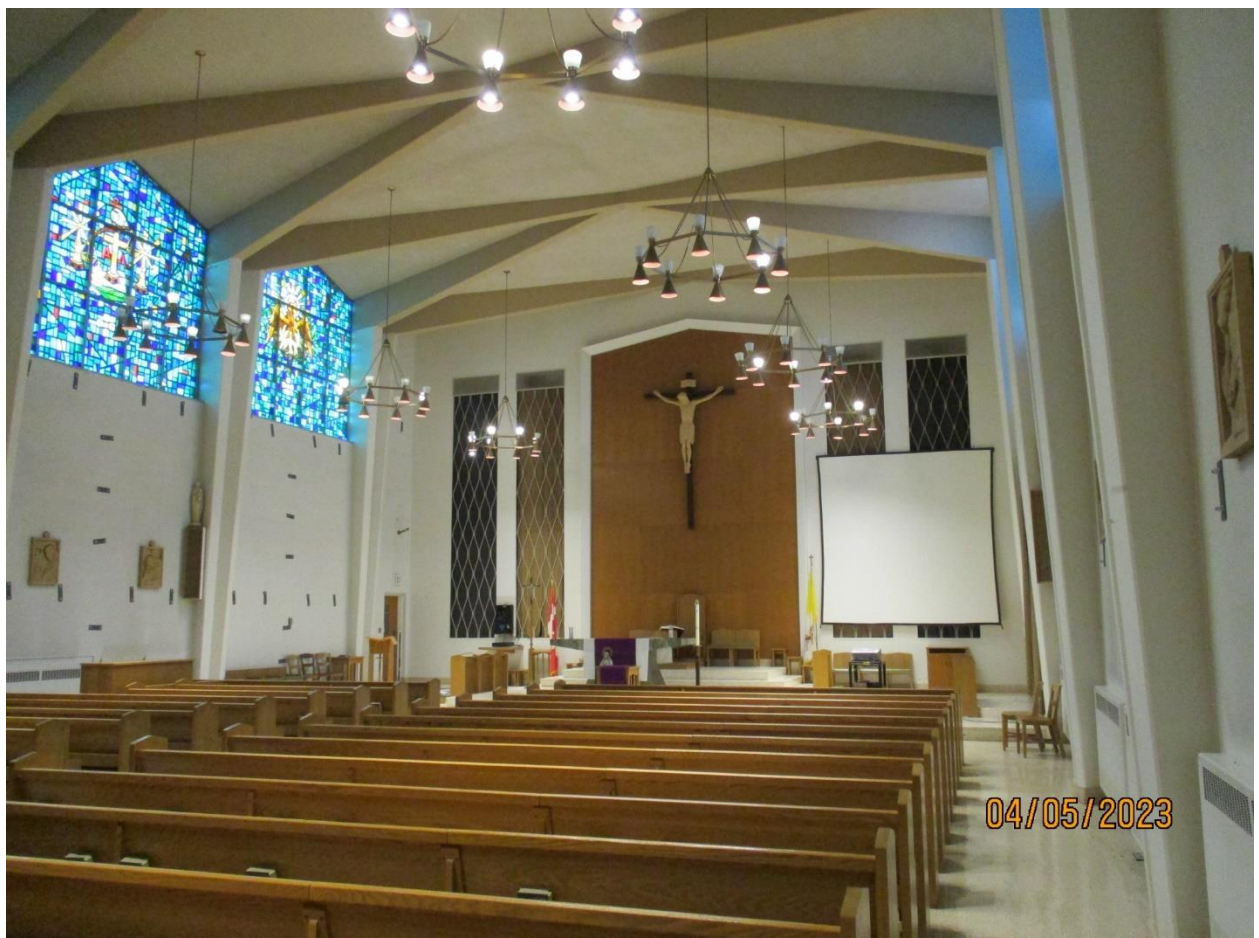


Image 10: Interior of the chapel in the Regina Mundi Catholic College. Note, the tapered columns around the perimeter of the chapel and the folded plate roof structure.



Image 11: Interior view of the painted glass windows located within the chapel at the Regina Mundi Catholic College.

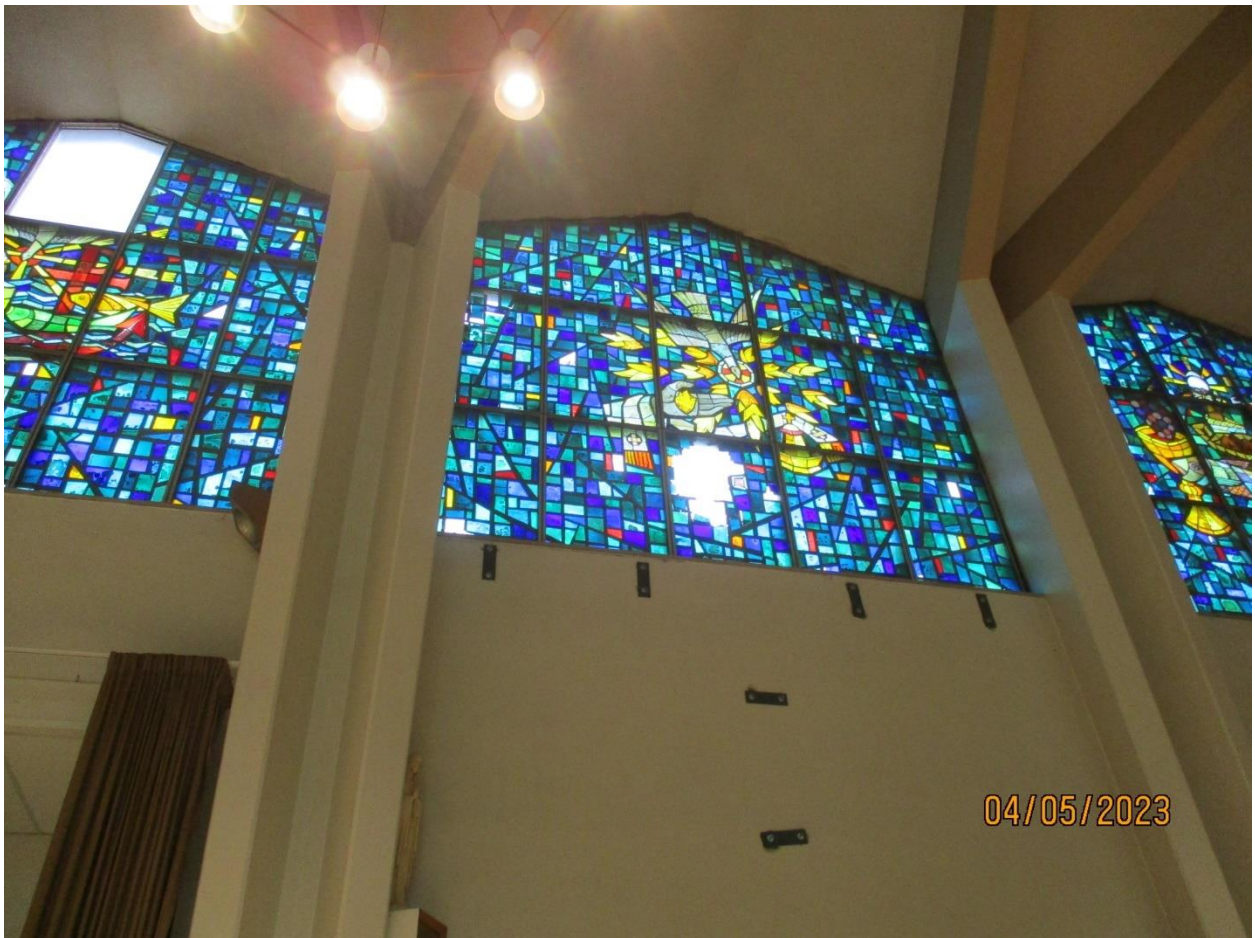


Image 12: Interior view of the painted glass windows located within the chapel at the Regina Mundi Catholic College. Note the white spaces within the painted glass shows the locations of damages and delamination observed on the glass.

Appendix C – Heritage Impact Assessment – ERA

ERA, *Heritage Impact Assessment: Regina Mundi Catholic College* (July 18, 2023)
[attached separately].

REGINA MUNDI CATHOLIC COLLEGE

LONDON, ON | HERITAGE IMPACT ASSESSMENT
AUGUST 15, 2018; REVISED JULY 18, 2023



Project # 18-034-02
Prepared by AP/DE/CS/ZA



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Cover image: West elevation, Regina Mundi Catholic College (ERA, 2018).

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Appendix I: Regina Mundi College Building Renewal Study by Nicholson Sheffield Architects et al, dated September 25, 2013

Appendix II: Review of Exterior Masonry Cladding by Hastings & Aziz Ltd. Consulting Structural Engineers, dated December 9, 2014

Refer to the architectural package from Nicholson Sheffield Architects, dated [June 20, 2023](#).



Original main entry and bell tower (demolished) (London District Catholic School Board, year unknown).

EXECUTIVE SUMMARY

Background

This Heritage Impact Assessment (“HIA”) has been prepared by ERA Architects Inc. (“ERA”) for the redevelopment of 5250 Wellington Road South (the “site”). The site contains the Regina Mundi Catholic College, originally constructed in 1963 as the Regina Mundi Junior Seminary. This HIA is an update to a previous HIA dated August 15, 2018 and subsequent HIA Addendum Letter, dated October 30, 2018. Updates to the text of this report are in red.

Proposed Development

The London Catholic District School Board intends to construct a new secondary school building on the site and then demolish the existing Regina Mundi Catholic College school building. The new school will be located on the portion of the site currently occupied by the main parking lot. Upon demolition, the footprint of the existing school building will be used for a parking lot, as well as landscaped open space.

Cultural Heritage Value

On the recommendation of the London Advisory Committee on Heritage (“LACH”), the site was added to the City of London’s Register of Cultural Heritage Resources (formerly called the Inventory of Heritage Resources) on October 25, 2016. The site was originally listed as a “Priority 1” resource in the inventory, indicating the degree of change that should be allowed to a structure, however reference to Priority Listing classifications is no longer included in the in-force 2016 City of London Official Plan (replaced the repealed 1989 Official Plan on May 25, 2022) and subsequently are not included in the current Register of Cultural Heritage Resources.

ERA has evaluated the site using the criteria under Ontario Regulation 9/06 (Criteria for Determining Cultural Heritage Value or Interest) and found that although the site meets the Ontario Heritage Act (“OHA”) criteria related to the site’s association with the locally prominent firm of Watt & Tillmann Architects, it is not a candidate for designation under Part IV of the OHA. Bill 23, the More Homes Built Faster Act, went into effect on January 1, 2023, and amended the OHA to require that properties must meet two or more criteria under Ontario Regulation 9/06 to be eligible for designation under Part IV of the Act, whereas previously, properties were required to meet one or more criteria. Previously, the City of London Official Plan provided it’s own criteria for property designation, however the in-force Official Plan removes these additional criteria and now aligns with the criteria in Ontario Regulation 9/06.

As identified in this HIA, the heritage integrity of Regina Mundi College has been reduced by extensive physical deterioration of the building envelope, as documented in engineering studies and condition assessments, as well as later alterations such as the removal of the original bell tower element.

In light of the site having been found to meet only one criteria under Ontario Regulation 9/06, and its compromised integrity, the property is not a candidate for designation pursuant to the OHA. ERA recommends that the owner commit to the implementation of the Conservation Strategy as set out in this HIA, which provides for the commemoration and interpretation of the history of the site within the proposed development.

Impacts

The proposed development requires the removal of an identified heritage resource that has been listed on [City of London's Register of Cultural Heritage Resources](#). The proposal will remove the 1963 Regina Mundi College in its entirety.

Mitigation Strategies

The impact of the proposed development can be mitigated by several commemorative and interpretive measures recommended for inclusion in the replacement secondary school building. These measures include:

- Documentation of existing conditions prior to removal;
- Preparation of a Heritage Interpretation Plan to identify strategies and implementation measures to assist in commemorating the cultural heritage value and history of the site to future occupants. This plan could be prepared in consultation with the Regina Mundi community and result in materials to be displayed in the new school;
- Reinstatement into the proposed development of salvaged elements will include the red granite surround and inscription flanking the original main entry, a representative example of painted glass panels from the chapel, and exterior stone panels in sufficiently good condition to merit salvage;

- The use of a folded plate roof structure in the new school building designed to evoke the original chapel. This motif could be deployed in a prominent common area of the new school; and
- Installation of a heritage plaque or marker in a prominent location on the site to commemorate the original Regina Mundi College building.

A commitment by the owner to a Conservation Strategy that includes the aforementioned measures will help to mitigate the impact of removing the original Regina Mundi College building and to ensure that the site's cultural heritage value is appropriately commemorated.

Conclusion

This HIA concludes that the proposed development for 5250 Wellington Street South, including the removal of the 1963 Regina Mundi College building and construction of a replacement secondary school incorporating the proposed mitigation measures, is justified and will not result in an unacceptable heritage impact.

1 INTRODUCTION

1.1 SCOPE OF THE REPORT

ERA Architects has been retained by Nicholson Sheffield Architects, on behalf of owner London Catholic District School Board, as the heritage architectural consultant to prepare this HIA for the redevelopment of 5250 Wellington Road South in the City of London. The redevelopment scope includes removal of the existing 1963 Regina Mundi College school building and the construction of a replacement secondary school building in a more northwesterly location on the site.

This Heritage Impact Assessment (“HIA”) describes the historical development and evolution of the site and the impact of the proposed development on the site’s identified heritage resource, namely the 1963 Regina Mundi College building, which is identified as a resource on the [City of London’s Register of Cultural Heritage Resources](#). This HIA is an update to a previous HIA dated August 15, 2018 and subsequent HIA Addendum Letter, dated October 30, 2018. Updates to the text of this report are in red.

The purpose of an HIA, as per the Ontario Heritage Toolkit published by the Ontario Ministry of Tourism, Culture & Sport, is to determine the impact of proposed development on heritage resources, conservation recommendations and mitigation measures.

Multiple sources of data have been collected, sorted and analyzed for this assessment. Both primary and secondary sources have been drawn from, including: historical maps, atlases, aerial photographs, archival materials from the London Public Library, London Catholic District School Board and the University of Western Ontario, related consultants’ reports, and observations from a site visit.

1.2 PROJECT CONTACT

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1.3 SITE DESCRIPTION

The site is located at 5250 Wellington Road South, otherwise known as Part of Lot 15, Concession 5, Geographic Township of New Westminster, City of London, Middlesex County, Ontario. The site is approximately 17 hectares (42 acres) in size, and consists of the Regina Mundi Catholic Secondary School, as well as a separate building housing the headquarters of the London District Catholic School Board. The site contains two driveways off of Wellington Road South that provide access to an internal road network as well as surface parking lots. An outdoor running track and athletic facilities are located on the northeast part of the site.

To the east of the site is a provincially significant wetland that falls within the jurisdiction of the Upper Thames River Conservation and Kettle Creek Conservation Authorities. To the north and south of the site are large open fields. Across Wellington Road South, to the west, is a residential property with farm fields.

The site falls within an area of archaeological potential as determined by the City of London’s Archaeological Master Plan. Stage 1 and 2 Archaeological Assessments (2018) for the site have been conducted by Timmins Martelle Heritage Consultants Inc.



Birds-eye view of the site and surrounding environs (Google Earth, 2018; annotation by ERA).

1.4 SITE PHOTOS

ERA conducted a site visit on March 14, 2018, accompanied by Nicholson Sheffield Architects. This section of the report includes interior and exterior photos of the 1963 Regina Mundi College building, as well as the later 1980s addition constructed to the north. For ease of reference, location keys are included on each page to provide the reader context for the location of each photo. All photos are by ERA.



Panoramic view of the front (west) elevation of the site (ERA, 2018).

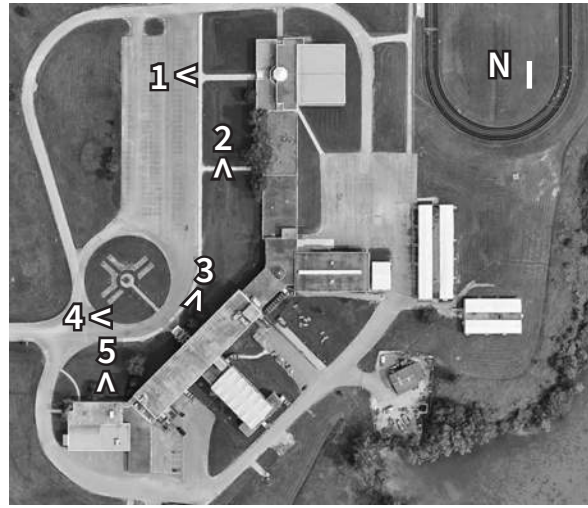


Panoramic view of the rear (east) elevation of the site, viewed from southeast (ERA, 2018).

West (Front) Elevation



1987 north gymnasium addition (ERA, 2018).



Looking south towards the school (ERA, 2018).



Main entrance and location of former bell tower (ERA, 2018).



Looking east towards the school (ERA, 2018).

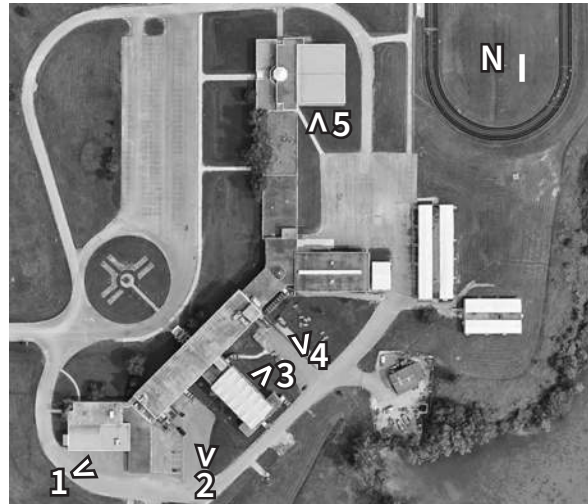


Looking south towards the original convent wing, now the technology wing (ERA, 2018).

East (Rear) Elevation



Looking northeast towards 1987 technology wing addition (ERA, 2018).



Looking north towards rear elevation of school and "chapel" (ERA, 2018).



Looking southwest towards northeast elevation of chapel (ERA, 2018).



Looking north towards rear elevation of school and "gym-torium" wing (ERA, 2018).

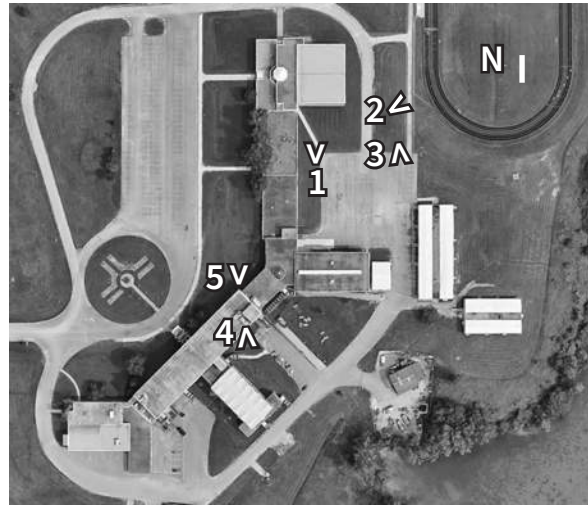


Looking south towards "gymtorium" wing (ERA, 2018).

Additional Exterior Views



Looking north towards 1987 gymnasium addition (ERA, 2018).



Looking northeast towards running track (ERA, 2018).



Looking south towards portable classrooms (ERA, 2018).



View out of second-floor window towards north elevation of the chapel (ERA, 2018).



View out of north window looking north across the property, LDCSB building in the background (ERA, 2018).

Interior Views



Cafeteria, located in the basement level below the chapel (ERA, 2018).



Workshop in the "technology wing" (ERA, 2018).



View of chapel, looking toward the chancel (ERA, 2018).



Reverse-view of chapel, showing nave and balcony (ERA, 2018).



Main school lobby on ground floor, doors to chapel beyond (ERA, 2018).



Typical interior hallway (ERA, 2018).

1.5 HERITAGE CONTEXT

At its meeting held October 25, 2016, London City Council listed the site on the City of London's Register of Cultural Heritage Resources (formerly called the Inventory of Heritage Resources), adopting the recommendation of the London Advisory Committee on Heritage ("LACH"). **The site was originally classified a "Priority 1" resource at the time of its listing in the inventory, however Priority classifications are no longer included in the current Register of Cultural Heritage Resources, therefore, the site is no longer a Priority 1 resource.**

The listing description for the site is as follows:

*Designed by: Watt and Tillman Architects
1962-1963.*

Regina Mundi Catholic College, which opened in 1963, operated as a Junior Seminary established by Bishop John Cody for the training of young men preparing for priesthood. Located on over 100 acres of land, the building cost \$2 million to construct and contained ten classrooms, a science room, library, gymnasium and chapel. There were also four student activity rooms. Dormitories and semi-private rooms for boarding were located on the upper two floors. A small convent on the site housed the nuns who assisted in the housekeeping duties within the building. The (former) bell tower, located at the peak of the front entrance, was deconstructed in 2011 due to safety concerns.

The school later became a boys boarding school and then in 1983 a co-ed secondary school within the former London and Middlesex Catholic School Board, now the London District Catholic School Board. Renovations and additions took place in 1988, and include a larger double gym, classrooms,

and a technology wing (within the central section of the original building). The plan of the building remains simple, and linear in design.

Regina Mundi Catholic College is now situated on a smaller parcel of land that includes a track, bus and vehicular parking, a pond and a forest to the east. The Catholic Education Centre (part of the London District Catholic School Board) is located to the north.

The Chapel, located at Regina Mundi Catholic College is situated on the first floor of the central wing of Regina Mundi Catholic College. Dedicated to the Blessed Virgin Mary, the Chapel is visible upon entrance into the original part of the building. Having a seating capacity for 250 people with a small balcony at the rear, the proportions and design of the space are balanced, and it is the largest chapel of the Catholic Secondary Schools in the London District. The structure of the space is marked by a tapered-column frame, evidence within the finished walls and ceiling of the space. The exterior of the Chapel is clad by stone (like the rest of the original school) with interior wood finishes and marble accents. Key features include the painted glass windows (featuring the seven sacraments of the Catholic Church) with marble stools located below the window frames. Two rooms flank the rear of the chapel, and originally housed the priests living quarters. These rooms are now used by the Chaplaincy Team. The Chapel also features a memory wall displaying photos of former students and staff members who passed away during their time at Regina Mundi Catholic College.

The chapel is considered to be of Mid-Century Modern design, and is believed to be of significant historical and spiritual value for its location, design, proportions and use of materials.

2 HISTORICAL RESEARCH, SITE ANALYSIS & EVALUATION

2.1 SITE HISTORY

As summarized in the Stage 1 Archaeological Assessment prepared by Timmins Martelle Heritage Consultants for Regina Mundi College (2018), the area generally surrounding London was actively used for hunting and camping by Chippewa, Ottawa and Pottawatami people prior to the arrival of European settlers in the late 1700s. The first Indigenous populations to inhabit the London region arrived between 12,000 and 10,000 years ago, following the end of the last period of glaciation. At this time, the inhospitable local climate precluded the establishment of permanent settlements. Gradually, semi-permanent villages began to emerge in the region, approximately 1,000 years ago.

Europeans arrived in the area in the late 1700s. Lieutenant-Governor John Graves Simcoe visited the Thames River in 1793 and originally intended to establish the capital of Upper Canada in London. While Simcoe's vision never came to fruition, a wave of European settlers moved into the area in the 1800s.

The site is shown on the 1862 Tremaine's Map of the County of Middlesex, where it was located on Lot 15, Concession 5, split between two large properties owned by J. & G. Gould and Alex Kerr, as well as a third smaller property owned by John Munro. Wellington Road is depicted on the map on the west side of the property, with the London and Port Stanley Railway to the east (the rail corridor still exists today).

The site remained predominantly agricultural prior to the construction of the Regina Mundi Junior Seminary in 1963. A 1950 aerial

photograph shows the property as a vast expanse of open space, with a house, driveway and several outbuildings.

Regina Mundi Junior Seminary, a Catholic secondary school, was established by John C. Cody, then Bishop of the London Diocese. Archbishop Sebastiano Baggio, apostolic delegate to Canada, turned the first sod in May 1962, with Cody laying the cornerstone for the school on September 26, 1963.

At the time of construction, the school was situated on a 110-acre plot of land. The \$2-million school included 10 classrooms, a science room, a library, a gymnasium and a chapel. The chapel, dedicated to the Blessed Virgin Mary, contains painted-glass windows depicting the Church's seven sacraments, and also includes a Casavant pipe organ from Quebec.

Originally established to provide training for boys intending to enter the priesthood, the school's admission policy was widened in 1965 to provide education for boys with other career goals and aspirations. At this time, the school was renamed Regina Mundi College, and became a residential Roman Catholic private secondary school for southwestern Ontario boys, with an intended maximum enrollment of 200 students.

By 1968, amidst concerns about under-enrollment, London Reverend J.J. Donohue called for the closure of Regina Mundi, claiming that the boarding school had cost the diocese \$3,000,000 in five years (\$2.5 million in construction cost and an annual deficit of \$100,000). However, closure of the college was rejected by the local synod.

In 1971, Regina Mundi began offering a new program for non-resident classes. The tuition cost for day students was set at \$500-600, compared to the \$2,000 annual tuition for resident students.

Concerns about the financial sustainability of the college persisted, and in 1973, Reverend J.F. Hardy of London's St. Mary's Parish told the annual meeting of the diocesan council that the Regina Mundi was still a consistent money-loser. He complained "It is a rich man's school subsidized by the poor of the diocese, and none of the plans of the last six years have worked either to bring down the operating deficit or to increase enrolment" (London Free Press, May 14 1973).

In 1983, Regina Mundi College became a co-educational secondary school of the London and Middlesex Catholic School Board, who hoped to alleviate severe overcrowding at other Catholic schools in the county. The school continued to mix fee-paying boarders with day students from London and Middlesex County.

By 1987, increasing costs led administrators to end Regina Mundi's boarding school. Principal Bernard Rooney explained to the local

newspaper that "... to meet the expenses of every resident, we would have to charge about \$12,000 [tuition, per student]. The school charges about \$7,000 and families would not have been able to afford the increase" (London Free Press, April 11 1987).

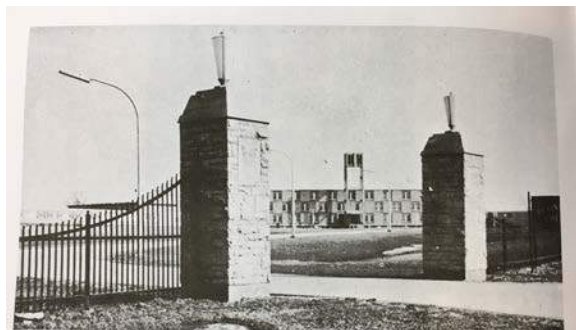
Later in 1987, an expansion of the school was approved by the provincial Ministry of Education. The enrolment cap was increased to 1,200 day students.

A December 29, 1990 article published in the London Free Press described the expanded facilities: "The former priests' residence has been converted to much-needed classroom space. A prayer room with decorative glass windows adjacent to the chapel houses a computer lab. In fact, apart from the walls, chapel and two science labs, the entire interior has been gutted, rebuilt and expanded under a \$7-million renovation project in 1987."

In 2005, the London Catholic Education Centre of the London District Catholic School Board opened its new headquarters on the property, to the north of Regina Mundi College.



Images from 1970 Regina Mundi yearbook "Sentinel".



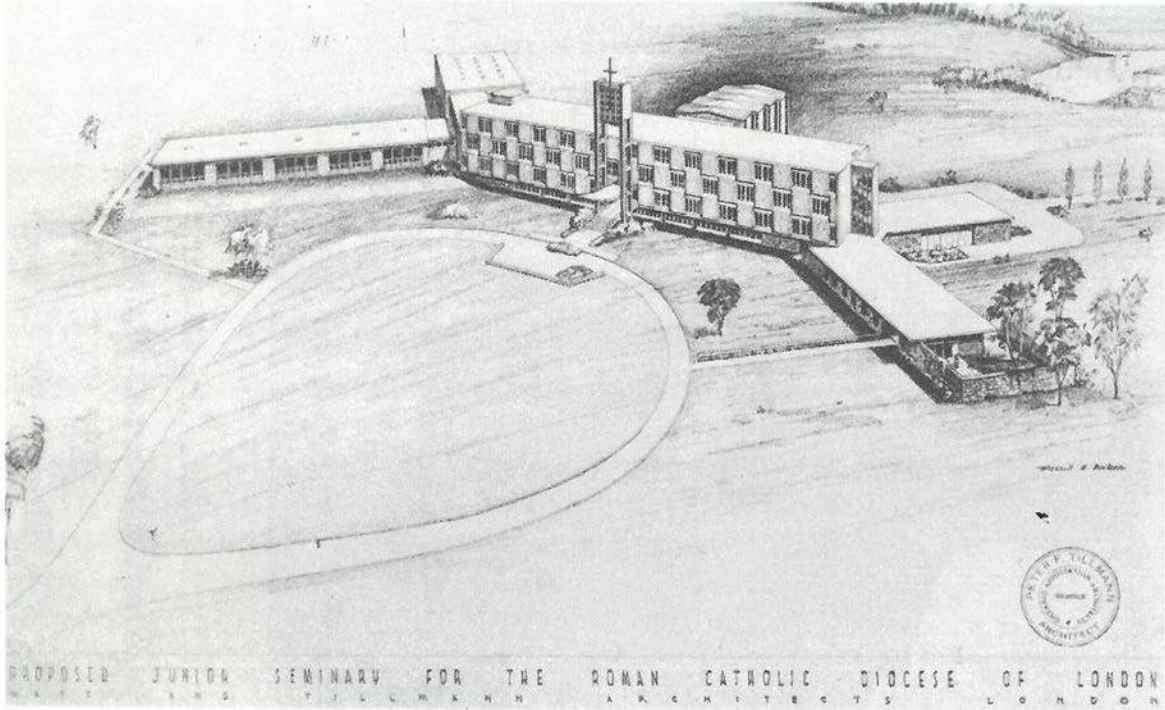


Left: Site (approximate location circled) as shown on the 1862 Tremaine's Map of the County of Middlesex. The site is bounded to the west by Wellington Road, and to the east by the London and Port Stanley Railway (From the holdings of Western Archives, Western University).



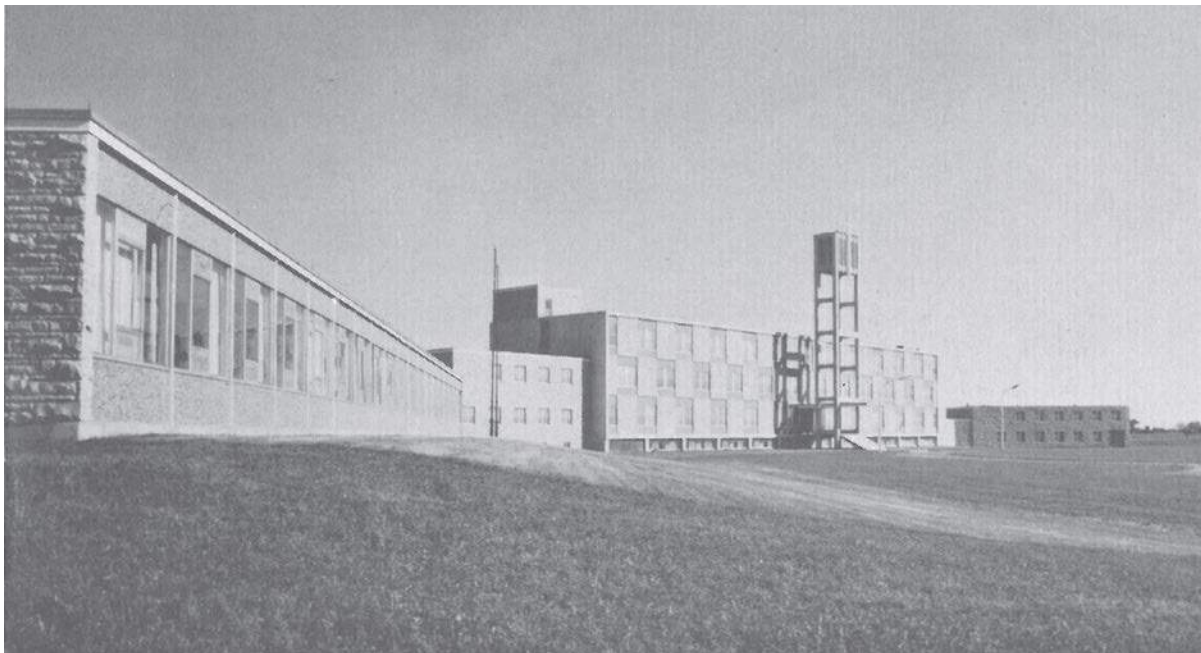
Below two: Aerial photographs of the site in 1950 (left image, prior to construction) and 1971 (right image, post-construction) (Western University Map & Data Centre).





**ARCHITECT'S SKETCH
REGINA MUNDI MINOR SEMINARY, LONDON, ONTARIO**

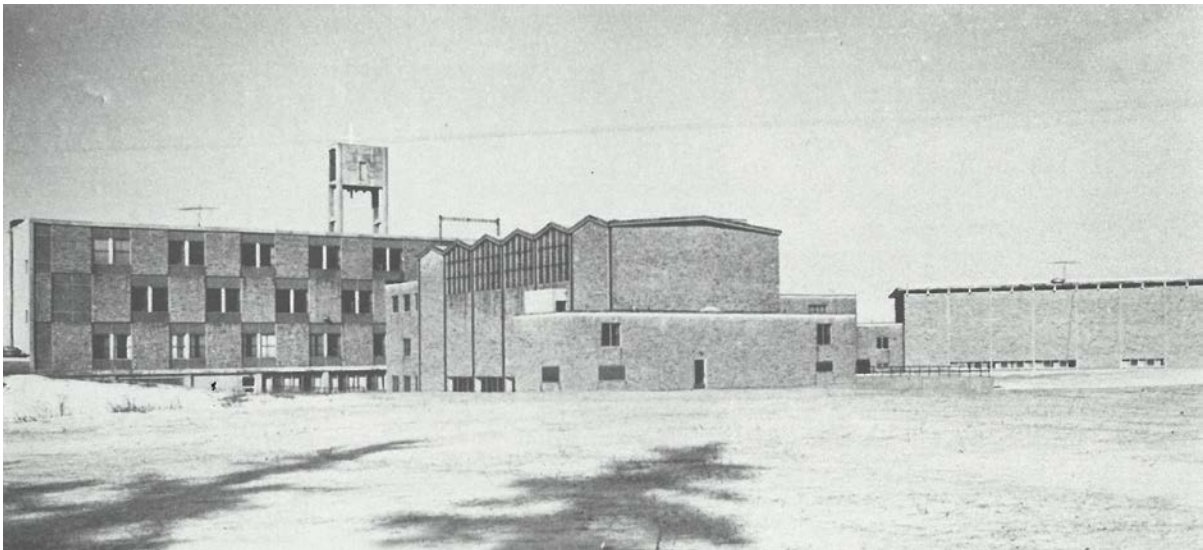
Original architectural rendering for the Regina Mundi Junior Seminary (Peter F. Tillmann, 1962).



Regina Mundi viewed from the north (London District Catholic School Board, year unknown).



Regina Mundi College viewed from Wellington (London District Catholic School Board, year unknown).



West view of the school and chapel from the 1972 student yearbook (The Sentinel, 1972).



View of the school and original driveway approach (London District Catholic School Board, year unknown).



Original main entry and bell tower (demolished) (London District Catholic School Board, year unknown).

2.2 DESIGN

Regina Mundi College, originally Regina Mundi Junior Seminary, opened in 1963 as a seminary for boys wishing to enter the priesthood. The original school consists of a central three-storey block, flanked to the north and south with Y-shaped wings.

The centre block housed administration and dormitories. In the basement were the study hall, kitchen and refectory. On the ground floor level, there were offices, a library, and priests' offices and bedrooms. The second and third floors contained student dormitories, as well as a prayer room leading to a balcony overlooking the chapel. The chapel extended in a southeasterly direction from the centre block.

The south Y-shaped wing contained a convent for nuns that resided on-site, as well as a garage and storage rooms. The north Y-shaped wing contained a student lounge and recreation room, athletic facilities and lockers, a "gymtorium," which serves the functions of both a gymnasium and auditorium, classrooms and activity rooms.

The original Watt & Tillmann architectural plans, dated August, 1962, contain notations describing the exterior cladding. Typical walls consist of an alternating checkerboard pattern of precast insulated masonry panels, and "random stone" as annotated in the 1962 elevation drawing, with stone trim and copper flashing. The typical original windows were aluminum. The construction methods used by the original builder were unconventional and directly contributed to deterioration of the building envelope described later in this report.

The original building featured a prominent bell tower that extended high above the centre block roof level and terminated in a crown wrapped in aluminum grilles and mounted with a large metal cross.

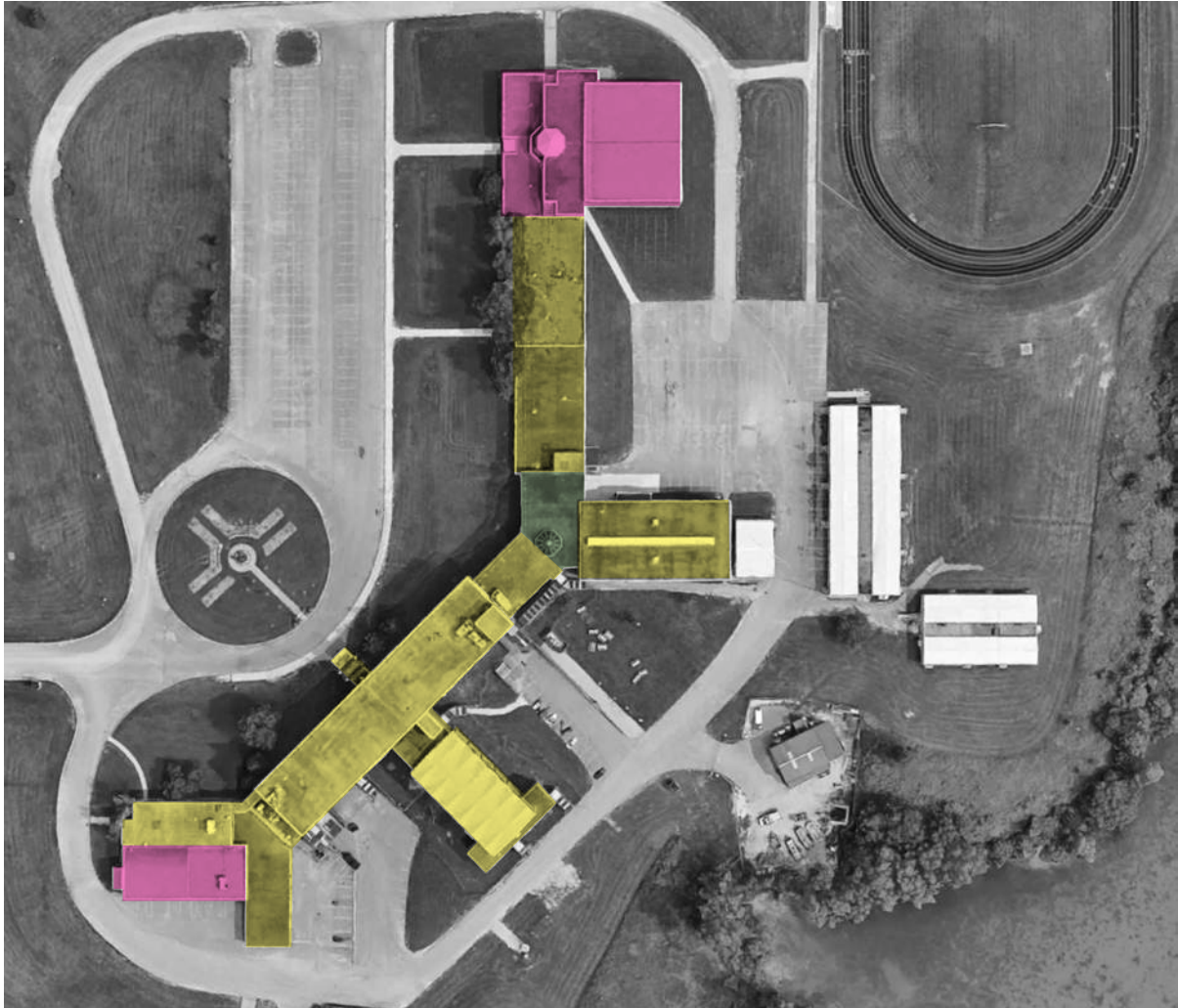
The interiors of the school have been modified since the building's initial construction. In 1987 the building interior was extensively gutted and rebuilt to remove all vestiges of the residential facilities and to significantly increase the amount of classroom and learning spaces. The former dormitories on the second and third floors, as well as basement common spaces, were converted to classrooms or ancillary spaces.

An addition was built to the south Y-shaped wing of the original school, which now became the "technology wing" and contained a machine shop and garages. To the north of the three-storey original centre block, a second-floor library was built. North of the original north Y-shaped wing new gymnasiums were added.

The original 1962 Watt & Tillmann site plan shows that the site was accessed by two driveways from Wellington Road South. The original vehicular circulation route has been altered, and the surface parking area expanded.

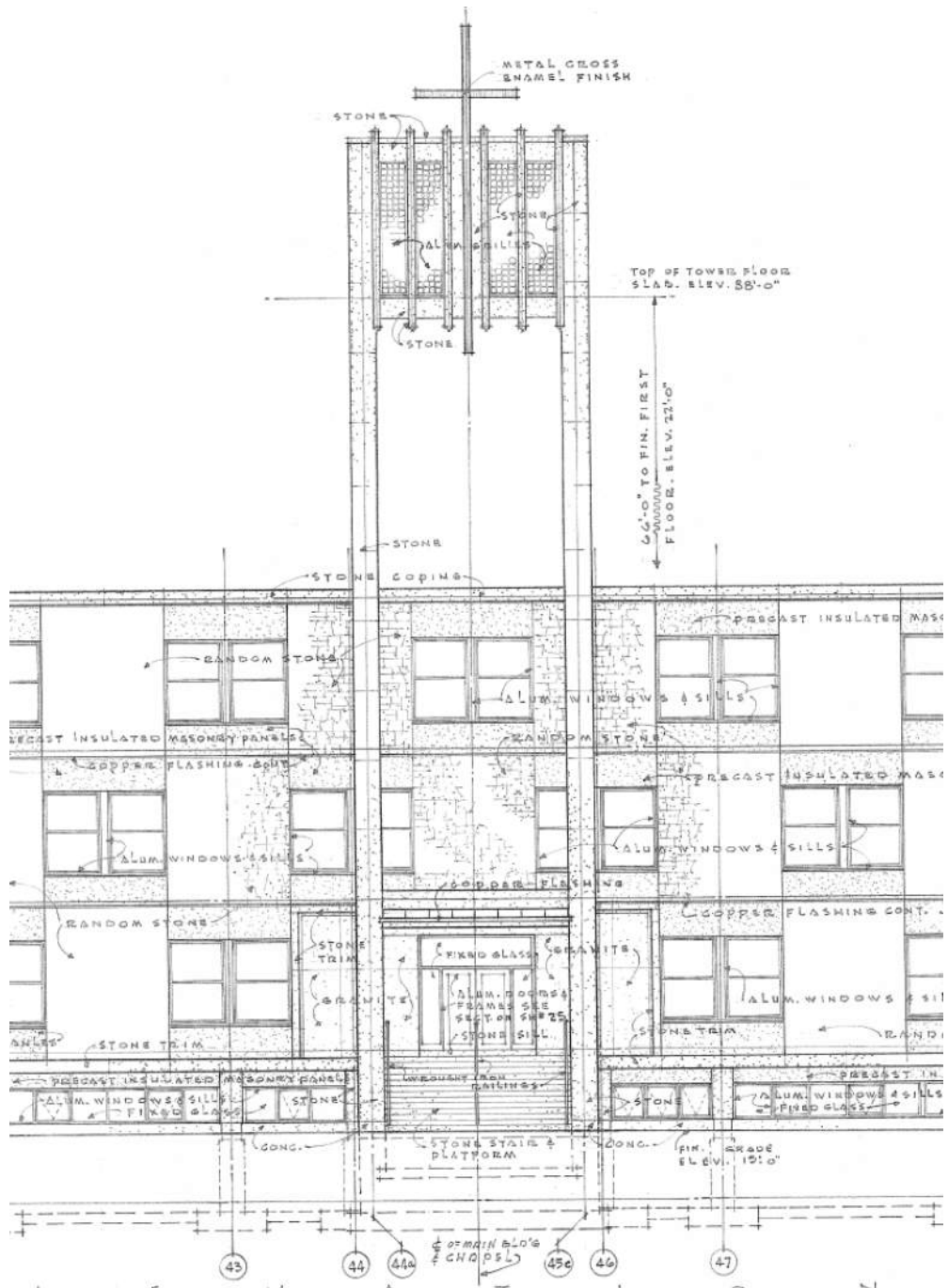
The original front bell tower was demolished in 2011 due to concerns regarding its structural soundness, after a large stone fell off the tower.

Building Evolution



- Original 1963 building
- 1987 addition
- 2nd storey library addition over original 1963 building

Note: Temporary structures and ancillary buildings within the site are outside the scope of this report.



Bell Tower from original architectural drawings (Watt & Tillmann, 1962).

2.3 ARCHITECTS

Regina Mundi College was designed in 1962 by London-based Watt & Tillmann Architects, a partnership between John Macleod Watt (1885-1965) and Peter Francis Tillmann (1921-2002). Watt & Tillmann is part of a lineage of architectural firms that began in 1908 and continues today through the successor firm of architects Tillmann Ruth Robinson.

J.M. Watt began his career apprenticing with London architect Herbert E. Matthew, after which he obtained experience in the United States working for the architectural offices of Shepley, Rutan and Coolidge, as well as Harry J. Riel. In 1908, Watt entered into partnership with D. Howard Crane to form Watt & Crane. The firm had offices in Detroit and Windsor until it was dissolved.

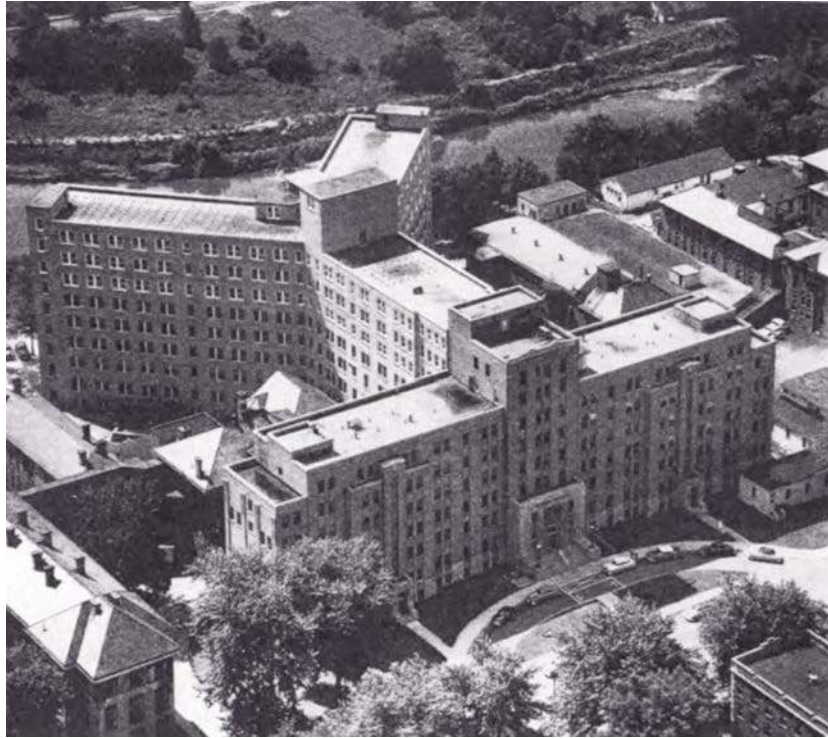
After the dissolution of Watt & Crane, Watt formed a new London-based partnership with Victor Blackwell. Watt & Blackwell designed numerous commercial, residential, institutional and ecclesiastical buildings in Southwest Ontario during a period between the 1910s and 1940s. In 1936, Watt & Blackwell, in association with O. Roy Moore, designed the Dominion Public Building, a prominent art deco landmark in downtown London, financed through the Public Works Construction Act of 1934.

By the late 1940s, Watt had entered into a new partnership with Peter Tillmann. The firm of Watt & Tillmann designed prolifically across the London region and beyond throughout the 1950s and 60s. Some of Watt & Tillmann's significant commissions included: Mount St. Joseph Academy for the Sisters of St. Joseph (1480-90 Richmond Street, London ON; 1954), the Crown Trust Building (200 Queens Avenue, London ON; 1957) and the Supertest Petroleum Company Office (245 Pall Mall Street, London ON; 1958). The firm is also credited with numerous additions and renovations to the Victoria Hospital and St. Joseph's Hospital, as well as a wide variety of commissions including schools, churches and chapels, private residences, factories, and even country clubs.

The firm evolved once again in the early 1970s when Peter Tillmann partnered with Wilfred (Wilf) Lamb to form Tillmann Lamb. Under this iteration, the firm is credited with the University Hospital (1972), a major expansion to the University of Western Ontario that combined teaching and research functions in a hospital setting.

During his career, Peter Tillmann served on the editorial board of the Royal Architectural Institute of Canada Journal, and was a representative of the Ontario Association of Architects to the RAIC.

The legacy of Watt & Tillmann continues today under the successor firm of architects Tillmann Ruth Robinson.



Victoria Hospital south wing addition (1954). Now demolished (Cultural Heritage Assessment for Buildings in the South Street Hospital Complex, Nancy Tausky Heritage Consultant, 2011).



Crown Trust Building (1957), 200 Queens Avenue, London. Robert Buist for Watt & Tillmann (ERA, 2018).



Mount St. Joseph Academy (1954), 1480-1490 Richmond Street, London. Watt & Tillmann. (Congregation of the Sisters of St. Joseph Archives).

This is a new section of the report to provide comparative analysis with similar buildings.

2.4 DESIGN CONTEXT

Post-war trends in the design of schools and churches influenced the development of Regina Mundi in the 1960s. The following provides some insights into the general design context at that time. It is worth bearing in mind that original construction of Regina Mundi was for the purpose of a seminary, which is different in nature as it provided dwelling spaces, and within a short period the building was adapted for a new use.

Modern School Design

In the post-World War II era, ideological shifts in pedagogy influenced how educational institutions were designed in Europe and North America. A modernist vocabulary that envisioned transparency and functionalism was seen as an answer to maintaining democratic citizenship in a postwar culture. The postwar period was considered to hold tremendous potential for societal change and architects designing schools recognized the need for a new approach to educational design.

Throughout the 1960s, secondary schools were created or expanded to accommodate a growing student population as the country's population boomed and the development of planned suburban communities proliferated. Schools were being built at a rapid rate and their design was the foci of various issues in Canadian architectural publications throughout the 1960s.

Modern Church Design

Examples of modern church design show a range of experimentation that was occurring in London, and the range of materials being used.

Church designs embraced Modernism in the post-World War II era. The period following World War II was an experimental period in ecclesiastical architecture in which expressions of massing and materials, the openness of form, the use of new building technology, and the abstraction of details and faith symbols were introduced to the design of places of worship. Churches designed in this period sought to be a part of the new modernist spirit of the postwar period. In November 1961, the Ontario Association of Architects held its first conference on church architecture. Issues raised by attending architects and delegates of religious communities included discussions on the theological aesthetics of interior spaces, the integration of original works of art with architectural design, and the need for collaboration between a congregation and the architect.

The move of congregations to newly established suburban developments following the Second World War provided architects with opportunities to experiment with new design concepts and building technologies in constructing new places of worship.

The following pages serve as a comparative analysis, which includes examples of Watt & Tillman's work on other buildings in the area, as well as examples of ecclesiastical buildings built in the same period.

The following provides an example with a further developed interior, more refined material palette and implementation of Watt & Tillman's work, also found in London.



Aerial photo of Mount St. Joseph (Congregation of the Sisters of St. Joseph in Canada Archives, 2014).



The chapel at Mount St. Joseph Academy (vircatholicus.blogspot.ca).

MODERN CHURCHES IN LONDON REGION

Mount St. Joseph (1486 Richmond Street North, London Ontario)

In 1954, the Mount St. Joseph Motherhouse and Novitiate was rebuilt for the Sisters of St. Joseph to the design of architects Watt & Tillman. Additional floors were added to the Novitiate wing in 1955. The Mount St. Joseph Academy moved to the building in 1958 and provided Catholic secondary school education for girls from across Canada and internationally. In 1968 a wing was opened as an infirmary and residence for senior sisters. The building was also used to house St. Joseph's School of Music, and as accommodation for guests from a nearby hospital. Interior elements include a chapel with marble

The following provides an example between the architect and an artist to further enhance the interior.



Interior photo of Philip Aziz artwork (Creative Commons).

Lady Chapel at St. Peter's Basilica (196 Dufferin Avenue, London, Ontario)

In 1958, a new chapel known as the Lady Chapel was added to St. Peter's Cathedral Basilica, which was constructed between 1880 and 1885. The construction of the chapel along with two new towers was supervised by architect Peter F. Tillmann. The addition included stained glass windows and interior artwork by local London artist Philip Aziz.

London Region

The London region includes various examples of educational institutions and religious buildings that experimented with a modernist vocabulary. Examples of modern ecclesiastical buildings in the London region are included on the following pages to illustrate the variety of experimentation during this period and level of design refinement found in the area.

The City's Significant London Modernist Buildings is a survey of building in constructed in this period in the London area. ERA reviewed the survey to find other ecclesiastical buildings in this era, some of which are included on the next pages. They indicate that there were various ways that built forms were developed, some with an emphasis on functionalism like the Unitarian Fellowship Hall, and others with design features to enhance the exteriors or interiors, like Mount Zion United Church.



Exterior (Forest City Modern).

Unitarian Fellowship Hall (29 Victoria Street, London, Ontario)

The Unitarian Fellowship Hall was constructed in 1961 and designed by architect Philip Carter Johnson, a Massey Medal-winning architect. It was the first purpose-built hall for London's Unitarian community. The brick building features large windows.



Exterior (Forest City Modern).

Wortley Baptist Church (250 Commissioners Road East, London, Ontario)

The Wortley Baptist Church was constructed in 1961 and 1976, designed by architect Harold L. Hicks and Victor Marsh. The building features a folded plate cantilever canopy.



Church of the Transfiguration (33 Bromleigh Avenue, London, Ontario)

The Church of the Transfiguration was constructed in 1962 and designed by architect Philip Carter Johnson, a Massey Medal-winning architect. The building is made of concrete, with repeating rows of small pierced windows in coloured glass. There are custom-made mosaic doors.



Top: Exterior, Bottom: Interior (Forest City Modern).



Exterior (Courtesy of Nicholson Sheffield Architects)



Interior (Mount St. Zion Church).

Mount Zion United Church (417 Ridgewood Crescent, London, Ontario)

Mount Zion United Church was constructed in 1963 and designed by architect David C. Stevens. The building features a faceted roof and geometric windows in the chapel. Construction materials include brick, stone, and concrete.

3 HERITAGE POLICY REVIEW

The following were among the sources reviewed in preparing this HIA:

- Provincial Policy Statement (2020);
- The Ontario Heritage Act (R.S.O. 1990);
- City of London Official Plan (consolidated May 2022);
- City of London’s Register of Cultural Heritage Resources;
- Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada;
- The Ontario Ministry of Tourism, Culture and Sport’s Ontario Heritage Toolkit.

Provincial Policy Statement (2020)

The Provincial Policy Statement (“PPS”) provides the policy direction for matters relating to land use planning and development in Ontario. On May 1, 2020, the updated PPS 2020 came into effect. With respect to cultural heritage, PPS 2020 continues the approach within provincial policy statements to conserve significant built heritage resources and significant cultural heritage landscapes.

Section 1.7 includes Long-Term Economic Prosperity policies.

Policy 1.7.1 states:

Long-term economic prosperity should be supported by:

- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;

Section 2.6 of the PPS contains policies addressing Cultural Heritage and Archaeology, the most relevant of which include:

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.

The Ontario Heritage Act (R.S.O. 1990)

The Ontario Heritage Act is the statutory legal foundation for heritage conservation in Ontario. Part IV, Section 29 of the OHA authorizes municipalities to enact by-laws to designate properties to protect and conserve their cultural heritage value.

Ontario Regulation 9/06 was passed under the Ontario Heritage Act to identify provincially-mandated Criteria for Determining Cultural Heritage Value or Interest.

City of London Official Plan (consolidated May 2022)

On May 25, 2022, the Ontario Land Tribunal (“OLT”) issued a decision repealing and replacing the 1989 Official Plan with the in-force 2016 Official Plan, bringing the policies of the City of London’s Official Plan into full force and effect.

The City of London Official Plan contains City Building policies, which include Cultural Heritage policies.

Policy 557 states:

In accordance with the Ontario Heritage Act, City Council, in consultation with the London Advisory Committee on Heritage (LACH), will prepare and maintain a Register listing properties of cultural heritage value or interest. The Register may also be known as The City of London Inventory of Heritage Resources. In addition to identifying properties designated under the Ontario Heritage Act, the Register may include properties that are not designated but that Council believes to be of cultural heritage value or interest.

Policy 565 states:

New development, redevelopment, and all civic works and projects on and adjacent to heritage designated properties and properties listed on the Register will be designed to conserve the heritage attributes and character of those resources and to minimize visual and physical impact on these resources. A heritage impact assessment will be required for new development, redevelopment, and civic works and projects on,

and adjacent to, heritage designated properties and properties listed on the Register to assess potential impacts and explore alternative development approaches and mitigation measures to address any impact to the cultural heritage resource and its heritage attributes.

Policy 573 states:

City Council will consider one or more of the following criteria in the identification and designation of individual properties of cultural heritage value or interest:

1. The property has design or physical value because it:
 - a. Is a rare, unique, representative or early example of a style, type, expression, material, or construction method.
 - b. Displays a high degree of craftsmanship or artistic merit.
 - c. Demonstrates a high degree of technical or scientific achievement.
2. The property has historic value or associative value because it:
 - a. Has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.
 - b. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
 - c. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.

3. The property has contextual value because it:

- a. Is important in defining, maintaining, or supporting the character of an area.
- b. Is physically, functionally, visually, or historically linked to its surroundings.
- c. Is a landmark.

City of London's Register of Cultural Heritage Resources

The City of London's Register of Cultural Heritage Resources is a list of properties deemed to satisfy certain qualifying criteria with respect to architecture, history and/or context.

For any building or structure listed on the inventory, the following information is identified:

- Year built (if known)
- Predominant architectural style of building
- By-law number to show Designation under the Ontario Heritage Act, if applicable.

Under the provisions of the Ontario Heritage Act, listed properties cannot be demolished for at least 60 days following a written request for demolition from the owner.

Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada

The Parks Canada Standards and Guidelines for the Conservation of Historic Places in Canada, along with international charters and agreements, establish the guiding principles for the conservation of built heritage resources in Canada.

Ontario Heritage Toolkit

The Ontario Heritage Toolkit is a series of guides for municipal councils, municipal staff, Municipal Heritage Committees, land use planners, heritage professionals, heritage organizations, property owners and others, designed to help them understand the heritage conservation process in Ontario.

4 ASSESSMENT OF CULTURAL HERITAGE VALUE

This section of the report includes one cultural heritage value assessment of the site. The assessment provides an evaluation of the site's cultural heritage value through the lens of Ontario Regulation 9/06 - Criteria for Determining Cultural Heritage Value or Interest.

The section concludes with an analysis of the site's integrity.

4.1 O. REG. 9/06

Ontario Regulation 9/06, passed under the *Ontario Heritage Act* ("OHA"), R.S.O. 1990, c. O.18, identifies the criteria for determining cultural heritage value or interest for the purpose of designation under Part IV, Section 29 of the OHA.

Bill 23, the *More Homes Built Faster Act*, went into effect on January 1, 2023, and amends the OHA to require that properties must meet two or more criteria under Ontario Regulation 9/06 to be eligible for designation under Part IV of the Act, whereas previously, properties were required to meet one or more criteria.

The analysis presented in this section indicates that the site meets one of the nine criteria under O. Reg. 9/06.

Design/Physical Value

We do not believe that the subject property possesses design/physical value. The existing school has a functional, utilitarian institutional form, consistent with many contemporaneous schools constructed throughout Ontario in the later mid-century era. The building has been altered; the school's prominent front bell tower was dismantled and removed in 2011 due to safety concerns. **The building is not rare**

or unique; as illustrated in Section 2.4, there are a number of modern ecclesiastical buildings in the London region, including several with a similar overall layout. The building was originally designed as a seminary, and later adapted to be a school. The comparative analysis by ERA, working with the local architect who is familiar with the local context, examined examples of ecclesiastical building built in the same period. Based on the analysis in Section 2.4, the building is not a representative, unique or rare example of a mid-century modern ecclesiastical space in London as there are other examples of buildings of this type, including more intact examples, and there is not a consistency between these building types. The building is not an early example of a mid-century modern ecclesiastical space in London as similar buildings preceded it. Overall, the design of the building is insufficient to meet the criteria of a rare, unique, representative or early example of a style, type, expression, material or construction method.

Despite the architect's use of a somewhat varied material palette, as well as distinctive architectural detailing in the chapel area, the school does not display a sufficiently high degree of craftsmanship or artistic merit to trigger this criterion. **As illustrated in Section 2.4, there are a number of mid-century modern ecclesiastical spaces in the London region with more refined designs and that illustrate a higher degree of craftsmanship. The site does not display a greater than normal quality as compared to other projects by Watt & Tillmann.**

The school does not demonstrate a high degree of scientific or technical achievement. **The construction methods used at the time of construction have not endured and have contributed to the building's deterioration.**

Historical/Associative Value

We believe that the subject property possesses historical/associative value due to its association with the locally-prominent firm of Watt & Tillmann Architects. Since its genesis in 1908, the firm has designed and constructed a large body of work throughout the London region and beyond, and an evolved version of the firm continues to exist today. Regina Mundi College can be situated within Watt & Tillmann's broader oeuvre, with particularly strong stylistic and programmatic parallels to Mount St. Joseph Academy, constructed for the Sisters of St. Joseph in 1954.

The property does not have a sufficiently strong association to a theme, event, belief, person, activity, organization or institution that is significant to a community, in order to meet this criterion. Nor can it yield information that would contribute to an understanding of a community or culture.

The property's historical association with the Catholic Church and, later, the London District Catholic School Board, has been inconsistent. As a religious school, Regina Mundi lacks institutional longevity, having undergone a succession of major changes to its educational model since 1963 as a result of both internal factors (i.e. initial challenges meeting enrollment objectives, financial difficulties) and external forces (i.e. as a location to alleviate overcrowding elsewhere in the London Catholic school system).

Furthermore, while the school was originally designed as an intimate residential Junior Seminary, it no longer serves this purpose and has been adapted to function as a high-enrollment secondary school.

Contextual Value

We do not believe that the subject property possesses contextual value. The surrounding environs of Regina Mundi remain largely undeveloped and predominantly agricultural. While the school is a significant presence in the local landscape by virtue of its anomalous size, it is not a landmark, it is not important in defining, maintaining or supporting the character of the area, and it is not physically, functionally, visually or historically linked to its surroundings.

In conclusion, the evaluation **does not meet two or more of the prescribed criteria under O. Reg. 9/06, and therefore the property is not a candidate for designation under the OHA.**

Summary: Ontario Regulation 9/06 Evaluation

1) The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.	N/A
2) The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.	N/A
3) The property has design value or physical value because it demonstrates a high degree of scientific or technical achievement.	N/A
4) The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.	N/A
5) The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	N/A
6) The property has historical value or associative value because it demonstrates, or reflects the work or ideas of an architect, builder, designer or theorist who is significant to a community.	✓
7) The property has contextual value because it is important in defining, maintaining or supporting the character of an area.	N/A
8) The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.	N/A
9) The property has contextual value because it is a landmark.	N/A

4.2 INTEGRITY ANALYSIS

Although O. Reg. 9/06 does not consider the integrity of the resource, or its physical condition, the Ministry of Tourism, Culture & Sport provides commentary on pages 26-27 of the *Heritage Property Evaluation (2006)* document of the Ontario Heritage Toolkit:

A cultural heritage property does not need to be in original condition. Few survive without alterations on the long journey between their date of origin and today. Integrity is a question of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property.

Cultural heritage value or interest may be intertwined with location or an association with another structure or environment. If these have been removed, the integrity of the property may be seriously diminished. Similarly, removal of historically significant materials, or extensive reworking of the original craftsmanship, would warrant an assessment of the integrity.

Physical condition is another difficult consideration. Some cultural heritage properties are found in a deteriorated state but may still maintain all or part of their cultural heritage value or interest. The ability of the structure to exist for the long term, and determining at what point repair and reconstruction erode the integrity of the heritage attributes, must be weighed against the cultural heritage value or interest held by the property.

Evidence of the site's reduced integrity includes:

- The removal of the original bell tower over the front entrance in 2011 due to safety concerns. The bell tower was the primary architectural focal point of the building's front (west) elevation.
- A defective building envelope which has required interim protective measures to buffer the building occupants from falling exterior cladding and debris.
- Most of the pieces of glass in the decorative glass windows in the chapel have delaminated and are at risk of falling, due to the use of an experimental method of lamination.
- Later additions and alterations, including the expansion of the original convent/garage wing, construction of the second-storey library addition, conversion of the second and third-floor residential quarters to classroom spaces, and extensive interior alterations throughout. These alterations have taken place in tandem with a shift away from the school's original operating model as an intimate, residential Junior Seminary.

In summary, the site meets one of the criteria for determining cultural heritage value or interest under Ontario Regulation 9/06 as a result of its historical/associative value **but does not meet the two or more criteria under Ontario Regulation 9/06 that would make it eligible for designation under Part IV of the Act.** This finding, along with the site's reduced integrity, and the extent of widespread physical deterioration throughout the building, contributes to our assessment that the site should not be designated under Part IV of the Ontario Heritage Act, and that removal of the existing Regina Mundi College building is appropriately mitigated through the conservation strategy proposed in this HIA.

5 ASSESSMENT OF EXISTING CONDITION

The condition of Regina Mundi College has been assessed on several previous occasions. ERA has reviewed several condition reports prepared for the site, including:

- Asbestos Product Survey by Exp Services Inc., dated June 30, 2012.
- Regina Mundi College Building Renewal Study by Nicholson Sheffield Architects Inc. et al, dated September 25, 2013.
- Review of Exterior Masonry Cladding by Hastings & Aziz Ltd. Consulting Structural Engineers, dated December 9, 2014.

ERA visited the site on March 14, 2018 with Nicholson Sheffield Architects in order to review the interior and exterior areas of the school. We documented our visit with interior and exterior photographs as well as field notes.

This section provides an overview of the findings of previous condition assessments, supplemented with photos from ERA.

Asbestos Product Survey by Exp Services Inc., dated June 30, 2012

An investigation of asbestos-containing materials at Regina Mundi College was carried out by Exp Services. During this investigation, the surveyor inspected the building for construction materials found within or forming part of the building envelope suspected of containing asbestos. Samples of suspected asbestos-containing materials were sent to an independent National Voluntary Laboratory Accreditation Program-accredited laboratory.

Key findings of this investigation are summarized as follows:

- Textured ceiling finish containing 1.3% chrysotile asbestos is present as a ceiling finish in various locations throughout the school. All textured ceiling finish observed is in good condition.
- A tar coating has been applied over fiberglass insulation on several fittings throughout this facility. This tar coating contains approximately 1.7% chrysotile asbestos. Tar is considered a non-friable asbestos requiring Type 1 procedures for disturbances.
- One variant of ceiling tile present in the building contains 1.8% amosite asbestos.
- Vinyl floor tiles assumed to contain asbestos are present in various locations within the facility.
- Asbestos cement board or “transite” is present as a wall finish in the confession booth in the chapel. Transite observed was in good condition.
- The presence of asbestos is possible in the following materials: material components or insulation within electrical switchgear, motors, lights, etc.; mechanical packings and pipe gaskets; plastic laboratory benches; moulded chair seats or other plastic products; fire door cores; window putty or caulking.

Regina Mundi College Building Renewal Study by Nicholson Sheffield Architects Inc., dated September 25, 2013

A study by Nicholson Sheffield Architects (“Regina Mundi College Building Renewal Study”), in tandem with several sub-consultants, was conducted in 2013 to inform the London District Catholic School Board’s Capital Plan. The study, which examined the architectural, mechanical and electrical building systems, provided information and associated costs on necessary improvements to Regina Mundi College to prolong the life of the building through refurbishment.

Key findings of this study are summarized as follows:

- Many Ontario Building Code standards are not met, including with regards to fire-rated separations and closures, building size and construction relative to occupancy, exits and egress, health requirements, and barrier-free accessibility.
- Mortar joints in the building’s original stone veneer have deteriorated over time allowing water penetration. There are locations where the stone may be in danger of falling from the building. This has occurred previously and is the reason that the original bell tower was removed. Mortar joints of the 1987 addition also show signs of deterioration due to the failure of caulked joints, and the lack of or failure of metal flashings.
- The majority of the building’s plumbing and fire protection systems, dating back to 1963 and now exceeding 50 years of age, require partial replacement or upgrade. Many of the building’s ventilation systems are in very poor condition, do not function adequately, and are marginal for occupational health and safety.

- The majority of the building’s electrical systems are in fairly good condition, with the exception of the fire alarm system.

The 2013 Building Renewal Study provided a summary of proposed costs related to refurbish Regina Mundi’s architectural, mechanical and electrical systems. The cost breakdown presented in the report is as follows:

Building Code Upgrades (including fire separation upgrades)	\$ 300,000
Removal of Designated Substances	\$ 400,000
Barrier Free Accessibility Improvements	\$ 250,000
Gymnasium Floor Replacement (1988 Addition)	\$ 150,000
Building Envelope Improvements	
• Replacement of Exterior Caulking	\$ 100,000
• Restoration of Exterior Stone	\$ 1,700,000
• Replacement of Roof V (at Chapel)	\$ 3,000
• Replace Library Skylight Glazing	\$ 20,000
• Replace Acrylic Dome Skylight on Roof US	\$ 3,000
• Remove existing Greenhouse from Gym roof and conversion to storage room	\$ 25,000
• Window & Door Replacement	\$ 500,000
Separate Greenhouse Structure	\$ 50,000
Technology Wing Improvements – demolish existing, design and build new facilities	\$ 2,800,000
Drama Classroom Addition & Improvements	\$ 400,000
Family Studies / Nutrition Classroom Renovations	\$ 150,000
Elevator Refurbishment	\$ 130,000
Demolition and Removal of Existing Portables	\$ 120,000
Fire Sprinkler System Installation	\$ 450,000
Mechanical Upgrades	\$ 4,500,000
Electrical Upgrades	\$ 1,770,000
Updated Asbestos Product Survey	\$ 4,500
Professional Consulting Fees for Renewal Project (6.1%)	\$ 850,000
Fees & Permits (1%)	\$ 140,000
Furniture & Equipment	\$ 250,000
Contingency	\$ 750,000
Total	\$ 15,915,500

Summary of proposed costs from Regina Mundi College Building Renewal Study (Nicholson Sheffield Architects et al, 2013).

Review of Exterior Masonry Cladding by Hastings & Aziz Ltd. Consulting Structural Engineers, dated December 9, 2014

Hastings & Aziz was retained subsequent to the Nicholson Sheffield 2013 Building Renewal Study to review the condition of the exterior masonry cladding.

Destructive testing was performed on the original Regina Mundi College building, involving the removal of limestone panels on the east and west elevations to assess the condition of the wall assembly behind.

The review found that ties connecting the stone veneer to the building structure are of a thin gauge, were corroded, had insufficient embedment into the stone veneer, and were spaced greater than the Ontario Building Code allows.

Without the required ties, the review found, the stone is in danger of falling to the ground and endangering the safety of the public below. Consequently, it was recommended that interim protective fencing be placed around the areas of primary concern. This fencing remains in place.

The reviewers were able to move one section of stone cladding, located at the southeast corner of the original three-storey block, laterally with their hand. This stone, which was bulging outward from the wall, has since been reinforced with a temporary steel bracing structure.

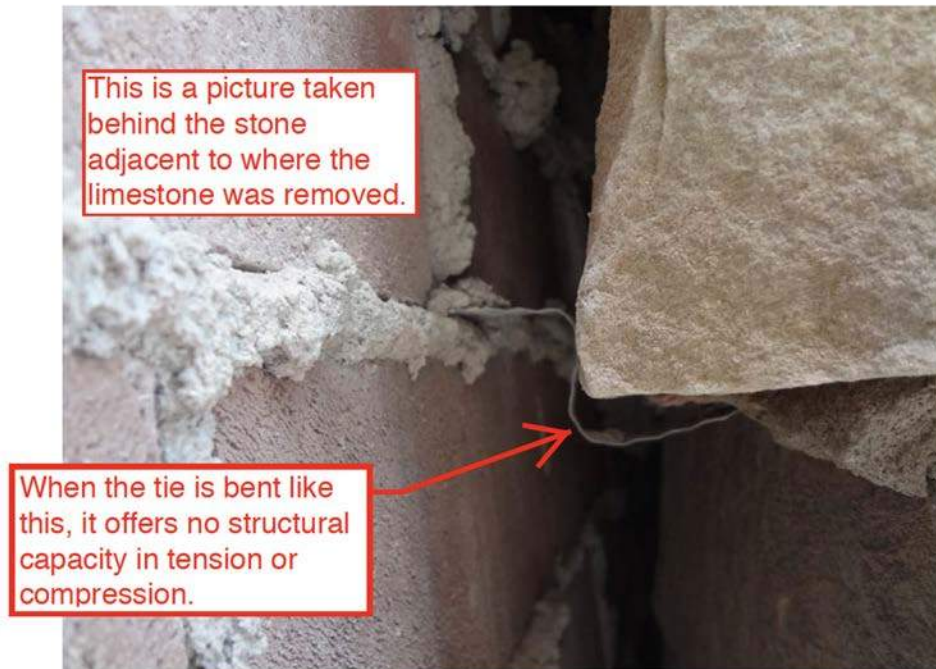
The review noted that to repair the defective ties, traditionally, stainless steel helical ties would be installed into the structural back-up to provide proper anchorage to the stone veneer. However, the structural back-up of the school was found to be insufficient to provide proper anchorage for the stone veneer.

The report gave two repair options. Option 1, a temporary solution designed to last 3-5 years, included the installation of a steel grillage to brace the stone veneer. A cost estimate of \$2.87-million was provided for this option.

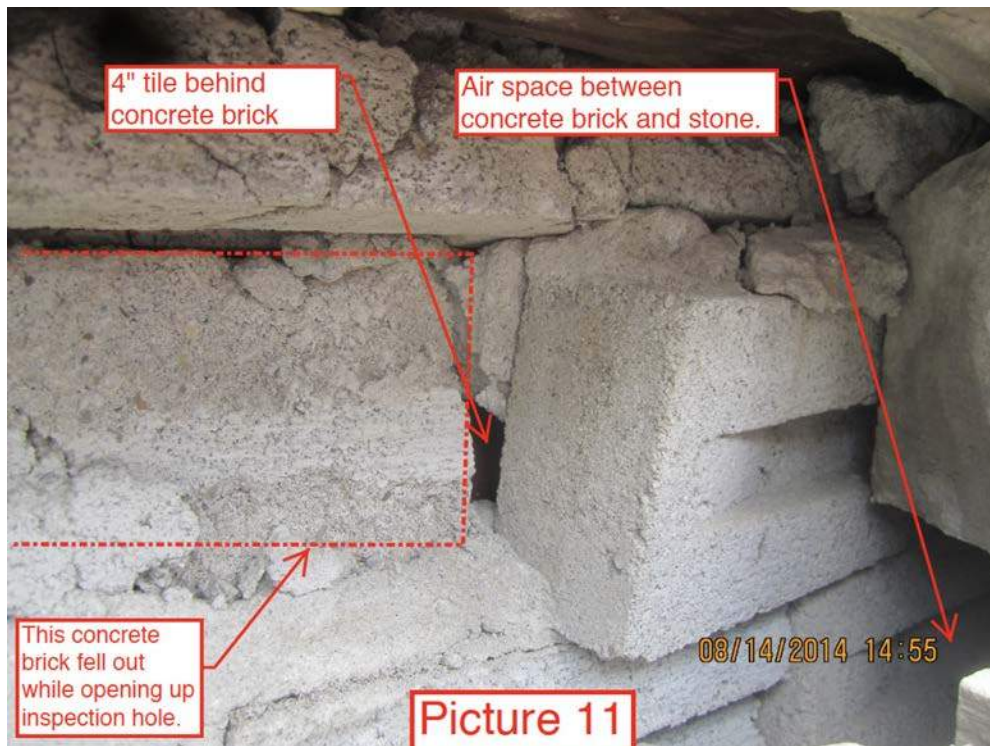
Option 2 would be to remove the concrete brick and clay tile and lay a proper concrete block wall to provide the adequate structural backup for the stone veneer. This would require a temporary bracing structure to support the stone veneer while the original concrete brick and speed tile are removed. Furthermore, all windows, mechanical and electrical systems in the wall would have to be removed and re-instated after the new block is placed. A cost estimate of between \$7-10 million dollars was provided for this option.



Photo of bulging limestone panel at southeast corner of three-storey block (Hastings & Aziz, 2014).



Picture 8



Picture 11

Above 2 photos: destructive investigation to assess condition of wall assembly behind stone panels (Hastings & Aziz, 2014).

ERA Photos from March 14, 2018 site visit



Mortar loss below window on original south Y-shaped block, west elevation (ERA, 2018).



Mortar loss on wall, original south Y-shaped block, west elevation (ERA, 2018).



Failed caulking between precast insulated masonry panels and aluminium cover plate, east elevation of north Y-shaped wing (ERA, 2018).



Wall cavity exposed due to gap between precast insulated masonry panels and aluminium cover plate, east elevation of north Y-shaped wing (ERA, 2018).



Dislodged stone on pier, at east elevation of Technology Wing (ERA, 2018).



Scaffolding installed over door at east elevation, beside the “gymnasium” (ERA, 2018).



Staining and mortar loss on north chapel elevation (ERA, 2018).



Steel bracing for loose panel, east elevation. Scaffolding installed over maintenance door and garage (ERA, 2018).



Scaffolding installed over door at north chapel elevation (ERA, 2018).

6 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development includes the removal of the 1963 Regina Mundi College building in its entirety after construction is complete for a replacement secondary school building in a more northwesterly location on the site.

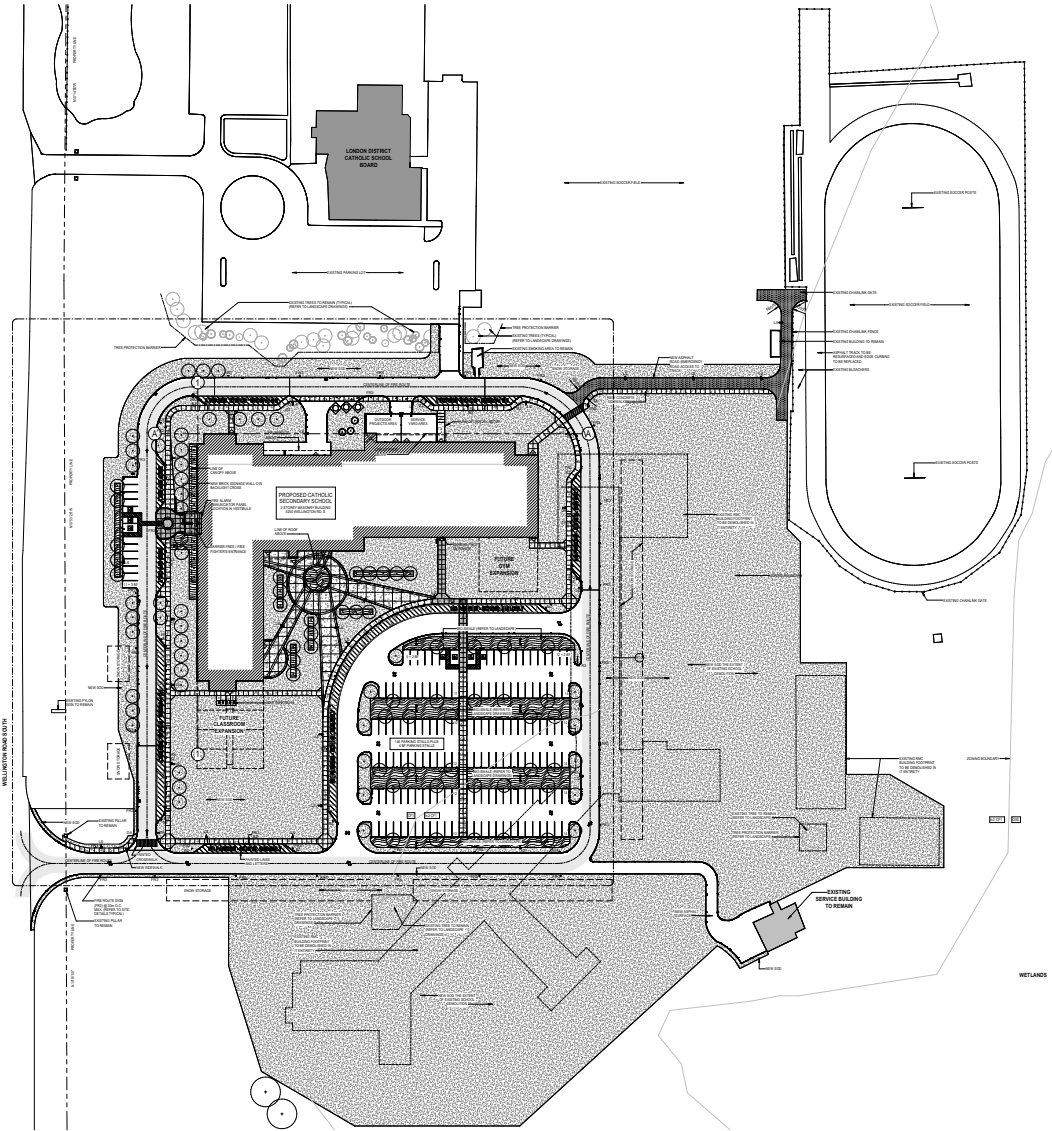
A surface parking lot will be located southeast of the new school building. Landscape improvements and bio-retention swales will be incorporated into the proposed site plan.

An existing roadway will be maintained and will loop around the new building, providing access to loading and servicing facilities located on the north side of the building. This roadway will connect to the existing London District Catholic School Board parking lot to the north. The outdoor athletic track and related facilities will be maintained in their existing location and resurfaced.

The proposed replacement school building is L-shaped in plan, and two floors in height. The building has been designed in a contemporary institutional style and will be clad with brick masonry and glazing.

The siting of the proposed replacement school and the surface parking area allows for an increased amount of landscaped open area on the property, as well as an increased setback from the adjacent provincially significant wetland.

The existing London District Catholic School Board headquarters building will remain and is outside the scope of the Regina Mundi redevelopment.



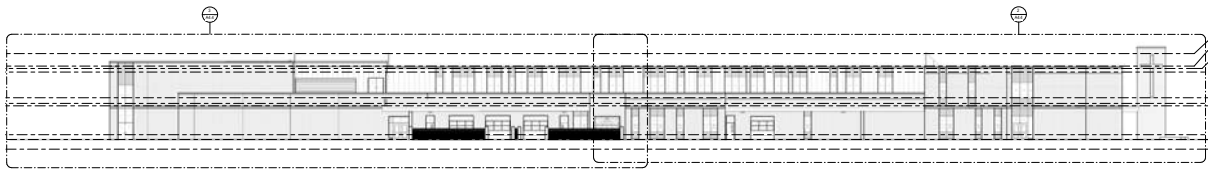
Proposed site plan overlaid with existing Regina Mundi College building footprint (Nicholson Sheffield Architects, 2023).



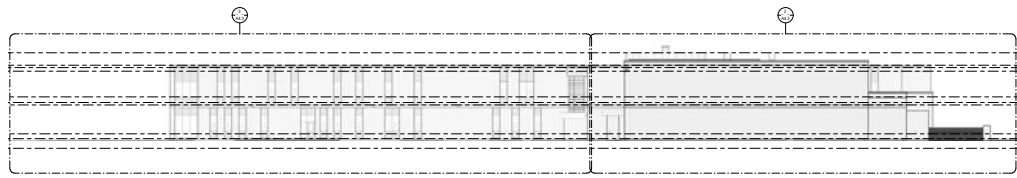
West view of main entry to proposed development (Nicholson Sheffield Architects, 2023).



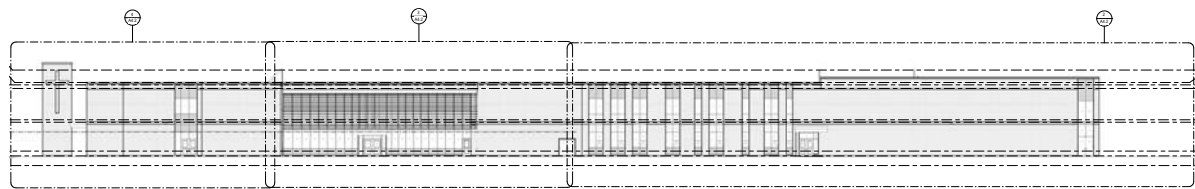
View of proposed development from south-east courtyard (Nicholson Sheffield Architects, 2023).



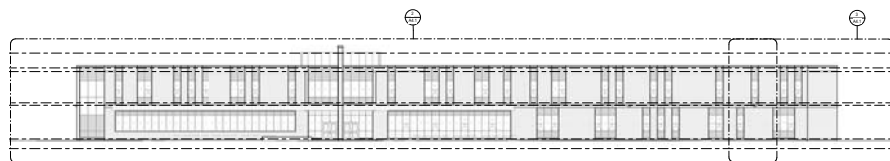
Proposed north elevation (Nicholson Sheffield Architects,2023).



Proposed east elevation (Nicholson Sheffield Architects,2023).



Proposed south elevation (Nicholson Sheffield Architects,2023).



Proposed west elevation (Nicholson Sheffield Architects,2023).

7 MEASUREMENT OF DEVELOPMENT IMPACT

7.1 DEVELOPMENT IMPACTS

This HIA has identified that the site meets one of the Provincially-defined criteria for determining cultural heritage value or interest, as a result of the site's association with the firm of Watt & Tillmann Architects. **As a result of Bill 23 coming into effect in January 2023, properties must meet two or more criteria to be eligible for designation under Part IV of the Act. The evaluation does not meet two or more of the prescribed criteria under O. Reg. 9/06, and therefore the property is not a candidate for designation under the OHA.**

The 1963 Regina Mundi College building is proposed to be removed in its entirety, with the exception of certain salvaged materials that will be integrated into the new building fabric to facilitate site commemoration and heritage interpretation.

This section reviews the impacts of the proposed development, using the various negative impacts listed in Infosheet #5 (Heritage Impact Assessments and Conservation Plans) for the Cultural Heritage and Archaeology Policies issued pursuant to Section 2.6 of the 2005 Provincial Policy Statement.

<i>Potential Impact</i>	<i>Comments</i>
(1) Destruction of any, or part of any, significant heritage attributes or features;	The proposed development will remove the original 1963 Regina Mundi College building in its entirety.
(2) Alteration that is not sympathetic, or is incompatible, with the historic fabric and appearance;	The proposed development does not contemplate alteration to the 1963 Regina Mundi College building - full removal is proposed, with the exception of salvaged materials that will be integrated into the new building fabric in a commemorative capacity.
(3) Shadows created that alter the appearance of a heritage attribute or change the viability of a natural feature or plantings, such as a garden;	The proposal is to remove the 1963 Regina Mundi College building, thus the question of shadowing is moot. Notwithstanding, the proposed replacement school is a low-rise building that will not result in significant shadowing.
(4) Isolation of a heritage attribute from its surrounding environment, context or a significant relationship;	The proposed development will remove the original 1963 Regina Mundi College building in its entirety.
(5) Direct or indirect obstruction of significant views or vistas within, from, or of built and natural features;	The proposed replacement school will open up new views across the property hitherto obstructed by the 1963 Regina Mundi College building, thus enhancing appreciation of the site's natural heritage features such as the woodland and provincially significant wetland areas.
(6) A change in land use such as rezoning a battlefield from open space to residential use, allowing new development or site alteration to fill in the formerly open spaces; and	No change in land use is proposed.
(7) Land disturbances such as a change in grade that alters soils, and drainage patterns that adversely affect an archaeological resource.	There will be no significant land disturbances as a result of the proposed development, with the exception of some re-grading on the north side of the new school to facilitate access to the loading and servicing entries.

8 CONSIDERATION OF ALTERNATIVES, MITIGATION AND CONSERVATION METHODS

8.1 CONSIDERED ALTERNATIVES

Full Retention and Rehabilitation

A study by Nicholson Sheffield Architects (“Regina Mundi College Building Renewal Study”), in tandem with several sub-consultants, was conducted in 2013 to inform the London District Catholic School Board’s Capital Plan. The study provided information and associated costs on necessary improvements to Regina Mundi College to prolong the life of the building through refurbishment.

The 2013 study assessed all of the building’s architectural, mechanical and electrical systems and concluded that a full building renewal would be cost prohibitive with an estimated cost of \$16 million.

Partial Retention

City of London staff have expressed interest in the retention of the chapel element of the 1963 Regina Mundi College building. While the chapel itself is more architecturally refined than the remainder of the school and contains some interesting design elements, it is not viable to retain the chapel as a standalone element.

The chapel is physically integrated with Regina Mundi College, and relies on building systems currently supplied by facilities located elsewhere in the school. Retention of the chapel would require new systems to be constructed and installed to service the chapel.

Retention of just the chapel alone would require a new exterior west wall to be constructed, where the chapel currently connects to the east side of the school. In accordance with heritage conservation principles, the new wall would need to

be distinguishable as a contemporary intervention, as a conjectural design to make the wall appear original would not constitute good heritage planning.

Furthermore, if the chapel were to be retained as a standalone building, this would result in a heritage attribute being divorced from its original context, being a part of a broader private boarding school that was purpose-built for boys intending to enter the priesthood. Isolation of a heritage attribute is a negative heritage impact that is discouraged under the Ontario Heritage Toolkit.

Another issue associated with partial retention of the chapel is defining a use. The chapel is a distinctive building form and use that may not be suitable for adaptation if it were to be isolated on the site. **The chapel is also located west of a Provincially Significant Wetland.**

Retention of the chapel as a standalone element would require the construction of new building systems, in addition to a new west wall where the chapel is currently attached to the school.

Summary

In light of the foregoing, in addition to the other factors identified in this HIA, neither full retention and rehabilitation nor partial retention of the chapel area were selected as these were not determined to be viable options for the school moving forward.

8.2 MITIGATION RECOMMENDATIONS AND CONSERVATION STRATEGY

The proposed development will result in heritage impacts related to the removal of the original Regina Mundi College building. This HIA identifies and recommends that the owner commit to a conservation strategy comprised of several measures to mitigate the impact of the proposed development. In totality, these mitigation measures will conserve the cultural heritage value of the site.

The recommended conservation strategy and mitigation measures include:

- Prior to demolition, the building should be extensively documented to preserve a fulsome archival record of its existing condition, including detailed architectural plans and elevations of current conditions and photographic documentation.
- The preparation of a Heritage Interpretation Plan to identify strategies and implementation measures that will help commemorate the cultural heritage value of the site to the future occupants. The Interpretation Plan could be developed in consultation with the Regina Mundi community and result in material for display in the new school. The Interpretation Plan will provide detailed information regarding the location, content and format of interpretive materials to be used.
- A selection of salvaged elements should be incorporated to support the future commemoration and interpretation of the site. This could potentially include, but is not limited to: the red granite surround and inscription flanking the main entry; a representative example of painted glass panels from

the chapel, and; exterior stone panels in sufficiently good condition to merit salvage. Photos of these elements are included on the following pages.

- The use of a folded plate roof structure in the new school building designed to evoke the style and appearance of the original chapel. This box dormer motif could be used in a prominent common area of the new school.
- The installation of a heritage plaque or marker in a prominent location on the site to commemorate the original Regina Mundi College building and convey its historical significance.

Taken together, these measures constitute an appropriate conservation strategy to accompany the proposed development and to mitigate the impact of removing the original Regina Mundi College building. **The conservation of certain physical elements, as well as the documentation and the preparation of an interpretation plan will sustain the legacy of the 1963 school within the replacement school.**

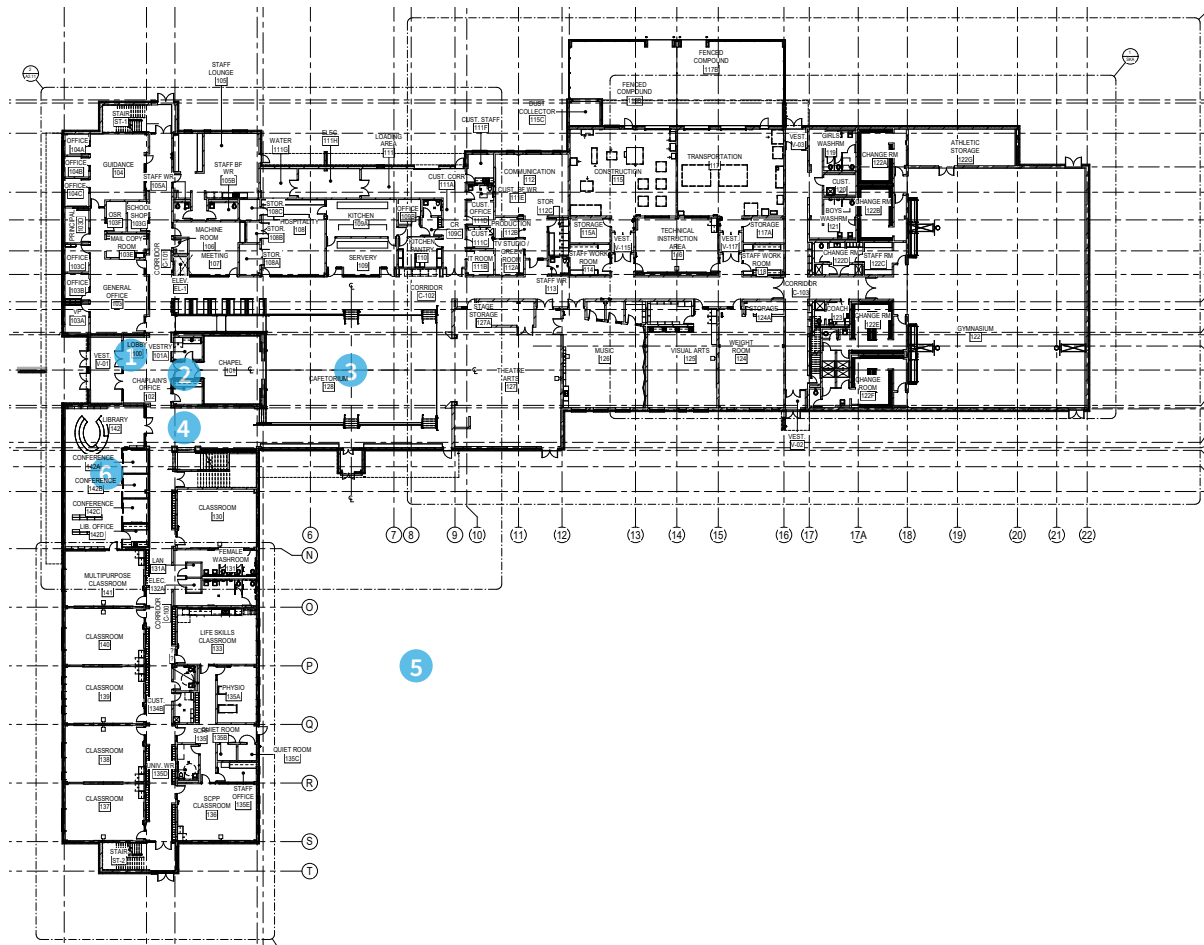
A table that itemizes the attributes as outlined in the listing description and includes the proposed impacts and mitigation measures is included on the following page.

Assessment of Impact and Mitigation - Itemized Heritage Attributes Identified in Listing Description

Attribute	Impact
<p><i>The Chapel, located at RMCC is situated on the first floor of the central wing. Dedicated to the Blessed Virgin Mary, the Chapel is visible upon entrance into the original part of the building. Having a seating capacity for 250 people with a small balcony at the rear, the proportions and design of the space are balanced, and it is the largest chapel of the Catholic Secondary Schools in the London District.</i></p>	<p>Removal. The chapel is proposed to be removed along with the rest of the 1963 school building.</p> <p>Mitigation: A new chapel space will be provided in the replacement school, providing continuity of this use. The new chapel space is in approximately the same location of, and has the same relationship to the school entry as, the existing RMC chapel.</p>
<p><i>The structure of the space is marked by a tapered-column frame, evident within the finished walls and ceilings of the space.</i></p>	<p>Removal and re-creation. The structure of the space, marked by a tapered-column frame, is proposed to be removed.</p> <p>Mitigation: The folded plate roof structure as a design motif will be recreated in the Commons area of the replacement school, which the chapel will face, and can open onto.</p>
<p><i>The exterior of the Chapel is clad in stone (like the rest of the original school) with interior wood finishes and marble accents.</i></p>	<p>Removal. The exterior stone cladding, and interior wood finishes and marble accents, are proposed to be removed. As noted in structural assessments the exterior stone cladding on the chapel is in defective condition and has been surrounded by a protective buffer zone for years. The interior wood and marble finishes are relatively unremarkable and do not contribute strongly to the character of the space.</p> <p>Mitigation: Interpretation of interior finishes in the new school chapel and Commons areas.</p>
<p><i>Key features include the painted glass windows (featuring the seven sacraments of the Catholic Church) with marble stools located below the window frames.</i></p>	<p>Removal and reinstatement of representative examples.</p> <p>Mitigation: Within the chapel there are eight large painted glass windows, each made up of fifteen smaller panels. In the side-altar, there are two painted glass windows, each made up of three smaller panels. The painted glass windows are in poor to defective condition as the experimental fabrication method, used by artist Theo Lubbers in 1963, has failed and individual pieces of glass have begun to fall out of place.</p> <p>Recognizing the frail condition of the painted glass windows, a representative grouping of the windows will be repaired and stabilized in-situ, carefully removed, and re-instated in a prominent location of the new school. To the extent that they can be removed intact, a number of marble stools will be retained for salvage and reinstatement with windows.</p>
<p><i>Two rooms flank the rear of the chapel, and originally housed the priests living quarters.</i></p>	<p>Removal. ERA has viewed these rooms and observed that they do not contain any significant elements.</p> <p>Mitigation: None required.</p>
<p><i>The Chapel also features a memory wall displaying photos of former students and staff members who passed away during their time at RMCC.</i></p>	<p>Removal and reinstatement.</p> <p>Mitigation: The memory wall will be relocated in an area of the new school near the lobby and chapel.</p>

Conservation Measures and Locations for Reinstated Elements

The plan below includes the location of proposed salvaged components, photographs of the existing elements, and a table describing the proposed salvage and reinstatement approaches.



Locations for Reinstated Elements / Conservation Measures

#	Element/Measure	Location
1	Red granite surround and inscription	Main entry / lobby area
2	Representative example of painted glass windows	Entrance to the chapel
3	Folded plate roof structure	Commons
4	Memory Wall	Lobby area or adjacent to chapel
5	Heritage Plaque or Marker	Inside school or on grounds
6	Site Documentation Heritage Interpretation Plan	Library

Proposed site plan (Nicholson Sheffield Architects, 2023; annotations by ERA).



Large stone panels cladding the ends of the three-storey building (ERA, 2018).



Red granite surround with inscription, flanking the front entry (ERA, 2018). Inscription reads:

VALEAM TIBI SERVIRE
HOC SEMINARIUM
B. MARIAE V. REGINA MUNDI
DICATUM
IOANNES C. CODY. VII. DIOC. LONDINENSIS E.
CONDIDIT
ATQUE HUNC LAPIDEM PRIMARIUM
FESTO B.V.M. NATIVITATIS A. MDCCCCLXIII
RITE LUSTRAVIT



Red granite surround flanking the front entry (ERA, 2018).



Painted glass windows in the side chapel (ERA, 2018).



Tapered columns and folded plate roof structure in the chapel (ERA, 2018).



Memory Wall, in the existing chapel (ERA, 2018).

<i>Conservation Component</i>	<i>Implementation Strategy</i>
(1) Red granite surround and inscription.	<p>Carefully remove individual granite panels and store in a safe location during construction. Once construction is complete, panels to be re-mounted in the lobby.</p> <p>The inscribed panel will be prioritized, as well as a number of additional units to be determined by the available wall area and/or other constraints of the new space.</p>
(2) Representative example of painted glass windows.	<p>Due to the number of painted glass windows in the chapel, as well as their varying states of repair, ERA recommends that a representative sampling of the windows be salvaged and re-instated in the new chapel.</p> <p>The windows selected for retention will be carefully removed, safely stored during construction, and re-instated in their new positions. The salvaged decorative glass panels from the existing school will be prominently located to each side of the chapel entrance, which will be off the main lobby entrance to the school. Back-lighting will be used to illuminate the re-instated windows panels.</p> <p>Marble stools, to the extent that they can be removed intact, will be re-instated below the re-instated painted glass windows.</p>
(3) Use of folded plate roof structure in the new school building.	<p>To evoke the structural form of the existing chapel, which reflects the modern design sensibilities of the 1963 RMC school, ceiling design referencing a folded plate roof structure will be constructed in the Commons area of the new school.</p> <p>This will be achieved using drywall bulkheads, and will provide visual continuity to the former chapel structure. Interior renderings of this treatment are included on the following page.</p>
(4) Incorporation of Memory Wall.	<p>The individual photographs that comprise the Memory Wall, in the existing chapel, will be removed, stored during construction, and displayed in the new school in a location near the front lobby or adjacent to the new chapel.</p>
(5) Installation of heritage plaque or marker.	<p>A heritage plaque or marker will be installed in a prominent area of the site, potentially containing a combination of photographs and textual information related to the history of the site and RMC.</p> <p>The content of the plaque can be determined at a later date, and could be developed in consultation with the RMC community. The plaque can be installed either inside of the new school or on the grounds.</p>
(6) Documentation of existing condition for archival purposes.	<p>Prior to demolition, the building should be documented to preserve a fulsome archival record of its existing condition, including detailed architectural plans and elevations of current conditions and photographic documentation.</p> <p>Site documentation should be filed with a local archives such as the London Public Library or Western University, and could also be retained on-site in the new school's library.</p>
(7) Preparation of a Heritage Interpretation Plan.	<p>A Heritage Interpretation Plan will be prepared to identify the above-noted strategies to help commemorate the history and cultural heritage value of the site to future occupants. The Interpretation Plan should contain subject matter related to Watt & Tillmann Architects and their contribution to the City of London's architectural history.</p> <p>The Interpretation Plan should be developed in consultation with the RMC community and result in resources/materials to be displayed in the new school, e.g. in the school library.</p>



Interior renderings of the entrance of the chapel (Nicholson Sheffield Architects, 2023).



Interior rendering of the proposed Commons area (Nicholson Sheffield Architects, 2023).

9 CONCLUSION

This HIA has considered the impact of the proposed development for 5250 Wellington Street South on Regina Mundi College, a building listed on the City of London's Register of Cultural Heritage Resources.

Evaluating the site under provincial criteria for identifying cultural heritage value or interest, we find that the site meets one of the criteria for designation under Part IV of the OHA by virtue of its association with the locally-prominent firm of Watt & Tillmann Architects, who contributed to mid-century architecture and design in the London Region, **and thus the property is not a candidate for designation.**

In light of extensive physical deterioration of the building envelope which poses an ongoing life safety risk, obsolete building systems and accessibility issues, later alterations such as the removal of the original bell tower element, and other factors identified in this HIA, we believe that removal of the resource is appropriate and justified.

The commitment of the owner to the conservation strategy contained in this HIA will mitigate the impact of removing the original Regina Mundi school in order to facilitate the construction of a replacement school building.

10 PROJECT PERSONNEL

ANDREW PRUSS

Andrew Pruss is a Principal with ERA. He has been involved in all aspects of architectural projects ranging from single-family residences and condominiums to institutional, commercial and hotel projects. He has previously been qualified by the Ontario Municipal Board, now continued as the Ontario Land Tribunal (the “OLT”), the Conservation Review Board, and the Toronto Local Appeal Body in the field of heritage planning and architecture.

DAN EYLON

Dan Eylon is a Senior Associate and Planner at ERA. He is a registered and active member of the CAHP. He received his Master of Arts in Planning from the University of Waterloo after completing a Bachelor of Fine Art at the Ontario College of Art & Design.

CLARA SHIPMAN

Clara Shipman is an Architect and Planner at ERA. She received her Master of Science in Planning from the University of Toronto after completing a Master of Architecture from McGill University. She is a candidate member of the OPPI.

ZEINA AHMED

Zeina Ahmed is a Planner at ERA. She received her Master of Science in Planning from the University of Toronto and her undergraduate degree in Urban and Environmental Planning from the University of Virginia. She is a candidate member of the OPPI.

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12 APPENDICES

Appendix I: Regina Mundi College Building Renewal Study by Nicholson Sheffield Architects et al, dated September 25, 2013

REGINA MUNDI COLLEGE BUILDING RENEWAL STUDY

SEPTEMBER 25, 2013

NICHOLSON
SHEFFIELD
ARCHITECTS
INC.



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EXECUTIVE SUMMARY

Originally designed and constructed in 1962, Regina Mundi College (RMC) is one of the oldest secondary schools in the London District Catholic School Board's portfolio. The LDCSB has requested Nicholson Sheffield Architects Inc. (NSA) to prepare a report assessing the architectural, mechanical, and electrical systems at RMC to inform the Board's Capital Plan as it relates to improvements at RMC. This approach is consistent with Ministry objectives of providing a high standard of environment for students to learn.

A summary of the costs related to upgrades and refurbishment of RMC can be found at the end of this report.



METHODOLOGY

NSA conducted several visual examinations of the building interior and exterior in September 2013. No invasive disassembly and testing were conducted during examinations. We were joined by Chorley + Bisset Ltd. Consulting Engineers, who conducted similar inspections of the building's mechanical and electrical systems.

EXECUTIVE SUMMARY

The following personnel were involved in the site visits:

Prime Consultant: Jim Sheffield of Nicholson Sheffield Architects Inc.

Mechanical Engineer: Derek Vakaras of Chorley + Bisset Ltd. Consulting Engineers

Electrical Engineer: Bob Gordon of Chorley + Bisset Ltd. Consulting Engineers

Additionally, NSA held discussions with Denis Sykora of North American Roof Management Systems regarding previous and scheduled roof replacement projects at RMC, David Cook of exp Services Inc. regarding removal of designated substances, and Bill Robertson of Roberston Restoration regarding the condition of the exterior stone masonry.

LIMITATIONS

The information contained in this report is based, in part, on drawings and information provided by the London District Catholic School Board. We have relied on this documentation and information in providing the recommendations contained in this report.

The project and maintenance work identified in this report describe the work in general terms only. Individual work items will require more detailed documentation to fully establish the scope of work, in contract terms, prior to engaging contractors to execute the work.

The information and recommendations contained in this report reflect our best judgement based on observed conditions. We cannot guarantee that all building related problems have been encountered during preparation of the report, or that unreported building conditions will not develop after the report has been submitted. Use of the report content by a third party is the responsibility of such third party and we do not accept responsibility for damages resulting from third party use of the report.

The costs provided in this report are based on a general review of existing site conditions. The information used to determine costs are based on general assumptions and visual observations of existing conditions. Drawings and specifications were not provided to prepare a comprehensive costing. The actual quantities and associated costs may vary depending on the methods of repairs, design, site inspections during repairs and the time of year during which repairs are completed.

This report does not address structural issues.

This report presumes that regular ongoing maintenance would be continued by a responsible facility management team to sustain the life of the facility.

INTRODUCTION

Nicholson Sheffield Architects Inc. (NSA) have been commissioned by John Kononiuk, Manager of Capital Projects for the London District Catholic School Board, to conduct a study of Regina Mundi College (RMC) looking at the architectural, mechanical, and electrical building systems together with the following objectives:

- Review of RMC as it relates to the Ontario Building Code
- Review of the existing fire alarm system
- Review of removal of asbestos containing materials in the school
- Review of replacement of existing parquet flooring in the 1988 Gymnasium
- Review of the Technology wing including a review of the Construction Technology dust collection system
- Review of the existing building elevator
- Review of the building mechanical systems (HVAC)
- Review of the existing Drama teaching space currently housed in a double portable
- Review of the exterior building envelope

TERMS OF REFERENCE

Regina Mundi College is located at 5250 Wellington Road South in London. It was originally designed and constructed in 1962 as a Junior Seminary for the Roman Catholic Diocese of London. The original building housed both academic and dormitory spaces for students and faculty who resided at the facility. The Y-shaped south wings currently housing the technology classrooms appear to have been originally designed as a vehicle garage in the one-storey portion and a residence along with common spaces for sisters in the two-storey portion. The quarters containing the sister's living and sleeping accommodations also included a small chapel.

Two additions were built in 1988 – one expanding the technology wing of the school to the south and the other to the north, providing a new double gymnasium complete with storage, change rooms, and upper mezzanine containing a weight room and dance/aerobics room.

The intent of this report is to provide information and associated costs on necessary improvements to RMC that will provide an optimal learning environment for students, a safe working environment for staff, and to prolong the life of the building through refurbishment.

HEALTH & LIFE SAFETY

HEALTH & LIFE SAFETY

- The original ventilation and exhaust systems are nearing the end of their service life. They do not function adequately, are inefficient, and are marginal for occupant health and safety.
- Existing mechanical and electrical systems are not properly constructed (i.e. dampers) nor fire-stopped in all locations where they penetrate walls and floors required to have a fire-resistance rating.
- Fire rated separations throughout the building may not meet the current Ontario Building Code and would require upgrades as a result of changes to the buildings mechanical and electrical systems. During our visits to the school we looked above ceiling tiles in random locations to investigate the continuation of required fire separations. In a number of locations we found that the required fire separations are either not in place, not continuous, or have been compromised due to changes in the building over the years (i.e. addition of new services).
- There are several locations that do not have exit signage where required by the Ontario Building Code.
- The main floor ramp to the second floor of the technology wing does not comply with the Ontario Building Code
- There are hazardous building materials (asbestos) within the existing school that should be removed as part of the building renewal.
- There appears to be inadequate storage in the chemistry prep room. A review of the existing chemicals, acids, solvents, etc. in this space should be conducted to determine if these are being storage in a safe and compliant manner.
- Fire route signage is inadequate and does not comply with the City of London by-laws.
- The mortar joints in the building's stone veneer (1962) have deteriorated over time allowing water to enter. There are locations where stone may be in danger of falling from the building. We are advised that this occurred previously and was one of the main reasons that the original bell tower was removed.
- Guardrails throughout the school on both the interior and exterior of the building do not comply with the Ontario Building Code.

ONTARIO BUILDING CODE ANALYSIS

This report takes into consideration the requirements of the Ontario Building Code, 2006 Edition, as they relate to the existing building. It is worth noting that a new version of the Ontario Building Code (2012) will come into effect on January 1, 2014.

The extent of renewal and enhancements at RMC will cause this project to be categorized as a major renovation as outlined in Part 11 of the Ontario Building Code. This means that existing areas of the building subject to major renovation will be required to comply with other parts of the Building Code. This work will include upgrades such as the installation of an automatic sprinkler system, upgrades to fire separations, and barrier-free accessibility compliance.

Fire Separations and Closures

Existing walls, partitions and floor assemblies will need to be upgraded as new building systems are installed or because they have been removed over time from various installations without being restored.

Building Size and Construction Relative to Occupancy

The area of the existing building is approximately 165,000 ft². The current Ontario Building Code classification in Part 3 would have the school designated under Article 3.2.2.24 requiring non-combustible construction, sprinklers, and 1-hour fire separations for floors, mezzanines, and loadbearing walls, columns and arches.

Exits and Means of Egress

Our site investigations have uncovered a number of issues with respect to existing exits and means of egress such as concerns with existing ramps to the technology wing of the school, door swings at exits, etc. The timing and scope of this report do not allow us to cover all aspects. We therefore recommend that a more detailed analysis be conducted once the preparation of the project renewal and enhancements are underway to fully understand the areas that are impacted.

Health Requirements

The existing school has adequate quantities of plumbing fixtures based on current and project enrollment. The washrooms are, however, dated and require upgrades.

Barrier-free Accessibility

There are numerous areas at RMC that are not compliant with the Ontario Building Code. The original school was designed and constructed before Ontario had a building code. The 1988 additions and renovations have made some improvements, there remain many areas that need to be addressed to bring the school into compliance not only with the Ontario Building Code, but to ensure that it meets the Accessibility for Ontarians with Disabilities Act (2005).

SAFETY ISSUES



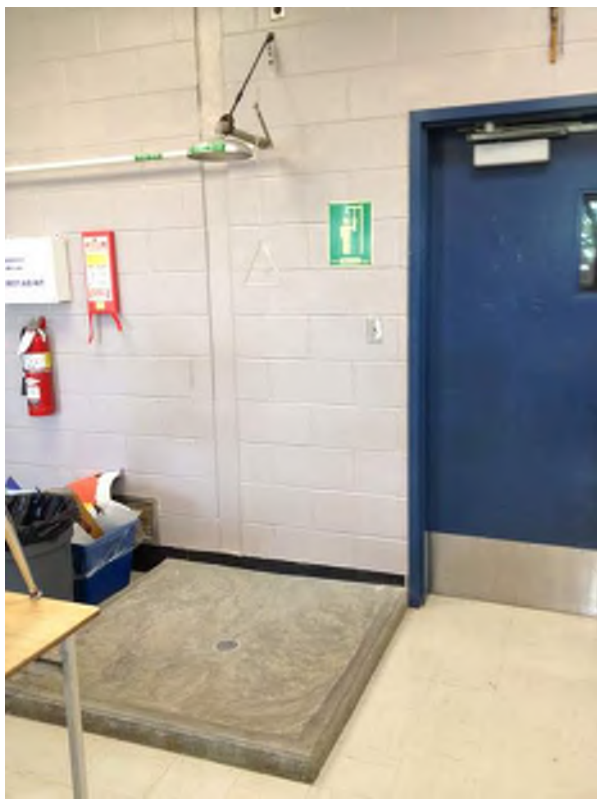
Drain culvert in grass



Drain culvert in grass



Drain pipe at west elevation



Deluge Shower - Science Classroom



Acid Storage Cabinet - Science Prep Room



Flammable Storage Cabinet - Science Prep Room



Chemical Storage - Science Prep Room

BUILDING CODE ISSUES



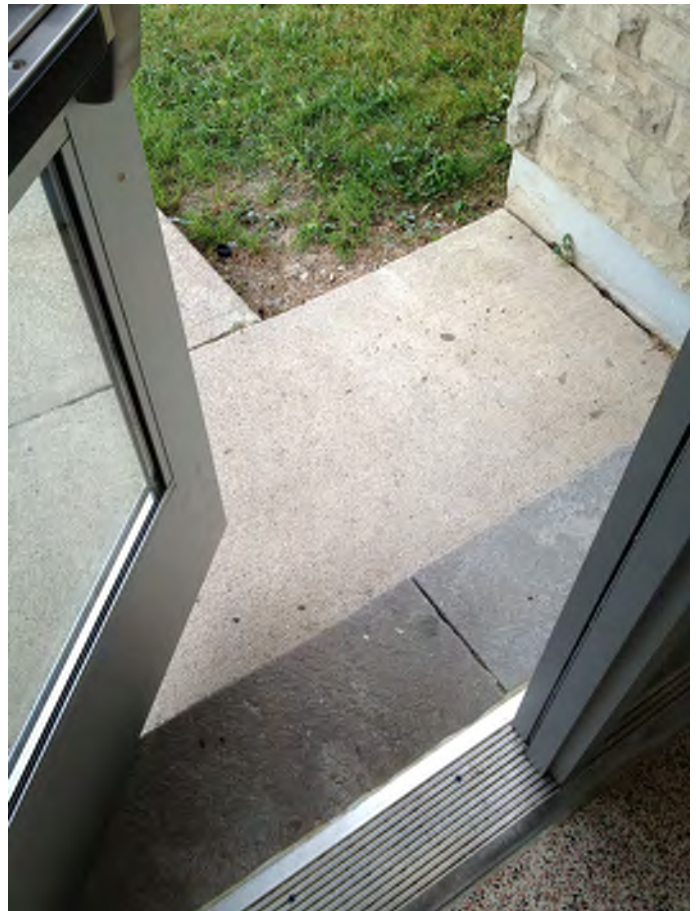
Exit P at southwest corner of technology wing does not meet current building code and does not provide barrier-free access



Entrance door from barrier-free parking spaces - concrete sidewalk had settled - does not meet current building code



Construction and Installation of wood frames in chapel providing access to sanctuary do not meet current building code requirements for accessibility

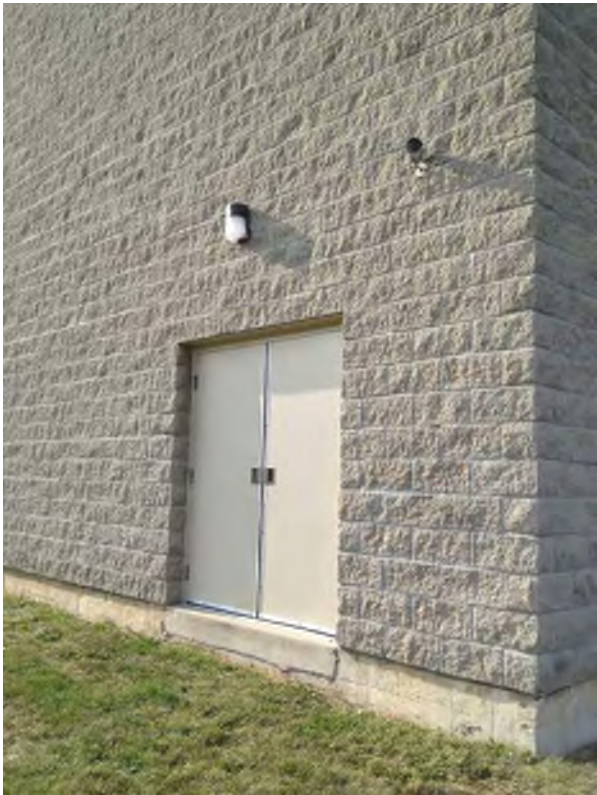


Door Theshold

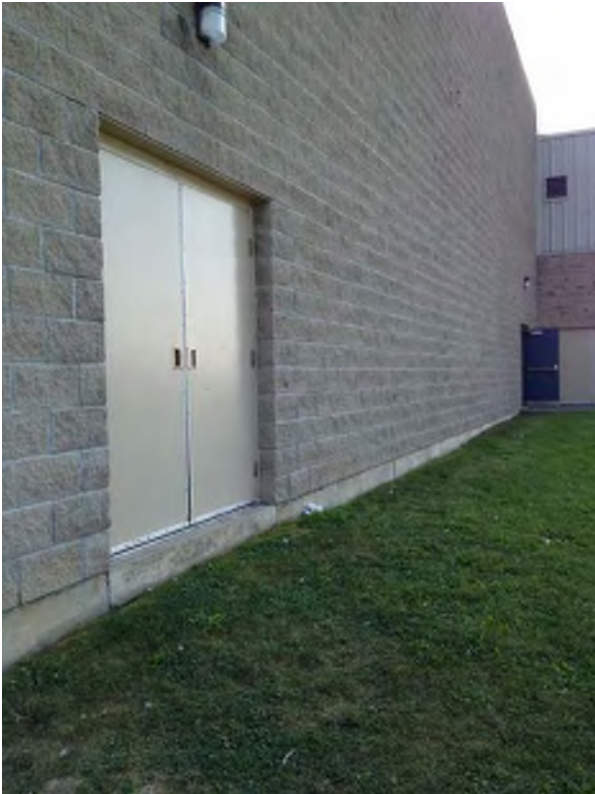
BUILDING CODE ISSUES



Damaged Sidewalk at Tech Wing Exit



Step clearance at door - 1988 Gymnasium



Step clearance at door - 1988 Gymnasium



Wood ramp at chapel sanctuary

BUILDING CODE ISSUES



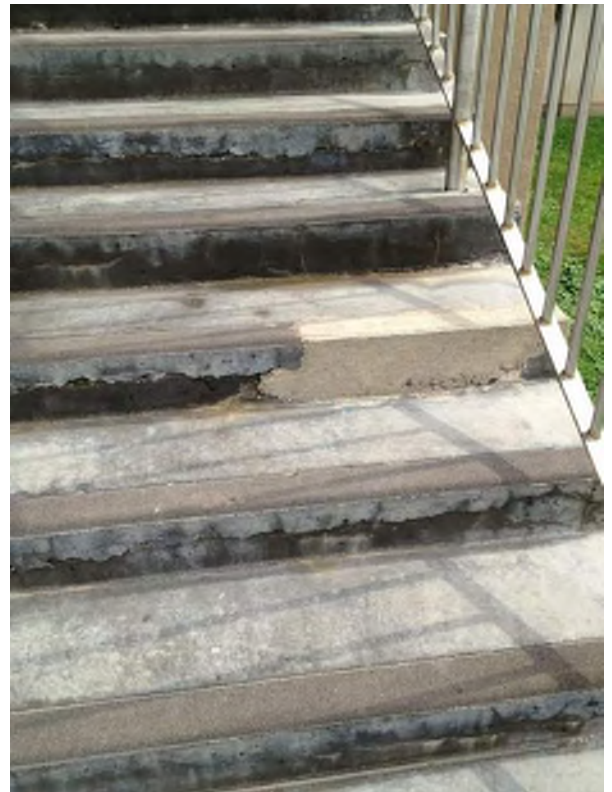
Existing front entry stairs and sidewalks have been replaced in the last decade, yet show signs of damage and wear. Intermediate handrail spacing does not comply with current building code



Front entry exterior stairs



Cracked sidewalk at front entry exterior stairs



Front entry exterior stairs

BUILDING CODE ISSUES



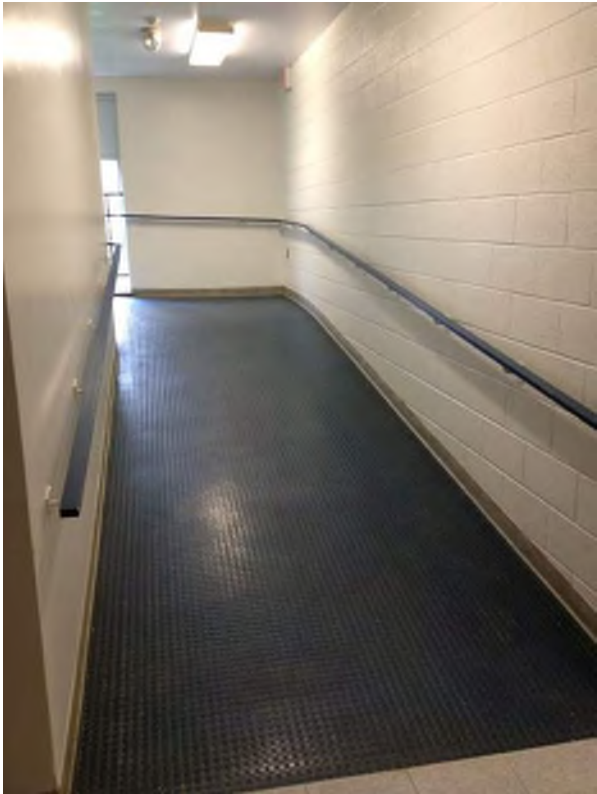
Door swinging over ramp



Fire exit sign missing in cafeteria



Ramp on main floor to tech wing



Ramp on main floor to tech wing

BUILDING CODE ISSUES



Firestopping missing at pipe penetration.



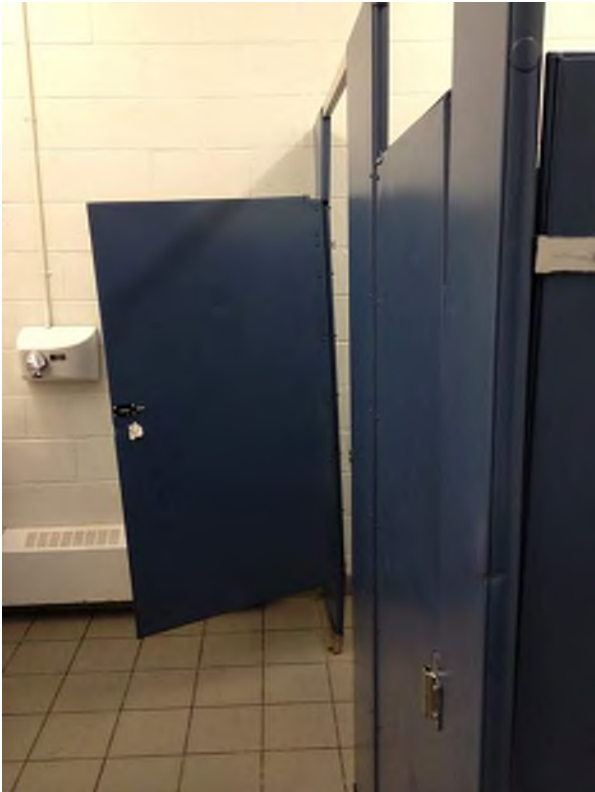
Firestopping missing at pipe penetration.



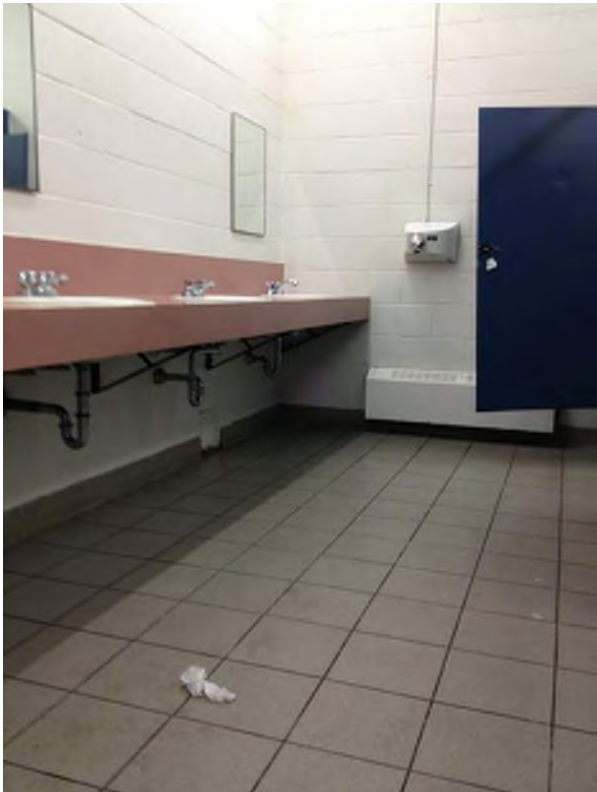
Duct penetration at fire-rated floor not firestopped; damper missing



Firestopping missing and fire separation incomplete.



Toilet Partitions beginning to deteriorate

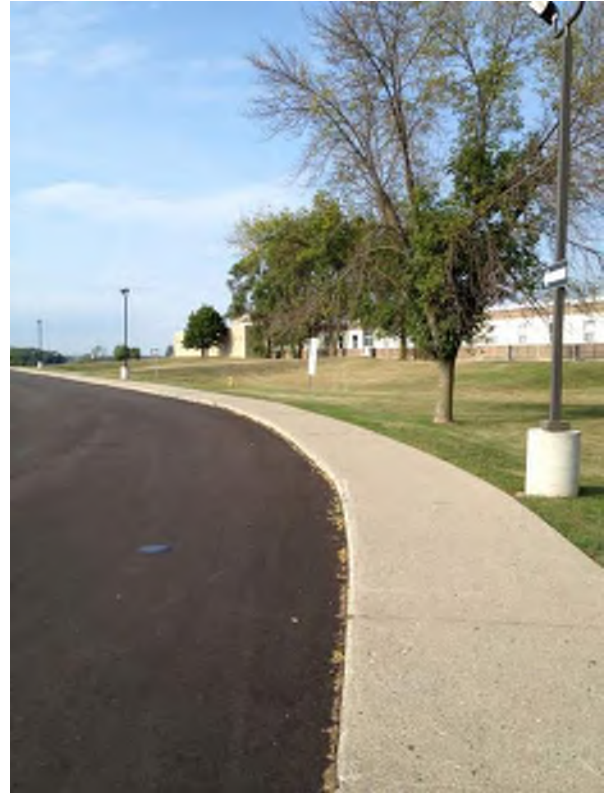


Washroom Vanity not compliant with barrier-free requirements.

BUILDING CODE ISSUES



Hole in fire separation



Front fire route signage missing



Fire exit sign missing from rear exit



Fire separation at elevator machine room

HAZARDOUS MATERIALS

An Asbestos Product Survey was conducted by exp Services Inc. dated June 30, 2012. A full copy of this report is contained in Appendix B. The conclusions of the survey are presented in Appendix B of this report.

The report has not conducted extensive testing of all materials but instead notes to the reader that they should “assume asbestos-containing materials” are present in the room-by-room Asbestos Status Report. The report also notes that no sprayed fireproofing was encountered during the survey of this site. However, when we visited the school the entire ceiling of the main boiler room was found to have a spray applied material, which we presume to be fireproofing. The room-by-room notes for this space however note this material as “non-asbestos fireproofing”.



Boiler Room Ceiling

It is our recommendation that an updated asbestos product report be undertaken for renewal of RMC that includes a detailed investigation including visible and concealed conditions to reveal all materials containing asbestos. This work should include some destructive testing to fully understand the extent of asbestos containing materials present in the existing building. The costs associated with the investigation and preparation of this report are noted in the cost summary found at the end of this document.

ASBESTOS

ASBESTOS

Asbestos containing materials are found throughout RMC in various building materials including, but not necessarily limited to floor tile, sheet vinyl flooring, mechanical insulation, textured plaster, wall and ceiling tiles.



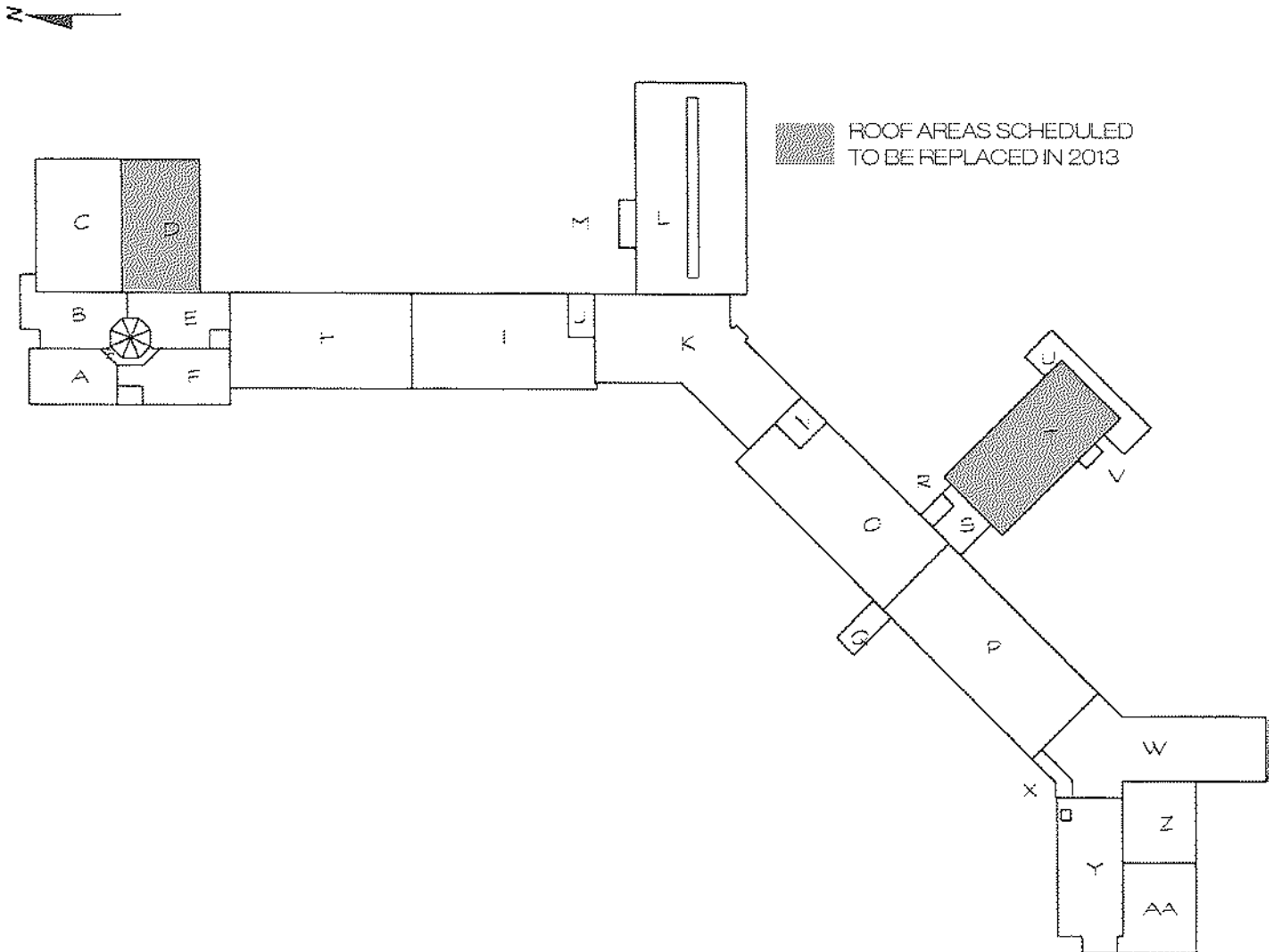
Existing confessional in chapel showing asbestos containing tile.



Existing asbestos containing flooring in chapel.

ROOFING

The LDCSB has engaged the services of North American Roof Management Systems Ltd. (NARM) to monitor all roofs within their system. In discussion with Denis Sykora of NARM we have been informed that all roofs at RMC have been replaced except for Roof V located above the side altar of the chapel sanctuary. We are informed that replacement of Roof D (part of 1988 Gym addition) and Roof T (Chapel) are scheduled to be replaced this fall (2013).



ROOFING

There is considerable debris on Roof area H from adjacent trees that is not being maintained. Failure to remove this material on a semi-annual or annual basis reduces the life expectancy of the roofing material.



Overhanging trees at Roof H



Overhanging trees at Roof H



Debris at overhanging trees on Roof H



Debris at overhanging trees on Roof H



Debris at overhanging trees on Roof H



Debris at overhanging trees on Roof H

METAL FLASHING AND ROOFING



Metal flashing over ductwork above gymnasium beginning to rust - finish has deteriorated



Metal roof over north gymnasium showing rusting



Metal roof over north gymnasium showing rusting

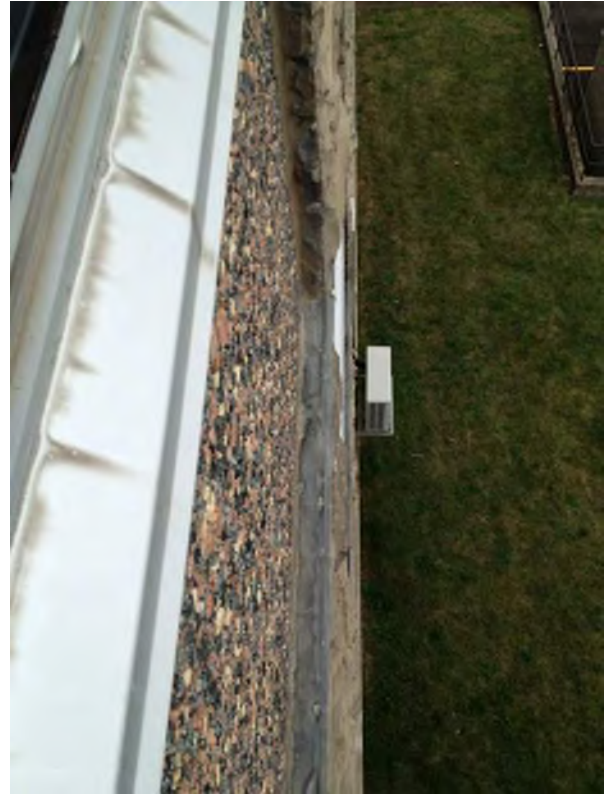


Sloped roof over exit without snow guards

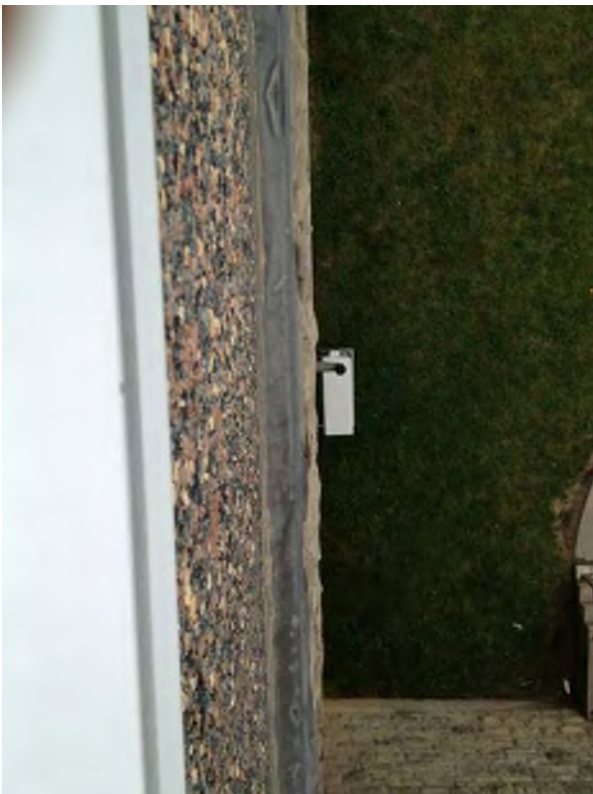
METAL FLASHING AND ROOFING



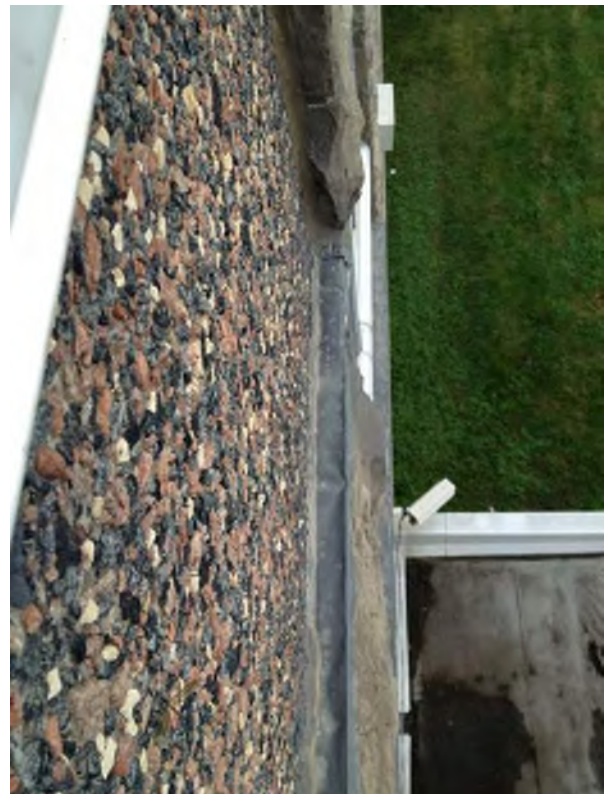
Exterior metal sill at precast panel - joints have failed and does not project past stone below causing staining and water to deteriorate mortar joints



Exterior metal sill at precast panel - joints have failed and does not project past stone below causing staining and water to deteriorate mortar joints



Exterior metal sill at precast panel - joints have failed and does not project past stone below causing staining and water to deteriorate mortar joints



Exterior metal sill at precast panel - joints have failed and does not project past stone below causing staining and water to deteriorate mortar joints

METAL FLASHING AND ROOFING



Exterior metal sill at precast panel - joints have failed and does not project past stone below causing staining and water to deteriorate mortar joints



Exterior metal sill at precast panel - joints have failed and does not project past stone below causing staining and water to deteriorate mortar joints



Metal flashing and sill missing from bottom of louvre



Damage to concrete block masonry from missing metal flashing and sill.

ROOF ACCESS LADDERS

There are several ladders located on the exterior of the building that provide access from the various roof levels. These ladders do not appear to meet the legislative requirements for fixed access ladders required by the Ontario Ministry of Labour. They should be either removed and replaced or revised as part of the renewal project at RMC. There should also be precast concrete pavers over rigid insulation at the top and bottom of all roof access ladders and adjacent to any rooftop mechanical equipment for personnel to stand on while performing maintenance.



Roof Ladder at 1988 addition - height of bottom rung exceeds dimensions as per M.O.L. requirements; precast pavers over rigid insulation should be added.

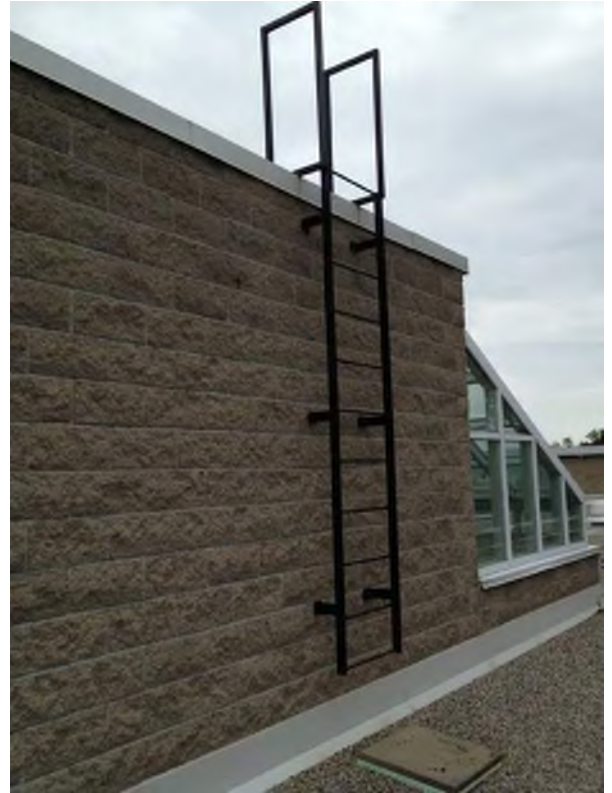


Wood platform access stair does not comply with M.O.L. requirements and is a safety hazard.

ROOF ACCESS LADDERS



Roof ladder does not provide required clearance from wall.



Roof Ladder at 1988 addition - height of bottom rung too high above lower roof.



Roof Ladder at 1988 addition - height of bottom rung too high above lower roof.



Roof Ladder at 1988 addition - height of bottom rung too high above lower roof.

EXTERIOR TREES

The proximity of the existing trees to the building also presents a climbing point for access to the roof by unwanted guests. Furthermore, they have grown to a size that their location adjacent to the existing foundations may be reason for concern of damage to the existing building from the tree roots. We recommend that all trees adjacent to the building be removed and replaced with trees located well away so that when they reach maturity they will not pose a hazard to the building.

There are some trees that appear to have disease and as a result have limbs that are falling off, which presents a hazard to any staff or students that may be walking below. We recommend that a tree assessment be included as part of the project to renew the facility at RMC to remove those trees that present a hazard.



Fallen tree branch - Safety hazard



Tree at South Tech Wing beginning to deteriorate causing safety hazard to students

EXTERIOR TREES



Tree at West Elevation too close to building and branches beginning to decay and fall.



Tree at West Elevation Exit too close to building.



Tree showing signs of rot at West Elevation - danger of limb falling.



Trees at West Elevation too close to building.



Tree in close proximity to West building wall and notch susceptible to water intrusion and rot.



Trees at West elevation of 1988 addition - if not maintained properly will cause similar issues to those of the original building.

SKYLIGHTS AND GREENHOUSE

There are several skylights and a small greenhouse on the various roofs at RMC. The largest of the skylights is located above the Library Resource Centre, which formed part of the work performed in 1988. This skylight is now approaching 25 years in age and several of the insulated glass units have failed. It is our recommendation that all glazing units replaced with newer, high performing insulated glass units.



Overall image of library skylight exterior

SKYLIGHTS AND GREENHOUSE



Library skylight exterior



Library skylight exterior



Library skylight exterior



Library skylight exterior

SKYLIGHTS AND GREENHOUSE



Library skylight interior showing failed glass units.



Library skylight interior showing failed glass units.



Library skylight interior showing failed glass units.

SKYLIGHTS AND GREENHOUSE

SKYLIGHTS AND GREENHOUSE

There is 1 acrylic dome skylight located on roof 'U' that appears to be part of the original construction of the school based on our review of the original architectural drawings and the condition of the skylight itself. The skylight does not have an insulated curb. We recommend replacement of this skylight with a new acrylic dome skylight complete with insulated curbs.



Acrylic Dome Skylight Interior

SKYLIGHTS AND GREENHOUSE

There is a small greenhouse structure accessible from the second floor mezzanine adjacent to the weight room / exercise area. It is unclear from our site visit that this space is being utilized. The greenhouse itself has poor ventilation and several of the glass units are either broken or have failed. Access to this room is difficult because it is only accessible by stairs and cutting through the weight room. We recommend converting this space to a storage room for the athletic department associated with the weight room and exercise area. If it is deemed that a greenhouse is required for science and horticulture / green technology programs, we recommend that a separate, stand-alone structure be built at an appropriate location to serve these programs. This is consistent with what is being done at other secondary schools in Ontario and our region in particular.



Overall exterior greenhouse structure



Greenhouse showing damaged and failed glazing units.

SKYLIGHTS AND GREENHOUSE



Greenhouse interior showing damaged and failed glazing units



Greenhouse interface with adjacent wall.



Greenhouse interior showing damaged and failed glazing units



Greenhouse sill provides inadequate slope to shed water onto roof below.

EXTERIOR CAULKING

The application of sealant at critical locations in the building envelope is extremely important to the successful functioning of the wall envelope. Caulking is usually the first element to fail, lasting from one to 15 years. Sealant is usually applied at critical flashings at expansion joints, around window and door openings, and all types of wall penetrations. Failure of caulked joints permits moisture penetration directly into the building envelope that could result in detrimental and costly deterioration and damage to the building. The following photographs showing caulked joints (or lack thereof) are not intended to show every location but instead to illustrate the need for complete removal and replacement of all exterior sealant in the building envelope to help prolong the life of the building.



Caulked corner west elevation



Caulked expansion joint at 1988 addition

EXTERIOR CAULKING



Caulked expansion joint at tech wing addition



Caulked expansion joint at tech wing addition - base

EXTERIOR CAULKING



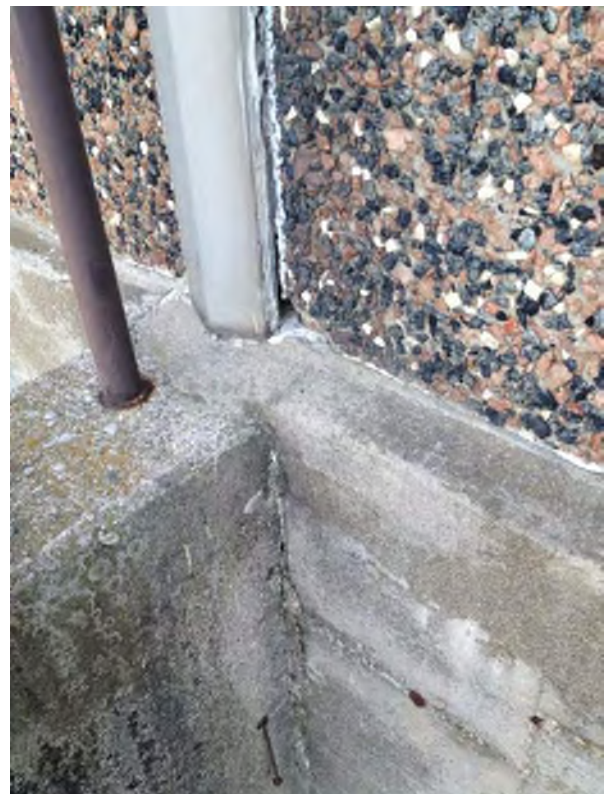
Caulked joint failure on East Elevation



Caulked joint failure on East Elevation. Note projecting steel bars below present safety hazard.



Caulked joint failure on East Elevation

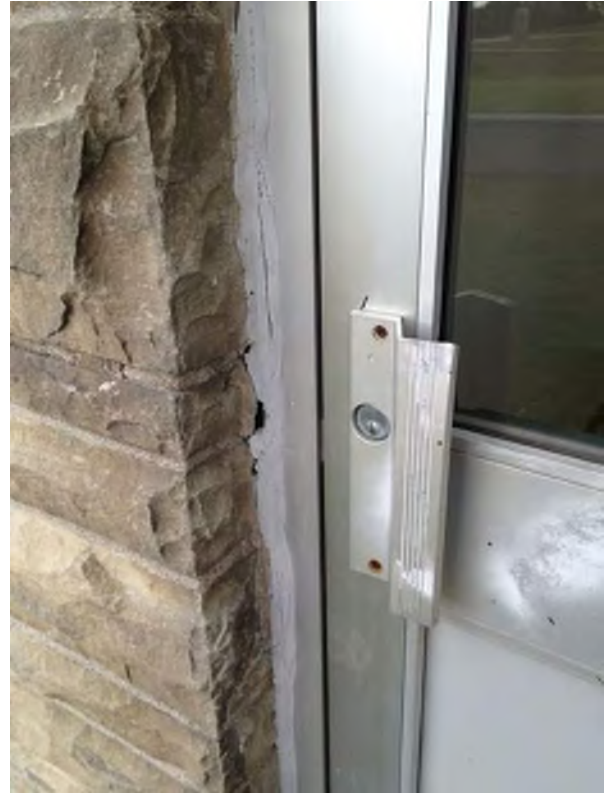


Caulked joint failure on East Elevation and corner of panel has deteriorated.

EXTERIOR CAULKING



Caulked joint failure on East Elevation.



Caulked joint failure at Tech Wing entry.



Caulked joint failure on West Elevation.



Caulked joint failure on West Elevation.

EXTERIOR CAULKING



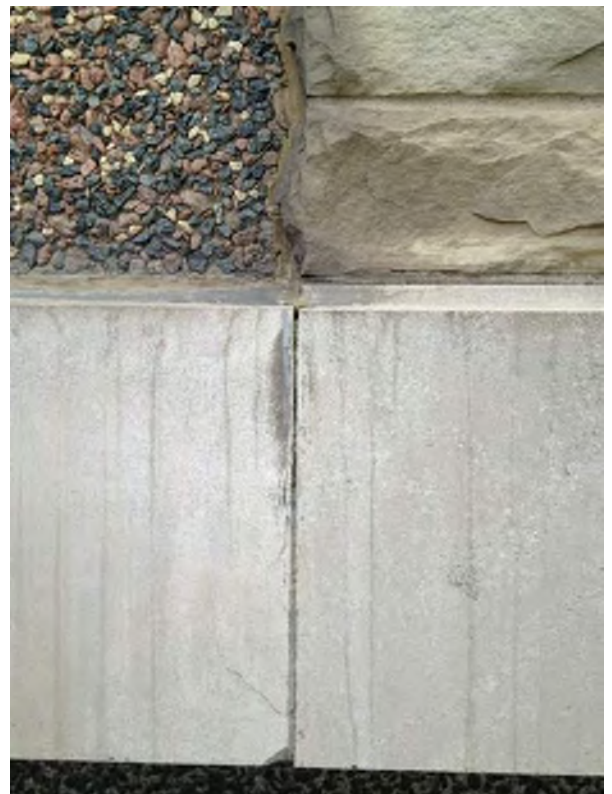
Caulked joint failure on West Elevation - large gap present.



Caulked joint failure on West Elevation



Caulked joint failure on windows on 1988 addition



Caulked joint failure, mortar deteriorating from stone sill requires repair.

EXTERIOR CAULKING



Caulking joint missing at conduit penetration



Caulking missing at precast panels - East Elevation



Caulking missing at precast panels - East Elevation



Caulking deteriorated at smooth stone panel - investigation required to view condition of anchors.

EXTERIOR CAULKING



Exit door missing caulking in Tech Wing - large gap allows moisture at penetration.



Upper caulking joint at Gymnasium - North Elevation



Window jamb and sill caulking - Tech Wing - sills should have end dams.

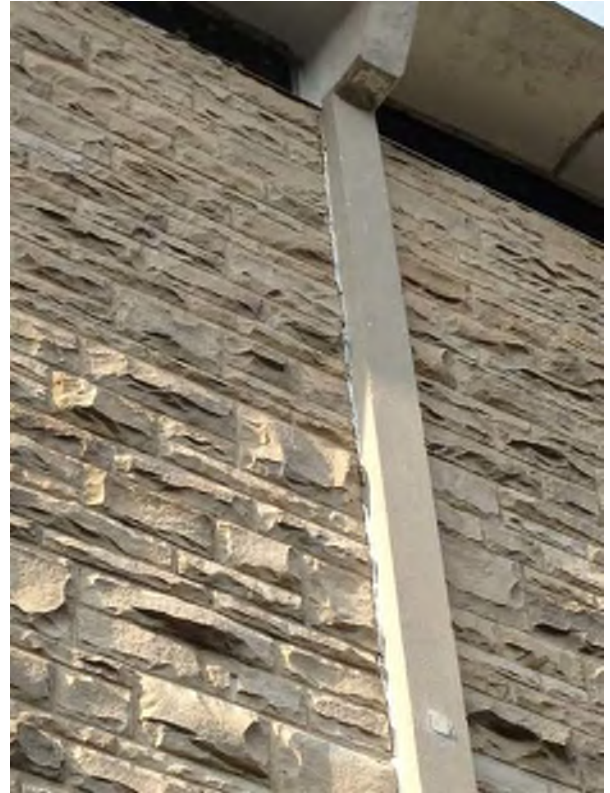


Caulking joint at Gymnasium Wall - South Elevation

EXTERIOR CAULKING



Caulked joint at Gymnasium wall - South Elevation



Caulked joint at Gymnasium wall - South Elevation



Caulked joint at Gymnasium wall window head - South Elevation.
Note deterioration of mortar joints

EXTERIOR BUILDING STONE

The original building constructed in 1962 is clad with both smooth and rough-faced exterior building stone together with precast insulated exposed aggregate panels. Two separate additions in 1988 to the technology wing and a new gymnasium utilized an artificial stone masonry and concrete block for the exterior finish.

The mortar joints of the original 1962 building stone (both smooth and rough faced) have been in a state of disrepair for some time, allowing water to enter. There is visible evidence of mortar joints that have developed significant cracking and/or have failed altogether as shown in photographs contained herein. The intrusion of water has caused significant damage to existing mortar joints in numerous locations, which cause concern that in some locations, the building stone may be in danger of dislodging and falling. There is also cause for concern that existing anchorage devices for the stone cladding may have become corroded due to the water penetration. We recommend that further investigation of the existing building stone be conducted immediately to determine the extent of the damage, but perhaps more importantly, to ensure the safety of the occupants. This investigation will include destructive testing to determine the condition of the building envelope and anchorage devices. The stone has also become dirty over time with weathering, which causes the stone to retain moisture. All of the building stone should all be cleaned in conjunction with repair and restoration (repointing) of the mortar joints.

The condition of the insulated precast panels should also be investigated for damage due to failed caulking as outlined in the previous section.

The mortar joints of the 1988 addition also appear to be showing signs of wear that will continue to deteriorate for a structure that is only half the age of the original building. There are several locations where cracking of mortar joints has occurred and staining of the exterior stone or concrete block has occurred due to the failure of caulked joints, lack of metal flashing, or failure of metal flashings. The use of concrete block as an exterior building veneer, although economical, is not suitable for buildings with a long life expectancy due to their porosity and ability to absorb moisture. There are areas of the 1988 addition that have significant damage from moisture. We recommend that the existing concrete block on the 1988 addition (located at the double gymnasium) be removed and replaced with a more suitable, long lasting clay brick or natural stone. The investigation of alternatives can be explored to suit the budget and schedule as part of the renewal project.



Fallen Stone

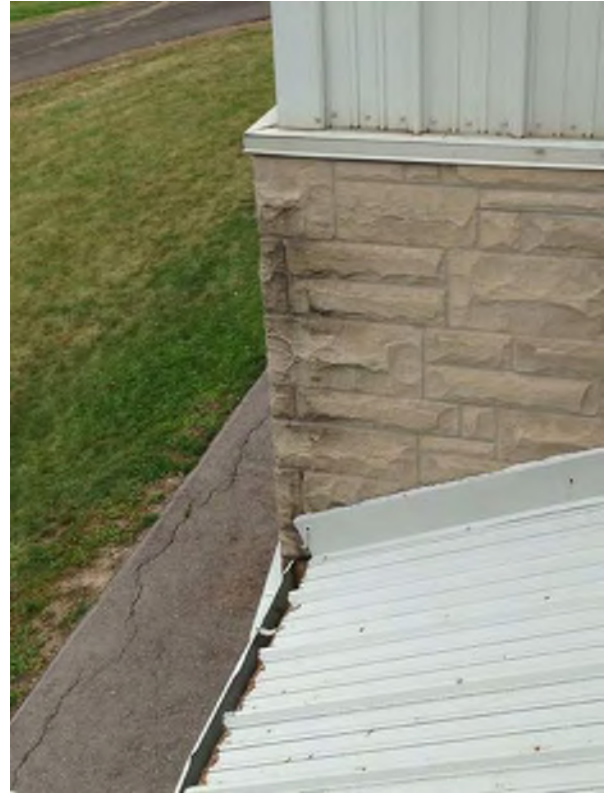


Loose smooth stone panels above Tech Wing exit and deteriorated mortar joints.

EXTERIOR BUILDING STONE



Staining from flashing on concrete block at gymnasium (1988 addition)



Stone veneer stained from water and mortar joints beginning to fail.



Horizontal sills at panels do not project past rough failed stone causing staining and weathering of stone and mortar joints.

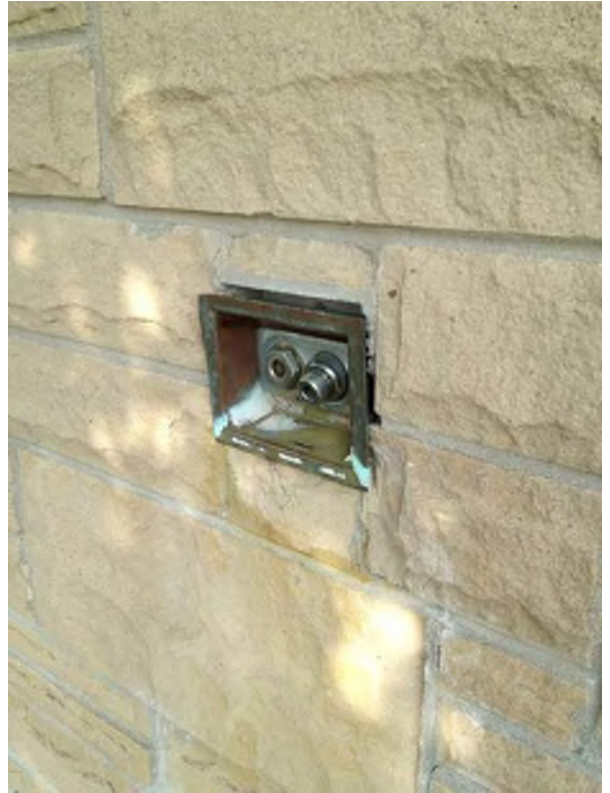


Deteriorated mortar joints and rusting steel lintel at window head.

EXTERIOR BUILDING STONE



Exterior stone at Elevator Machine Room - mortar joints beginning to crack and deteriorate.



Loose hose connection box at stone - 1988 addition



Rusting exterior window lintel and cracked mortar joints.



Loose hose connection box at stone - 1988 addition

EXTERIOR BUILDING STONE



Exterior stone at Elevator Machine Room - weathered and showing signs of cracking to mortar joints.



Cracked mortar joints - East Elevation - 1988 addition

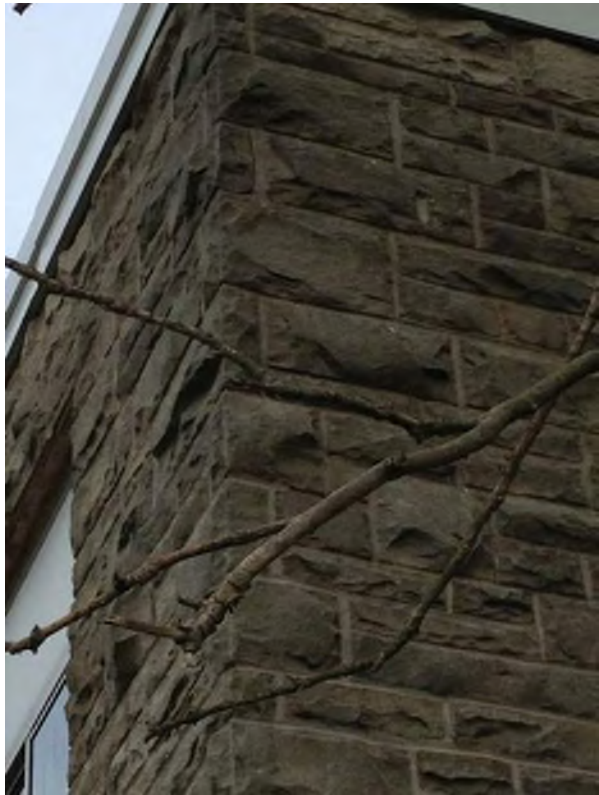


Cracked mortar joints at Tech Wing.

EXTERIOR BUILDING STONE



Loose mortar joints below window sill on second floor Tech Wing from water penetration.



Loose and cracked mortar joints - Tech Wing second floor



Cracked mortar joints at SW corner of Tech Wing exit.

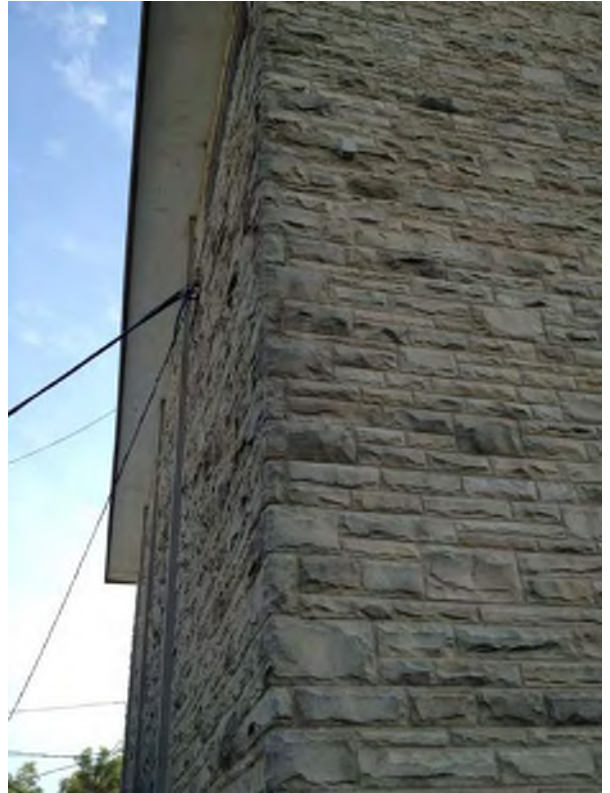


Cracked mortar joints - Gymnasium East elevation

EXTERIOR BUILDING STONE



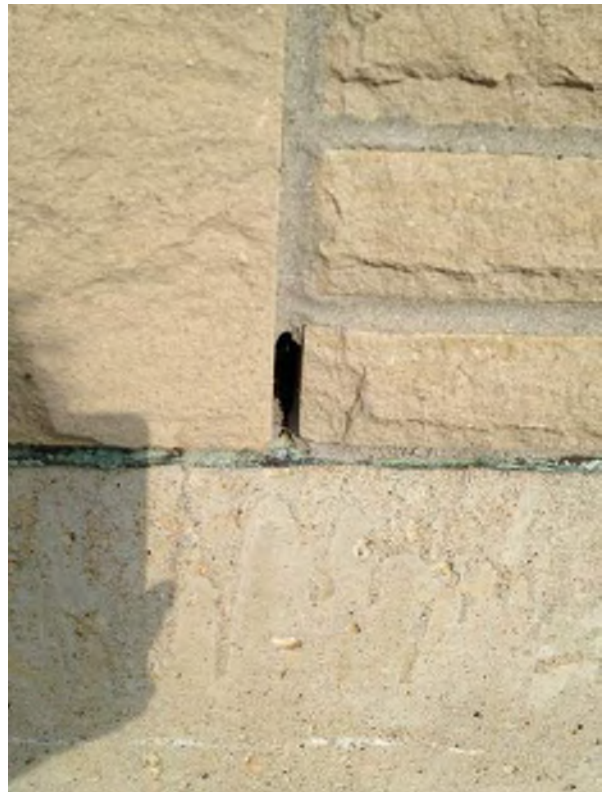
Deteriorated mortar joints below window sill in Tech Wing.



Deteriorated mortar joints - Gymnasium East Elevation



Deteriorated mortar joints and loose stones at West Elevation.



Missing brick vents - 1988 addition

EXTERIOR BUILDING STONE



Deteriorated mortar joints below window sill on West Elevation.



Deteriorated mortar joints below window sill on West Elevation.



Deteriorated mortar joints below window sill on West Elevation.



Deteriorated mortar joints below window sill on West Elevation.

EXTERIOR BUILDING STONE



Deteriorated mortar joints below window sill on West Elevation.



Deteriorated mortar joints below window sill on West Elevation.



Deteriorated mortar joints below window sill on West Elevation.



Deteriorated mortar joints on rusting steel lintel at West Elevation.

EXTERIOR BUILDING STONE



Deteriorated mortar joints below window sill on West Elevation.



Deteriorated mortar joints on West Elevation.



Missing metal sill and flashing at louvre on 1988 addition have caused moisture penetration damaging mortar joints and masonry veneer and growth of moss.

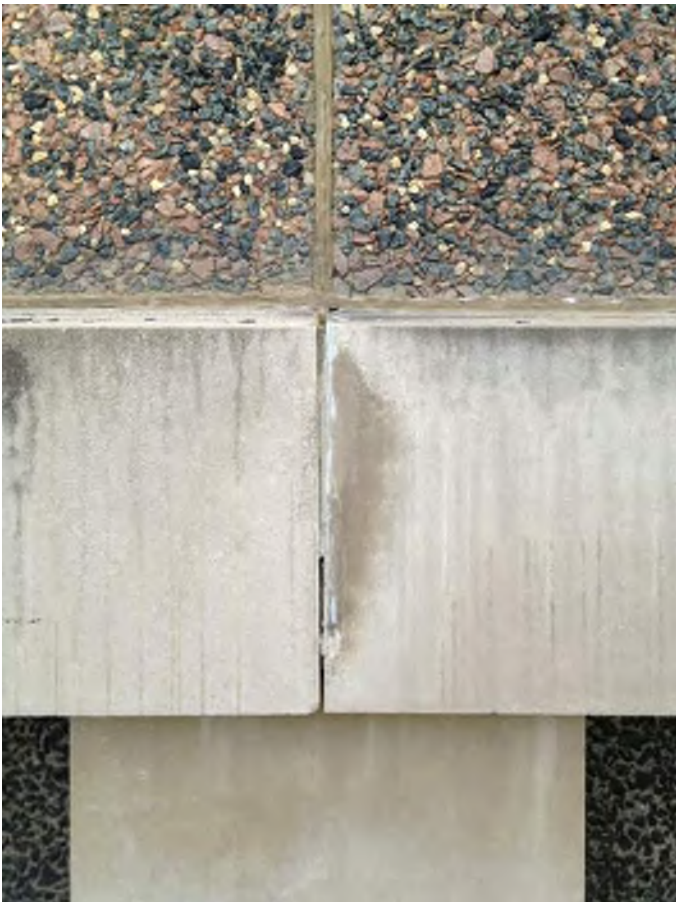


Moss growing on concrete block - 1988 addition

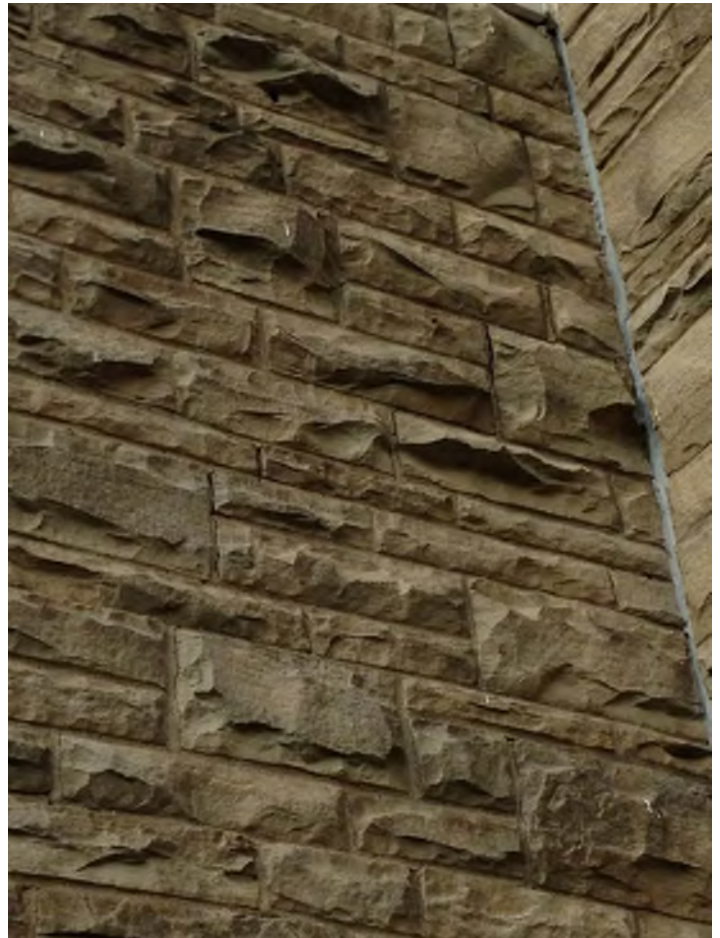
EXTERIOR BUILDING STONE



Partial West Elevation - area of deteriorated mortar joints below all window sills.



Deteriorated mortar joints on smooth stone sill. Moisture may have compromised anchors.



Deteriorated mortar joints - West Elevation

EXTERIOR BUILDING STONE



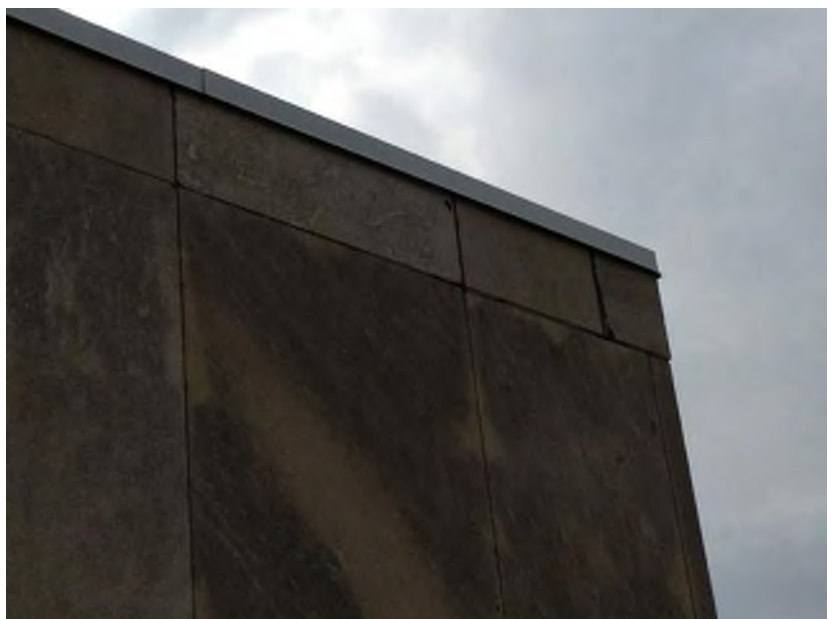
Staining on stone from metal flashing joint above - 1988 addition



Deteriorated mortar joints on South wall of Chapel.



Deteriorated mortar joints at upper corner of 1988 Gymnasium addition.



Weathering and deterioration of joints in smooth stone panels on North Elevation.

EXTERIOR BUILDING STONE



Deteriorated mortar joints at louvre - East upper wall of Gymnasium.



Deteriorated mortar joints at upper stone - Tech Wing



Water damage at eave causing deterioration of mortar joints and staining of stone veneer - 1988 addition



Water damage at eave causing deterioration of mortar joints and staining of stone veneer - 1988 addition

EXTERIOR BUILDING STONE



Deteriorated mortar joints at South Elevation



Water damage at soffit - East Elevation 1988 addition



Water damage below soffit - North Elevation 1988 addition



Water damage at concrete block - Upper North Gymnasium Elevation

EXTERIOR BUILDING STONE



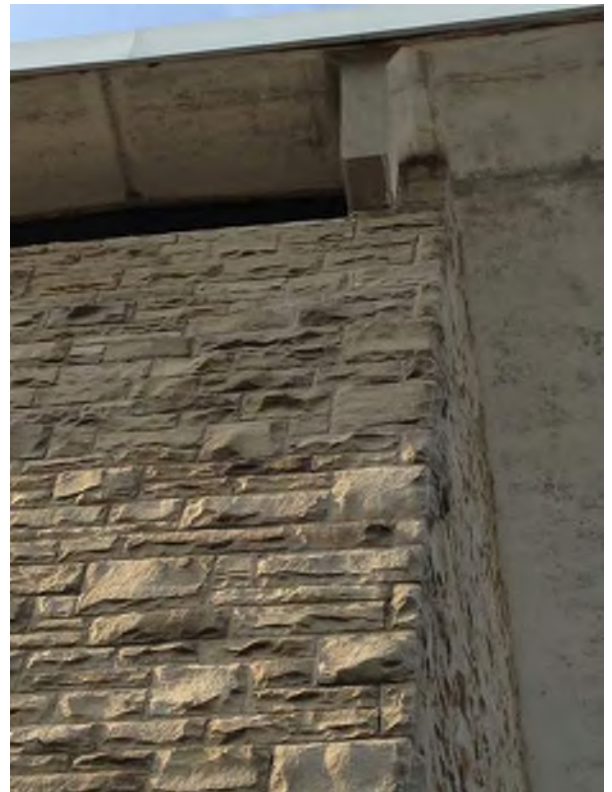
Water damage at concrete block causing deterioration of mortar joints - North Gymnasium Elevation



Water Stain from flashing - North Elevation 1988 addition



Deteriorated mortar joints - Southeast corner of Gymnasium

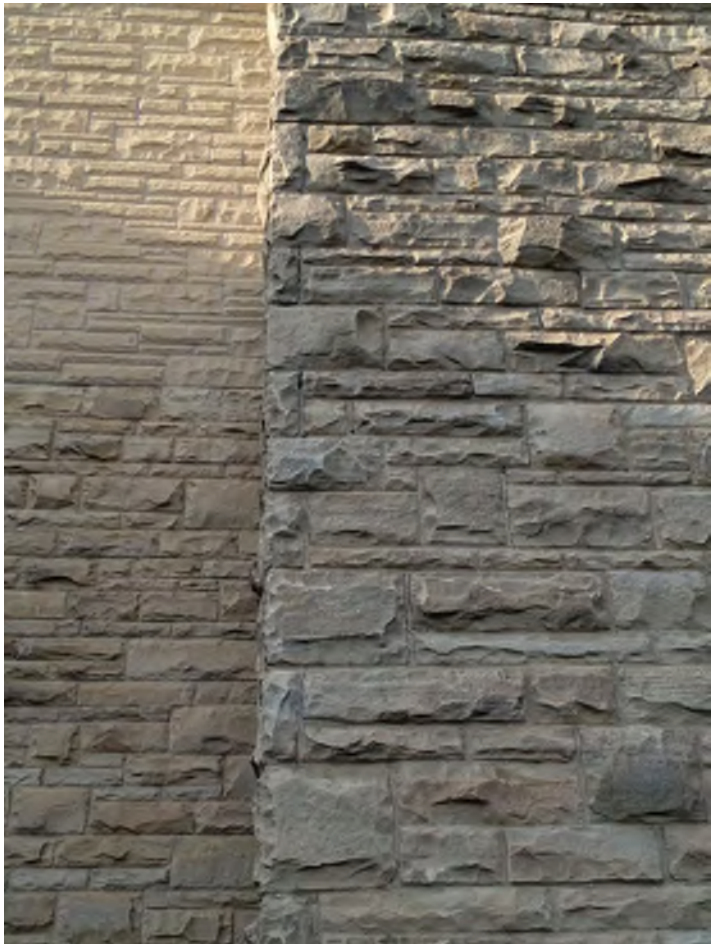


Deteriorated mortar joints - Southeast corner of Gymnasium (Upper)

EXTERIOR BUILDING STONE



Damage to stone of South Elevation of Gymnasium from moisture at penetration.



Deteriorated mortar joints - Southwest corner of Gymnasium

GYMNASIUM FLOORING

In 1988 an addition was designed and constructed at RMC that included a double gymnasium together with associated change rooms, storage, and upper mezzanine. The gymnasium flooring installed as part of this project is a parquet-type wood floor applied directly over the concrete slab that lacks the bounce and spring action desirable for a secondary school athletic floor. We recommend complete removal and replacement of the existing wood flooring with new resilient engineered wood flooring that meets or exceeds DIN certification standards for athletic flooring. The height of the new flooring above the existing concrete slab will require the removal of portions of flooring from adjacent spaces and installation of a tapered floor topping sloped up to meet the new wood gym flooring level. It is expected that existing doors and frames in the gym may also require some alterations to suit the new floor.



Gymnasium interior entrance - replacement of wood floor in Gymnasium with new will require alterations to door frames along with tapering flooring leading into Gymnasium.

TECHNOLOGY DEPARTMENT CLASSROOMS

TECHNOLOGY DEPARTMENT CLASSROOMS

Many secondary schools in the London region have undergone major renovations to their technology teaching spaces over the last several years. The rationale behind this may be in part due to aging facilities and the introduction of new or emerging technologies (i.e. Green Technology). The technology department at RMC was designed and constructed as part of the 1988 renovations and additions to the school. The original dormitory spaces together with the existing garage were renovated and added to becoming the technology department for RMC. Now almost 25-years later, these teaching areas lack the space and facilities found in recently renovated or newly construction secondary schools. Additionally there are numerous building code issues in these teaching spaces.

The technology department currently includes the following classrooms:

- Manufacturing Technology
- Transportation Technology
- Construction Technology
- Technological Design & Fabrication Room
- Communications Technology

The floor areas of the Manufacturing Technology and Transportation Technology classrooms are undersized when compared to the Ministry of Education's suggested room areas found in their facility space template. There is no direct access to the Manufacturing Technology classroom from a corridor. Instead, one must travel through the teaching space of the Transportation Technology area to gain access to this room.

The development of the technology department as part of the 1988 additions and renovations has it segregated from the remainder of the school. Access to the technology classrooms is down a long, narrow corridor on the ground floor and by a non-compliant ramp followed by narrow corridor on the first floor. This is further exacerbated by the fact that the technology area contains no washroom facilities for students and staff who currently must travel back into the main part of the school.

We recommend that the Technology Classrooms at RMC be redeveloped – they have been poorly developed, have low ceilings, access is problematic, and the layouts are inefficient use of the space. The redevelopment of the Technology Classrooms should be give consideration to the types of programs that will be offered (i.e. newer technologies) and look at options for how this can be accomplished. A study of the options may include major renovations and addition or complete demolition and replacement of the Technology Classrooms with new state-of-the-art teaching spaces. The latter option could eliminate the segregation that currently exists, provide better access from the remainder of the school (i.e. elimination of the ramps), and provide washroom facilities for this area of the school.

TECHNOLOGY DEPARTMENT CLASSROOMS



Construction Technology Classroom Equipment appears crowded - safe clearances required.



Construction Technology Classroom



Construction Technology Classroom vinyl tile floor is slippery so strips have been added at equipment



Construction Technology Classroom



Construction Technology Classroom

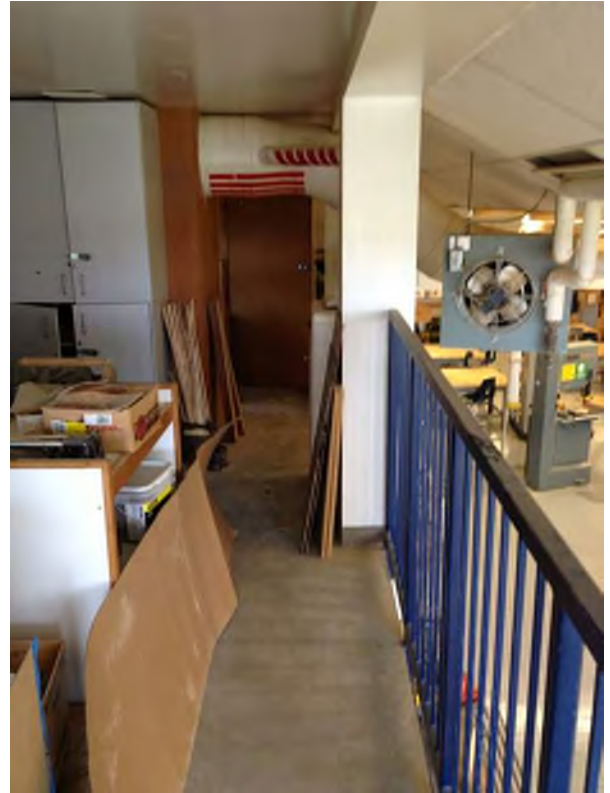


Construction Technology Classroom

TECHNOLOGY DEPARTMENT CLASSROOMS



Construction Technology Classroom upper Mezzanine with low head clearance at ductwork



Construction Technology Classroom upper Mezzanine



Construction Technology Classroom handwash sink.



Construction Technology Classroom upper Mezzanine - Stairs are non-compliant because they are wood (combustible) construction.

TECHNOLOGY DEPARTMENT CLASSROOMS



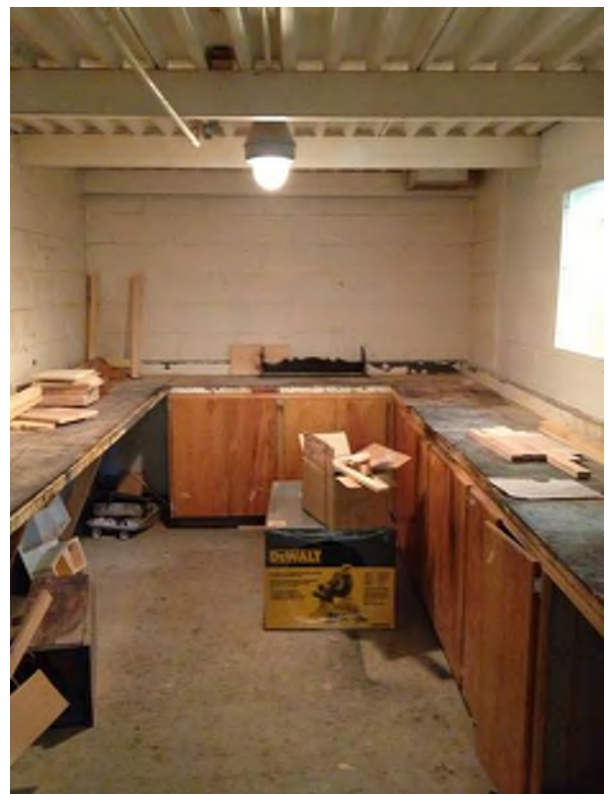
Staff persons kitchen tucked below stairs



Bottom of door frame rusting/rotting



Panel saw located in path to exit

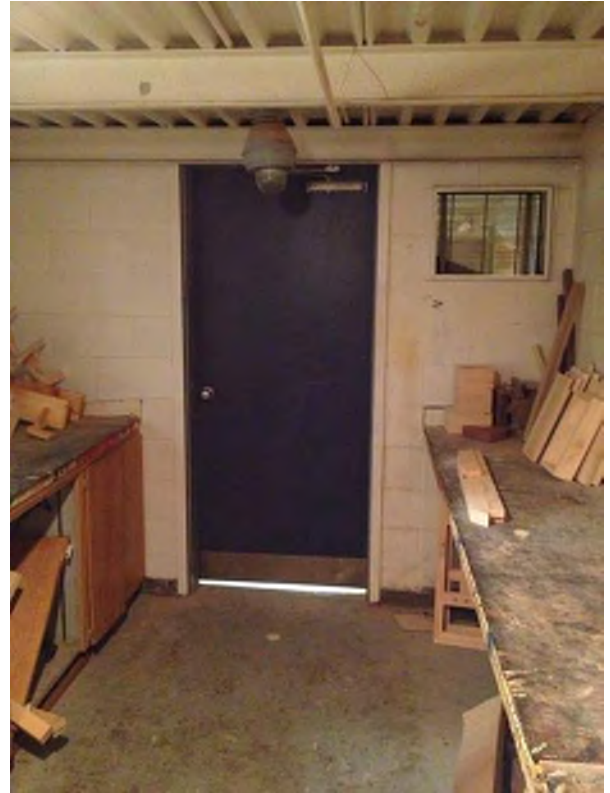


Construction Technology Classroom finishing shop

TECHNOLOGY DEPARTMENT CLASSROOMS



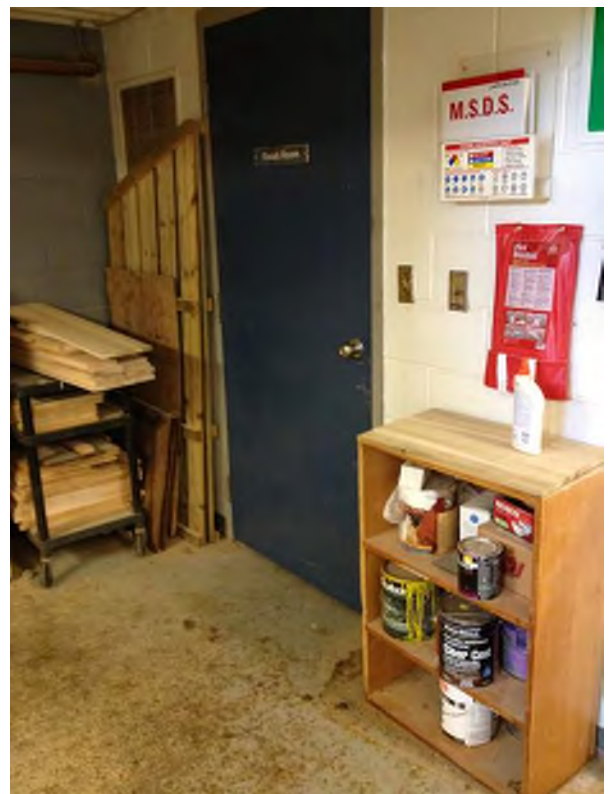
Construction Technology Classroom Finishing Room exhaust vent.



Construction Technology Classroom Finishing Room - entry doors and transfer grill,



Construction Technology Classroom Finishing Room - entry doors and transfer grill,



Construction Technology Classroom at Finishing Room - improper storage of combustible materials.

TECHNOLOGY DEPARTMENT CLASSROOMS



Dust collector enclosure



Dust collector enclosure



Dust collector enclosure access.

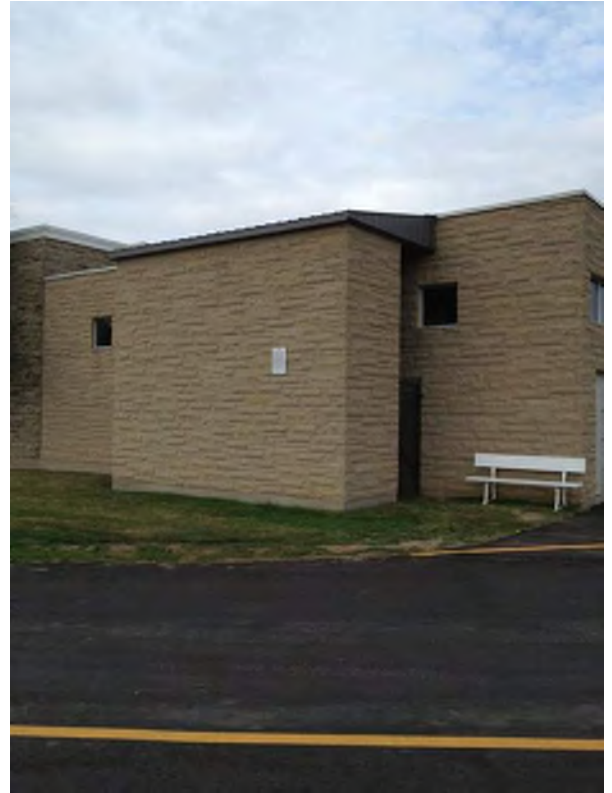


Dust collector interior

TECHNOLOGY DEPARTMENT CLASSROOMS



Dust collector enclosure roof - combustible roof construction - not compliant.



Dust collector enclosure

TECHNOLOGY DEPARTMENT CLASSROOMS



Portable air conditioner



Fabrication Room showing portable air conditioner exhausting into room.



Overall view of Construction Technology Classroom

TECHNOLOGY DEPARTMENT CLASSROOMS



Manufacturing Technology Classroom

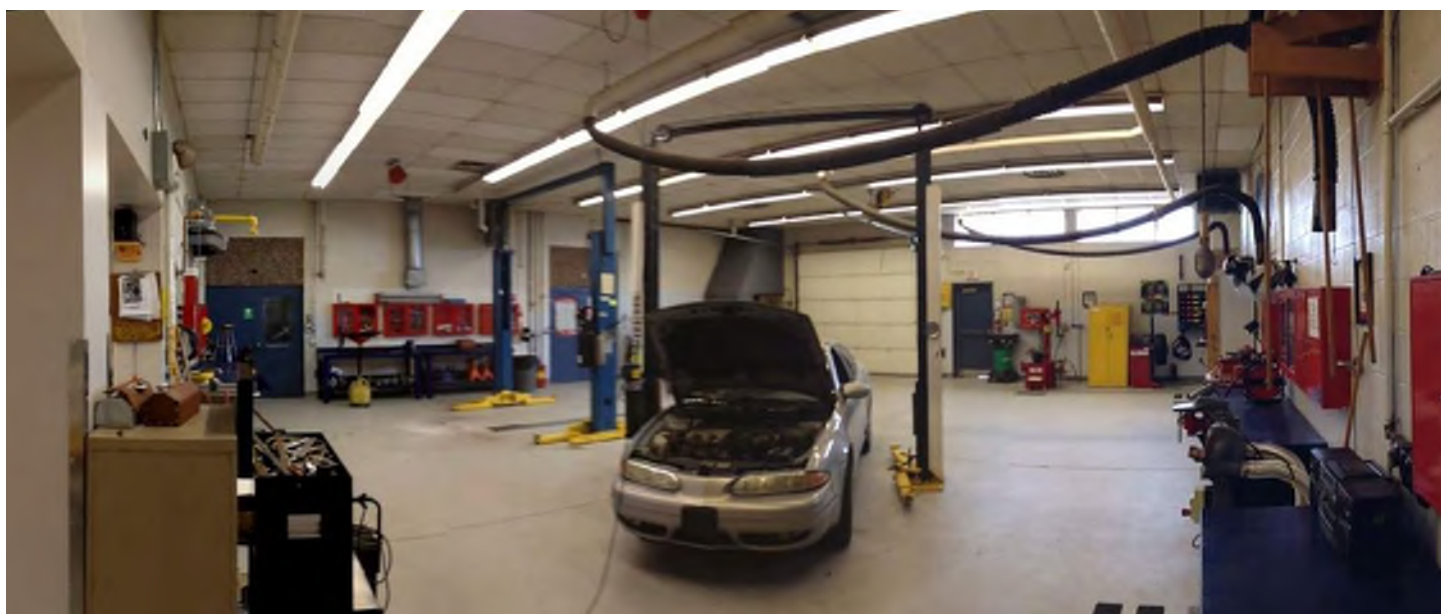


Manufacturing Technology Classroom - work tables not suitable for type of work being conducted; vinyl floor could be slippery

TECHNOLOGY DEPARTMENT CLASSROOMS



Transportation Technology Classroom view towards classroom space



Transportation Technology Classroom view towards exterior wall. Note only one overhead door for two vehicles.

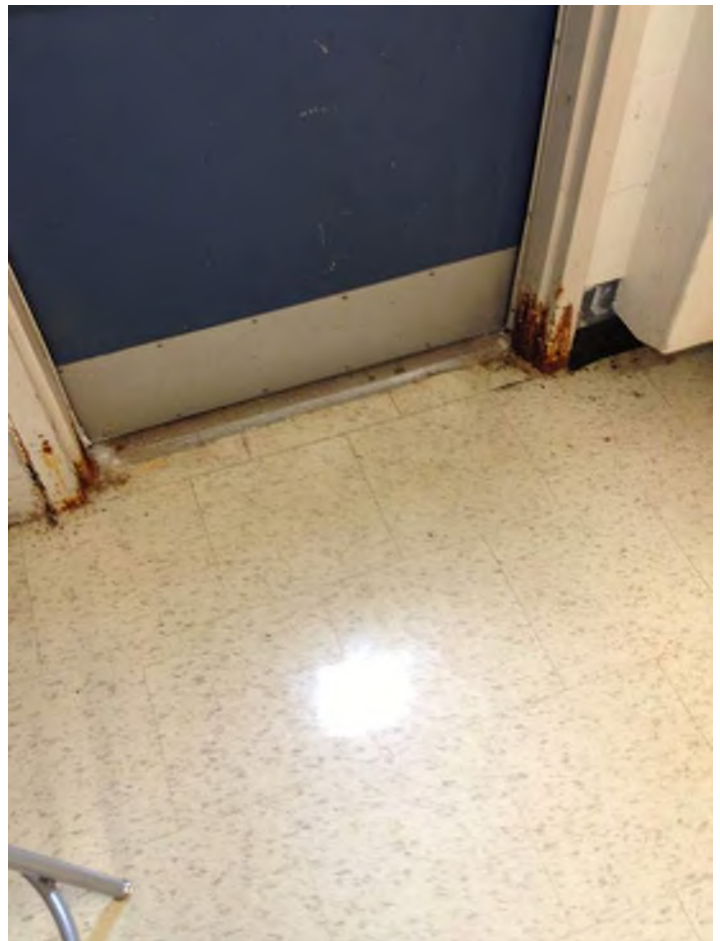
TECHNOLOGY DEPARTMENT CLASSROOMS



Manufacturing Technology Shop overall view



Fabrication Room - equipment located too close to egress door from adjacent teaching space.



Manufacturing Technology Shop exterior door frame rotting/rusting.

TECHNOLOGY DEPARTMENT CLASSROOMS



Technological Design Classroom



Technological Design Classroom

EXISTING FAMILY STUDIES / NUTRITION CLASSROOM

EXISTING FAMILY STUDIES / NUTRITION CLASSROOM

The existing food preparation area of the family studies / nutrition classroom is showing signs of wear. Ranges have been added to the ends of the base cabinets at some point since the 1988 renovation. The location of these ranges in the aisle way reduces the safe passage of students. Furthermore, their location relative to each of the U-shaped food preparation areas presents a concern for safe exiting if there were to be a hazard at one of the ranges. No overhead exhaust or ventilation has been added to accommodate these ranges. We recommend renovations to the existing food preparation teaching space including removal and replacement of all existing millwork and finishes along with a reorganization of the layout to provide a safe and efficient teaching environment.



Family Studies / Nutrition Classroom food preparation area - note addition of ranges into aisle between cabinets and access to each space.

DRAMA DEPARTMENT CLASSROOMS

DRAMA DEPARTMENT CLASSROOMS

RMC has two separate teaching spaces as part of their drama department (Theatre Arts). The first of these is located on the lower ground floor level in Block B and the second located in a double portable.



Existing Drama Classroom housed in double portable.

DRAMA DEPARTMENT CLASSROOMS



Existing Lower Drama Classroom



Existing Lower Drama Classroom

DRAMA DEPARTMENT CLASSROOMS

DRAMA DEPARTMENT CLASSROOMS

The existing drama classroom located in the lower ground floor of Block B has a low ceiling, which is neither ideal for this type of teaching space nor consistent with those found in other secondary schools. The use of a double portable is also not suitable for this type of teaching space. We recommend removal of the portables temporarily housing part of the drama program following the design and construction of a permanent addition to the existing drama classroom. This work is likely to involve partial reorganization of the existing drama classroom

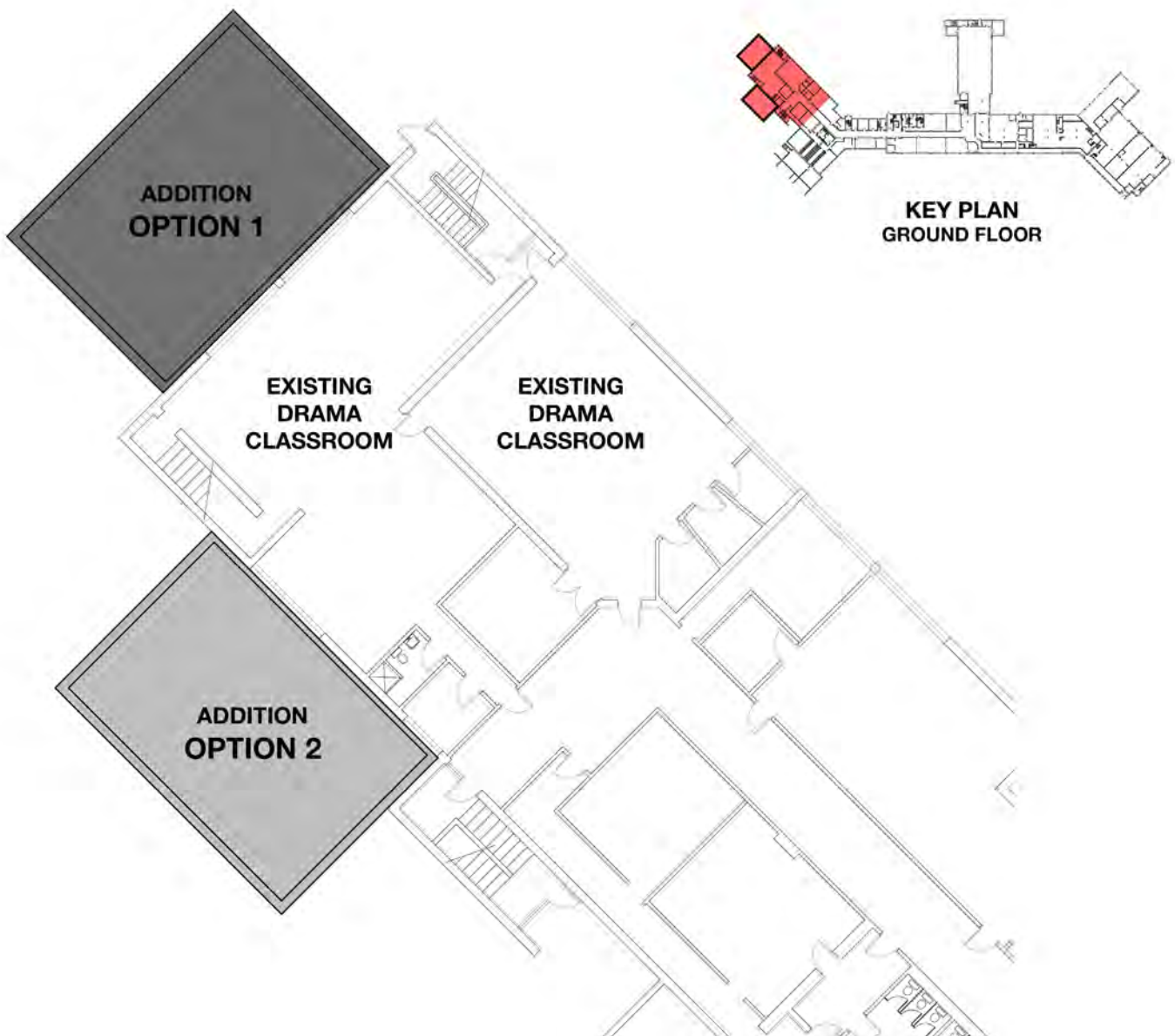
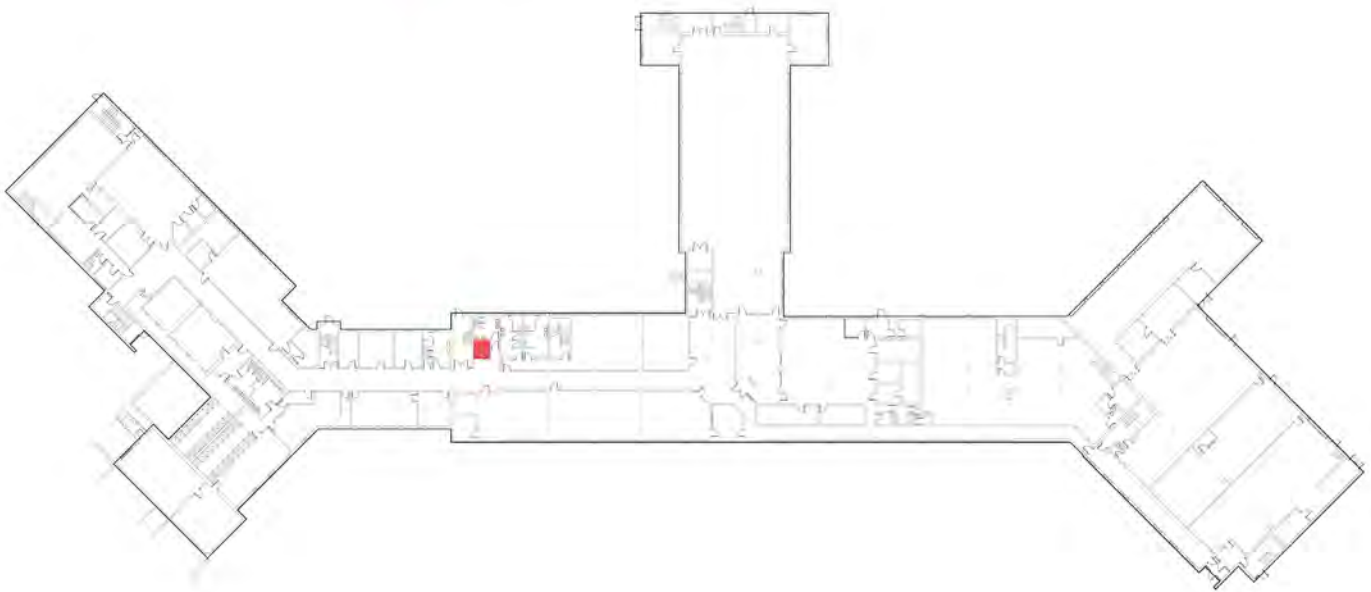


Figure B - Drama Classroom addition options

ELEVATOR

RMC has one elevator that was part of the original 1962 construction. It appears that no significant upgrades have been performed to the elevator and a recent flood has caused damage to the elevator. The elevator should be modernized including new controllers, new machines, refurbishment of the door operator and associated equipment, new wiring, new fixtures, and new cab finishes. We recommend that this work form part of the renewal project at RMC.

■ LOCATION OF ELEVATOR



GROUND FLOOR PLAN

ELEVATOR



Elevator interior cab panel



Elevator interior



Elevator at Lower Floor



Elevator Machine Room Equipment



INTRODUCTION

Chorley + Bisset Ltd was retained by Nicholson Sheffield Architects to review the mechanical systems at Regina Mundi Catholic College at 5250 Wellington Road South in London.

This report is intended to provide guidance in renewal of the mechanical systems at this facility, and suggestions for addressing the code compliance, equipment condition, operational and comfort issues we encountered during our visits to the building. Preliminary budgets accompany the suggested modifications presented.

This report presents only the results of our brief review of the facility. The scope of the report was limited by the time made available to us. It does not include observations or data on actual system performance from the facility Owner.

This report is not intended to present the results of a comprehensive audit and inspection of all piping, equipment and systems in the facility. As an example, concealed systems, piping, ductwork and equipment located within walls, below floors or above ceiling spaces, etc, were not accessible for review. This report is also not intended to provide a performance guarantee that existing systems, piping, ductwork or equipment is fully operational, or will remain fully operational for the anticipated lifetime of the building.

The mechanical systems reviewed were:

- Plumbing Systems including sanitary and storm drainage, domestic cold and hot water, science classrooms, technology shops, natural gas, plumbing fixtures
- Fire Protection Systems including standpipe, kitchen (building is not sprinklered)
- Hydronic Heating Systems including perimeter radiation and boiler plants
- Ventilation and Cooling Systems including air handling systems, technology shops, chapel, gymnasium, miscellaneous exhaust fans and central cooling
- Automated Controls

MECHANICAL

EXECUTIVE SUMMARY

We found the majority of the building's plumbing and fire protection systems date back to 1962 and now exceed 50 years of age. Many of these systems require partial replacement or upgrade.

Many of the building ventilation systems were also installed in 1962 and are generally in very poor condition and due for replacement. A major renovation project in 1988 saw upgrade of many of those systems, but air conditioning was not provided. Many portable air conditioners are installed throughout the building. Although some of the 1988 central air systems are still in good working condition, not all are suited to the addition of cooling.

We recommend significant mechanical upgrades for the building, and suggest the following preliminary budgets for the work:

Plumbing Upgrades:	\$ 550,000
Fire Protection Upgrades:	\$ 200,000
Heating Upgrades:	\$ 300,000
Ventilation and Cooling Upgrades:	\$2,600,000
Automatic Controls Upgrades:	\$ 400,000
Contingency	\$ 450,000
Total	\$4,500,000

PLUMBING SYSTEMS

The majority of the building's plumbing systems date back to its original 1962 construction. These systems are now 50 years of age, and increasing issues with piping leakage, blockage and deterioration can be expected in the future.

Sanitary Drainage System

Description

The 1962 sanitary drainage system serves Blocks B, C and D, and drains both the upper floor and the lowest level by gravity to a sanitary sump pit located below an exit stair at the intersection of Blocks C and D. The main to the sump pit is 8" size. From the sump pit, sewage was directed to an on site sewage treatment facility.

The sewage treatment facility was abandoned at some point within the last ten years. In 2012, the sanitary sump pit was infilled with concrete and the main was redirected to a new sump chamber located outside of the building. The new sump chamber includes two Flygt premium quality 3 hp submersible pumps that move wastewater to a below grade holding tank on the property. A second sump chamber with a second pair of Flygt submersible pumps directs the wastewater to the City forcemain on Wellington St.

The condition of the sanitary drainage piping within the building is not known. If there is a history of frequent blockages, or if there are plans to increase the occupancy load of the building, then a camera inspection of the piping mains should be undertaken. This was beyond the scope of the current report.

We noted there are two grease interceptors recessed in to the floor in the Kitchen. The interceptors appear to date back to the original construction. They are likely of galvanized steel construction, and susceptible to corrosion. We suggest they be opened, completely cleaned and the interior be visually inspected for deterioration and wear. It is likely that their condition is poor and they are due for replacement.

Recommended Upgrades and Allowance

We suggest the project budget include an allowance for camera inspection of the existing sanitary drainage system and replacement of the two grease interceptors in the Kitchen.

Allowance for Sanitary Drainage System Upgrades: \$50,000

Storm Drainage System

Description

The 1962 storm drainage system serves Blocks B, C and D. It includes an 8" and 12" outlet leaving the South face of Block B and a 6" and 8" outlet leaving the South face of Block C. A 6" outlet leaves the East face of Block D. Stormwater for the site is routed to the pond East of the building.

Recommended Upgrades and Allowance

The condition of the storm drainage piping within the building is not known. However, we do not recommend any further action unless there are performance issues with the systems that we have not been informed of.

We noted the insulation has deteriorated and fallen off much of the horizontal stormwater piping which runs through the Block D Ground Floor Mechanical Room (Boiler Room). We suggest reinsulation of this piping.

Allowance for Storm Drainage System Upgrades: \$5,000

Domestic Cold Water System

Description

The 1962 construction included a well system with booster pumps, softeners, and a very large surge tank to provide domestic water for the building. In 2006, the facility was changed over to the municipal system. A 6" service enters the building in the Block D Ground Floor Mechanical Room (Boiler Room) connected to the municipal line on Wellington St. Two 4" DCVA backflow preventers installed in parallel provide domestic water for the building, and a third 4" DCVA backflow preventer serves the Fire Protection Standpipe System.

The line pressure from the municipal system appears to be in the range of 35 psig upstream of the backflow preventers. This is not adequate to serve the building. The new water service was connected to the existing domestic water booster pumps. There are two pumps, one 5 hp and one 15hp. They are operated to charge the existing very large domestic water surge tank to 70

MECHANICAL

psig. Water is supplied to the building from this tank, which is pressurized with air at 50 psig. Once the water pressure drops to 50 psig, one of the booster pumps is started again to recharge the tank.

Construction details of the 1962 surge tank are not available to us, however, we suspect the materials the tank is constructed of would not comply with current OBC requirements for domestic water systems. We expect that after 50 years the tank is susceptible to leakage and suggest it is due for replacement. The tank is insulated with a canvas jacket and there is evidence of leakage and mold on the insulation. The tank is also much larger than required for this application, and has been since the building was switched over to municipal water.

The booster pumps are corroded and appear to be original. The smaller pump is an Armstrong 4280 series, size 3x1.5x6, designed to provide 100 USgpm at 35 psi. The larger pump is a split coupled base mounted pump with a 15 hp motor. Although there are two pumps for redundancy, both look susceptible to failure in the near future.

We also noted a few different piping materials used in this system, some of which are not permitted by OBC. Coated PVC piping has been used likely for repair at the booster pump inlet. The piping is combustible and not approved for use in this type of building. A small amount of galvanized steel piping was used upstream of the backflow preventer for the standpipe system. This is also not compliant.

Various curbs and corroded drains in this area of the Block D Ground Floor Mechanical Room (Boiler Room) remain in place even though the equipment has since been removed. These are redundant and in some cases trip hazards.

Recommended Upgrades and Allowance

We suggest installation of a new, modern booster pump set which includes three stainless steel vertical multistage pumps with variable speed drives and a much smaller, vertical surge tank. The new system would be suitable for domestic water, take up much less space, increase reliability and reduce energy use. Noncompliant piping materials should be removed and replaced as part of this work.

Redundant housekeeping pads and curbs should be hammered out and removed along with the deteriorated housekeeping pads for the old surge tank and booster pumps. The floor should then be repaired and epoxy painted to match existing.

Allowance for Domestic Cold Water System Upgrades: \$150,000

Domestic Hot Water System

Description

The entire facility is served by the 1962 domestic hot water system. The system includes hot water recirculation, and the piping mains run through the Ground Floor Corridor ceiling spaces.

The domestic hot water heating plant is located in the Block D Ground Floor Mechanical Room (Boiler Room). It consists of a Weil McLain Model EGH-115 natural gas fired, atmospheric type boiler of 500 mbh input capacity and a Triangle Tube Model "Phase III" insulated, indirect fired, 120 US gallon domestic hot water heater/storage tank. We were unable to determine the installation

date, but the storage heater and the installation appear to be approximately 25 years old. The boiler may have been replaced since then.

The boiler combustion efficiency was measured at 85% earlier this year, however that doesn't include energy continually wasted through warm air traveling through the gas vent when the system is idle. We expect the actual operating efficiency of the unit is 65% to 70%.

The domestic water heat/storage tank is a unique product. It consists of a small stainless steel inner tank with a thermostat, and a larger stainless steel outer tank which is filled with the warmer boiler water. It appears to us that the limited heat exchange surface area and the limited storage volume of this arrangement would lead to a relatively slow response to changes in load. Either the facility demand is smaller than we would expect, or the hot water supply temperature would dip under peak load conditions.

The recirculation pump is an Armstrong Astro 250SS. The pump is relatively small for the size of the system. It appears the pump operates continuously.

Recommended Upgrades and Allowance

We suggest replacement of the domestic hot water heating plant with a more common and more efficient type of system. We also noted the boiler gas vent did not appear to meet current codes, and replacement of the system would address that issue as well. If the system is to remain, the vent may need replacement.

We suggest replacement of the recirculation pump and the addition of an aquastat or BAS control to shut off the pump when it isn't needed.

We noted much of the domestic hot water piping in the room is not insulated. We suggest it be insulated.

Allowance for Domestic Hot Water System Upgrades: \$40,000

Science Classroom Plumbing Systems

Description

On the First Floor of Block B, there are six science classrooms which include teacher and student sinks and natural gas outlets. Classrooms 114 and 116 were renovated in 2001. We found no deficiencies in those classrooms. We found a number of non-compliance issues with current Code requirements in the remaining four classrooms and prep rooms.

Generally, all of the sanitary drainage systems for these classrooms and prep rooms use blue, acid resistant, coated pvc piping for drainage and vent piping. This material is combustible and is not approved under the OBC for use in buildings that are not completely sprinklered. It is not clear if this piping dates back to the 1962 installation (those drawings note the use of polyethylene piping, which would also not be compliant) or if the piping was installed later. Classrooms 114 and 116 are equipped with glass piping, which is the only approved material for this application in unsprinklered buildings.

We noted only one of these four classrooms included an emergency shutoff valve for the natural gas service.

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We noted there is a master emergency gas shutoff valve for the science classrooms located in the Ground Floor Block B Mechanical Room. We are not sure if this valve is still in service, but it appears to be. This valve may remain, but the signage should be changed as this is not an appropriate location for an emergency shutoff valve. Removal of the valve should be considered.

None of the classrooms are equipped with barrier free student workstations.

Recommended Upgrades and Allowance

We suggest the blue coated pvc drainage and vent piping, where not concealed within block walls, be replaced with glass piping. A dilution tank system should be added to serve these classrooms. The system could be added to the Ground Floor Block B Mechanical Room.

An emergency shutoff valve is required by the Gas Code in each room with gas outlets installed. We suggest these be added.

Classroom 124 is equipped with an emergency shower and below it is a raised concrete sump with a floor drain. We suggest the concrete sump be removed as it is not necessary, and is a trip hazard.

Generally we saw little access to emergency showers in the Science Classrooms. We suggest the locations be reviewed and showers be added as appropriate.

Generally, we saw faucet mounted eyewashes installed in the Science Classrooms. We also saw a hose type eyewash in one location. Those devices are no longer approved and should be replaced with bowl mounted eyewashes installed at the Teacher's desk.

Common, non-potable cold and hot water systems should be added to serve the science classrooms, as currently only Classrooms 114 and 116 are equipped with backflow protection. A small domestic hot water heater will be required for this system and could be electric. The backflow preventers and heater can be located in the Ground Floor Block B Mechanical Room.

A barrier free student workstation should be added to each Classroom.

Allowance for Science Classroom Plumbing System Upgrades: \$150,000



Science Room - Deluge Shower

Technology Shop Plumbing Systems

Description

Block D Technology Shops include Manufacturing, Transportation, Design and Construction.

Generally, we found the eyewash and emergency shower provisions in these shops to be inadequate. There did not appear to be sufficient fixtures, and the fixtures there were not provided with adequately sized piping to achieve the required flow rates.

Generally we found the service sinks in these rooms to be in poor condition, or inadequately sized.

We found plastic piping which is combustible and not approved for installation in a non-combustible building.

Recommended Upgrades and Allowance

We suggest a review of the area and provision of eyewash and emergency shower units as required. We suggest the addition of backflow prevention as required to meet current code, and replacement of the plastic piping. We suggest new service sinks be added to the Shops.

The condition of the oil interceptor in the Transportation Technology Shop should be reviewed and the unit should be replaced if it is corroded or leaky.

Allowance for Technology Classroom Plumbing System Upgrades: \$40,000

Natural Gas System

Description

The natural gas meter for the building is located on the North Face of Block D. A 5 psi service runs in to the Boiler Room, where a single pressure reducing valve lowers the pressure supplied to the boiler plant and domestic hot water heating plant. The natural gas system serves various rooftop units, the science classrooms and other loads in the building.

Recommended Upgrades and Allowance

We have no recommended changes or upgrades for the Natural Gas system.

Allowance for Natural Gas System Upgrades: \$0

Plumbing Fixtures

Description

We did not review all of the plumbing fixtures in the building. Some of the fixtures remain original to the 1962 construction, while some have been updated to lower flow fixtures complying with the standards of the 1990s. We noted at least a couple of washrooms in Block C have been completely updated with low flow fixtures. Other than those washrooms though, we generally found lavatory faucets which weren't electronic and didn't include metering, allowing the water to be left on.

Recommended Upgrades and Allowance

Generally, all fixtures in the building should be reviewed in detail, and metering faucets installed in all public areas. All of the 1962 plumbing fixtures should be replaced, and some of the 1990s fixtures should also be replaced.

Allowance for Plumbing Fixture Upgrades: \$115,000

FIRE PROTECTION SYSTEMS

The building is equipped with a fire protection standpipe system which includes a fire pump. The

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building is also equipped with fire extinguishers, but is not equipped with automatic sprinklers.

Fire Protection Standpipe System

Description

The 1962 standpipe system serves the entire building. The original drawings show a 4" standpipe with 2-1/2" branches for individual cabinets. A fire pump is used to boost the pressure of the system. The fire pump is an Armstrong Model 4380 vertical in line pump with a 10 hp motor, size 3x3x6, designed to provide 200 USgpm at 50 psi boost. The inlet pressure at the fire pump was less than 30 psig at the time of our visit. With the fire pump operating at design flows, a pressure of 80 psig can be expected at the pump outlet. The system is currently set to maintain a 100 psig static pressure.

For a building of larger than 40,000 sf that is not sprinklered, OBC currently requires a 2-1/2" hose connection at each cabinet for fire department use, in addition to the existing 1-1/2" hose connections. OBC also requires a fire protection standpipe system designed to provide a total of 500 USgpm at the two most remote fire hose cabinets, and a residual pressure of 65 psi at the highest cabinet. The installed fire pump cannot provide this required water supply.

The fire pump is required to meet NFPA 20. NFPA 20 currently requires the fire pump be installed in a dedicated fire rated room with direct access to outdoors. The fire pump is currently installed in the Block D Ground Floor Mechanical Room (Boiler Room) rather than in a dedicated room. NFPA 20 also requires the fire pump be supplied with emergency power. Currently it is fed from normal power.

It appears the fire hose cabinet coverage may not meet OBC travel distance requirements in some areas of the building.

Recommended Upgrades and Allowance

We recommend a review of the fire hose cabinet travel distances and the addition of new cabinets where required. We recommend replacement of the fire pump with a unit designed to meet current OBC requirements. A dedicated fire rated room should be constructed within the Boiler Room to house the new fire pump. Emergency power and a transfer switch should be provided. Fire hose cabinets and assemblies throughout the facility should be replaced and reworked to provide 2-1/2" hose connections. There are between 15 and 20 cabinets in the building. In some areas, pipe sizes may need to be increased in order to meet OBC flow rate requirements.

Allowance for Fire Protection Standpipe Upgrades: \$200,000

Kitchen Grease Exhaust Hood Fire Suppression System

Description

The Kitchen on the Ground Floor of Block C has a large island style canopy exhaust hood over the cooking equipment. The hood is equipped with an automatic fire suppression system.

Recommended Upgrades and Allowance

We saw no issues with the fire suppression system. The system testing tags appeared to be up to date.

Allowance for Kitchen Fire Suppression System Upgrades: \$0

HEATING SYSTEMS

The building is served by two hydronic boiler plants: a boiler plant located in a small mezzanine mechanical room in Block A serves only Block A, and the main boiler plant in the Ground Floor Block D Mechanical Room serves the rest of the building.

Block D Boiler Plant

Description

This plant was replaced in 2006. It now includes two natural gas fired DeDietrich GT-411 sectional cast iron boilers, non-condensing, 2560 mbh input each, with Weishaupt G5 low NOx power burners. The boilers themselves are in nearly new condition and we saw no deficiencies. We note the two boilers are vented together in to a common chimney and each boiler vent is equipped with a power burner. This type of installation is not as trouble free as separately vented boilers, but we have not been made aware of any issues with the current installation.

The primary circulating pumps were replaced with the boilers in 2006, and we saw no issues with those units. However, the main secondary circulating pumps were not replaced at that time. They appear to be original, dating back to the 1962 construction. Circulating pumps CP-1 and CP-2 are very heavily corroded and we were unable to determine the make of the pumps. They are 4x3 split coupled base mounted pumps with 7.5 hp standard efficiency motors and appear to have been designed for 200 USgpm at 35 ft head. We note that failure of either of these pumps would diminish the plant capacity by half, leaving the facility at risk of insufficient heating capacity.

Various other small circulating pumps in the ½ hp to 1 hp range are heavily corroded and appear to be original, due for replacement. These pumps serve individual zones. The valves and piping are all heavily corroded and this portion of the plant should be replaced in its entirety. There appears to be opportunity here for energy and maintenance savings through consolidation and reduction in the number of circulating pumps.

There is a hot water to hot water shell and tube heat exchanger and makeup pump assembly from 1962 that appears to have been intended to operate as a glycol system for air handling unit heating. It wasn't clear if this was in operation or not.

Recommended Upgrades and Allowance

The secondary circulating pumps, CP-1 and CP-2, and their accessories, should be replaced immediately. The small circulating pumps should be reworked and consolidated to a smaller number of pumps. All associated piping and valves should be replaced. The glycol makeup system for air handling unit heating should be replaced.

There is a large, abandoned expansion tank suspended from the structure above that should be removed.

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The work in this Mechanical Room should also include insulation of uninsulated piping and replacement of damaged or moldy insulation.

Allowance for Block D Boiler Plant Upgrades: \$250,000

Block A Boiler Plant

Description

This plant was replaced in 2010. It now includes two Patterson Kelley Mach 750 natural gas fired, aluminum condensing boilers. The plant is in new condition and we saw no deficiencies.

Recommended Upgrades and Allowance

We have no recommended changes or upgrades for the Block A Boiler Plant.

Allowance for Block A Boiler Plant Upgrades: \$0

Hydronic Heating System

Description

The building is equipped with hydronic perimeter radiation throughout, installed in 1962. We do not know the condition of the 50 year old piping system, but it would not be unusual for this system to continue to operate in a satisfactory manner for many more years.

We did note that in some areas the vestibule force flow heaters or perimeter radiation units were heavily corroded, but for the most part the heaters looked to be in acceptable physical condition. Any renewal project at the facility should include steam cleaning of the existing radiation, and a new coat of paint.

These units are nearly all provided with pneumatic control valves, which will be discussed in the Automatic Controls section at the end of this report.

Recommended Upgrades and Allowance

We suggest an allowance be included for replacement of corroded vestibule force flow heaters and perimeter radiation units.

Allowance for Hydronic Heating Upgrades: \$50,000

VENTILATION AND COOLING SYSTEMS

The building is provided with ventilation and cooling through a number of indoor air handling systems and also a few rooftop air handling systems. None of the central systems in the building are equipped with mechanical cooling or refrigeration systems, and so provide cooling only when it is cold outside.

Many of the central air handling units were installed in 1988. However, some of the original 1962 air systems remain and those are generally in poor condition.

Since the building is not air conditioned, many of the rooms in the building have portable air conditioners. A central cooling solution for each area would allow reduced energy use through increased efficiency and even control of temperatures throughout the building (not all of the rooms have portable air conditioners).

Block A Cooling and Ventilation System No. 1

Description

Air Handling Unit No. 1 serves the First Floor of Block A and is located in the South Mezzanine Mechanical Room. It is an indoor, constant volume, Engineered Air LM series unit with a 3 hp supply fan, hot water heating coil, filters and economizer dampers. It provides ventilation for the Change Rooms, Storage and Office spaces. It will provide cooling for these spaces only when it is cool outside. It was designed to provide 6,000 cfm of supply air.

The unit was installed in 1988 when Block A was constructed. It is served by an inline return fan suspended from the structure above. The unit and the return fan appear to be in good working condition. We noted the supply fan was not equipped with a belt guard.

Recommended Upgrades and Allowance

Cooling should be added to this area. The addition of dx cooling with a remote condensing unit to serve this system would not serve this purpose as the areas served include both interior and perimeter spaces and multiple zones of temperature control will be required. We suggest the addition of a water source heat pump system to cool this area. Each room would be provided with a horizontal heat pump located either within the room or in the ceiling space outside the room. The existing supply ductwork would be externally insulated and reused.

With this approach, a small energy recovery ventilation unit will also be required. That unit would replace Air Handling Unit No. 1 and be located within the existing Mezzanine Mechanical Room. The existing supply ductwork could then be reused to provide ventilation air to the heat pumps. That ductwork will not need to be insulated.

A belt guard should be added to the supply fan.

The existing supply and return duct penetrations between the Mechanical Room and the Exit Stair/Vestibule below are not equipped with fire dampers. Current OBC requirements would not allow installation of this ductwork within the Vestibule below. We suggest a fire rated ceiling be constructed in the Vestibule below, so that the ductwork may remain.

Allowance for Block A Cooling and Ventilation System No. 1 Upgrades: \$120,000

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Block A Cooling and Ventilation System No. 2

Description

Air Handling Unit No. 2 serves the double Gymnasia and Mezzanine of Block A and is located in the Centre Mezzanine Mechanical Room. It is an indoor, constant volume, Engineered Air LM series unit with a 7.5 hp supply fan, hot water heating coil, filters and economizer dampers. It provides ventilation for the Gymnasia, and Mezzanine Weight Room and Aerobics spaces. It will provide cooling for these spaces only when it is cool outside. It was designed to provide 20,000 cfm of supply air.

The unit was installed in 1988 when Block A was constructed. It is served by an inline return fan suspended from the structure above. The unit and the return fan appear to be in good working condition. We noted the supply fan was not equipped with a belt guard.

A natural gas fired humidification system was added to serve Air Handling Unit 2 in 1997, to prevent issues with the wood floor in the Gymnasium.

Recommended Upgrades and Allowance

This unit serves essentially a single zone as the two Gymnasia and the Mezzanine rooms are all open to one another as one large space. Because only one zone is served, a single zone of temperature control from the air handling unit should be adequate to maintain good temperature control. A DX cooling coil should be added to the air handling system, with a rooftop condensing unit. There is inadequate physical space within the Mechanical Room for a new coil and so two coils will need to be installed in the supply ductwork over the Mezzanine. Some of the ductwork will need to be externally insulated.

The humidifier gas vent material may not meet current Code requirements and should be reviewed and replaced if required.

A belt guard should be added to the supply fan.

Demand control ventilation should be added for the Gymnasia, using CO2 sensors.

Allowance for Block A Cooling and Ventilation System No. 2 Upgrades: \$80,000

Block B Cooling and Ventilation System No. 3

Description

Air Handling Unit No. 3 serves the North facing and Interior rooms of the Ground Floor of the East Wing of Block B, as well as rooms on the Ground Floor of the South Wing of Block B. It is located in the Ground Floor Block B Mechanical Room. It is an indoor, constant volume, Engineered Air LM series unit with a 3 hp supply fan, hot water heating coil, filters and economizer dampers. It provides ventilation for various rooms including Change Rooms and Custodial spaces. It will provide cooling for these spaces only when it is cool outside. It was designed to provide 6,000 cfm of supply air.

The unit was installed in 1988. It is served by an inline return fan suspended from the structure above. The unit and the return fan appear to be in good working condition. We noted the supply fan was not equipped with a belt guard.

Recommended Upgrades and Allowance

Cooling should be added to this area. The addition of dx cooling with a remote condensing unit to serve this system would not serve this purpose as the areas served include both interior and perimeter spaces and multiple zones of temperature control will be required. We suggest the addition of a water source heat pump system to cool this area. Each room would be provided with a horizontal heat pump located either within the room or in the ceiling space outside the room. The existing supply ductwork would be externally insulated and reused.

With this approach, a small energy recovery ventilation unit will also be required. That unit would replace Air Handling Units No. 3 as well as the two other units located in the Ground Floor Block B Mechanical Room. The existing supply ductwork could then be reused to provide ventilation air to the heat pumps. That ductwork will not need to be insulated.

A belt guard should be added to the supply fan.

Allowance for Block B Cooling and Ventilation System No. 3 Upgrades: \$120,000

Block B Cooling and Ventilation System No. HV-3

Description

Air Handling Unit No. HV-3 serves the First Floor of the North Wing of Block B. It is located in the Ground Floor Block B Mechanical Room. It is an indoor, constant volume, Canadian Blower series unit with a 3 hp supply fan, hot water heating coil, filters and economizer dampers. It provides ventilation for the Science Classrooms and Prep Rooms. It will provide cooling for these spaces only when it is cool outside. It was designed to provide 8,000 cfm of supply air.

The unit was installed in 1962. It is served by an inline return fan suspended from the structure above. The unit and the return fan are corroded and in poor condition. They are due for replacement.

We generally found ventilation levels to be poor in the Science Classrooms. We suspect the air volumes provided are far lower than shown on the 1988 Renovation drawings when the system was rebalanced. The supply grilles are generally much too small to provide the air volumes indicated without excessive noise, and we observed very little noise with the system.

The return grilles in the Science Classrooms are original and are heavily corroded. The supply grilles are much too small.

The exhaust systems appeared to be ineffective, and some did not operate when switched on. Strong odours were observed in a number of rooms.

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Recommended Upgrades and Allowance

Cooling should be added to this area. The addition of dx cooling with a remote condensing unit to serve this system would not serve this purpose as multiple zones of temperature control will be required. We suggest the addition of a water source heat pump system to cool this area. Each room would be provided with a horizontal heat pump located either within the room or in the ceiling space outside the room. New supply ductwork would be provided within each classroom, generally exposed to view below the ceiling. The existing supply and return grilles would be removed and the wall openings patched. The exhaust ductwork located in the Crawlspace below this floor would be abandoned or removed.

With this approach, the new energy recovery ventilation unit cited under the Block B Cooling and Ventilation System No. 3 would also serve this Wing of the Building. The existing supply ductwork could then be reused to provide ventilation air to the heat pumps. That ductwork will not need to be insulated.

Air from the Science Classrooms will be recirculated within the classrooms, but will no longer be recirculated from one classroom to another, or from the Prep Rooms to the classrooms.

The exhaust systems for the Science Classrooms and Prep Rooms will be replaced.

Allowance for Block B Cooling and Ventilation System No. HV-3 Upgrades: \$150,000

Block B Cooling and Ventilation System No. HV-4

Description

Air Handling Unit No. HV-4 serves the remaining rooms on the Ground Floor of the East Wing of Block B that aren't served by Unit No. 3. It is located in the Ground Floor Block B Mechanical Room. It is an indoor, constant volume, Canadian Blower series unit with a 3 hp supply fan, hot water heating coil, filters and economizer dampers. It provides ventilation for Theatre Arts and its associated Rehearsal and Change Room spaces, as well as Music and Arts. It will provide cooling for these spaces only when it is cool outside. It was designed to provide 3,500 cfm of supply air.

The unit was installed in 1962. It is served by an inline return fan suspended from the structure above. The unit and the return fan are corroded and in poor condition. They are due for replacement.

Recommended Upgrades and Allowance

Cooling should be added to this area. The addition of dx cooling with a remote condensing unit to serve this system would not serve this purpose as multiple zones of temperature control will be required. We suggest the addition of a water source heat pump system to cool this area. Each room would be provided with a horizontal heat pump located either within the room or in the ceiling space outside the room. The existing supply ductwork would be externally insulated and reused where possible.

With this approach, the new energy recovery ventilation unit cited under the Block B Cooling and Ventilation System No. 3 would also serve this Wing of the Building. The existing supply ductwork

could then be reused to provide ventilation air to the heat pumps. That ductwork will not need to be insulated.

Allowance for Block B Cooling and Ventilation System No. HV-4 Upgrades: \$70,000

Block B Cooling and Ventilation System No. 11

Description

Rooftop Air Handling Unit No. 11 serves the Library and adjacent rooms on the Second Floor of Block B. It is located on the roof above one of the Seminar Rooms. It is a constant volume, Engineered Air DJ series unit with a 7.5 hp supply fan, natural gas fired heating, dx cooling, filters and economizer dampers. It was designed to provide 9,000 cfm of supply air. Heating capacity of the unit is 360 mbh input. Cooling capacity is a nominal 21 tons.

The unit was installed in 1988 and is now 25 years old, which is in excess of the expected service life of rooftop packaged HVAC units. The unit is heavily corroded and due for replacement.

Recommended Upgrades and Allowance

We suggest replacement of this rooftop unit with a similar unit. Structural upgrades may be required in order to accommodate OBC changes regarding roof loading. A roof curb adapter will likely allow reuse of the existing roof curb without additional roofing work.

This system will be controlled to maintain temperatures in the Library. The small Seminar Rooms and Work Room will require the addition of zone terminal units for temperature control.

Allowance for Block B Cooling and Ventilation System No. 11 Upgrades: \$120,000

Block B Gymnasium Cooling and Ventilation System

Description

We were unable to access the Mezzanine Mechanical Room which houses the Block B Gymnasium Air Handling Unit. This unit was installed in 1962 and provides cooling and ventilation air for the Gymnasium. It is an indoor, constant volume, Canadian Blower series unit with a supply fan, hot water heating coil, filters and economizer dampers. It will provide cooling only when it is cool outside. It was designed to provide 14,000 cfm of supply air.

Based on the vintage of the unit and the condition of the other indoor 1962 air handling systems, we expect the unit is corroded and in poor condition. The system is due for replacement.

Recommended Upgrades and Allowance

Cooling should be added to this area. The mechanical room is small, and accessible only by a ladder and roof hatch. A replacement indoor air handling unit with cooling coil is not likely to physically fit within the room. We suggest installation of either a vertical water source heat pump with economizer dampers, a packaged rooftop HVAC unit located on the roof over the stage, or a replacement indoor unit with DX cooling coil and condensing unit located on the roof over the stage. The optimal solution would be determined at the project design stage. The existing supply

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ductwork is concealed above a drywall ceiling and is unlikely to be insulated and suitable for reuse. New ductwork would be installed, exposed to view within the Gymnasium.

Allowance for Block B Cooling and Ventilation System No. HV-4 Upgrades: \$150,000

Block C Cooling and Ventilation System No. 4

Description

Air Handling Unit No. 4 serves the Ground Floor of Block C and the North Wing of the First Floor of Block C. It is located in the Ground Floor Block D Mechanical Room (Boiler Room). It is an indoor, constant volume, Engineered Air LM series unit with a 10 hp supply fan, hot water heating coil, filters and economizer dampers. It provides ventilation for various rooms including Food Services, Family Studies, Staff Dining, Staff Lounge and the Office area. It will provide cooling for these spaces only when it is cool outside. It was designed to provide 12,500 cfm of supply air.

The unit was installed in 1988. It is served by an inline return fan suspended from the structure above. The unit and the return fan appear to be in good working condition. We noted the supply fan was not equipped with a belt guard.

Recommended Upgrades and Allowance

Cooling should be added to this area. The addition of dx cooling with a remote condensing unit to serve this system would not serve this purpose as the areas served include both interior and perimeter spaces and multiple zones of temperature control will be required. We suggest the addition of a water source heat pump system to cool this area. Each room would be provided with a horizontal heat pump located either within the room or in the ceiling space outside the room. The existing supply ductwork would be externally insulated and reused.

With this approach, a small energy recovery ventilation unit will also be required. That unit would replace Air Handling Unit No. 4 and would be located within the existing Boiler Room. The existing supply ductwork could then be reused to provide ventilation air to the heat pumps. That ductwork will not need to be insulated.

A belt guard should be added to the supply fan.

Allowance for Block C Cooling and Ventilation System No. 4 Upgrades: \$240,000

Block C Cooling and Ventilation System No. 6

Description

Rooftop Air Handling Unit No. 6 serves the Second Floor of Block C. It is located at the North end of the roof over the Third Floor. It is a constant volume, Engineered Air DJ series unit with a 7.5 hp supply fan, natural gas fired heating, filters, economizer dampers and return fan. It provides ventilation for the Second Floor classrooms. It will provide cooling for these spaces only when it is cool outside. It was designed to provide 9,500 cfm of supply air. The heating capacity is 450 mbh input.

The unit was installed in 1988. The unit is heavily corroded and due for replacement.

Recommended Upgrades and Allowance

Cooling should be added to this area. Replacement of this unit with another packaged rooftop unit would not serve this purpose as the areas served will require multiple zones of temperature control. We suggest the addition of a water source heat pump system to cool this area. Each room would be provided with a horizontal heat pump located either within the room or in the ceiling space outside the room. The existing supply ductwork would be externally insulated and reused.

With this approach, a small energy recovery ventilation unit will also be required. That unit would replace Air Handling Units No. 6 and 7 and would be located on the Third Floor Roof. The existing supply ductwork could then be reused to provide ventilation air to the heat pumps. That ductwork will not need to be insulated.

Allowance for Block C Cooling and Ventilation System No. 6 Upgrades: \$200,000

Block C Cooling and Ventilation System No. 7

Description

Rooftop Air Handling Unit No. 7 serves the Third Floor of Block C. It is located at the North end of the roof over the Third Floor. It is a constant volume, Engineered Air DJ series unit with a 7.5 hp supply fan, natural gas fired heating, filters, economizer dampers and return fan. It provides ventilation for the Third Floor classrooms. It will provide cooling for these spaces only when it is cool outside. It was designed to provide 8,500 cfm of supply air. The heating capacity is 450 mbh input.

The unit was installed in 1988. The unit is heavily corroded and due for replacement.

Recommended Upgrades and Allowance

Cooling should be added to this area. Replacement of this unit with another packaged rooftop unit would not serve this purpose as the areas served will require multiple zones of temperature control. We suggest the addition of a water source heat pump system to cool this area. Each room would be provided with a horizontal heat pump located either within the room or in the ceiling space outside the room. The existing supply ductwork would be externally insulated and reused.

With this approach, a small energy recovery ventilation unit will also be required. That unit would replace Air Handling Units No. 6 and 7 and would be located on the Third Floor Roof. The existing supply ductwork could then be reused to provide ventilation air to the heat pumps. That ductwork will not need to be insulated.

Allowance for Block C Cooling and Ventilation System No. 7 Upgrades: \$180,000

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Block C Chapel Cooling and Ventilation System HV-7

Description

Air Handling Unit No. HV-7 serves the First Floor Chapel in Block C. The unit is located in the North Ground Floor Block C Mechanical Room adjacent to the Cafeteria. It is an indoor, constant volume, Canadian Blower series unit with a 5 hp supply fan, hot water heating coil, filters and economizer dampers. It provides ventilation for the Chapel. It will provide cooling only when it is cool outside. It was designed to provide 7,500 cfm of supply air.

The unit was installed in 1962. It is served by an inline return fan suspended from the structure above. The unit and the return fan are corroded and in poor condition. They are due for replacement.

Recommended Upgrades and Allowance

Cooling should be added to the Chapel. We suggest installation of either a vertical water source heat pump with economizer dampers, or a replacement indoor air handling unit with DX cooling coil and condensing unit located outside on grade. The optimal solution would be determined at the project design stage. The existing supply ductwork is concealed above drywall ceilings and is unlikely to be insulated and suitable for reuse. The ceilings will need to be removed and the ductwork may need to be replaced as well as insulated.

Allowance for Block C Chapel Cooling and Ventilation System No. HV-7 Upgrades:
\$100,000

Block C Cafeteria Cooling and Ventilation System HV-8

Description

Air Handling Unit No. HV-8 serves the Ground Floor Cafeteria in Block C. The unit is located in the South Ground Floor Block C Mechanical Room adjacent to the Cafeteria. It is an indoor, constant volume, Canadian Blower series unit with a 2 hp supply fan, hot water heating coil, filters and economizer dampers. It provides ventilation for the Cafeteria. It will provide cooling only when it is cool outside. It was designed to provide 3,500 cfm of supply air.

The unit was installed in 1962. It is served by an inline return fan suspended from the structure above. The unit and the return fan are corroded and in poor condition. They are due for replacement.

Recommended Upgrades and Allowance

Cooling should be added to the Cafeteria. We suggest installation of either a vertical water source heat pump with economizer dampers, or a replacement indoor air handling unit with DX cooling coil and condensing unit located outside on grade. The optimal solution would be determined at the project design stage. The existing supply ductwork is concealed above drywall ceilings and is unlikely to be insulated and suitable for reuse. The ceilings will need to be removed and the ductwork may need to be replaced as well as insulated.

Allowance for Block C Cafeteria Cooling and Ventilation System No. HV-8 Upgrades:
\$100,000

Block C Cooling and Ventilation System No. 10**Description**

Air Handling Unit No. 10 provides makeup air for the Kitchen located on the Ground Floor of Block C. The unit is located in the Ground Floor Block D Mechanical Room (Boiler Room). It is an indoor, constant volume, Engineered Air LM series unit with a 5 hp supply fan, glycol hot water heating coil and filters. It will provide cooling for the Kitchen only when it is cool outside. It was designed to provide 11,000 cfm of supply air.

The unit was installed in 1988. It is served by an inline return fan suspended from the structure above. The unit and the return fan appear to be in good working condition. We noted the supply fan was not equipped with a belt guard.

The Kitchen is equipped with a very large island style canopy exhaust hood. The hood appears to be an NFPA 96 compliant grease hood, although we could find no documentation on it. The grease exhaust system, however, is not compliant with NFPA 96. NFPA 96 requires carbon steel or stainless steel ductwork with continuously welded joints, and specific separation distances from combustible or semi-combustible materials. The existing ductwork is galvanized steel with flanged joints, and the required clearances are not maintained.

The exhaust fan for the grease hood is located on the roof of Block C, above the Third Floor. The fan installation is not compliant with NFPA 96, and the fan is due for replacement. It is likely that a taller exhaust stack will be required for the exhaust, to avoid reentrainment of odours in the building.

We found some of the smaller rooms adjacent to the Kitchen to be quite hot. These rooms contained larger refrigerators or freezers with large cooling loads, but no cooling in the rooms.

Recommended Upgrades and Allowance

This unit serves a single room and so a single zone of temperature control from the air handling unit should be adequate to maintain good temperature control. A DX cooling coil should be added to the air handling system, with a rooftop condensing unit. There is inadequate physical space within the air handling unit for a new coil and so the unit will need to be modified. The existing supply ductwork will need to be externally insulated.

A new grease exhaust system and fan should be provided that is compliant with NFPA 96 requirements.

Cooling should be provided for all of the storage rooms adjacent to the Kitchen which contain significant heat sources. Outdoor condensing units should be considered for the refrigerators and freezers where possible.

A belt guard should be added to the supply fan.

Allowance for Block C Cooling and Ventilation System No. 10 Upgrades:
\$250,000

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Block C Cooling and Ventilation System No. HV-1

Description

Rooftop Air Handling Unit No. HV1 serves the South Wing of the First Floor of Block C. It is located on the roof over the Ground Floor between Blocks C and D, and the ductwork enters the building through the wall directly in to the First Floor Corridor of the Block C South Wing. It is a constant volume, Engineered Air DJ series unit with a 3 hp supply fan, natural gas fired heating, filters, economizer dampers and return fan. It provides ventilation for the First Floor South Wing classrooms. It will provide cooling for these spaces only when it is cool outside. It was designed to provide 6,000 cfm of supply air. The heating capacity is 400 mbh input.

The unit was installed in 1988. The unit is heavily corroded and due for replacement.

Recommended Upgrades and Allowance

Cooling should be added to this area. Replacement of this unit with another packaged rooftop unit would not serve this purpose as the areas served will require multiple zones of temperature control. We suggest the addition of a water source heat pump system to cool this area. Each room would be provided with a horizontal heat pump located either within the room or in the ceiling space outside the room. The existing supply ductwork would be externally insulated and reused.

With this approach, ventilation air would be provided from the new energy recovery ventilation unit cited in the section on Block C Cooling and Ventilation System No. 4. New supply ductwork to this area will be required, in order to provide ventilation air to the heat pumps. Much of that ductwork can be routed through the Block D Mechanical Room below the area.

Allowance for Block C Cooling and Ventilation System No. HV-1 Upgrades: \$120,000

Block D Cooling and Ventilation System No. 8

Description

Air Handling Unit No. 8 serves the East (two storey high) side of the First Floor Block D Transportation, Design and Construction Technology Shops. The unit is located on the Block D roof above Transportation Technology. It is a constant volume, Engineered Air DJ series unit with a 1.5 hp supply fan, natural gas fired heating, filters, economizer dampers and return fan. It provides ventilation for the Shops. It will provide cooling for these spaces only when it is cool outside. It was designed to provide 2,500 cfm of supply air. The heating capacity is 200 mbh input.

The unit was installed in 1988. The unit is heavily corroded and due for replacement.

Block D Cooling and Ventilation System No. 8

Recommended Upgrades and Allowance

Cooling is often not provided for Technical Shops. Typically these rooms are equipped with large overhead doors which are opened seasonally for cooling and ventilation. If cooling is not required

for this area, we recommend replacement of the unit with two new rooftops unit equipped with natural gas heating and with provisions for future dx cooling. Each unit should be equipped with the heating capacity required in order to provide makeup air for the shop it serves. One unit will serve the Transportation Technology Shop and the other the Construction Technology Shop. The shop exhaust systems are reviewed below.

Allowance for Block D Cooling and Ventilation System No. 8 Upgrades: \$100,000

Block D Cooling and Ventilation System No. 9

Description

Air Handling Unit No. 9 serves three classrooms on the Second Floor of Block D, as well as the single storey portions of the Transportation, Design and Construction Technology Shops on the West side of the First Floor. The unit is located on the West side of the Block D roof above the Transportation Classroom. It is a constant volume, Engineered Air DJ series unit with a 1.5 hp supply fan, natural gas fired heating, filters, economizer dampers and return fan. It provides ventilation for the Shops. It will provide cooling for these spaces only when it is cool outside. It was designed to provide 2,500 cfm of supply air. The heating capacity is 200 mbh input.

The unit was installed in 1988. The unit is heavily corroded and due for replacement.

Recommended Upgrades and Allowance

Cooling should be added to this area. Replacement of this unit with another packaged rooftop unit would not serve this purpose as the areas served will require multiple zones of temperature control. We suggest the addition of a water source heat pump system to cool this area. Each room would be provided with a horizontal heat pump located either within the room. The existing supply ductwork would be externally insulated and reused where possible.

With this approach, ventilation air would be provided from the new energy recovery ventilation unit cited in the section on Block C Cooling and Ventilation System No. 4. New supply ductwork to this area will be required, in order to provide ventilation air to the heat pumps. Much of that ductwork can be routed through the Block D Mechanical Room below the area.

The First Floor West side portions of the Transportation, Design and Construction Technology Shops would no longer be served by this system.

Allowance for Block D Cooling and Ventilation System No. 9 Upgrades: \$60,000

Construction Technology Ventilation System

Description

The Construction Technology shop includes approximately 10 major woodworking equipment items which require dust collection. They are currently served by a baghouse style dust collector located outside, adjacent to the building in a block wall enclosure. The unit was installed in 1988, and is a recirculating style unit. We were unable to access the enclosure to check whether the unit was equipped with a blowback damper and explosion vents. We are confident the unit will

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not meet current code requirements with respect to explosion vents, or with respect to current Code requirements (spark arrest and suppression) for recirculating style dust collectors.

Recommended Upgrades and Allowance

The dust collection system, including the dust collector, should be replaced. We do not recommend recirculating type systems as they will recirculate the finest and potentially most harmful dust particles back to the room. We recommend instead an exhaust only type system without recirculation. Makeup air would be provided as described in Block D Cooling and Ventilation System No. 8 above.

The router table and panel saw should be connected to the new dust collection system, and provisions should be added for dust capture during hand sanding operations.

We note the "Finishing Room" should not be used for staining or painting operations as the room does not meet Ontario Fire Code requirements for these type of operations.

Allowance for Construction Technology Ventilation System Upgrades: \$80,000

Transportation Technology Ventilation System

Description

The Transportation Technology Shop includes three snorkels to capture tailpipe fumes, connected to a small exhaust fan, EF-10 located on the roof above the Shop. The originally specified tailpipe clamps have been removed and we suspect the system is currently used for removal of fumes from welding and grinding. The system capacity is very small and it would be largely ineffective at doing so.

The Shop is not equipped with carbon monoxide detection as is required by current code.

The welding area does not appear to be equipped with fume or dust collection.

The grinders in the Shop and in the adjacent Manufacturing Technology room (formerly a garage) are not equipped with dust collection.

Recommended Upgrades and Allowance

Fume and dust collection systems should be added to serve any welding stations and all grinders. Makeup air would be provided as described in Block D Cooling and Ventilation System No. 8 above.

Carbon monoxide detection, interlocked with general exhaust systems, should be added.

Allowance for Transportation Technology Ventilation System Upgrades: \$80,000

Miscellaneous Exhaust Systems

Description

Various rooftop exhaust fans serve the building. Many are now 50 years old and due for replacement.

Recommended Upgrades and Allowance

We recommend an allowance for replacement of approximately 10 rooftop exhaust fans that are now more than 50 years old.

Allowance for Exhaust Fan Replacements: \$30,000

Central Cooling Systems

Description

The building is not equipped with a central cooling system such as a chiller and cooling tower, or a fluid cooler.

Recommended Upgrades and Allowance

We have recommended the installation of water source heat pumps for all areas of the building where multiple zone temperature control is required, as well as for large single zones where the existing central air handling system is due for replacement.

Heat rejection for the water source heat pump system will require installation of a closed circuit fluid cooler. The cooler will ideally be located indoors, in a new mechanical room on the East side of the building, with the cooler exhaust a reasonable distance away from any nearby air intakes.

Allowance for Central Cooling System Upgrades: \$250,000

AUTOMATIC CONTROL SYSTEMS

Description

The building is equipped with a TA Canada Building Control System (BCS). However, not all of the mechanical equipment in the building is controlled by the system. We found many systems fully operating during our visit, when the rooms served were, and could be expected to be, unoccupied.

Recommended Upgrades and Allowance

Nearly all of the hydronic heating system controls in the building are pneumatic. In many areas, new water source heat pump systems will replace the hydronic heating systems. Where the heating systems are to remain, controls should be upgraded to electric control valves controlled

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by the BCS.

All new equipment should be fully controlled by the BCS. Existing central equipment that is not fully controlled should be modified so that it is fully controlled.

Allowance for Automatic Control System Upgrades: \$400,000



INTRODUCTION

Chorley + Bisset Ltd was retained by Nicholson Sheffield Architects to review the electrical systems at Regina Mundi Catholic College at 5250 Wellington Road South in London.

This report is intended to provide guidance in renewal of the electrical systems at this facility, and suggestions for addressing the code compliance, equipment condition and other issues we encountered during our visits to the building. Preliminary budgets accompany the suggested modifications presented.

This report presents only the results of our brief review of the facility. The scope of the report was limited by the time made available to us. It does not include observations or data on actual system performance from the facility Owner.

This report is not intended to present the results of a comprehensive audit and inspection of all equipment and systems in the facility. As an example, concealed systems, conduit, wiring and equipment located within walls, below floors or above ceiling spaces, etc, were not accessible for review. This report is also not intended to provide a performance guarantee that existing systems or equipment is fully operational, or will remain fully operational for the anticipated lifetime of the building.

The electrical systems reviewed were:

- Electrical service and distribution
- Electrical devices and wiring
- Lighting

ELECTRICAL

- Emergency and Exit Lighting
- Fire Alarm
- CCTV
- Access Control
- Cable TV (CATV)
- Voice / Data System
- Clock System
- PA / Intercom
- Gymnasium / Theatre / Chapel Sound and Lighting System
- Lightning Protection

EXECUTIVE SUMMARY

The majority of the electrical systems are in fairly good condition with the exception of the fire alarm system. Below is a list of recommended upgrades and preliminary budgets for the work:

Replace Electrical Panels:	\$ 25,000
Add wiring for Mechanical Upgrades	\$ 750,000
Replace Underground Feeders:	\$ 35,000
Remove and reinstall ceiling devices	\$ 300,000
Replace Lighting Fixtures:	\$ 30,000
Add Additional Flood Lighting:	\$ 3,000
Add Emergency Lights:	\$ 1,000
New Fire Alarm System:	\$ 450,000
Add Lightning Protection to Additions:	\$ 15,000
Contingency	\$ 161,000
Total	\$1,770,000

Note that when all the ceilings are removed, it may be advisable to replace all of the light fixtures at that time. The associated cost for replacement of the lighting fixtures is \$1,150,000 including contingency.

ELECTRICAL SERVICE AND DISTRIBUTION

Main Electrical Service

Description

The main electrical service was installed in 2008 and is a 1600 amp, 600 / 347 volt service. The 600 volt power is distributed to some mechanical loads and also powers two 225 kVA transformers which distributes power at 208/120 volt to the lighting and receptacles.

The main Electrical Room is located in the basement adjacent to the Boiler Room in the centre South Wing. The utility transformer is located approximately 20 ft. outside behind the school from the Electrical Room. The utility transformer is 500 kVA and is fed underground from a pole at the road near the South end of the property. The main service is in good condition and parts are still readily available. The peak load on the service appears to be approximately 305 amps so there is sufficient capacity for additional loads such as air conditioning or an Addition.

Recommended Upgrades and Allowance

No upgrades are required for the main service.

Panelboards

Description

Some of the panelboards throughout the facility have been replaced with new in areas that have been renovated but there are still approximately 15 panelboards that need to be retrofitted. As well, the distribution panel for the Kitchen needs to be replaced with new. Some of the shop panels are controlled by contactors as required but some of these panels should also be retrofitted. The mechanical equipment is connected to individual disconnects and starters or contactors. In some cases, these should be replaced and grouped into a motor control centre for maintenance purposes.

Recommended Upgrades and Allowance

We recommend that the older panels be replaced with new panels. Approximately 15 panels need to be replaced.

Allowance to replace electrical panels: \$25,000
Wiring for Mechanical System Upgrades

Description

Mechanical systems are recommended to be upgraded and although power is available connection these units will be required

Recommended Upgrades and Allowance

Allowance to provide wiring to new mechanical equipment: \$750,000

ELECTRICAL DEVICES AND WIRING

Description

In areas that have been renovated, the electrical devices (switches and receptacles) are acceptable and can remain. In the areas which are original, consideration should be given to replacing the switches and receptacles as they have outlived their useful life. Ground fault receptacles should be replaced with new as the typical life of a ground fault receptacle is in the range of 5 years. The wiring in the ceiling spaces was not reviewed but there is some wiring that is run underfloor and due to the age of the building does not contain a ground wire. This wiring is mostly within the kitchen area, although there are a few panel feeders that are also run underground. We would suggest that these feeders be replaced with a feeder that includes ground wire as the conduit is being used for ground and underground conduits eventually have a poor grounding connection. The electrical devices can probably wait until a renovation is completed and at that time they would be all replaced.

As part of the asbestos removal, all ceiling devices will need to be removed and reinstalled.

ELECTRICAL

Recommended Upgrades and Allowance

Allowance for new underground feeders to kitchen equipment and panelboards:
\$35,000

Allowance for removal and reinstallation of ceiling devices for asbestos removal:
\$300,000

LIGHTING

Interior Lighting

Description

The interior fluorescent light fixtures have all been retrofitted with T8 lamps. The lighting levels appear to be adequate throughout.

The kitchen light fixtures should be replaced as they are showing signs of rust and the lens type is not cleanable. The kitchen has 1' x 4' surface mounted fluorescent lights. The lighting level in the kitchen, however, is adequate for a food preparation area. Typical lighting in the classrooms is 2' x 4' lay-in fixtures. The lighting fixtures in the corridors are typically 1' x 4' fluorescent recessed light fixtures. The stairwells also have surface mounted light fixtures. The old Gymnasium has four lamp fluorescent fixtures with wire guards. The lighting fixtures in the North Gymnasium are also four lamp fluorescent fixtures with wire guards. There are also incandescent can lights controlled by dimmers in the North Gymnasium. The Weight Room has surface mounted fluorescent lights with a wrap around type lens. There are Computer Rooms on the Third Floor which have 1/2" x 1/2" silver egg crate lenses. These lenses are very inefficient and should be replaced. Cafeteria lights are also showing signs of deterioration. The Chapel has incandescent lamps that should be replaced with dimmable LED A-19 type lamps for energy savings. LED lamps are now available in warm white colour similar to incandescent lamps.

Recommended Upgrades and Allowance

There are a few incandescent light fixtures in storage rooms and rooms adjacent to the kitchen should be replaced with an LED type light fixture. Kitchen light fixtures should be replaced with new fixtures complete with cleanable lens. Computer Room and Cafeteria lights should be replaced. Chapel lamps should be replaced, fixtures to remain.

Allowance to replace light fixtures: \$30,000

Outside Lighting

Description

Parking Lots are lit with LED pole lights. The poles appear to be in good condition. Each exit / entrance has high pressure sodium or metal halide lights controlled by photocells. There is a limited amount of outside lighting around the portables at the rear. Lighting levels appear to be adequate with the exception of the area around the portables. The area around outside behind the auto shop overhead doors could use additional outside lighting.

Recommended Upgrades and Allowance

Add flood light by portable and at auto shop doors: \$3,000

EXIT AND EMERGENCY LIGHTING

Description

The exit lighting throughout the facility is LED type. The emergency lighting is battery packs with remote 9 watt Tungsten lamps. The stairwell behind the Chapel is missing an emergency light and the far North stairwell has a broken double remote head.

Recommended Upgrades and Allowance

The emergency lighting should be checked for operation and any units not working properly should be replaced. The broken unit should be replaced and an emergency remote head should be added in the stair behind the Chapel.

Allowance to replace units indicated above: \$1,000

FIRE ALARM

Description

The existing fire alarm system is an Edwards 6500 Series which was manufactured in the 1980's and discontinued around 1990. It is very difficult to obtain parts for the headend equipment for the system. The existing bells are series wired type and cannot be properly monitored. As well, the FIRE ALARM – continued

wiring is not compatible with new horn / strobes or bells. The existing initiating devices (detectors and pull stations) are hard wire type without the ability to see status of individual devices. The main fire alarm panel is located just outside of the main Electrical Room. The battery cabinet for the fire alarm panel is located inside the Electrical Room. There are not any strobes throughout the facility which is a current requirement of the Ontario Building Code. There are no smoke detectors in any of the corridors or stairwells. The building has adequate coverage provided by heat detectors except for a few storage rooms and janitors rooms. There are approximately 20 zones and 14 supervisory zones for the standpipe system. There is a LED type annunciator at the main entrance of the school. A new system would have smoke detectors in the corridors and stairwells, utilize horn / strobes for signal devices and be fully addressable. Wiring would also be provided for elevator recall so that it is ready for a future elevator upgrade. The proposed new fire alarm panel can be located in the same location as the existing.

ELECTRICAL

Recommended Upgrades and Allowance

We recommend that a new fire alarm system be provided complete with new horn / strobes and addressable initiating devices throughout. Horn/ strobes would be located throughout all corridors and stairwells as well as in the Data Room. 24 hour rated batteries would be provided and the fire alarm would be monitored by a remote off-site ULC approved monitoring site.

Allowance for new fire alarm system: \$450,000

CLOSED CIRCUIT TV (CCTV)

Description

A new CCTV system was installed in 2007 and provides full coverage across the facility. The existing system is an analog system with a digital video recorder and multiple camera display for live unit playback while recording. The system appears to provide adequate coverage. The system should be reviewed with the Owner and assess any areas that may not have adequate coverage.

Recommended Upgrades and Allowance

No upgrades are anticipated.

ACCESS CONTROL

Description

There is an existing DSC security system within the facility. The system consists of door contacts on the perimeter and motion sensors throughout the facility. The access control system appears to provide adequate coverage across the facility.

Recommended Upgrades and Allowance

No upgrades are recommended at this time.

CABLE TV (CATV)

Description

There is a large satellite dish outside the facility but does not appear to be in use. There is also a small satellite dish that is wired but it did not appear that the small satellite dish provides distribution throughout the facility.

Recommended Upgrades and Allowance

No upgrades are recommended at this time.

VOICE / DATA SYSTEM

Description

There is a data room in the central wing which serves as the central distribution point for the CAT 5e data cabling. There are numerous computer classrooms in the centre wing on the upper floors which are wired with CAT 5e cabling. The main incoming cabling to the facility is fibre optic cables from the London District Catholic School Board head office located on the same property. We were unable to gain access to the main data room so have not reviewed the equipment or equipment status.

Recommended Upgrades and Allowance

No upgrades appear to be required at this time except as required to suit any proposed renovations.

CLOCK SYSTEM

Description

The clocks throughout the facility are all battery powered with 120 volt.

Recommended Upgrades and Allowance

No upgrades are recommended at this time.

PA / INTERCOM SYSTEM

Description

There is a Telecor PA/Intercom system which provides paging and intercom throughout the facility. This system was installed in the last couple of years and appears to provide adequate coverage.

ELECTRICAL

Recommended Upgrades and Allowance

No upgrades are recommended at this time.

GYMNASIUM / THEATRE / CHAPEL SOUND AND LIGHTING SYSTEMS

Description

The original Gymnasium has a stage lighting system which consists of approximately 15 spotlights in front of the Stage and approximately 20 spotlights and floodlights over the Stage. The light fixtures are a combination of incandescent and LED type light fixtures. There is a small sound system on Stage with a 6 channel mixer, VCR and amplifiers. There is also a lighting control board and a sound control board in the Control Room at the back of the Gymnasium. The lighting control board is an Elation Scene Setting 48 channel controller and the sound control board is a Yamaha MG 32.

The new Gymnasium at the North end of the school has a Control Room adjacent to the upper floor Library with three 12 channel dimming units. The lighting is installed when required with temporary cables. The lighting control board is a Colortran Innovator 24/48 which has a maximum capacity of 48 lighting control channels.

The Theatre Room has both a small lighting control system and an audio system. There is a small booth adjacent to the Theatre Room with a lighting control board and a sound control mixer.

The Chapel has a GE low voltage relay lighting control system and a public address system. The public address system is a 6 channel Bogen complete with equalizer.

Recommended Upgrades and Allowance

We have not interviewed staff with respect to the capabilities or deficiencies of these systems, therefore, at this time there are no upgrades considered.

LIGHTNING PROTECTION

Description

The original building centre section has adequate lightning protection on all roof sections. The South Addition and the North Gymnasium Addition do not have lightning protection.

Recommended Upgrades and Allowance

Lightning protection should be added to the North and South Additions.

Allowance to add lightning protection to the North and South Additions : \$15,000

SUMMARY OF PROPOSED COSTS

Building Code Upgrades (including fire separation upgrades)	\$ 300,000
Removal of Designated Substances	\$ 400,000
Barrier Free Accessibility Improvements	\$ 250,000
Gymnasium Floor Replacement (1988 Addition)	\$ 150,000
Building Envelope Improvements	
• Replacement of Exterior Caulking	\$ 100,000
• Restoration of Exterior Stone	\$ 1,700,000
• Replacement of Roof V (at Chapel)	\$ 3,000
• Replace Library Skylight Glazing	\$ 20,000
• Replace Acrylic Dome Skylight on Roof U	\$ 3,000
• Remove existing Greenhouse from Gym roof and conversion to storage room	\$ 25,000
• Window & Door Replacement	\$ 500,000
Separate Greenhouse Structure	\$ 50,000
Technology Wing Improvements – demolish existing, design and build new facilities	\$ 2,800,000
Drama Classroom Addition & Improvements	\$ 400,000
Family Studies / Nutrition Classroom Renovations	\$ 150,000
Elevator Refurbishment	\$ 130,000
Demolition and Removal of Existing Portables	\$ 120,000
Fire Sprinkler System Installation	\$ 450,000
Mechanical Ugrades	\$ 4,500,000
Electrical Upgrades	\$ 1,770,000
Updated Asbestos Product Survey	\$ 4,500
Professional Consulting Fees for Renewal Project (6.1%)	\$ 850,000
Fees & Permits (1%)	\$ 140,000
Furniture & Equipment	\$ 250,000
Contingency	\$ 750,000
Total	\$ 15,915,500

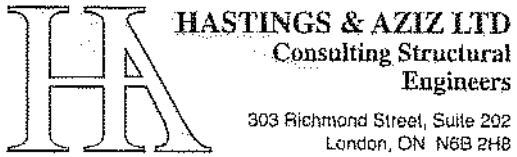
APPENDIX A

EXISTING FLOOR PLANS

APPENDIX B

ASBESTOS PRODUCT SURVEY BY EXP SERVICES INC.

Appendix II: Review of Exterior Masonry Cladding by Hastings & Aziz Ltd. Consulting Structural Engineers, dated December 9, 2014



December 9, 2014

Mr. John Koniuk
Manager of Capital Projects & Maintenance
London District Catholic School Board
5200 Wellington Road South,
London, ON N6E 3X8

**Re: Review of Exterior Masonry Cladding
Regina Mundi Catholic College, London**
Our File #9007

Dear Mr. Koniuk,

As requested, attached is our report on the review of the exterior masonry cladding at Regina Mundi Catholic College in London. This report states our findings from our investigation that commenced in the summer of 2014. The end of the report states our recommendations for corrective measures that are required immediately.

If you have any questions or require any additional information, please do not hesitate to call.

Yours truly,
Hastings and Aziz Limited

Paul Shapton, P. Eng.

- Encl. - Report on 'Review of Exterior Stone Veneer'
- Pictures 1 to 11
- Sketches SK1 & SK2
- Drawings S1 & S2
- Abbott Budget Quotation for Grillage Work
- Abbott Invoice for Fencing

Review of Exterior Stone Veneer **Regina Mundi Catholic School, London**

Investigation

As requested, we have reviewed the condition of the exterior masonry cladding at the above school. The request is a result of a 'Renewal Study' report prepared by Nicholson Sheffield Architects Inc. in September, 2013. The report stated due to the deterioration of the mortar joints allowing water to penetrate, a further investigation is recommended to determine the condition of the anchorage devices for the exterior stone cladding.

From our walk-around visual inspection performed on July 25, 2014, the most severe deterioration was noticed around the chapel area of the original 1962 building. See the attached site plan for location. We noticed movement in the lower limestone panels at the corners of the original building on the east side, as shown on attached pictures 1 and 2. In addition, we saw severe deterioration of the mortar joints of the rough stone veneer of the same original building, as shown in attached pictures 3 & 4.

With the aid of Abbott Construction, the limestone panels were removed on the east side. See site plan for locations. Several of the Z-ties holding the panels in place were found to be either broken or missing, as shown in pictures 5 & 6. For this reason, the limestone panels with the similar detail on the west elevation were removed as well. A metal flashing will be installed to protect the building from the elements.

Inspection holes were made on the south side of the chapel. The stone cladding was tied to the backup with thin gauge residential brick ties as shown in picture 7. These were corroded and only penetrated into the stone by an inch. The Ontario Building Code stipulates they should be embedded into the stone veneer at least two inches. In addition, the spacing of the anchors we found were at a greater spacing than allowed by the code.

A similar tie on the east wall was visible where the smooth limestone was removed. See picture 8. The tie was not corroded, however, it was bent in a loop, which provides no structural capacity in tension or compression.

With our closer inspection with a manlift, we found one section of stone cladding that we were able to move laterally with our hand. This indicates the ties supporting the stone cladding are either completely corroded or inadequate to provide any lateral resistance. Without the required ties, **the stone is in danger of falling to the ground**, endangering the safety of the public below. Due to the nearness of school starting, it was decided to install a fence around the areas of primary concern. See attached pictures 9, 10, and sketch SK1 showing the extent of the fencing and scaffolding installed.

Inspection holes were made in the south wall of the original gymnasium. Only one brick tie was found in an area of 3' x 4', which exceeds the maximum 16" x 24" spacing specified in the building code. Corrosion had commenced on the tie, but was not as severe as found in the other areas of the building. There are no signs of deterioration in the mortar joints of the stone veneer. At this time, it was decided not to install a fence around the north and south ends of the 1962 addition, nor the north addition.

Findings

The ties connecting the stone veneer are of a **thin gauge, corroded, had insufficient embedment** into the stone veneer, and were **spaced greater than the code allows**. Traditionally, to repair this, stainless steel helical ties are installed into the structural back-up to provide proper anchorage to the stone veneer. Unfortunately, the structural back-up at this school was found to be 2 rows of concrete brick laid on its edge along with 4" clay tile. See picture 11. The attached sketch SK2 was copied from the original drawings. It indicates the stone veneer with 4" brick and 4" tile. However, as mentioned above, 2 rows of concrete brick were laid on its edge in lieu of the 4" brick. There is an air space between the concrete brick and stone. This is not acceptable as a structural backup, and for this reason we are unable to provide proper anchorage for the stone veneer.

One repair option is to construct a steel grillage on the outside of the stone veneer to provide adequate support to the stone veneer. See drawings S1 & S2 for preliminary details. It should be noted this option is only a temporary solution designed to last 3 to 5 years. Abbott Construction prepared a budget of \$2,685,000.00, to perform the work shown on these drawings. In addition to the construction costs, we estimate the consultant fees to be approximately \$185,000.00, for a total cost of **\$2,870,000.00**. HST is not included in these budget prices.

A second option would be to remove the concrete brick and clay tile and lay a proper concrete block wall to provide the adequate structural backup for the stone veneer. The stainless steel helical ties can be inserted between this new concrete block and the stone veneer to provide the required support. Before the original concrete brick and speed tile can be removed, the stone veneer will have to be temporarily supported in a similar fashion to the steel grillage shown in the first option. In addition, all of the windows, mechanical and electrical services buried in the wall will have to be removed and re-instated after the new block is placed. It is difficult to access the cost for this work due to the unknown mechanical and electrical systems in the wall, however, we estimate it will be in the **7 to 10 million dollar range**. We estimate a construction time of 20 months to complete this work. It would require the students vacating the construction area and most likely relocating to another school while the construction work is completed. It is our opinion the cost of this option is not feasible considering the age of the school.

Recommendations

As previously stated, we have not installed a fence around all of the school. At this time, for the areas at the north and south ends of the school, it is our opinion with no deterioration noticed on the stone veneer, the stone veneer remains in a safe condition. However, a program is to be set up to monitor its condition on a regular basis, starting with every 6 months in the spring and fall of 2015.

The two options previously stated above range between **7 to 10 million dollars for permanent repair of replacing the masonry exterior walls** or **2.87 million dollars for the 3-5 year temporary fix**. Both of these options are expensive, especially when considered with the other items listed in the original Nicholson Sheffield report and the possible short life span of the school.

A third option is to leave the fence in place and to perform semi-annual inspections to regularly monitor the condition of the stone veneer. However, as previously stated, we found one section of **stone veneer we were able to move with our hands**. In addition, there are areas where the mortar has fully disintegrated, leaving loose stones **in danger of falling** and easy intrusion of water, which will **accelerate and expand the area of deterioration**. These areas will require immediate attention.

The section of stone veneer we were able to move by hand is located at the south end of the south-east elevation over the entrance to the mechanical room. See elevation 3 on the attached drawing S1. It is an area of approximately 11' wide by 13' high. We recommend installing the

There is an area approximately 6' high by 50' long on the south side of the chapel under the windows where the mortar joints have deteriorated. See attached elevation 2 on drawing S1 for location. The mortar joints, including the sealant used in a past repair, are to be removed and pointed with new mortar.

The costs to complete the above work is estimated to be **\$56,000.00**, plus HST. This will include the engineering to provide design, drawings and field review to complete this work. As previously stated, **this work is to be completed in the near future.**

The rental charges for the fencing and scaffolding is \$8,100.00 per 4 week period. These charges are based on a one year term. See attached invoice from Abbott Construction. An allowance of \$500.00 should be provided to have the contractor monitor the fencing and scaffolding every three months to ensure it remains in satisfactory condition. The cost of the fence and its maintenance along with the semi-annual monitoring will be approximately **\$119,000.00 per year**, plus HST.

With this option, it should be noted additional repairs and costs may arise from the semi-annual inspections. It may be deemed necessary to install more fencing or perform additional repairs.



Mortar joint has widened and has been caulked.

Limestone has moved out.

Picture 1

Limestone panel has moved outwards.



Mortar joint has widened. Mortar has fallen out allowing water to penetrate in behind.

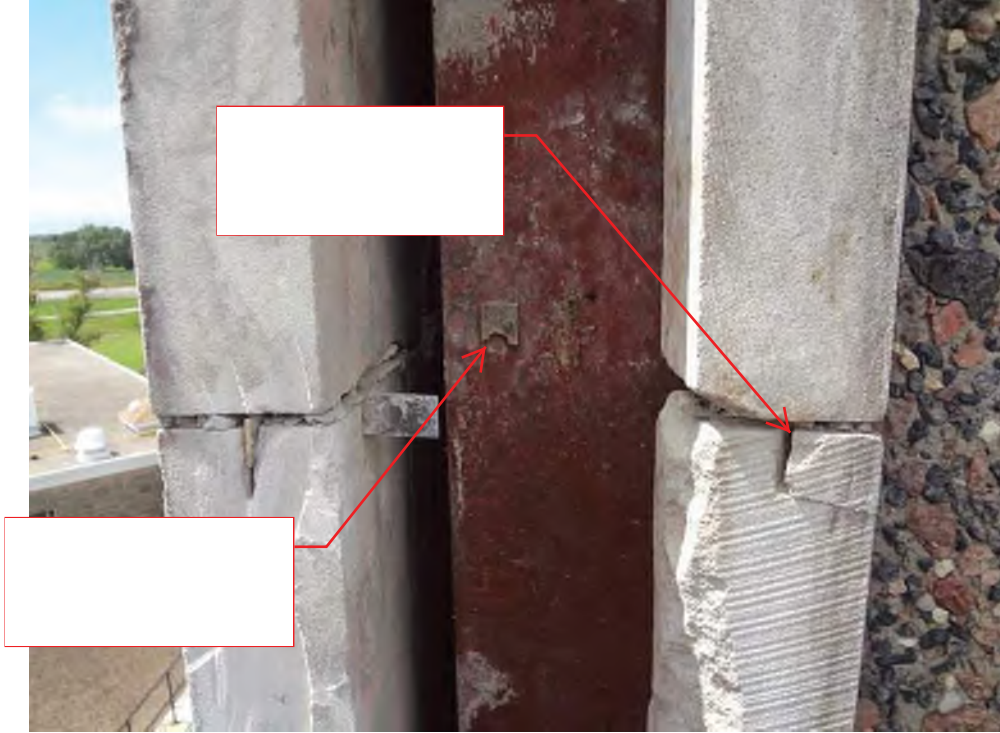
Picture 2



Picture 3



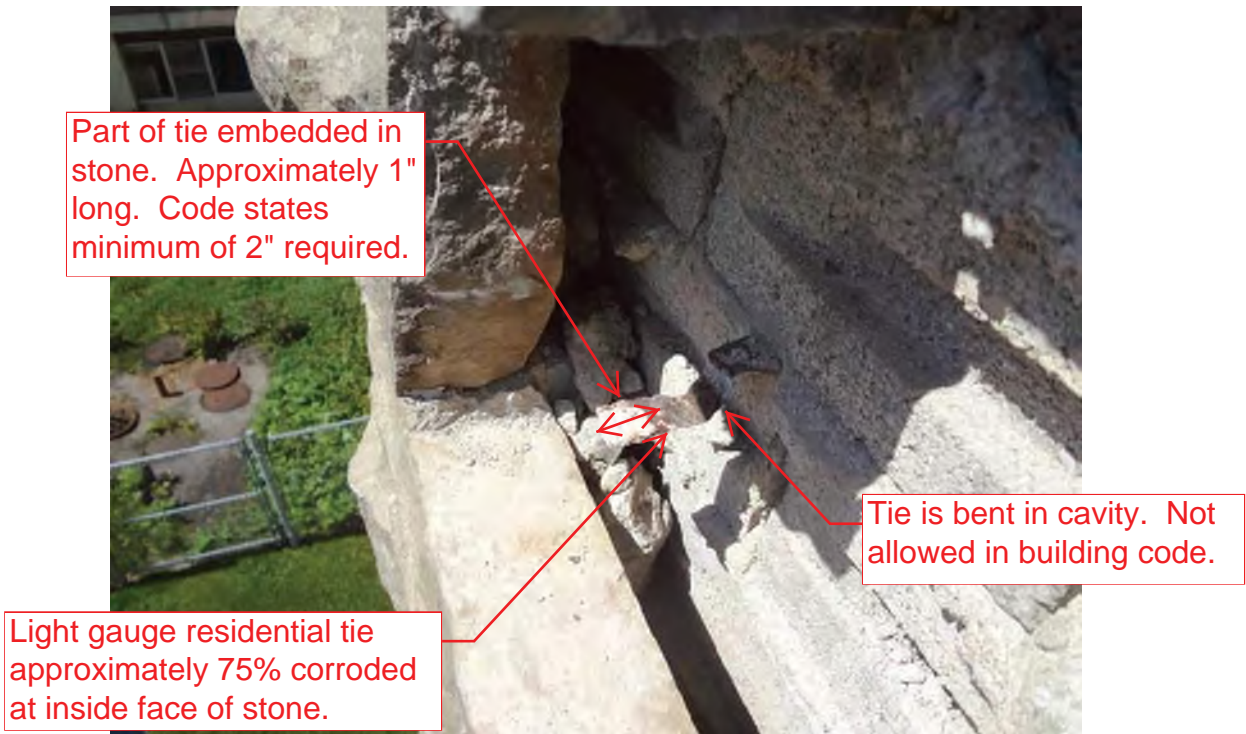
Picture 4



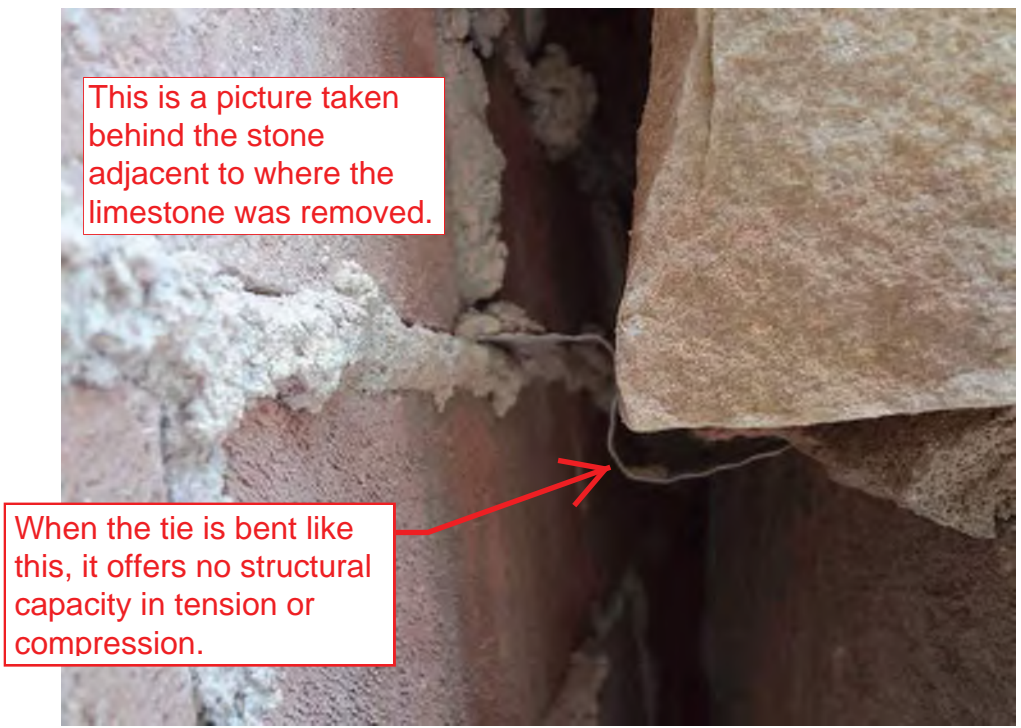
Picture 5



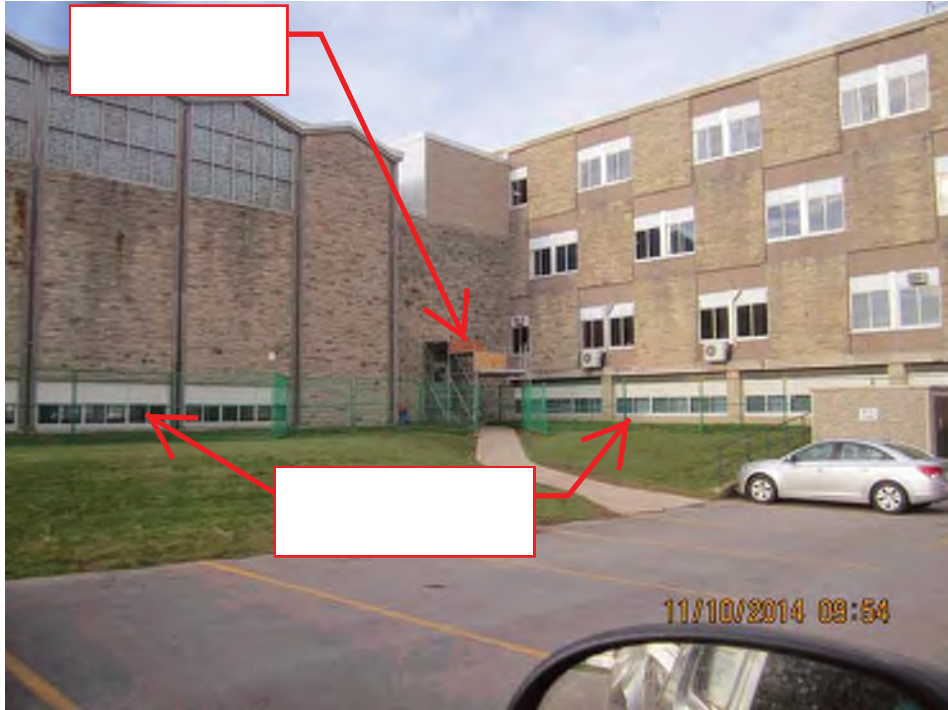
Picture 6



Picture 7



Picture 8



Picture 9



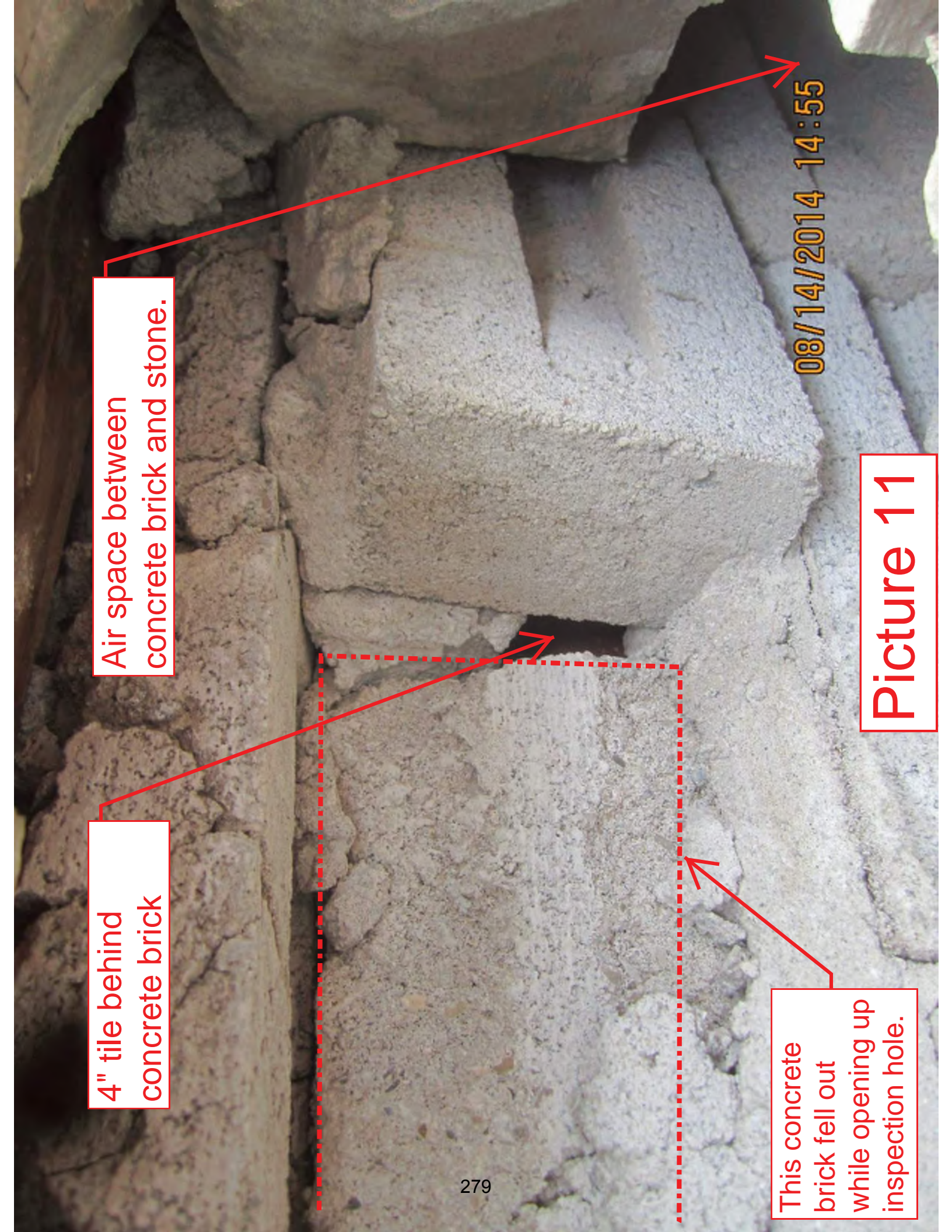
Air space between
concrete brick and stone.

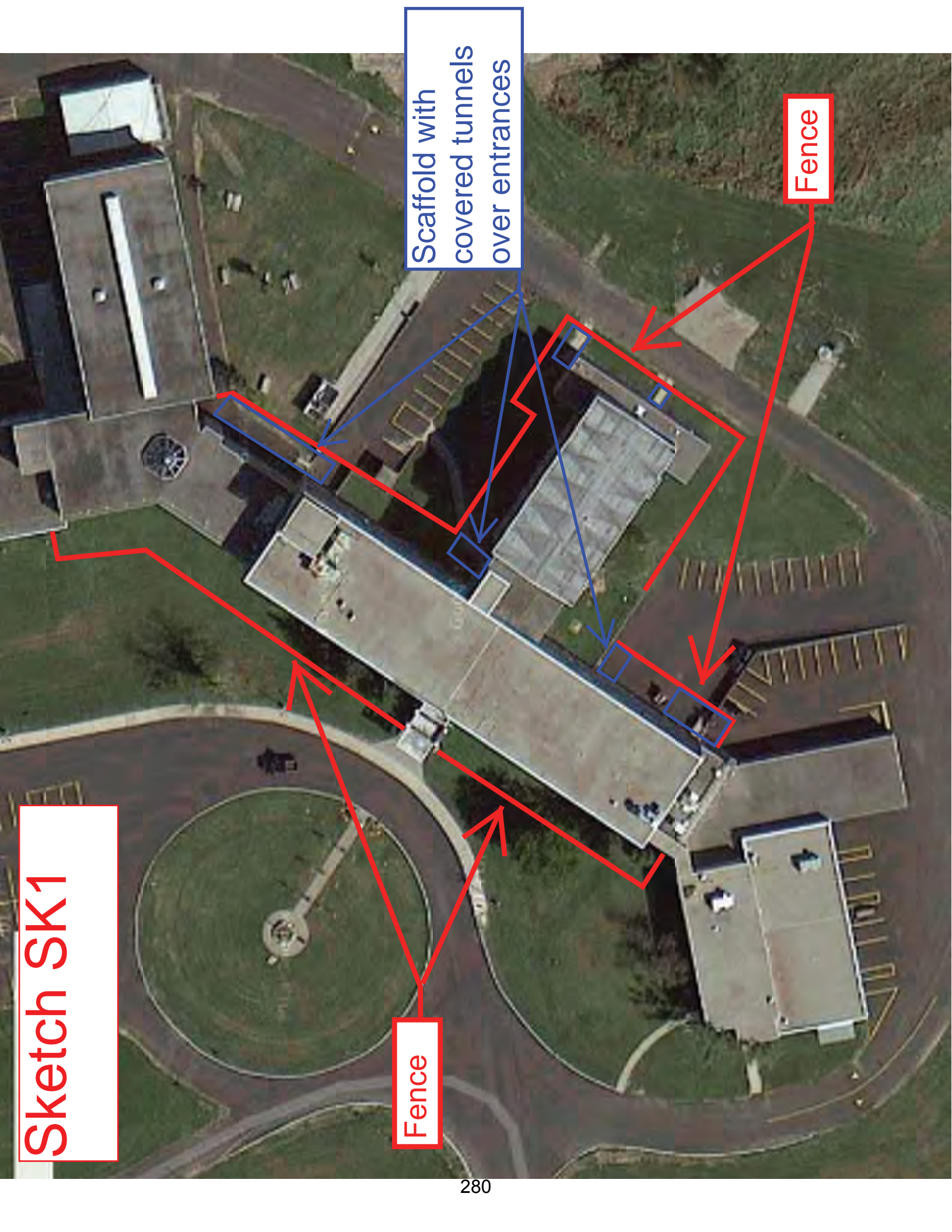
4" tile behind
concrete brick

08/14/2014 14:55

Picture 11

This concrete
brick fell out
while opening up
inspection hole.



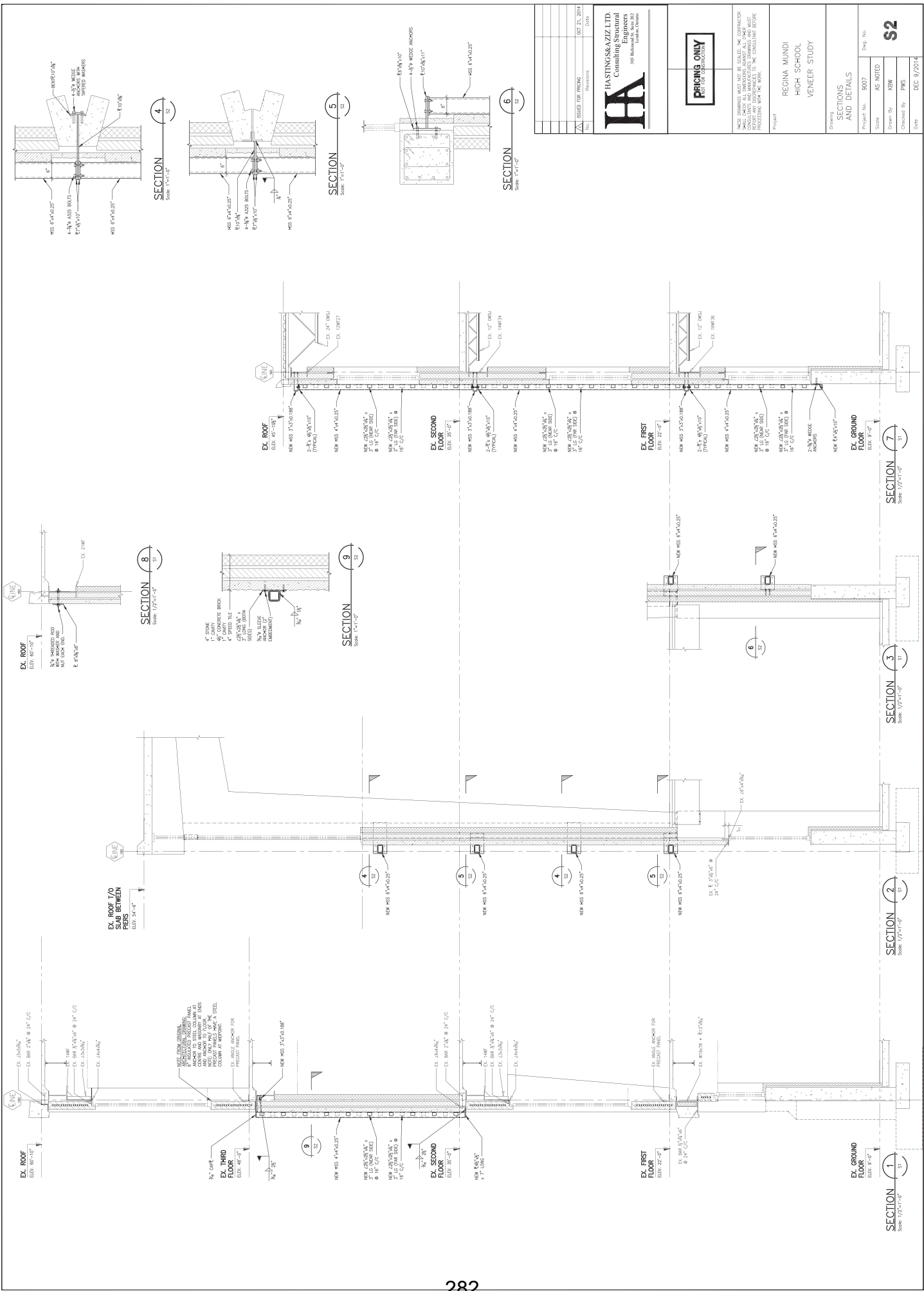


Scaffold with covered tunnels over entrances

Fence

Sketch SK1

Fence



Project	REGINA MUNDI HIGH SCHOOL VENEER STUDY
Drawn By	REW
Checked By	PWS
Date	DEC 9/2014

Project No.	9027	Draw. No.	S2
Scale	AS NOTED	Drawn By	REW
Checked By	PWS	Date	DEC 9/2014

Issue No.	001	Date	02/21/2014
Issued For	ISSUED FOR PERMS	By	

HASTINGS & AZIZ LTD. Consulting Engineers 100 Saskatchewan Ave. Suite 202 Regina, Saskatchewan S4S 0A6	
PRICING ONLY NOT FOR EXECUTION	
<small>PLEASE EXAMINE THESE DRAWINGS CAREFULLY. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND MATERIALS. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE CANADIAN BUILDING CODE. ANY DISCREPANCIES TO THE CONTRACT SHALL BE REPORTED IMMEDIATELY TO THE CONSULTANT BEFORE PROCEEDING WITH THE WORK.</small>	

Budget Quotation 14-1412

November 5, 2014

Paul Shapton, P.Eng
Hastings & Aziz Ltd
202-303 Richmond St.,
London, ON N6B 2H8

Re: LDCSB - Regina Mundi College

We are pleased to provide a budget quotation for temporary support of the exterior structural walls of various areas of Regina Mundi College as outlined in drawings S1 and S2, dated October 2, 2014 as provided by your office.

The scope of work included in this budget includes:

Initial and ongoing investigations are being performed under your direction to determine a more accurate assessment of the ability to effectively complete the outlined repairs.

- Supply preprimed steel grillage including all support brackets, anchors and bolts as outlined.
- Access areas of exterior work using man lifts as necessary.
- Temporarily remove existing limestone and stucco façade materials to access internal steel structural members.
- Field weld steel grillage supports to existing structural steel and touch up paint areas as required.
- Reinstall and restore limestone and stucco façade at openings for installation of grillage as required.
- Install steel grillage to prepositioned supports and anchor grillage brackets to limestone as required.
- Install anchors for precast limestone panels.
- Provide general field welding as required.
- Install non-shrink grout packing and/ or steel shims between grillage members and existing limestone façade.
- Restore interior ceiling tiles and localized drywall patches at various ceiling locations including spot painting of repaired areas as required.
- Provision has been included for minor areas of Type 1 only asbestos investigation or abatement if required.
- Make interior repairs to concrete columns within the chapel only.
- Reset limestone, tuck-point masonry joints and install building sealant at random locations within the areas of the building as outlined in drawings and as may be required to stabilize the exterior masonry façade of the building.
- Provide general site remediation including installation of topsoil, minor regarding and hydro-spray seeding of the immediate areas of work.
- Liaise with Hastings & Aziz Ltd for ongoing investigations, and control of temporary protection currently in use on the site.

OUR BUDGET ESTIMATE

\$2,685,000.00 + HST



611 Industrial Road • London, ON • N5V 1V2
T: 519.453.0290 • F: 519.453.8111

Budget Quotation 14-1412

LDCSB - Regina Mundi College
November 5, 2014
Page 2

Terms

- **NOTE: This is strictly a BUDGET ONLY quotation and exact pricing must be determined after investigations, engineering, drawings and specifications have been completed.**
- **NOTE: Due to the extent of deterioration of the building façade in specific areas of the building, urgent repairs may require immediate remediation at the direction of Hastings & Aziz Ltd.**
- Steel grillage work and anchoring may be completed during winter months.
- All masonry work is subject to weather conditions.
- Various entrances to building will require temporary closure during repair procedures.
- Noisy work can be completed before and/or after school hours.
- HST is extra.
- Payment terms will be negotiated prior to signing an official contract for work.

We look forward to working with you on this project.

Kind regards,

John W. Thomas



Invoice

Date	Invoice #
10/29/2014	10101

Invoice To:

Hastings & Aziz
 Consulting Structural Engineers
 303 Richmond Street Suite 202
 London, Ontario N6B 2H8
 Canada

GST/HST No.	P.O. No.	TERMS	PROJECT NAME
102751328		upon receipt	Regina Mundi -

JOB DESCRIPTION	TOTALS
-----------------	--------

RE: LDCSB - REGINA MUNDI SECONDARY SCHOOL
 EMERGENCY ENCLOSURE AND OVERHEAD PROTECTION
 MONTHLY BILLING - AUG 27- SEPT 25

Monthly rental charge for 6' barrier fencing to surround sections of school as per recommendation from Engineer
 Monthly rental charges for scaffolding for overhead protection a various exit doors as per recommendations from Engineer
 MONTHLY RENTAL - for 28 day period. 8,096.95

NOTE:

- Based on 28 day rental agreement
- Rental is set up on a 1 year rental term, any change to this term will result in additional rental charges.
- Additional charges for dismantle and cartage will apply when project is demobilized

Subtotal	CAD 8,096.95
GST/HST	CAD 1,052.60
Total	CAD 9,149.55

A DIVISION OF JWT HOLDINGS INC.

611 Industrial Road, London, Ontario N5V 1V2 (519) 453-0290 FAX: (519) 453-8111
 email: accounts@285.abbottconstruction.ca

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Demolition Request for Heritage Listed Property at 7056 Pack Road, Ward 9
Public Participation Meeting

Date: October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, with the advice of the Heritage Planner, with respect to the demolition request for the building on the heritage listed property at 7056 Pack Road, that:

- a) The Chief Building Official **BE ADVISED** that Municipal Council consents to the demolition of the building on the property; and,
- b) The property at 7056 Pack Road **BE REMOVED** from the *Register of Cultural Heritage Resources*.

Executive Summary

The property at 7056 Pack Road is listed on the City of London's *Register of Cultural Heritage Resources*. A demolition request has been received for the property, which triggers a formal review process pursuant to the requirements of the *Ontario Heritage Act* and the Council Policy Manual. A Cultural Heritage Evaluation Report (CHER) was submitted with this request and determined that the property does not meet the criteria of *Ontario Regulation 9/06* and does not merit designation pursuant to the *Ontario Heritage Act*. Staff agree with the conclusions and recommendations of the CHER. Staff recommend that Municipal Council remove the property from the *Register of Cultural Heritage Resources* and allow the demolition to proceed.

Linkage to the Corporate Strategic Plan

This recommendation supports the following 2023-2027 Strategic Plan areas of focus:

- London has safe, vibrant, and healthy neighbourhoods and communities.
 - Londoners have a strong sense of belonging and sense of place.
 - Create cultural opportunities that reflects arts, heritage, and diversity of community.

Analysis

1.0 Background Information

1.1 Property Location

The property at 7056 Pack Road is located on the north side of Pack Road, just west of Colonel Talbot Road, at the intersection of Pack Road and Colonel Talbot Road (Appendix A). The property is located in the former Westminster Township that was annexed by the City of London in 1993.

1.2 Cultural Heritage Status

The property at 7056 Pack Road is a heritage listed property. The property was first listed in 1993 as being of potential cultural heritage value or interest and appeared in the City's *Inventory of Heritage Resources* (1998) which added properties as part of the City's annexation of this area. The *Inventory of Heritage Resources* was adopted in 2007 as the Register pursuant to Section 27, *Ontario Heritage Act*.

1.3 Description

The property at 7056 Pack Road is agricultural in character and is approximately 5.7 acres (2.3 hectares) in size (Appendix A). There are two entrances to the property from Pack Road. The primary driveway leads up to a looped drive on the west side of the house on the property, where an added garage is accessed; the secondary driveway is to the east of the house, downside of a small embankment. The house on the property is positioned along the western edge of the property. There is a metal shed located at the east side of the house. The remainder of the property is agricultural fields that are fallow.

The house at 7056 Pack Road consists of a 1 ½ storey, vernacular farmhouse, with an L-shaped plan, constructed with buff brick and stone foundation. The construction of house is estimated to be circa 1878 and exhibits influences of the Gothic Revival style. The footprint of the farmhouse consists of two portions forming the L-shaped plan; the main portion to the east measures approximately 7m x 10.6m (23ft x 35ft); the “wing” portion extending to the west measures approximately 6.7m x 7.3m (22ft x 24ft). [See Appendix C, p5, Figure 4 – Footprint Sketch]. A more recent addition including a garage has been constructed on the north side of the house. As well, a small semi-enclosed entrance area extends across the east elevation. These additions obscure some of the exterior features of the north and east elevations at the first-floor level.

The east elevation of the main portion of house is symmetrical and features three bays with a centre doorway opening with a small gable positioned above and a large arched window opening below the gable. The arched opening contains a double row of brick voussoirs. The south elevation of the main portion of the house faces Pack Road and features a prominent bay window. The treatment of the “wing” portion of the south elevation is similar to the east elevation, being symmetrical and featuring three bays with a centre doorway opening with a small gable positioned above. A smaller arched window opening is located below the gable, and once again, the arched opening contains a double row of brick voussoirs. The west elevation features the gabled end of “wing” portion of the house. What is visible of the north elevation of the main portion of the house features the gabled end of the roof and is symmetrically composed. The garage addition obscures the “wing” portion of the north elevation. Most all window openings throughout consist of shallow-arch openings with brick voussoirs and windows have been replaced with vinyl windows.

From images supplied by the property owner, the basement appears to be at least partially excavated with walls constructed of fieldstone.

The interior layout of the house has been altered due to its more recent conversion from its original single-family use into two separate rental units (Bright Past, p14).

1.4 Property History

The Euro-Canadian history of the property at 7056 Pack Road begins with land records for Lot 76, West Talbot Road, in the former Westminster Township. In 1821, a Crown patent was granted to John Van Emery for an 80.9-hectare (200-acre) piece of land comprising Lot 76, West Talbot Road (on the west side of what is now known as Colonel Talbot Road). The property was then sold to Jacob Peer in 1822. In 1831 and 1835, Jacob Peer sold two parcels from Lot 76, totaling 31 acres, to Jesse Cornell. Jesse Cornell Sr. (1796-1881) was an early pioneer in Westminster Township. The history, origins, and early presence of the Cornell family in Westminster Township have been written about in *Delaware and Westminster Townships* (2006). The house at 7056 Pack Road was most likely built by Jesse Harmon Cornell, Jesse Cornell’s son, and can be seen on the Map of the Township of Westminster in the 1878 *Illustrated Historical Atlas of the County of Middlesex, Ont.*; the location of the house on the map is consistent with the approximate location of the current house on the property (Bright Past, p41). Subsequent owners of the property at 7056 Pack Road also include James Herbert Cornell and Forra Delous Cornell, the grandson and great-grandson of Jesse Cornell Sr.

Through connections to Jesse Cornell Sr., the property at 7056 Pack Road has associations with the Cornell family who were significant to the early settlement in

Westminster Township. The Cornell family is also historically associated with the nearby heritage listed property at 3087 Colonel Talbot Road. For further details on the history of the property and Cornell family, please see Appendix C.

2.0 Discussion and Considerations

2.1 Legislative and Policy Framework

Cultural heritage resources are to be conserved and impacts assessed as per the fundamental policies of the *Provincial Policy Statement (2020)*, the *Ontario Heritage Act*, and *The London Plan*.

2.1.1 Provincial Policy Statement

Heritage Conservation is a matter of provincial interest (Section 2.d, *Planning Act*). The *Provincial Policy Statement (2020)* promotes the wise use and management of cultural heritage resources and directs that “significant built heritage resources and significant cultural heritage landscapes shall be conserved” (Policy 2.6.1, *Provincial Policy Statement 2020*).

“Significant” is defined in the *Provincial Policy Statement (2020)* as, “resources that have been determined to have cultural heritage value or interest.” Further, “processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the *Ontario Heritage Act*.”

Additionally, “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.”

2.1.2 Ontario Heritage Act

Section 27, *Ontario Heritage Act* requires that a register kept by the clerk shall list all property that have been designated under the *Ontario Heritage Act*. Section 27(1.2), *Ontario Heritage Act* also enables Municipal Council to add property that have not been designated, but that Municipal Council “believes to be of cultural heritage value or interest” on the Register.

The only cultural heritage protection afforded to heritage listed property is a 60-day delay in the issuance of a demolition permit. During this time, Council Policy directs that the Community Advisory Committee on Planning (CACP) is consulted, and a public participation meeting is held at the Planning & Environment Committee. A Cultural Heritage Evaluation Report (CHER) or Heritage Impact Assessment (HIA) is required for a demolition request for a building or structure on a heritage listed property.

Section 29, *Ontario Heritage Act* enables municipalities to designate property to be of cultural heritage value or interest. Section 29, *Ontario Heritage Act* also establishes consultation, notification, and process requirements, as well as a process to appeal the designation of a property. Objections to a Notice of Intention to Designate are referred back to Municipal Council. Appeals to the passing of a by-law to designate a property pursuant to the *Ontario Heritage Act* are referred to the Ontario Land Tribunal (OLT).

2.1.2.1 Criteria for Determining Cultural Heritage Value or Interest

Ontario Regulation 9/06, as amended by *Ontario Regulation 569/22*, establishes criteria for determining the cultural heritage value or interest of individual property. These criteria are consistent with Policy 573_ of *The London Plan*. These criteria are:

1. The property has design or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.
2. The property has design or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community.
5. The property has historical or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a

- community or culture.
6. The property has historical or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
 7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.
 8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.
 9. The property has contextual value because it is a landmark.

A property is required to meet two or more of the abovementioned criteria to merit protection under Section 29 of the *Ontario Heritage Act*.

2.1.3 The London Plan

The Cultural Heritage chapter of *The London Plan* recognizes that our cultural heritage resources define our city's unique identity and contribute to its continuing prosperity. It notes, "The quality and diversity of these resources are important in distinguishing London from other cities and make London a place that is more attractive for people to visit, live or invest in." Policies 572_ and 573_ of The London Plan enable the designation of individual property under Part IV of the *Ontario Heritage Act*, as well as the criteria by which individual property will be evaluated.

2.1.4 Register of Cultural Heritage Resources

Municipal Council may include property on the *Register of Cultural Heritage Resources* that it "believes to be of cultural heritage value or interest." The property is not designated but is considered to have potential cultural heritage value or interest.

The Register of Cultural Heritage Resources states that further research is required to determine the cultural heritage value or interest of heritage listed property. If a property is evaluated and found to not meet the criteria for designation, it should be removed from the Register of Cultural Heritage Resources.

The property at 7056 Pack Road is included on the Register of Cultural Heritage Resources as a heritage listed property.

3.0 Financial Impact/Considerations

None

4.0 Key Issues and Considerations

4.1. Demolition Request

Written notice of intent to demolish the built resource at 7056 Pack Road, along with a Cultural Heritage Evaluation Report (CHER, Bright Past, August 2023), was received as a complete application by the City on September 18, 2023 (Appendix C).

Municipal Council must respond to a notice of intention to demolish a building or structure on a heritage-listed property within 60 days, or the request is deemed permitted. During this 60-day period, the Community Advisory Committee on Planning (CACP) is consulted, and pursuant to Council Policy, a public participation meeting is held at the Planning and Environment Committee (PEC).

The 60-day period for the demolition request for the property at 7056 Pack Road expires on November 17, 2023.

Staff undertook site visits of the property on June 28, 2023, and September 26, 2023. Only the exterior of the built resource and grounds of the property were viewed.

4.2. Evaluation

A CHER was submitted as part of the demolition request for the heritage listed property at 7056 Pack Road. The CHER included historical research, site photographs, description, an evaluation of the property according to Ontario Regulation 9/06 (Criteria

for Determining Cultural Heritage Value or Interest), as well as recommendations from the heritage consultant.

The evaluation of the property determined that it met one of the nine criteria (Table 1).

Table 1: Summary of evaluation of the property at 7056 Pack Road.

Criteria	Evaluation
1. The property has design value or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method.	No
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.	No
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.	No
4. The property has historical value or associative value because it has direct association with a theme, event, belief, person, activity, organization or institution that is significant to a community.	Yes
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	No
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.	No
7. The property has contextual value because it is important in defining, maintaining or supporting the character of an area.	No
8. The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings.	No
9. The property has contextual value because it is a landmark.	No

For the full evaluation, please see Appendix C.

Regarding criterion 4, the CHER found,

The property has associative value because it has direct association with the Cornell family who were early settlers in the area, and significant to the community for their settlement, family, and related activities. Therefore, the property does meet this criterion.

A property must meet two or more criteria of Ontario Regulation 9/06 to be eligible for designation under the *Ontario Heritage Act*. The evaluation of the property at 7056 Pack Road found that it only met one of the criteria. The CHER does not recommend designation of the property at 7056 Pack Road under the *Ontario Heritage Act*.

Regarding the historical/associative value of the Cornell family, as noted by the CHER, the legacy or early settlement of the Cornell family may be better represented by other properties, such as the nearby heritage listed property at 3087 Colonel Talbot Road (which was the location of Jesse Cornell's original patent).

Staff have reviewed and agree with the conclusions and recommendations of the CHER that the property at 7056 Pack Road does not meet the minimum criteria for designation. As a result, designation of the property under the *Ontario Heritage Act* is not recommended.

4.3 Consultation

Per Council Policy for the demolition of buildings or structures on heritage listed properties, notification of the demolition request was sent to property owners within 120m of the subject property, as well as community groups and interested parties including the Architectural Conservancy Ontario – London Region Branch, the London & Middlesex Historical Society, and the Urban League of London. Notice was also published in *The Londoner*.

In accordance with Section 27(4) and Section 27(9), *Ontario Heritage Act*, consultation with the Community Advisory Committee on Planning (CACP, the City's municipal heritage committee) is required. The CACP was consulted on this request at its meeting held on October 11, 2023.

Conclusion

A request to demolish the heritage listed property at 7056 Pack Road was received by the City. A Cultural Heritage Evaluation Report (Bright Past, 2023) was submitted with this request and determined that the property does not meet the criteria of *Ontario Regulation 9/06* and does not merit designation pursuant to the *Ontario Heritage Act*. Staff agree with the conclusions and recommendations of the CHER. Staff recommend that Municipal Council remove the property from the *Register of Cultural Heritage Resources* and allow the demolition to proceed.

Prepared by: Laura E. Dent, M.Arch, PhD, MCIP, RPP
Heritage Planner

Reviewed by: Kyle Gonyou, RPP, MCIP, CAHP
Manager, Heritage and Urban Design

Recommended by: Heather McNeely, RPP, MCIP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng.
Deputy City Manager, Planning and Economic
Development

Appendices

Appendix A Property Location
Appendix B Images
Appendix C Cultural Heritage Evaluation Report (August 2023)

Sources

Bright Past Heritage Consulting Inc. (2023, August, updated). Cultural Heritage Evaluation Report – 7056 Pack Road, City of London.

Corporation of the City of London. n.d. City of London Strategic Plan 2023-2027. London, ON.

Corporation of the City of London. n.d. Property Files: 7056 Pack Road.

Corporation of the City of London. (2016, consolidated 2022, May 25). *The London Plan*. London, ON.

Corporation of the City of London. (2022, December 9). *Register of Cultural Heritage Resources*. London, ON.

Grainger, J. (2006). *Delaware and Westminster Townships Volume Two: Together in History*. Ontario: Westminster Historical Society.

_____. Map of the Township of Westminster. *Illustrated Historical Atlas of the County of Middlesex, Ontario*. Toronto: H.R. Page & Co., 1878. Retrieved September 29, 2023.

<https://digital.library.mcgill.ca/countyatlas/Images/Maps/TownshipMaps/mid-m-westminster.jpg>

London Advisory Committee on Heritage and the Department of Planning and Development (1998). *Inventory of Heritage Resources*. London, ON: Corporation of the City of London.

London Advisory Committee on Heritage and the Department of Planning and Development (2006). *Inventory of Heritage Resources*. London, ON: Corporation of the City of London.

Ministry of Municipal Affairs and Housing. (2020). *Provincial Policy Statement, 2020*. Ontario: Queen's Printer for Ontario.

Ontario Heritage Act, (last amendment 2022, c. 21, Sched. 6.). Retrieved from e-Laws website <https://www.ontario.ca/laws/statute/90o18>

Appendix A – Property Location

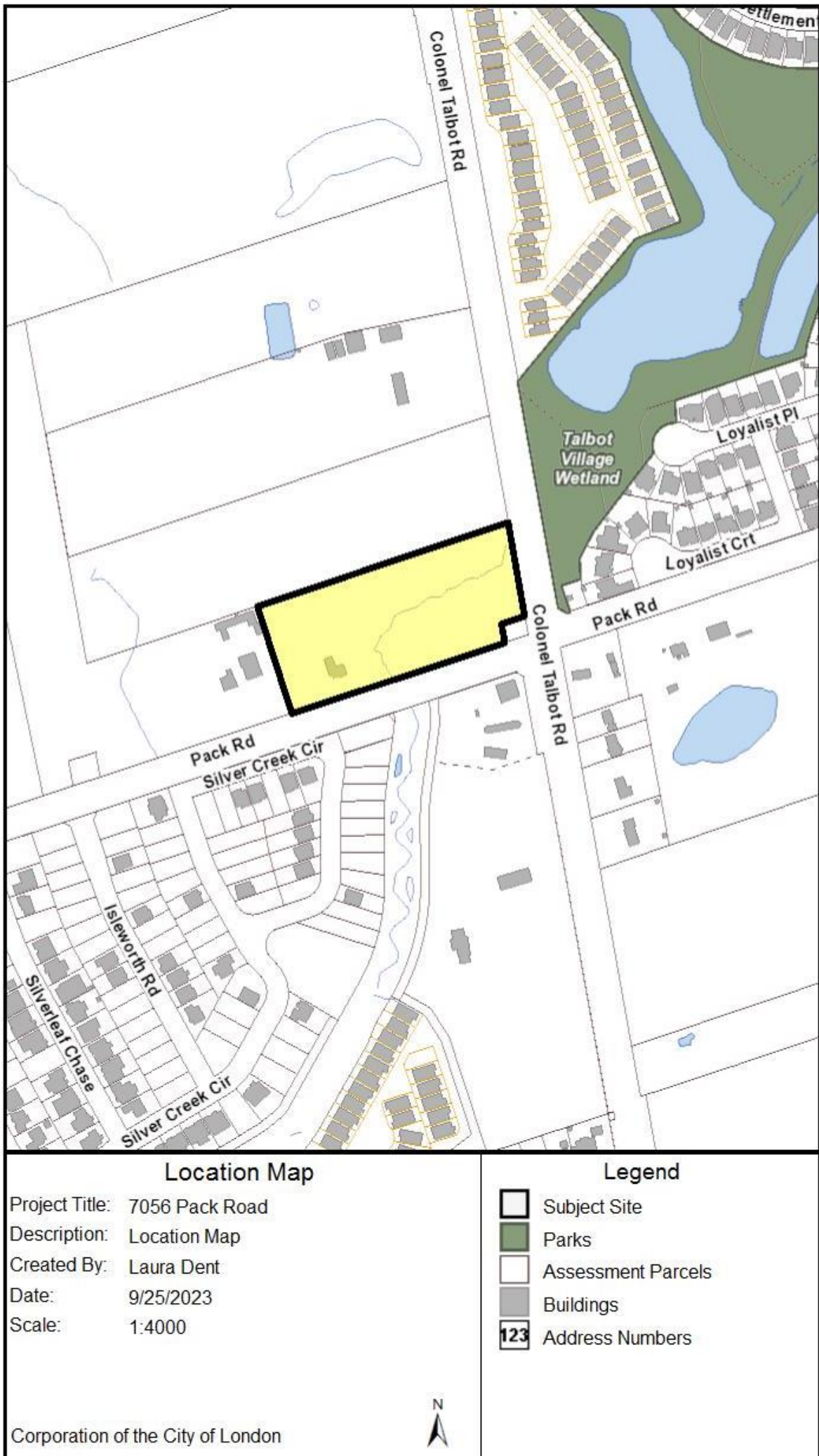
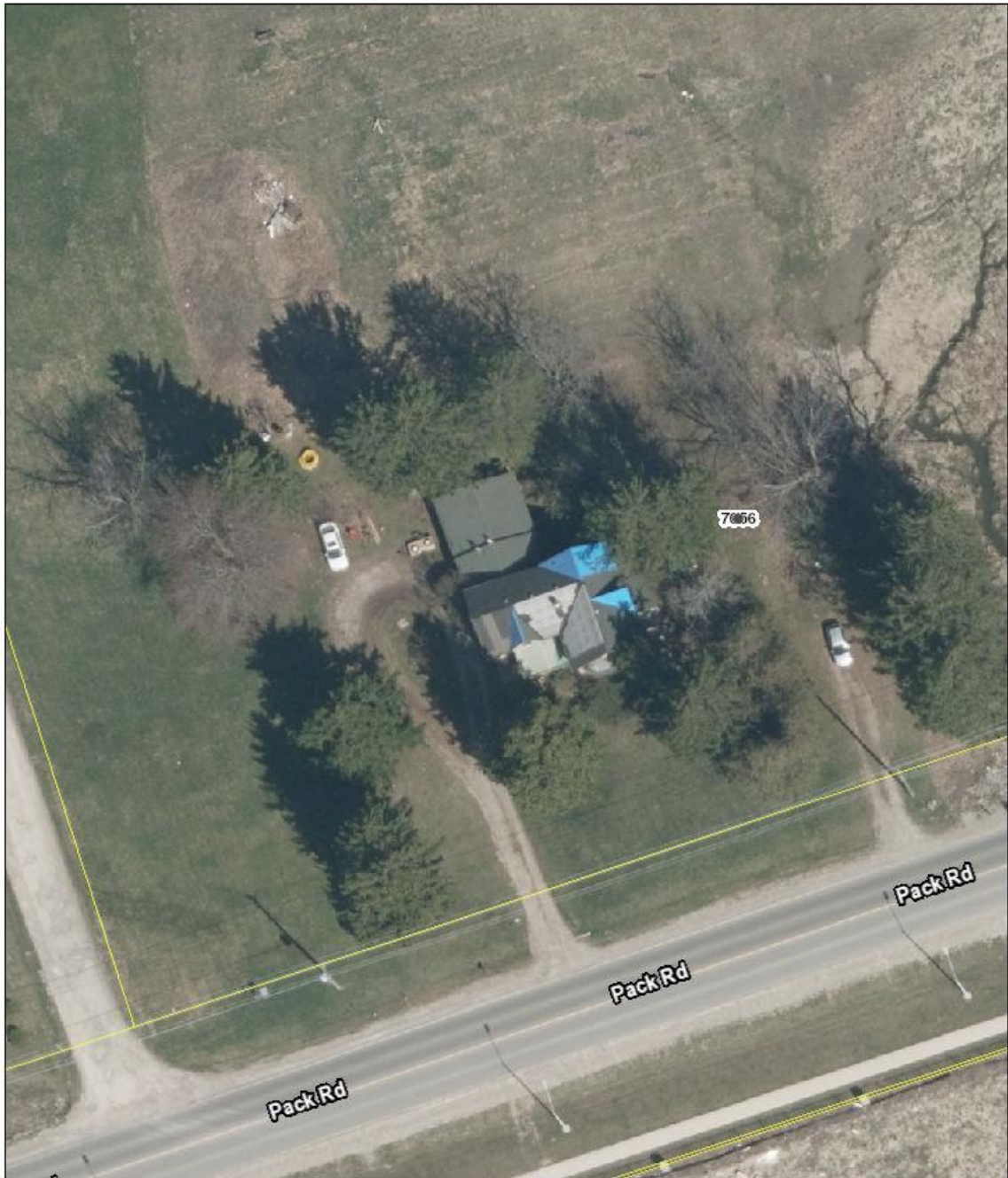
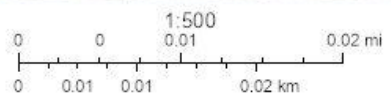


Figure 1: Property Location Map showing the location of the subject property at 7056 Pack Road.

Corporate City Map



9/26/2023, 1:50:22 PM



Corporation of the City of London | Produced For: Environmental & Engineering Services – Transportation Planning & Design | Produced by: Environmental & Engineering Services - Geomatics | The Corporation of the City of London

Figure 2: Property Map showing an aerial view of the building on the subject property at 7056 Pack Road.

Appendix B – Images



Image 1: Photograph of house, west and south facing elevations (L. Dent, September 26, 2023).



Image 2: Photograph of west facing elevation of house with addition (L. Dent, September 26, 2023).



Image 3: Photograph of north facing elevation of house with projecting addition (L. Dent, September 26, 2023).



Image 4: Photograph of north facing elevation of house, close-up without projecting addition-see small addition facing east (L. Dent, September 26, 2023).



Image 5: Photograph of east facing elevation of house with peaked gable over entrance (L. Dent, September 26, 2023).



Image 6: Photograph of south facing elevation, gabled end of house with bay window (L. Dent, September 26, 2023).



Image 7: Photograph of south facing elevation at the intersection of wing with peaked gable over entrance and gabled end with bay window (L. Dent, September 26, 2023).



Image 8: Photograph of south facing peaked gable with double row of voussoirs over window (L. Dent, September 26, 2023)

Appendix C – Cultural Heritage Evaluation Report (CHER)

Bright Past Heritage Consulting Inc. (2023, August, updated). Cultural Heritage Evaluation Report – 7056 Pack Road, City of London.

attached separately.



BRIGHT PAST

August 2023
(Updated)

Cultural Heritage Evaluation Report

7056 Pack Road
City of London

Prepared for Old Oak Properties Inc.

Acknowledgements

Land Acknowledgement

As descendants of settlers to Canada, one of our goals is to inspire others to take action to support Indigenous communities. One of the ways we can help achieve this is through creating a meaningful and intentional land acknowledgement. Therefore, we acknowledge that the subject site and the City of London is in the traditional territories of the Attawandaron, Anishinaabeg, Haudenosaunee, and Lunaapeewak peoples. It is now home to many diverse First Nations, Inuit and Metis people including the Chippewas of the Thames First Nation, Oneida Nation of the Thames, and Munsee Delaware Nation. The territory in the area which includes the subject site is governed by two treaties. The first is the Dish With One Spoon Wampum Belt Covenant, made between the Anishinaabe and the Haudenosaunee. The second is Treaty 2, or the McKee Purchase, which was signed on May 19, 1790. Though not encompassing the subject site, the City of London is also covered by Treaty 6, or the London Township Purchase, which was signed on September 7, 1796.

We are all treaty people. Many of us have come here as settlers, immigrants, and newcomers in this generation or our generations past. We would also like to acknowledge and honour those who came here involuntarily, particularly those who are descended from those brought here through enslavement.

Research Assistance

We would like to thank the research assistance and support from members of the local London community who provided information relating to the history of the property, specifically the London Public Library (Central Branch), and the City of London heritage planning staff.

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1

Introduction

1.0 Introduction

Bright Past Heritage Consulting Inc. (“Bright Past”) was retained by Old Oak Properties Inc. to prepare a Cultural Heritage Evaluation Report (“CHER”) with respect to the property municipally addressed as 7056 Pack Road, in the City of London, Ontario (“subject site”).

The subject site is near the western edge of the City of London within the Talbot Planning District. Geographically, the subject site is located just outside of the western edge of the City of London’s Urban Growth Boundary. The parcel is located on the north side of Pack Road, east of Dingman Creek, west of Colonel Talbot Road, and generally at the northwest corner of the intersection of Pack Road and Colonel Talbot Road, and north of the gas station / commercial plaza at 3425 Colonel Talbot Road.

The subject site is a listed, non-designated property on the City of London’s Heritage Register (the “Register”) having been identified as having potential cultural heritage value or interest.

The listing of a property on the Register does not impose the same legal protections as a “designation” under section 29 of the Ontario Heritage Act. However, a listing is still relevant as owners are required to give written notice of their intent to demolish or remove a building from a listed property.

The purpose of this CHER is to assist in determining whether the subject site has cultural heritage value or interest. It will help in considering if any significant attributes may exist on the site and whether a designation under Part IV of the Ontario Heritage Act should be considered.

The following includes primary and secondary research, records of visual inspection, and an evaluation using the prescribed criteria in Ontario Regulation 9/06.

This CHER helps ensure that an understanding of potential cultural heritage value or interest is made without regard to pre-determined or desired outcomes. A clear understanding of a resource’s heritage value or interest can both ensure its long-term conservation, as well as identify opportunities for flexibility and change early in the planning process. The conclusions of the CHER summarize our research and evaluation undertaken for the site, and recommendations related to conservation.



2

Site & Surroundings

2.0 Site & Surroundings

2.1 Subject site

The subject site is near the western edge of the City of London within the Talbot Planning District. Geographically, the subject site is located just outside of the western edge of the City of London’s Urban Growth Boundary.

The parcel at 7056 Pack Road is located at the northwest corner of Pack Road and Colonel Talbot Road, on the north side of Pack Road, north and east of Silver Creek Circle, and west of Colonel Talbot Road (see **Figure 1: Location Map of Subject Site** and **Figure 2: Context Map of Subject Site**).

Figure 1 - Location Map of Subject Site



Figure 2 - Context Map of Subject Site



2.1.1 The Property

The parcel at 7056 Pack Road has an area of approximately 2.3 hectares (5.7 acres) with a frontage of approximately 85 metres along Colonel Talbot Road and 202 metres along Pack Road, and a depth of approximately 237 metres measured back from Colonel Talbot Road. The parcel at 7056 Pack Road is legally described as:

Part of Lot 76, Concession West of Talbot Road, Part 1, Plan 33R-17326, Geographic Township of Westminster; City of London.

The subject site has a generally rectangular shape, except for the southeastern corner, which has been severed to create a separate parcel. The subject site currently has a 1.5-storey single-detached brick residential dwelling, with some newer additions including a bump out serving as a mudroom on the east elevation and a garage attached to the north elevation. There is also a small garden shed situated east of the main house.

Access to the subject site is available from two points along Pack Road, with one linear driveway to the east used for one of two rental units in the house and the main access looping back just west of the house for the other rental unit.

The topography of the subject site undulates, with the flattest area generally located where the house is. The remainder of the subject site slopes gradually downwards towards Colonel Talbot Road to the northeast. Approximately two-thirds of the site appears to be naturalized, featuring a watercourse flowing diagonally just east of the secondary driveway. The southwest corner of the subject site contains all the development, including the house, driveway, and a grass-covered side yard. The site visit took place in August 2022, and online mapping was used for further assessment. Some immature and mature trees surround the house on all sides (see **Figure 3: Subject Site Context - 7056 Pack Road**).

Figure 3 - Subject Site Context, 7056 Pack Road



A comprehensive set of photos of the subject site is attached as Appendix A.

2.1.2 Architectural Description

The property at 7056 Pack Road features a 1.5-storey single-detached yellow brick house with an L-shaped floorplan and a gabled roof with steeply peaked dormers at the front and east sides. The roof is brown in colour, but during the site visit was under repair. It includes a 1-storey mudroom addition on the east façade and a 1-storey garage as a rear addition on the north side. There is also a small garden shed to the east of the house.

The main house appears to be constructed on a fieldstone foundation, with some areas covered or parged with concrete. According to the owner, the interior has been converted into two separate rental dwelling units, one on the ground floor and basement with access from the front main entrance, and the other on the upper level with access from the added mudroom on the east side. The south (front) and west elevations features trees or shrubs that are slightly overgrown abutting the house. The outline of the existing structure is illustrated below:

Figure 4 - Footprint Sketch

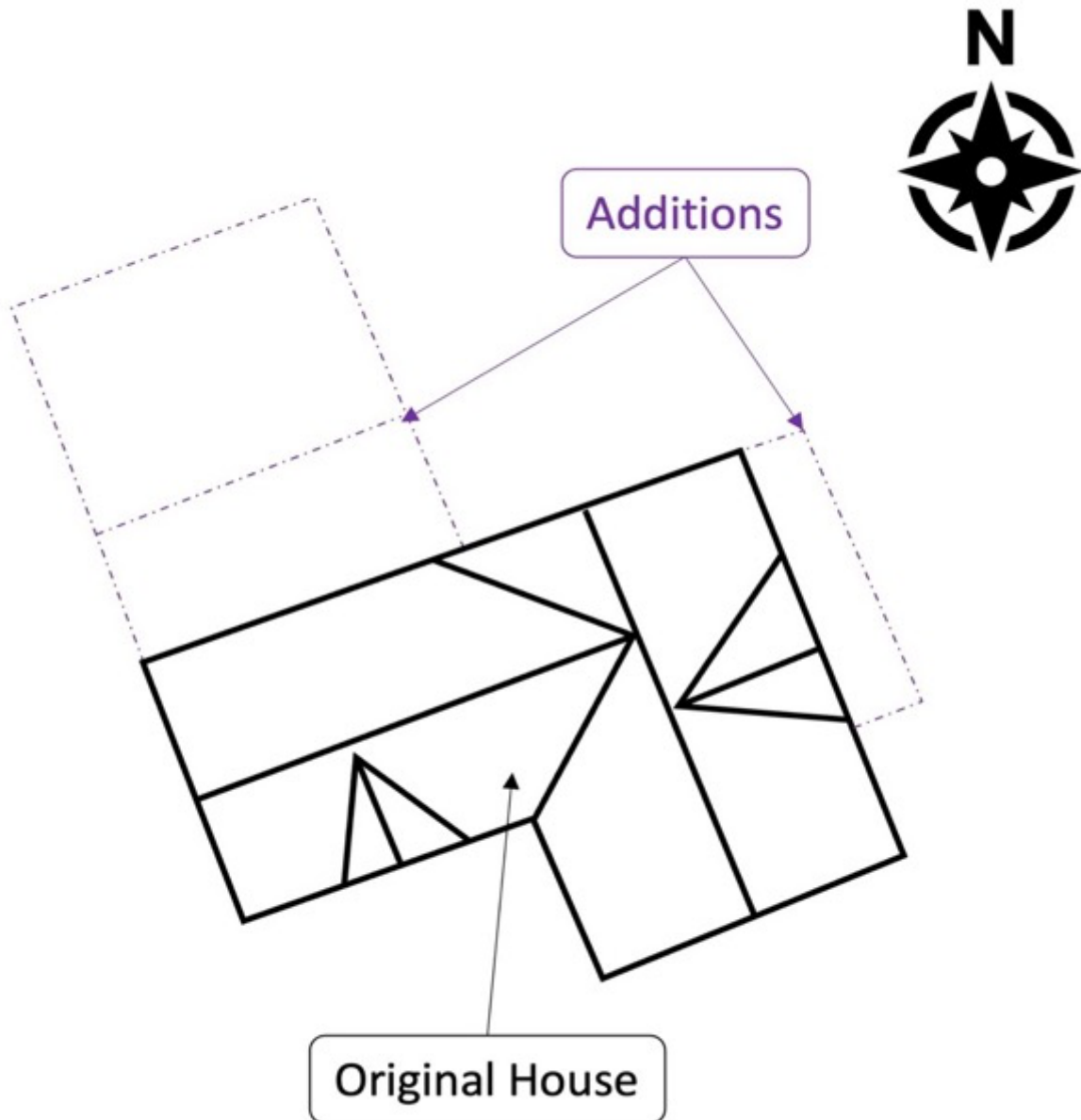
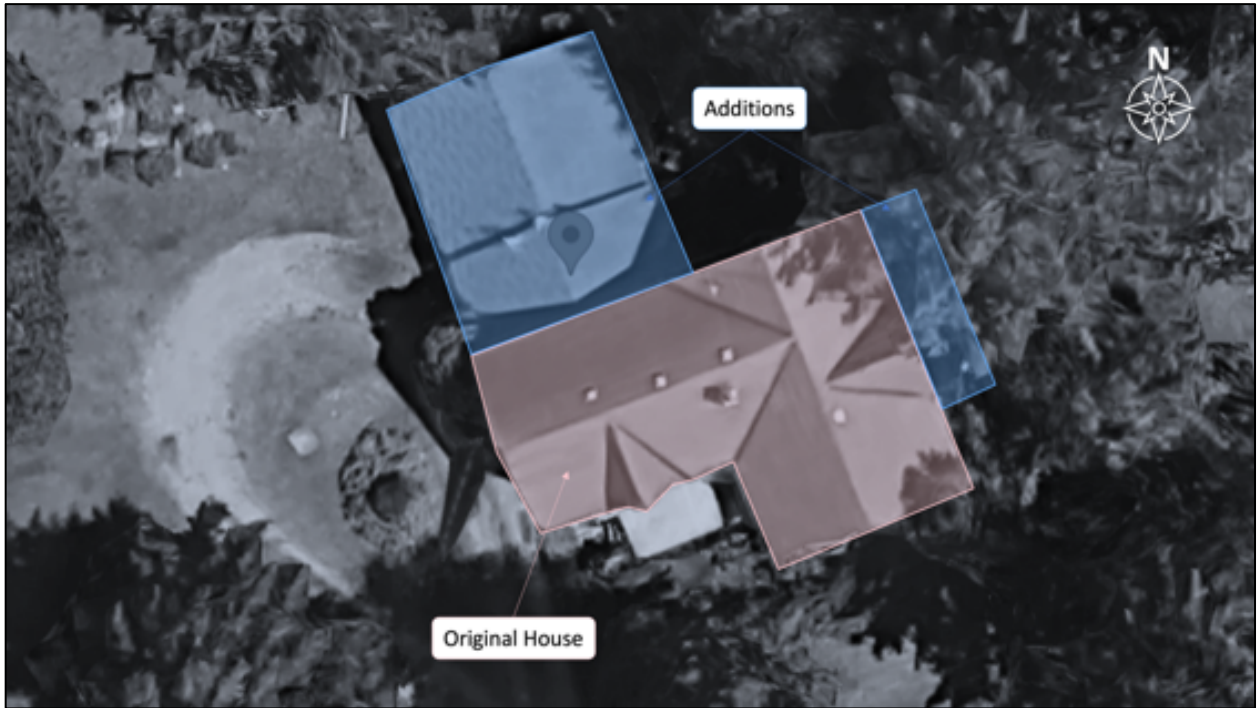


Figure 5 - Visual of Additions



Source: Google Maps, 2023

Aerial Photo of House at 7056 Pack Road



Source: Google Maps, 2023

2.1.2.1 South Elevation (Front Façade)

South Elevation (Front Façade) Overall



Source: Original Image

The south elevation (front façade) of the house at 7056 Pack Road consists of two sections: a front gable section and a side gable section both of which are made of yellow brick. The front gable section is positioned closest to the road and features a large offset bay window with three bays each with segmental arches. Each of the windows (central and flankers) are one-over-one rectangular vinyl inserts retrofit into their openings, and there is a shingled roof covering the bay.

The upper level of the front gable section has two windows with slightly projecting wood sills (about 4 inches thick) and segmental arches, designed in a two-over-two vertical form, and they have been retrofitted into their openings with modern rectangular vinyl inserts.

Notably, the front gable portion incorporates a component from the Heating, Ventilation, and Air Conditioning (“HVAC”) system retrofitted into the façade between the upper level windows. On the right side of this front gable section, there is a window that includes an in-window Air Conditioning (“AC”) unit. On the lower level near the eastern corner of the house, a satellite dish has been mounted. At the ground level there is a basement window with a segmental arched opening, again retrofit with a modern rectangular window insert.

Moving to the side gable section of the front façade, it features a tall one-over-one rectangular vinyl window, retrofitted into an opening that has a segmental arch with brick voussoirs and a tin-or steel-covered sill. This section also serves as the main entrance for the ground-level rental unit, elevated four steps from the ground by a concrete stoop and sheltered by a vinyl, tin, or steel awning, creating a small verandah, which is an addition according to the owner.

Additionally, the side gable section exhibits a tall and slim window opening on the upper level with a tin-or steel-covered sill and a round arched top. A one-over-one rectangular vinyl window has been retrofitted behind the arched brick opening. Above this round arched window, there is a steeply pitched dormer facing the street.

Overall, the roof pitch is moderate, except for the steeply pitched dormer. Positioned generally near the confluence of the L-shaped sections of the house, a chimney completes the roofline. The yellow brick exterior generally appears uniform in size and construction and consistent in colour.

Some damage is evident in the bricks and mortar, particularly above the window openings, to the roof of the bay window, and in several small sections of the wall.

2.1.2.2 East Elevation (Side Façade)

East Elevation (Side Façade) Overall



Source: Original Image

The east elevation (side façade) of the house at 7056 Pack Road features a generally square layout with two window openings. One window has been covered up, leaving a

single window on the ground level, situated just to the left of the 1-storey mudroom addition with wood siding, which is offset towards the north. Like many other windows on the house, this remaining window has a slightly projecting wood sill, approximately 4 inches thick, and a segmental arch with brick voussoirs. It has been retrofitted with a one-over-one rectangular vinyl insert.

Notably, there is some damage to the brick and mortar above the brick voussoirs of the main floor window. Overall, the yellow brick exterior generally appears uniform in size and construction and consistent in colour with the south elevation of the house.

On the upper level, a steeply pitched dormer with slightly projecting eaves can be observed. Below this dormer is a long, slender window opening that appears to be covered with cedar shakes. The window opening features a round arch that shows signs of brick and mortar damage.

Regarding the foundation on this side, it has been repaired with or parged over with concrete.

A walkway extends along this side of the house, leading to a raised entrance that is four steps high. This raised entrance provides access through the 1-storey wood addition, which appears to serve as a mudroom. The mudroom features a single entrance door and three large rectangular windows. However, only one of these windows seems to be functional, with a single slider design.

There is also a door to the rear of the mudroom (north side), but there are no steps projecting from it, suggesting that the door is not commonly or ever used. It is evident that the mudroom addition is a newer addition to the original structure as seen in its concrete block foundation versus the field stone foundation of the house and is a different material than the house itself (brick). This small addition provides access for the second rental unit, which occupies the upper level.

2.1.2.3 North Elevation (Rear Façade)

North Elevation (Rear Façade) Overall



Source: Original Image

North Elevation (Rear Façade) Garage



Source: Original Image

North Elevation (Rear Façade)



Source: Original Image

The north elevation (rear façade) of the house at 7056 Pack Road presents some notable changes, including a different brick color and the presence of a 1-storey garage addition. Unlike the south (front) and east sides, this main exterior wall does not have any bends or corners and is the longest portion of the “L-Plan” featuring two sections - a

front gable and a side gable. The front gable section showcases four windows, two on each level, with a similar design. The upper windows are slightly slimmer than their lower counterparts and all have segmental arches, mildly protruding sills about 4 inches thick, and rectangular vinyl inserts in a one-over-one format (either single or double hung). The rear of the front gable section also includes a basement window with a modern rectangular insert and a segmental arched top.

Along this façade, the fieldstone foundation is present before being interrupted by the garage addition.

Interestingly, the brick color on the rear differs from the yellow found on the front and east sides. The rear brickwork displays a polychromatic style with various hues of red and yellow and some brown. Typically, the north façade of buildings, especially rural ones, are better preserved from weather compared to the south façade due to differing exposure to elements. However, in this case, it is evident that different brick colors were intentionally used on the rear façade rather than a result of sun bleaching, because on the west elevation (discussed below) the change in brick is quite evident with a noticeable transition line in the brick.

A brick house may exhibit two different brick colors for various reasons. These include phased construction, where different sections were built at different times using materials available at the time; additions or expansions to accommodate growing families or changing needs; repairs or restoration work that involved using different bricks; brick sourcing, where locally available materials from various regions or quarries were used; or weathering and fading, although we do not believe weathering to be the case here.

The side gable section of the rear is mostly covered by the garage addition, which appears to be constructed of light timber with wood siding. Several windows of varying sizes and styles, some fixed and others operable, adorn each side of the garage. Most of these windows appear to be wood rather than vinyl, with one window on the rear closed off with plywood. The garage's white-painted wood siding is in need of repair, as it shows signs of flaking off.

Notably, the garage addition is not consistent in height, with a slightly raised portion connecting to the main house and a slightly lowered portion, dropping down by about a foot approximately 8 feet out from the house. The garage roof has a mild to moderate slope, and it is connected to the house nearest to the west edge, with tin or steel flashing present at the points of connection.

2.1.2.4 West Elevation (Side Façade)

West Elevation Overall



Source: Original Image

West Elevation with Polychromatic Brickwork



Source: Original Image

The west elevation (side façade) of 7056 Pack Road is the side gable to the front elevation of the house. This part of the house boasts several windows, including a small rectangular window with wood framing on the ground floor level, featuring a single pane vinyl insert (potentially fixed or casement). It also houses the primary garage functions, such as the main entrance, garage doors, and windows. The upper portion of the brickwork displays the same polychrome style, showcasing various hues of red and yellow, similar to the rear façade. Yet, on the lower portion, the yellow brickwork from the front and east sides continues over, and the two brick styles can be seen just below the upper level windows.

The features of this side elevation include hydro meters for the two rental units and evidence of a removed brick chimney, with a remnant portion still projecting from the side, just above the upper level windows towards the roof peak. Notably, there is a rectangular entranceway that has been covered up with plywood and painted brown, no longer serving as a functioning access point.

The upper level windows resemble the other windows on the house's upper level, designed with a long and rectangular shape. They have slightly projecting sills, about 4 inches thick, with tin or steel covers and segmental arches featuring brick voussoirs. The windows are designed in a two-over-two vertical form and have been retrofitted with modern vinyl inserts into their openings.

Additionally, the white garage contains two more windows (one single pane and one one-over-one), a brown steel garage door, and a regular entry door with glass panel are present on this side elevation, providing practical and functional features to the property.

A full series of images of the subject site and house can be found in **Appendix A**.

2.1.2.5 Interior

The interior of the house on the subject site has been converted into two separate rental units with distinct private entrances and represents a change from the original single-family function of the house.

The top-floor unit is accessed through its own private entrance via the east (side) mudroom addition. The ground-floor unit is access via the main entrance on the south (front) elevation and includes access to the basement. Images of the inside of the house were provided by the owners, as an interior site visit was not permitted. Captions are general.

The following pages provides some images of the interior of the house showing the ground floor rental unit and basement. The photos were provided by Old Oak Properties Inc.

Living Area



Source: Old Oak Properties Inc.

Living Area



Source: Old Oak Properties Inc.

Bedroom



Source: Old Oak Properties Inc.

Kitchen



Source: Old Oak Properties Inc.

Bedroom



Source: Old Oak Properties Inc.

Bathroom



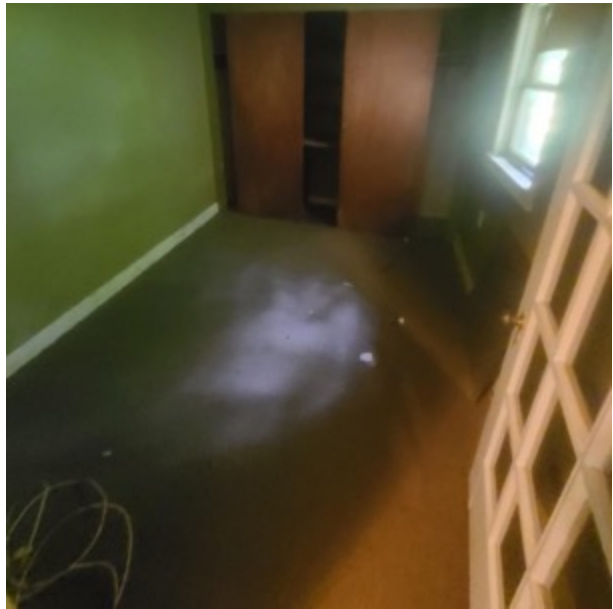
Source: Old Oak Properties Inc.

Laundry Room



Source: Old Oak Properties Inc.

Bedroom



Source: Old Oak Properties Inc.

Front Entrance



Source: Old Oak Properties Inc.

Stairs to Basement



Source: Old Oak Properties Inc.

Basement



Source: Old Oak Properties Inc.

Basement



Source: Old Oak Properties Inc.

2.1.2.6 Detached Accessory Structure

Located to the east side of the house is a small steel garden shed. The accessory structure is made of brown and white steel.

Garden Shed (East of Main House)



Source: Original Image

2.2 Adjacent & Surrounding Context

The subject site is in the Talbot Planning District (see **Figure 6: Neighbourhood Map**) of the City. This is an area in the western portion of the City of London that was previously located within the geographic Township of Westminster; the area includes the interface between urban and rural lands. The site is located just west and north of the current Urban Growth Boundary (“UGB”) which includes lands on the south side of Pack Road and the east side of Colonel Talbot Road (see **Figure 7: Urban Growth Boundary Map**).

Figure 6 - Neighbourhood Map

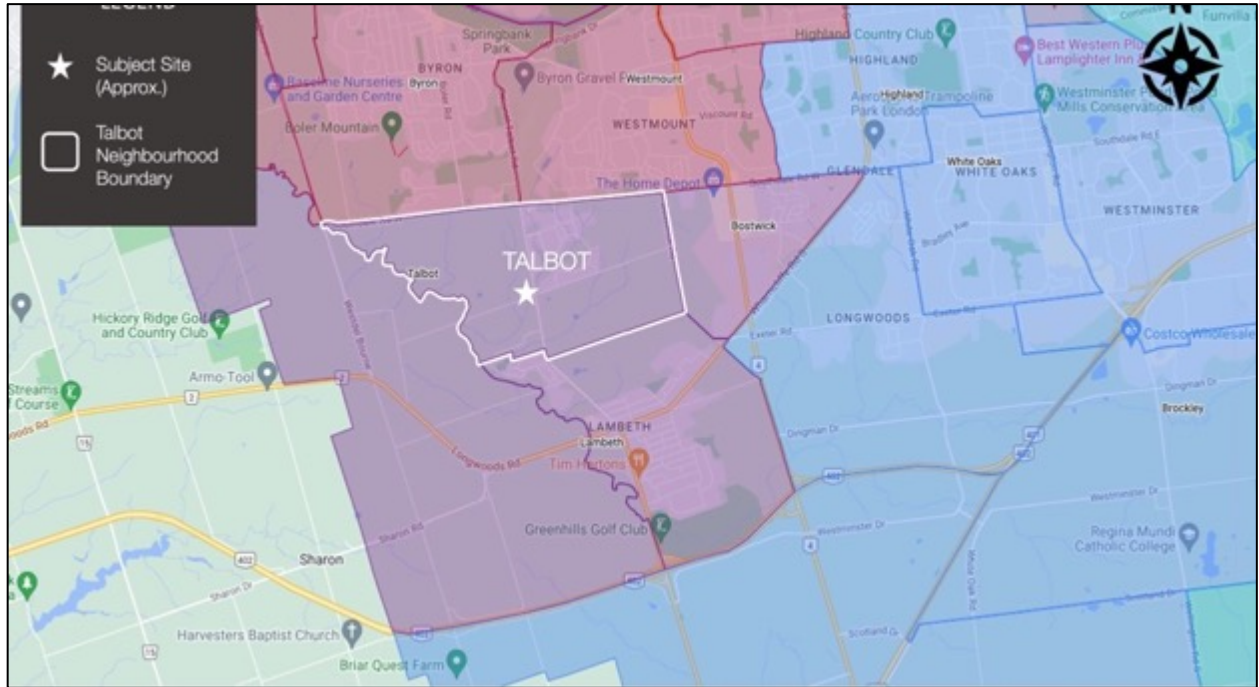
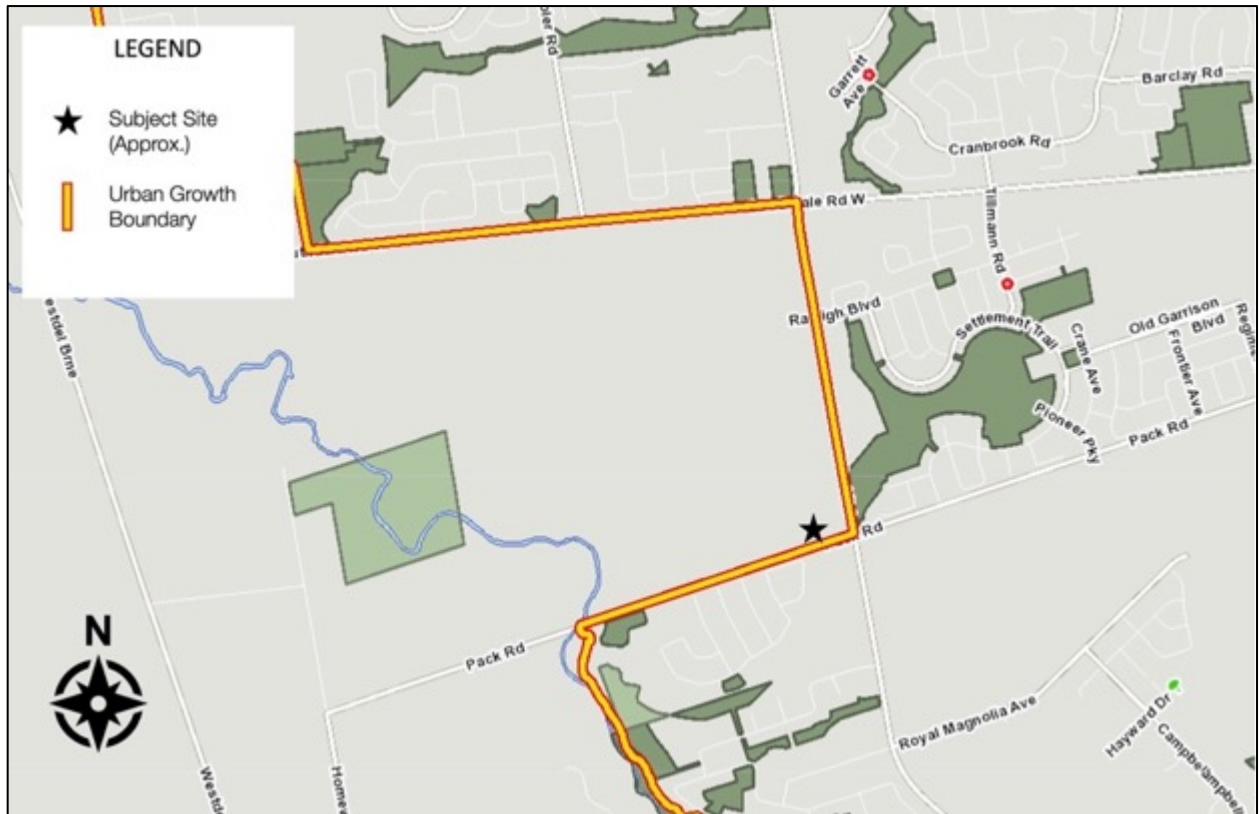


Figure 7 - Urban Growth Boundary Map



The west side of Colonel Talbot Road and the north side of Pack Road is generally comprised of rural and agricultural lands, with active agricultural operations, wooded areas, some wetland areas, rural residential lots, farmhouses, and farm-related structures (i.e., barns, silos, livestock facilities, etc.).

The east side of Colonel Talbot Road and the south side of Pack Road is comprised of more urban and intensified land uses including a range and mix of uses and densities and emerging residential development.

The following describes the adjacent land uses in greater detail and their relationship to the subject site.

The subject site is situated amidst a diverse range of surroundings. To the north, it neighbours rural and agricultural lands. Heading east, the immediate vicinity is characterized by a fully developed residential subdivision comprised of single-detached dwellings, forming the southern aspect of the "Talbot Village" development. Further eastward lies the "Talbot Village Wetland." To the south, is the commencement of the City's Urban Growth Boundary, and the underway "Silverleaf Estates" subdivision, notable for its sizeable lots and emphasis on large single-detached residences. Notably, a small retail-commercial plaza is located at the southeast corner of Pack Road and Colonel Talbot Road, encompassing a variety of amenities. To the immediate west, is the building that held "Pack Road Country Meats," a butcher and farm-deli. Progressing further to the west reveals additional agricultural, rural, and wooded areas, and eventually Dingman Creek and beyond that, Homewood Lane.

North:

3D Aerial View at Subject Site looking North



Source: Google, 2023 (Date of Satellite Imagery Unknown)

Lands North of Subject Site



Source: Original Photo

East:

Street View at Subject Site along Pack Road looking East



Source: Google, 2023

Lands East of Subject Site



Source: Original Photo

Commercial Plaza East of Subject Site (View from Subject Site)



Source: Original Photo

South:

Lands South of Subject Site



Source: Original Photo

Lands South of Site looking Southwest along Pack Road



Source: Original Photo

West:

3D Aerial Photo from Subject Site looking West



Source: Google, 2023 (Date of Satellite Imagery Unknown)

Pack Road Country Meats West of Subject Site (now Demolished)



Source: Original Photo

Street View along Pack Road looking West (Pack Road Country Meats demolished)



Source: Google, 2023

2.3 Heritage Context

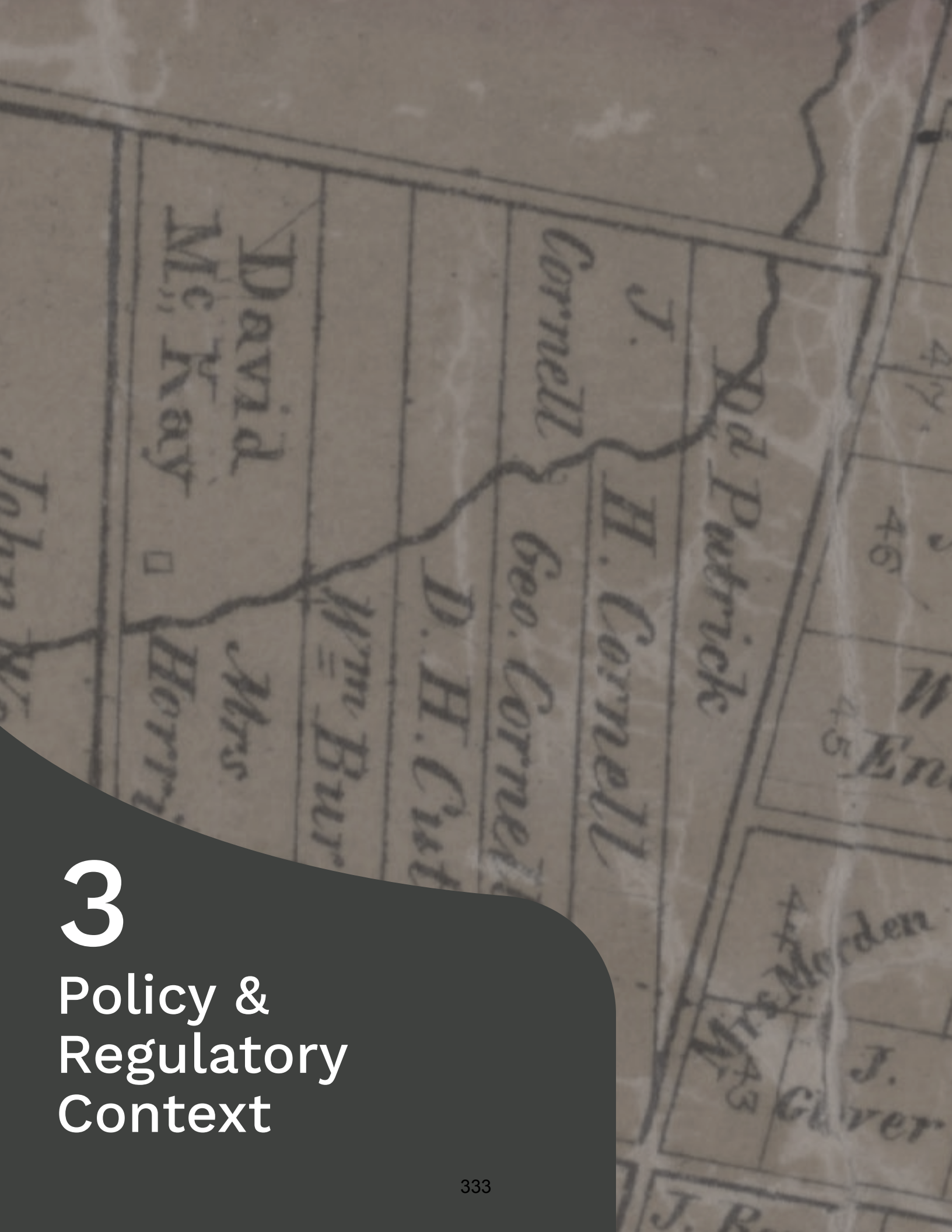
The following is based on the City of London's Register of Cultural Heritage Resources ("the Register") and available online interactive mapping.

Based on the Register, the subject site is a listed, non-designated property of potential cultural heritage value or interest on the City's Register.

Based on the City's Register and mapping, the subject site is not located within a heritage conservation district under Part V of the Ontario Heritage Act, R.S.O. 1990, c. O.18 ("OHA"), nor is it a part of an identified or protected cultural heritage landscape or significant view or vista. The subject site is also not a Provincial Heritage Property under Part III.1 of the OHA, nor is it a National Historic Site.

Based on the Register and mapping, the subject site is not located adjacent to any other listed or designated heritage properties on the Register. Adjacent is defined in the London Plan (i.e., London's Official Plan) as:

[...] sites that are contiguous; sites that are directly opposite a cultural heritage resource separated by a laneway, easement, right-of-way, or street; or sites upon which a proposed development or site alteration has the potential to impact identified visual character, streetscapes, or public views as defined within a statement explaining the cultural heritage value or interest of a cultural heritage resource.



3

Policy & Regulatory Context

3.0 Policy & Regulatory Context

3.1 Planning Act

The Planning Act, R.S.O. 1990, c. P.13 (the “Planning Act”) is provincial legislation that sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them. The Planning Act includes several sections that speak to matters relating to cultural heritage, including those matters of provincial interest in Section 2, which among other matters, states that:

2 The Minister, the council of a municipality, a local board, a planning board, and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,

(d) the conservation of features of significant architectural, cultural, historical, archaeological, or scientific interest; [...].

In order to refine the matters of provincial interest described in Section 2 of the Planning Act, the Minister of Municipal Affairs and Housing, or the Minister together with any other minister of the Crown, issues policy statements on matters relating to municipal planning that are of provincial interest. In this regard, the in-force 2020 Provincial Policy Statement was prepared, which sets the rules for land use planning in Ontario.

3.2 Provincial Policy Statement

The 2020 Provincial Policy Statement (“PPS”) includes policies about managing growth, using, and managing natural resources, protecting the environment, public health, and safety, and provides policy direction on matters of provincial interest including the wise use and management of cultural heritage resources.

Section 2.6 of the PPS provides specific policy direction with respect to cultural heritage and archaeology. Specifically, Policy 2.6.1 states that significant built heritage resources and significant cultural heritage landscapes shall be conserved.

The intent of this CHER is to evaluate the subject site to determine if it has cultural heritage value or interest which would warrant consideration for a designation.

3.3 Heritage Act

The Ontario Heritage Act, R.S.O. 1990, c. O.18 (the “Heritage Act”), is provincial legislation that sets out the ground rules specifically for the protection of heritage properties and archaeological sites in Ontario. The Heritage Act came into force in 1975, was amended in 2005 to strengthen and improve heritage protection in Ontario, amended again in recent years through Bill 108 July 2021 and again in November 2022 through Bill 23.

Under the Heritage Act, O. Reg. 9/06 sets out the criteria for determining cultural heritage value or interest for properties that may be designated under Section 29 of the Heritage Act, which were amended following Bill 23 through O. Reg. 569/22.

Bill 23 received Royal Assent on November 28, 2022, and has now been enacted as Chapter 21 of the Statutes of Ontario, 2022.

Under Bill 23, “listing” a property on the Register requires that they meet one or more of the prescribed criteria set out in O. Reg. 9/06 (Criteria for Determining Cultural Heritage Value or Interest) under the Heritage Act. Furthermore, to “designate” a property under Part IV of the Heritage Act (i.e., an individual designation), properties must now meet two or more of the nine prescribed criteria set out in O. Reg. 9/06. These criteria are as follows:

1. *The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material or construction method.*
2. *The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.*
3. *The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.*
4. *The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.*
5. *The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.*
6. *The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.*
7. *The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.*
8. *The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.*
9. *The property has contextual value because it is a landmark.*

3.3 Ontario Heritage Tool Kit

The Ontario Heritage Tool Kit (“OHTK”) is a series of guides designed to help understand the heritage conservation process in Ontario. The OHTK guides explain the steps to undertake the identification and conservation of heritage properties using the Ontario Heritage Act. They also describe roles community members can play in municipal heritage conservation, as participants on municipal heritage committees, or through local research conducted by groups with an understanding of heritage.

Following recent amendments to the Heritage Act, the OHTK was updated to assist users understand the changes. Some changes to the Heritage Act came into effect as O. Reg. 385/21 on July 1, 2021, but the OHTK drafts dated May 2021 were never finalized. Notwithstanding, the May 2021 draft of the OHTK are still posted on the Environmental Registry of Ontario (ERO # 019-2770), and as such, are helpful in understanding the revisions being considered by the Province.

The original OHTK consist of five documents. The documents entitled “Heritage Property Evaluation”, and “Designating Heritage Properties” being the most applicable to this CHER. The “Heritage Property Evaluation” document is a guide to listing, researching, and evaluating cultural heritage properties. The “Designating Heritage Properties” document is a guide to municipal designation of individual properties under the Ontario Heritage Act.

Under the Heritage Act, O. Reg. 9/06 sets out the criteria for determining cultural heritage value or interest. Under O. Reg 9/06, a property may be designated under Section 29 of the Heritage Act if it meets two or more of the criteria for determining whether it is of cultural heritage value or interest. However, O. Reg 9/06 does not consider matters that relate to the heritage integrity of building or structures.

In this regard, Section 5.3 of the OHTK document “Heritage Property Evaluation” provides that a heritage property does not need to be in original condition, since few survive without alterations between their date of origin and today. Integrity then, becomes a question of whether the surviving physical features (heritage attributes) continue to represent or support the cultural heritage value or interest of the property.

Accordingly, buildings that have been irreversibly altered without consideration for design, may not be worthy of long-term protection. When surviving features no longer represent the design, the integrity has been lost. Similarly, removal of historically significant materials, or extensive reworking of the original craftsmanship, warrants an assessment of integrity. If a building has an association with a prominent owner, or if a celebrated event took place there, it may hold cultural heritage value or interest, but the challenge comes with defining the specific type of association.

Cultural heritage value or interest may also be intertwined with location or an association with another structure or environment. If these have been removed, the

integrity of the property may be seriously diminished. As well, cultural heritage value or interest can be found in the evolution of a heritage property, as much can be learned about social, economic, technological, and other trends over time. The challenge again, is being able to differentiate between alterations that are part of an historic evolution, and those that are expedient and offer no informational value.

Section 5 of the May 2021 Draft OHTK document “Designating Heritage Properties” provides draft guidance on conserving the heritage value of a designated property. While the subject site is not a designated property under the Heritage Act, the guidance provided in this section is still helpful, as it speaks to matters regarding the loss of heritage integrity.

Accordingly, if a property is noted as being important for its architectural design or original details, and that design has been irreparably changed, it loses its heritage value and its integrity. Likewise, if a property is designated for its association with a significant person or event, but the physical evidence from that period has disappeared, the property’s cultural heritage value is diminished. For example:

What a difference it makes to see the symbols and hideaway places associated with the Underground Railroad in a building, compared with only the ability to say, “this happened here.”

As well, the same consideration applies to contextual qualities. A building, structure or other feature that has lost its context, has lost an important part of its heritage value.



Hopedale

Byron

Lambeth

Scottsville

4

History & Context

4.0 History & Context

4.1 Middlesex County

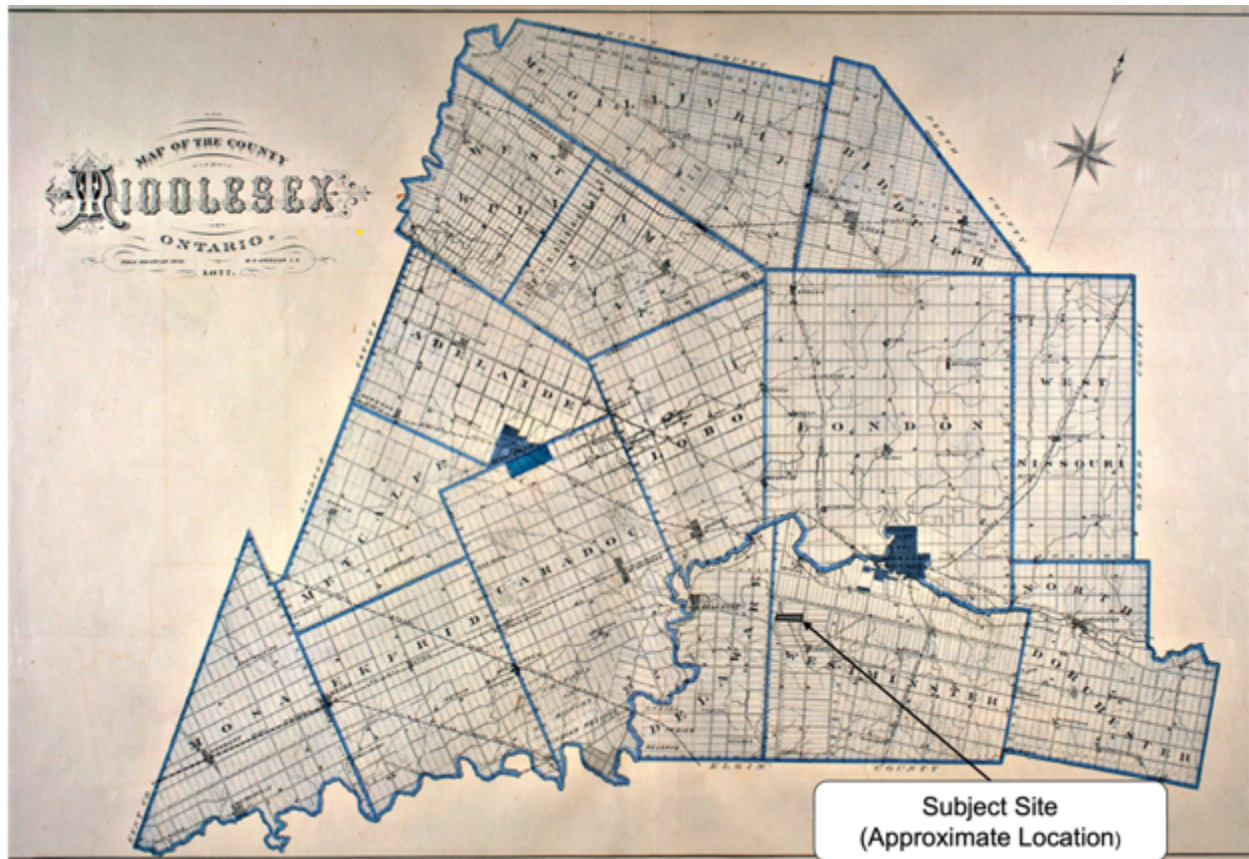
The subject site is situated in Middlesex County, which currently encompasses eight lower tier municipalities and the City of London (which operates independently from the County as its political seat). Middlesex County's origins trace back to around 1798 when the former Suffolk County was divided into three smaller divisions. The area that now constitutes Middlesex County was initially part of the Hesse District within the historic Province of Quebec in 1788 (H.R. Page & Co., 1878; and Grainger, 2006a, and Middlesex County, 2016).

With the establishment of the Province of Upper Canada in 1791 under British rule, the former Hesse District was renamed the Western District by 1792. Lieutenant-Governor John Graves Simcoe, the first Lieutenant Governor of Upper Canada, created Suffolk County in 1792, encompassing parts of present-day Middlesex, Elgin, and historic Kent Counties. Suffolk County included three townships (Delaware, Westminster, and most of North Dorchester) and Indigenous land (Goodspeed, 1879).

In 1793, Lieutenant-Governor Simcoe selected the forks of the Thames River as the future capital site of Upper Canada (London). In 1798, the Parliament of Upper Canada divided the Western District into smaller districts, including London, Delaware, Westminster, and North Dorchester, effectively dissolving Suffolk County. London Township was surveyed by Colonel Mahlon Burwell before the War of 1812 (H.R. Page & Co., 1878, and Miller, 1964).

By 1845, the London District was confined within Middlesex County, encompassing the Townships of London, Westminster, Dorchester, Delaware, and areas that now belong to Elgin County. Middlesex County underwent further changes over the years, expanding and separating from certain regions. In 1850, the London District separated from the County, and from 1851 onward, Middlesex County and the City of London progressed independently. By 1877, Middlesex County included the Townships of Adelaide, Biddulph, Caradoc, Delaware, Ekfrid, Lobo, London, McGillivray, Metcalfe, Mosa, Nissouri West, North Dorchester, Westminster, Williams East, and Williams West. (see **Figure 8: Middlesex County, 1877**).

Figure 8 - Middlesex County, 1877



Source: H.R. Page & Co., 1878

4.2 Westminster Township and Town of Westminster

Before it had a London address, the subject site was in the former Township of Westminster.

Westminster Township's history unfolds with its transformation from an Indigenous campsite to a flourishing region. Established in the early 19th century, this expansive area evolved into fertile fields and thriving dairy farms, marked by bountiful harvests and natural beauty (Grainger, 2006a).

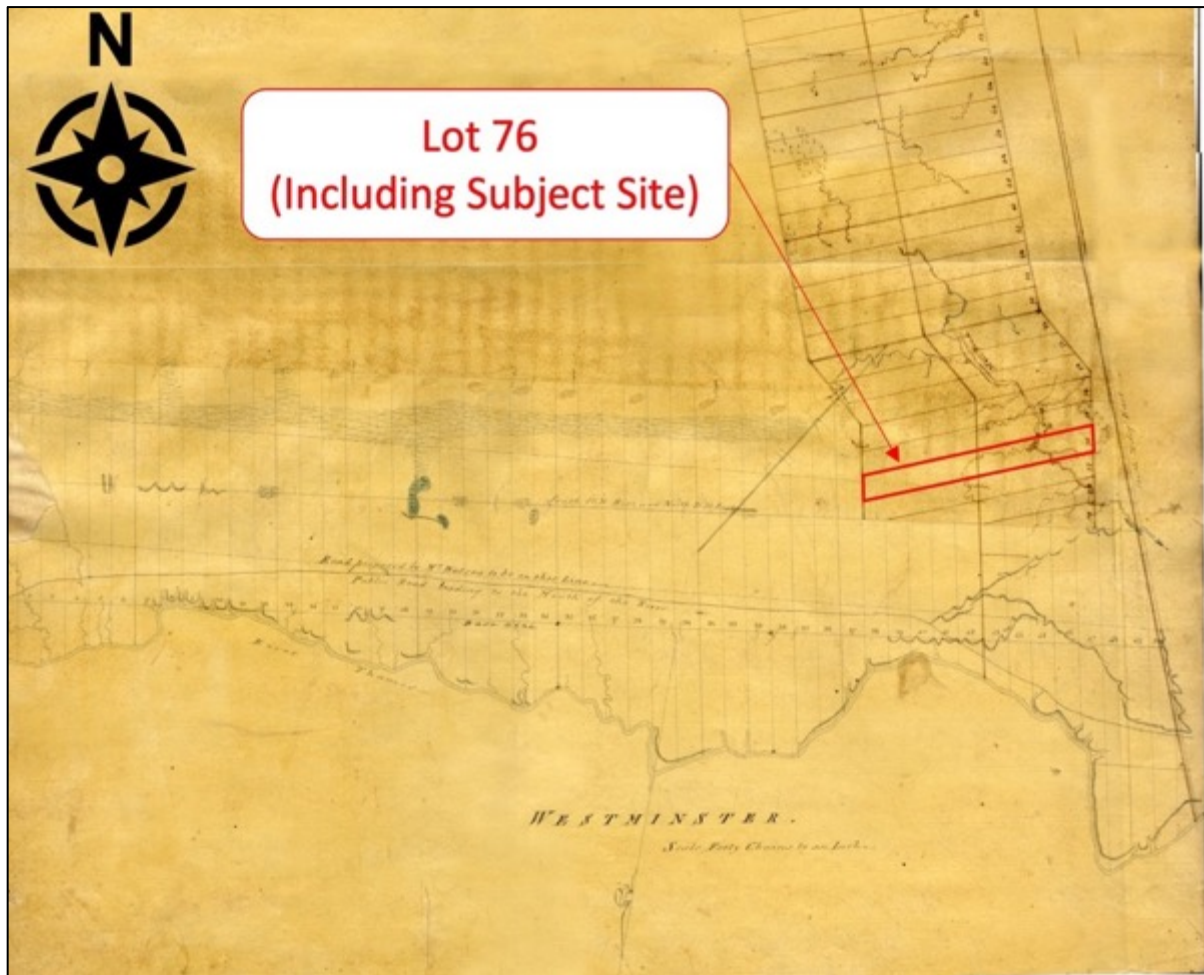
Westminster Township was one of the earliest townships in Middlesex County to be settled (H.R. Page & Co. 1878). Bordered by the Thames River, the historic Westminster was nestled between London, Elgin, and North Dorchester Townships (Grainger, 2006a p. 69). The survey of Westminster Township was divided into three separate segments carried out at different times. The initial segment was surveyed in 1809-10 by Simon Zelotes Watson and involved lots along Colonel Talbot Road, resembling the layout of lots along Quebec's St. Lawrence River (Grainger, 2006a p. 33-34). These lots were elongated and narrow, spanning 200 acres each, with the intention of safeguarding settlers by keeping them in close proximity.

Deputy Provincial Surveyor Watson, assisted by Deputy Surveyor Bostwick, executed the second survey in 1810. This phase encompassed conc. A, B, C1, and C2, mirroring the narrow and road-spanning lot configuration. Similarly, to Delaware Township, these lots were initially distributed in 100-acre portions among the first pioneers, ensuring settlers occupied both sides of the road (Grainger, 2006a p. 34).

The survey of Westminster Township was halted by the War of 1812. Following the war's conclusion, Deputy Surveyor Colonel Mahlon Burwell took over the balance of the survey. He covered the remaining area from C3 to C9 and established the Gore Concession between the NBTR lots and Delaware Township (Grainger, 2006a p. 34).

Figure 9 below shows the approximate location of Lot 76, where the subject site exists on an early survey of Westminster Township, 1810; one of the pre-war of 1812 surveys.

Figure 9 - Northern Boundaries of Westminster Township Survey, 1810



Source: *Elgin County Archives, 1810*

Next to Delaware, Westminster Township is the oldest settled township in Middlesex County (H.R. Page and Co., 1878). According to H.R. Page and Co., (1878 p. vi), “early

settlers to the area included Jesse Cornwall, who took up and cleared a farm in North Talbot Road". What is interesting to note, is that the records for the Cornell family name have been recorded differently, or mis-recorded over the years, and included entries such as "Cornell", "Cornwall", and "Cromwell" depending on the historical book or map being referenced. However, at the time, it was common spelling mistakes or improper entries, and it is assumed that "Cornell" is the current proper spelling, as that is the way it is referred to today, as evidenced by the farm at 1029 Southdale Road West and in entries by Grainger (2006b).

Other early settlers included Mr. Hull, Calvin and Ethan Burch, Stephen Mathews, Abram Patrick, Andrew Beatty, William Jones and his sons, Hiram, James and John, Thomas, and Samuel Hunt, William Little and his sons, and John Routledge.

When the early settlers came, much of Westminster Township was undeveloped. Patents were issued on lands in Westminster as early as 1812 (H.R. Page and Co., 1878 p. vi) (see **Figure 10: Westminster Township, 1823**).

Figure 10 - Westminster Township, 1823



Source: Elgin County Archives, 1823

In the 19th and early 20th centuries, various villages and hamlets thrived in Westminster and Delaware. Villages like Byron, Kilworth, and Pond Mills were established due to water sources and milling industries. Lambeth, Littlewood, and Sharon grew at road intersections, while Glanworth and Belmont flourished due to their railroad connections. Despite promising starts, many communities declined due to factors such as railways favoring some villages over others, diminishing milling industry, and changes in economic activities like wagon making and blacksmithing.

The 20th century brought further decline as automobiles enabled residents to travel for goods and services, leading to hamlet disappearance. Rural mail delivery and closure of country post offices impacted general stores, often the last vestiges of bustling villages. Larger communities like Delaware and Belmont survived as bedroom communities, while Lambeth and Byron evolved into suburbs. Nonetheless, every village in Westminster and Delaware played a role in the township's history (Grainger, 2006a p. 128).

Perhaps one of the closest communities to the subject site, was Lambeth. Lambeth was situated at the crossroads of Colonel Talbot and Longwoods Roads, and was a prominent community eventually annexed by London (Grainger, 2006a p. 143). The village held various names over time like Wahoo, The Junction, Slab Town, Westminster, St. Andrews, and others. Indigenous trails converged at this spot pre-European settlement, eventually becoming North Talbot Road and Longwoods Road (Highway 2). Early settlers included John Dingman, Jeremiah Schram, and Abraham Patrick.

Over time, pressing factors drove population growth and a demand for expansion. Thus, from 1950 to 1961, the City of London embarked on substantial annexations, encompassing lands on all sides, including within Westminster Township. Most of the township, primarily rural, centered around the Lambeth community.

During the 1950s and 1960s, the City of London effectively expanded its territory, though the annexation process encountered challenges. The City's ambitions didn't align with Middlesex County's views, resulting in inter-municipal conflicts fueled by differing interpretations of growth-management policies and municipal infrastructure (Meligrana, 2000).

In 1988, the remaining Westminster Township lands formed the Town of Westminster, aiming to halt London's annexation efforts (Curtis, 1992). Nevertheless, by the early 1990s, London succeeded in further annexations, ultimately absorbing nearly all of Westminster Town by 1993, bringing the subject site under London's municipal jurisdiction.

4.3 History of the Subject site

The post-Indigenous history of the settlement on the subject site traces back to the grant of a 200-acre Crown patent for the land to John Van Every (perhaps also “Van

Embry") in 1821. This historical narrative concludes with the sale of current-day 7056 Pack Road to the present owner by the Cornell family. The 200-acre parcel in question was documented on Pages 38 and 39 of Historical Book 3 of Westminster Township, specifically in the concession known as "West Side North Talbot Road."

Thus, the area that now carries the municipal address 7056 Pack Road was originally a part of Lot 76 on the western side of North Talbot Road. Colonel Talbot Road, named after Colonel Thomas Talbot, who served as personal secretary to John Graves Simcoe and founded the Talbot Settlement, played a significant role in the naming and development of the region.

In the year 1821, a Crown patent was granted for an 80.9-hectare (200-acre) piece of land comprising Lot 76, situated on the western side of Talbot Road, to an individual known as "John Van Every." The historical documentation of this original patent is inscribed in script, and the name variations include Van Enbry, Van Embry, or Van Emery (see Figure 11).

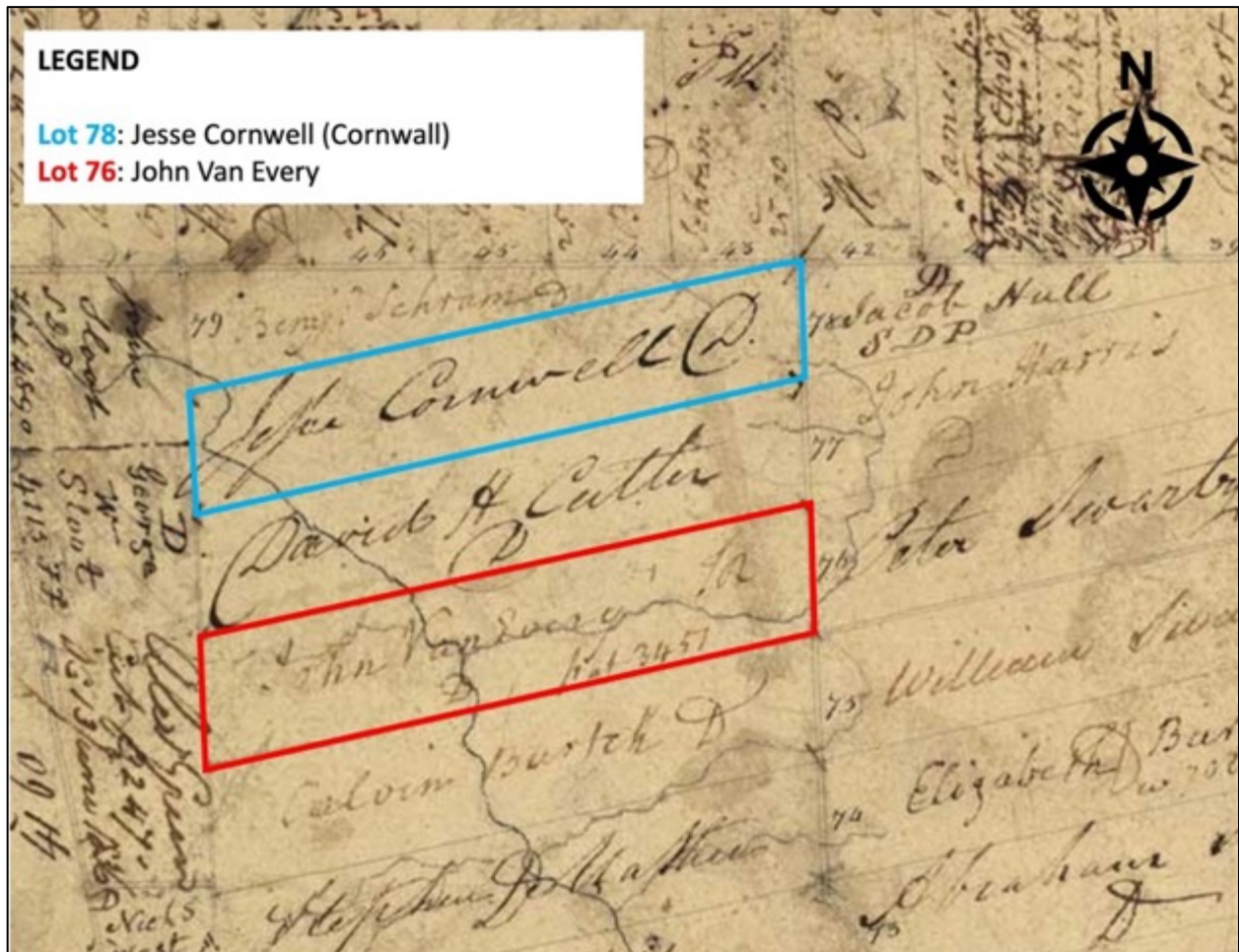
Figure 11 - Pages 38 and 39 of Historical Book 3 of Westminster Township

No. of Township	INSTRUMENT	DATE	CONVEYOR	GRANTEE	QUANTITY	AMOUNT OF MONEY PAID	REMARKS
Patent	Sept 21 1821	Aug 12 1822	The Crown	John Van Every	200 acres		all
391 B and C	Nov 5 1821	July 25 1821	John Van Every	Jacob Peor	200 acres		
1805	July 25 1821	July 25 1821	Jacob Peor	Jacob Peor	11a 1/2 perches		1/2
2433	June 25 1829	June 15 1825	Jacob Peor	Jacob Peor	50 acres		1/2
3604	March 5 1835	March 26 1835	Jacob Peor	Jacob Peor	20 "		1/2
3014	Feb 5 1835	Feb 6 1837	Jacob Peor	Jacob Peor	119 "		1/2
3285	" 5 1807	" 6 1837	Charles Reenan	Charles Reenan	100 "		1/2
6415	Will	Jan 14 1863	William McRay	William McRay	und. shld.		1/2
3342	Marriage	June 74 1861	Henry F. McRay	Henry F. McRay	100 "	\$2495.	1/2
3519	TO and F	Feb 25 1859	Charles Reenan	Charles Reenan	1a 5 rods		1/2
3618	Bill of Sale	Oct 25 1861	W. H. McRay	W. H. McRay	100 acres	\$2320.	
3609	Marriage	" 22 1861	Simon Annell	Simon Annell	100 "		
3674	Bill of Sale	June 25 1862	Simon Annell	Simon Annell	100 "		
3977	A. Beal's will	June 15 1862	Simon Annell	Simon Annell	50 "		1/2
4026	TO and F	April 9 1863	Simon Annell	Simon Annell	50 "	\$275.	1/2
4040	Marriage	" 16 1863	Simon Annell	Simon Annell	50 "	\$300.	1/2
4111	Marriage	" 16 1863	Simon Annell	Simon Annell	50 "		1/2

Source: OnLand, n.d.; and Leva, 2023

A map shown in Figure 12 includes two dates marked as 1843 or 1857 shows the lots and concessions for the Township and lists the owners of the patents for the lands that comprise the subject site and surrounding area. The map shows that the lot was owned by a person named "John Van Every" (see **Figure 12**). This early map is a Pre-Confederate Map of Westminster Township from about 1843 and shows the ownership of the 1821 original Crown patent. On the map, there is a handwritten entry which identifies the map as "Talbot Road, Vol 6, Page 297".

Figure 12 - Pre-Confederate Map of Westminster Township 1843



Source: Heritage Property Index, n.d.

Within a year, Lot 76 was transferred to Jacob Peer on August 12, 1822. It was Jacob Peer who initiated the division of the lot.

Subsequently, in both 1831 and 1835, Jacob Peer sold two parcels from Lot 76, totaling 31 acres, to Jesse Cornell. In the same vein, Mr. Peer conducted additional sales of the remaining sections of Lot 76 in 1835 and 1837, consisting of a 50-acre parcel and a 119-acre parcel, each conveyed through a bargain and sale arrangement to Charles Reeves, a common method of transferring property rights during that era.

In 1817, Jesse Cornell (sometimes recorded as Cornwell, Cornwall, or Cormwell) a New Yorker (originally from Sussex, England) and Private¹ who had served in the War of 1812 applied for an 80.9-hectare (200 acre) land grant in Westminster Township (Murray, 1987). According to Grainger (2006b), "his petition read that he was located by Col. Thomas Talbot in the year 1817 on a lot in the West Branch of the NTR in Westminster Twp. and that he prayed that he may be granted the said lot."

¹ A soldier of the lowest military rank.

Jesse was granted a Crown Patent for another lot north of the subject site at Lot 78 of the Concession West of Talbot Road in 1831 for a full 80.9-hectare (200 acre) parcel and signed by Sir John Colbourne (a British Army officer and former Lieutenant Governor of Upper Canada).

In 1831 and 1835 Jesse Cornell also purchased parts of Lot 76, though it is not entirely clear if the 11- and 20-acre portions he purchased were the same parcels that now contain the subject site at 7056 Pack Road. Based on the available mapping, it appears as though these original purchases could have been for land north of the subject site. Based on information found in Grainger 2006a and Murray 1984, there may have been additional lands purchased by Jesse, some of which, which eventually went to his children.

Through the settlement of Lot 78 to the north, and the other land purchases in the area, Jesse Cornell established himself and his family as early settlers of the area in Westminster Township. During the mid- to late 1800s, the Cornells were farmers, growing field crops and raising livestock, for their own use, or for sale (Murray, 1984). Jesse Cornell made his primary residence on Lot 78, where he had 10 children with his wife Rachel. His children's names were George Rymal (1817-1904), Mary (1819-1819), Sarah Templer, Elizabeth "Betsy", Gabriel, Harmon "Jesse", William, Eleanor "Ellen" F., Jacob Ryman, and Joseph W. Cornell.

In 1843, one of Jesse Cornell's children, Elizabeth "Betsy" married a person named George W. Moore. They are said to have lived on Lot 76 (Grainger, 2006b), but the exact location is not clear. According to Grainger (2006b p. 360), little is known of George Moore other than that he was a farm labourer, but together Betsy Cornell and George Moore had seven children, one of them being Lydia Jane. Grainger (2006b p. 360) describes the house where Lydia Jane was probably born in as being "George Cornell's house, which once stood on the northwest corner of Pack Road and Colonel Talbot Road North". The reference suggesting that there was ownership by a member of the (i.e., George Cornell) who had a house somewhere on the northwest corner of Pack Road and Colonel Talbot Road North, which had been removed.

According to Grainger (2006b p. 455) when Betsy Cornell and George Moore married in 1843, they first lived in Sheffield before moving to Westminster on Pack Road (Lot 76 WTR). Generally, it is said that the Moore family lived on the northwest corner of Pack Road and Colonel Talbot Road North, behind Gary and Wayne Cornell's abattoir.

The Westminster Historical Book 9 provides the majority of the land transfers for Lot 76 during the Registry Act system period before record keeping switched to the Land Titles Act system. There are no records of ownership of land by George Moore, but there are records of ownership via an "Elizabeth Moore" in 1871 through a conveyance from a John W. Reeves and then via a deed in 1972. Ostensibly, this Elizabeth Moore, could be the Betsy Cornell that married into the Moore family. The records are not perfect,

however, an assessment roll record from 1859 appears to show a George Moore in ownership of 1 acres of land on the south part of Lot 76 (see Figure 13).

Figure 13- Assessment Roll for the Township of Westminster, 1859

1021 George Moore					
1022 Geo. Moore	Lot 76	1	20		30
			500		170

Source: Familysearch.org, 1859

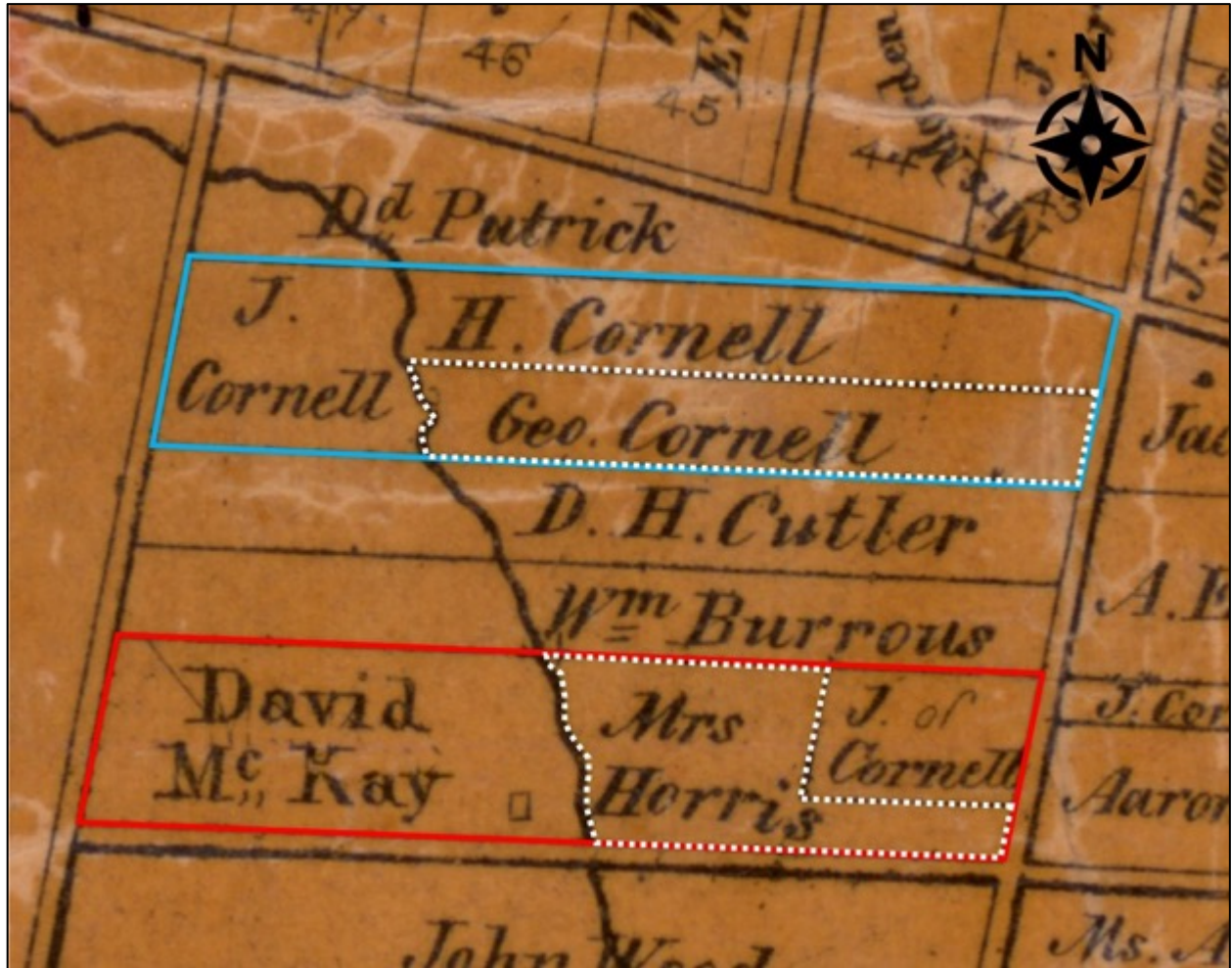
It is after this point where the association of Lot 76 with the Moore family starts to dwindle in the records.

In 1853 one of Jesse Cornell's sons, Jesse Harmon Cornell, married Clement Kilbourne. Together, Jesse Harmon Cornell and Clement Kilbourne had four children: John Horace (1854-1928), Jesse Harmon (1855-1915), James Herbert (1858-1921) and Mary Alfretta (1860- 1953). Based on Westminster Historical Book 9, there appears to have been a transfer of ownership from someone with the last name Harris (potentially Sally or Sarah and Edward Harris) to Jesse Harmon Cornell in 1873 and then another transfer from Jesse Cornell to Jesse Harmon Cornell. In Century Farms of Westminster Township (Murray 1987 p.26) writes of Jesse Harmon Cornell's concerns for the physical and financial wellbeing of his family upon his passing, having willed his son James Herbert Cornell, 62 acres from Lot 76.

By 1862, Lot 76 had been divided, with the portion of Lot 76 now housing 7056 Pack Road with the name "Mrs. Horris or Harris" indicated (see **Figure 14: Tremaine Map of Middlesex County, 1862**). Mrs. Horris (Harris) was never a name that appears in the chain of title for Lot 76, though there was a someone with the last name Harris (potentially Sally or Sarah and Edward Harris) who had a Quit Claim to Jesse Harmon Cornell in 1873, as described above.

A Quit Claim is a document used to sell or relinquish all or part interest in a parcel of land where a transfer could not be acceptable; also called a release. According to the assessment roll for the Township of Westminster for 1869, a Sally or Sarah Harris is listed as the owner of portions of Lot 76 (see Figure 15).

Figure 14 - Tremaine Map of Middlesex County, 1862



Source: Heritage Property Index, n.d.

Figure 15 - Assessment Roll for the Township of Westminster, 1869

ASSESSMENT ROLL FOR THE TOWNSHIP OF				Westminster										FOR 1869	
NAMES OF TENANTS AND OWNERS, &c.				TAXES AND DEBITORS IN FULL		REAL ESTATE		PERSONAL PROPERTY		TOTAL		TOTAL		TOTAL	
No.	Name of Tenant or Owner	Address or Location	Acres	Assessed	Unassessed	Value	Value	Value	Value	Value	Value	Value	Value	Value	Value
620	Simon Cornell	"	46	46											
	"	"	7	7											
621	Haron Cornell	"	75	75											
622	George Moore	Labour	57	57											
623	Amoson & Woodchuck	Farm	26	26											
624	Jacob K. Cornell	"	57	57											
625	Jessie Cornell	"	75	75											
626	Wm Burrous	"	15	15											

Source: Familysearch.org (1869)

By 1867, the parcel boundaries within Lot 76 remained unchanged, and the name associated with the parcel was still Mrs. Horris or Harris (see **Figure 16: Middlesex County, 1867**). It is noted that the digital interpretation of the 1867 Middlesex County Map states the name “Harris” rather than Horris as it is written. Again, the mapping and the chain of title historical records during this time are not perfectly aligned.

Figure 16 - Middlesex County, 1867

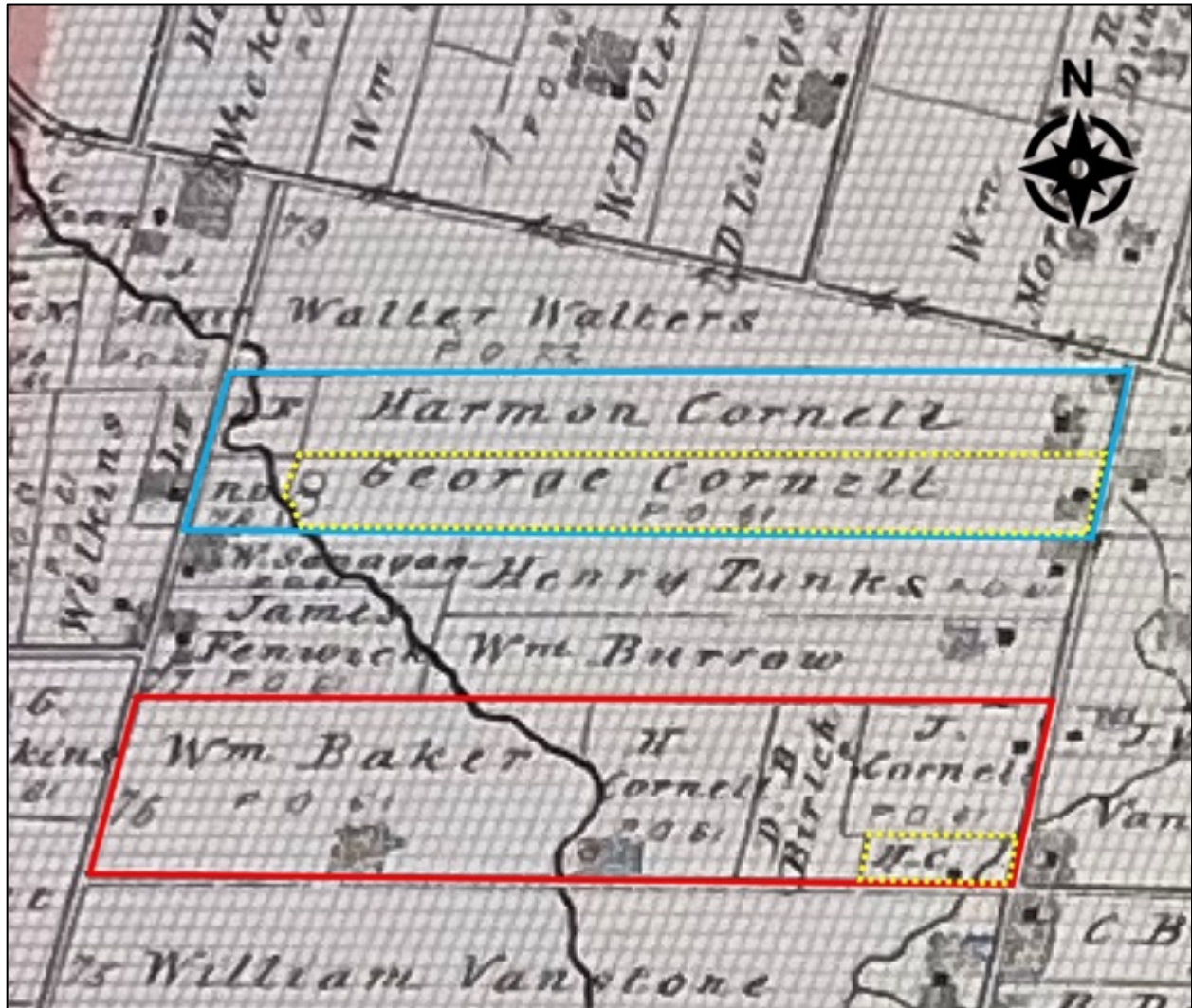


Source: Heritage Property Index, n.d.

By 1878, the parcel fabric had been altered a little more for Lot 76, with the severance of Mrs. Horris’ or Harris’ parcel creating a new smaller corner lot at the intersection of Colonel Talbot Road and Pack Road along with new ownership (see **Figure 17: Westminster Township, 1878**). On the Westminster Township Map, 1878, the new corner lot that now houses 7056 Pack Road is shown as being owned by “H.C.,” which could refer to “Herbert Cornell” or “Harmon Cornell”. Though based on the chain, this is likely to have been Jesse Harmon Cornell, one of Jesse Cornell’s sons. A house can

also be seen on the 1878 map consistent with the approximate location of the house that exists today.

Figure 17 - Westminster Township, 1878



Source: H.R. Page & Co., 1878.

In 1884, James Herbert Cornell (grandson of Jesse Cornell and son of Harmon and Clement Cornell) married a person named Elizabeth “Lizzie” Griffith. Together, Herbert and Elizabeth farmed on Lot 76 and had 10 children (Grainger, 2006b), one of which was named Forra Delous Cornell, their son.

In 1921 James Herbert Cornell passed away and his land holdings were transferred to his wife Elizabeth “Lizzie” (Griffith) Cornell and estate, which included some of their children, including Forra Delous. In 1931, the parcel that is today comprised of Lot 76, was granted to Forra Delous, who owned the subject site until his death in 1969, whereby it was then transferred to his estate.

Forra married a person named Eletta Thomson in 1912, and then began a meat business in the early 1940s, ostensibly out of the building to the west of and adjacent the subject site. Forra Delous Cornell was the son of James Herbert Cornell, grandson of Harmon Cornell, and great grandson of Jesse Cornell. Forra's meat business operated just west of the subject site for some time under the name of Cornell Meats (later Pack Road Country Meats, now in process of being demolished). With the help of his sons, they served customers in the Lambeth area and delivered meat door-to-door. The business was eventually managed by Forra's grandsons Wayne and Gary Cornell (Grainger, 2006b).

The family tree of the Cornell family, based on entries from Grainger (2006b) is as follows, down to Forra Delous Cornell.

- Jesse & Rachel Cornell
 - Jesse Harmon Cornell (1827-1887) à married Clement Kilbourne
 - James Herbert Cornell à married 1884 Elizabeth "Lizzie" Griffith
 - Forra Delous Cornell (see image below) à married Eletta Thomson

Forra Delous Cornell, Undated



Source: Ancestry.com, n.d.

In 2008, a severance of the subject site was approved via reference Plan 33R-17326, creating PART 1, which established the current parcel boundaries for the property. In 2016, the subject site was purchased by Old Oak Properties Inc (present owner) ending the association with the Cornell family.

Chain of Title

The following table offers a timeline outlining the apparent ownership history of the subject site, utilizing information sourced from OnLand and Assessment Rolls, with research assistance completed by a full member of the Ontario Association of Professional Searchers of Records (Leva, 2023). It is essential to recognize that historical records can be difficult to locate and decipher, leading to potential gaps in data and variations in spelling due to differences in handwritten entries found in scanned historical volumes and assessment rolls. Nevertheless, this table provides a general representation of a succession of ownership based on the accessible information, with the most accurate information showing between present day as far back as 1931, which was based on information entered through the Land Titles Act system digitally. The pink highlight shows the first break of the chain upon the severance of the original Lot 76 and following the initial break (between 1837 and 1873) it is difficult to confirm exactly who owned which portions of the original lot until around 1873, when the Ontario Registry records became a little more clear. It is also important to note that this table does not encompass the Indigenous land rights or historical ownership predating settlement, as these records are largely undocumented.

Table 1 - Chain of Title

Dates	Name
1821	Crown
1821 - 1822	John Van Every
1822 - 1831/37	Jacob Peer (Break of Lot 76 into 4)
1831 & 1835	Jesse Cornell (31 Acres)
1835/37 - 1861	Charles Reeves (169 Acres)
(1859) 1861	Elizabeth & George Moore
1859	George Moore
1869	Sarah (Sally) and Edward Harris
1873	Jesse Harmon Cornell (from Harris family)
1885	George Moore
1883 - 1931	James Herbert Cornell
1921	James Herbert Cornell (Dies)
1921	Elizabeth "Lizzie" Cornell (Widow) and Estate of James H. Cornell
1931	Nathan H. Cornell, Melvin R. Cornell, and Forra D. Cornell
1931	Elizabeth "Lizzie" Cornell (Widow), Rheta Tyler, Annas Parsons, Ruby Campbell, Opal Norton
1931 - 1969	Forra D. Cornell (Great Grandson of Jesse Cornell)
1969 - 2009	Margaret Howard & The Estate of Forra D. Cornell
2009	Margaret Howard (Deleted)

2009	Gary M. Cornell, Elaine M Cornell, Karen J. Cornell, & Wayne D. Cornell
2016	Gary M. Cornell (Deleted)
2009 - 2016	Elaine M Cornell, Karen J. Cornell, & Wayne D. Cornell
2016 - Present	Old Oak Properties Inc.

The ownership records for the subject site become somewhat less distinct between 1837 to 1873 for the specific parcel that includes the subject site, particularly when considering the division of Lot 76 and the transfers after Charles Reeves. Historical maps and assessment rolls contribute to shedding light on this matter.

One certainty remains: Forra Delous Cornell, a prominent and enduring owner of the subject site, is unequivocally linked to the lineage of Jesse Cornell as his great-grandson. This lineage spans across a minimum of four generations, reflecting the enduring legacy of the Cornell family history.

The chronicle of the Cornell family is characterized by a lineage deeply rooted in farming, marked by agricultural innovation and active engagement within the community. Over time, this legacy shifted from wholesale production to incorporating aspects of retail and evolving agricultural methods.

The subsequent illustrations showcase topographic maps of the subject site, featuring an approximate placement of a dwelling on each map. Notably, these maps play a crucial role in enhancing our comprehension of the historical presence of a house on the subject site, situated approximately where it stands today.

The progression of these topographic maps spans from 1913 to 1973, effectively capturing the existence of the house on the subject site throughout this period. The 1948 map indicates some expansion in the surrounding area, and as we advance through the years, the topographic representations visually capture the incremental development of the vicinity.

It is worth mentioning that the red square depicted on the earlier maps, as far back as 1913, signifies the presence of a "Stone or Brick House," ostensibly confirming that the house on site today has existed since at least 1913. Though the 1878 map above shows a structure earlier.

Figure 18 - Topographic Map, 1913



Source: Department of Militia and Defence, 1913

Figure 19 - Topographic Map, 1919



Source: Department of Militia and Defence, 1919

Figure 20 - Topographic Map, 1924



Source: Department of National Defence, 1924

Figure 21 - Topographic Map, 1929



Source: Department of National Defence, 1929

Figure 22 - Topographic Map, 1934



Source: Department of National Defence, 1934

Figure 23 - Topographic Map, 1938



Source: Department of National Defence, 1938

Figure 24 - Topographic Map, 1941



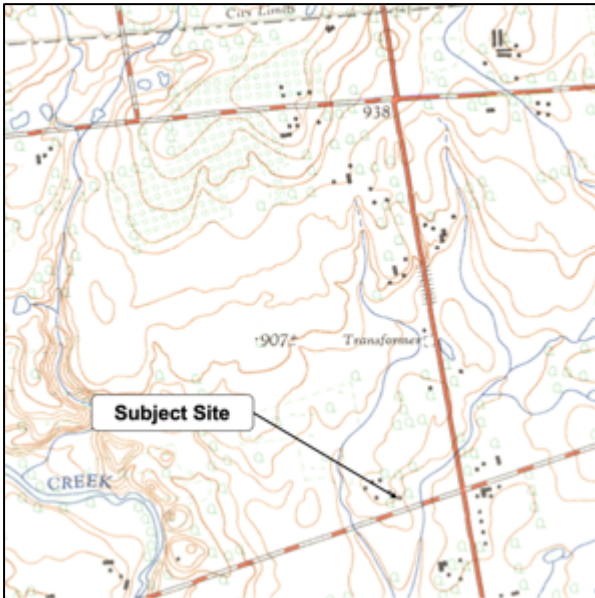
Source: Department of National Defence, 1941

Figure 25 - Topographic Map, 1948



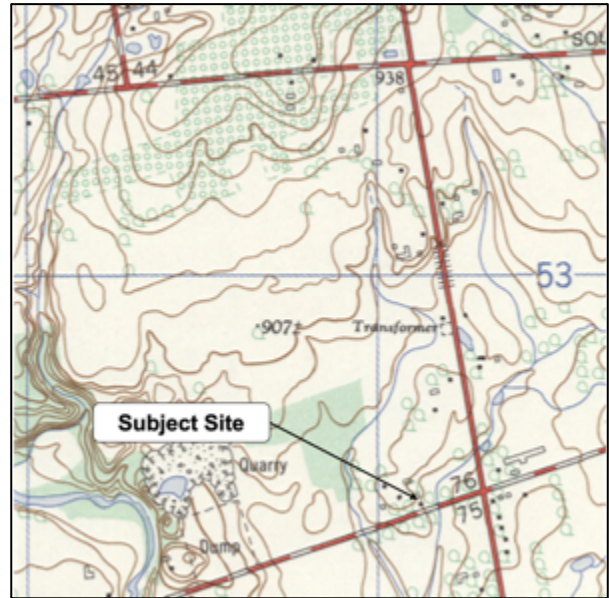
Source: Department of National Defence, 1948

Figure 26 - Topographic Map, 1962



Source: Department of Energy, Mines and Resources, 1961

Figure 27 - Topographic Map, 1973



Source: Department of Energy, Mines and Resources, 1973

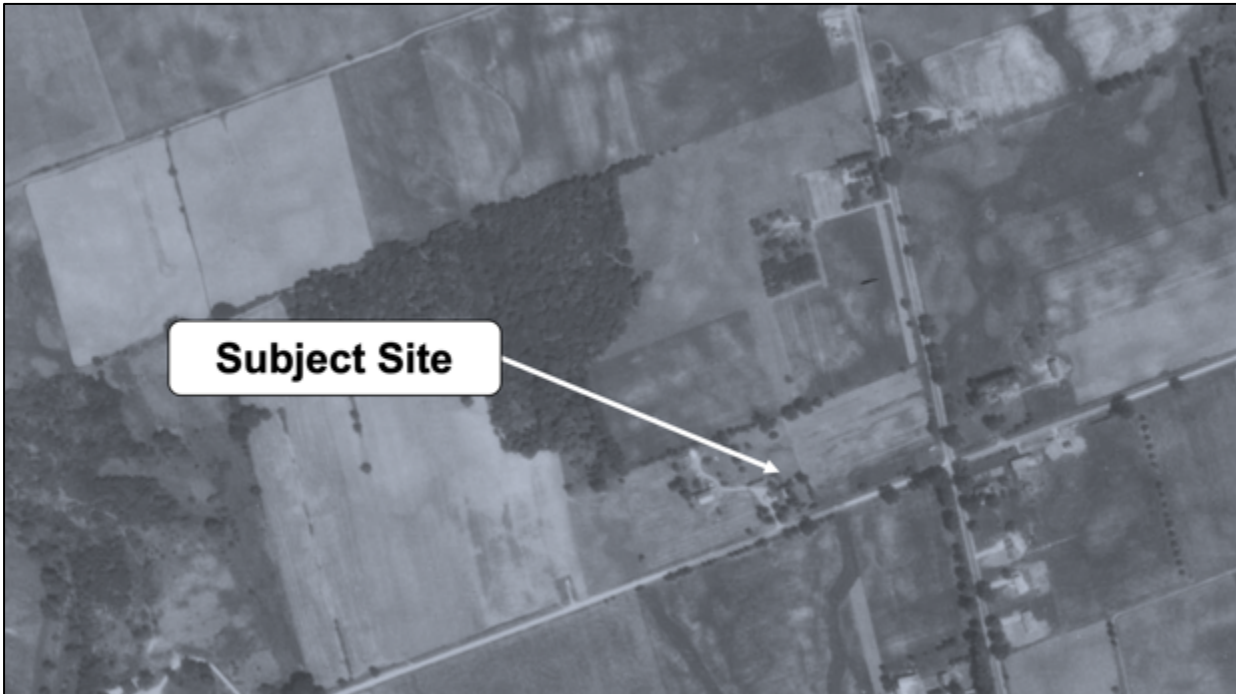
Air photos can provide a more fulsome understanding of the evolution of the subject site as it relates to the dwelling. In this regard, a collection of air photos has been provided below which shows the subject site from 1942 to 2011 (the more recent 2023 air photos were already provided above in Section 2.1 of this report). Based on the records available, there is no known architect responsible for the construction of the house on the subject site.

Figure 28 - 1942 Air Photo



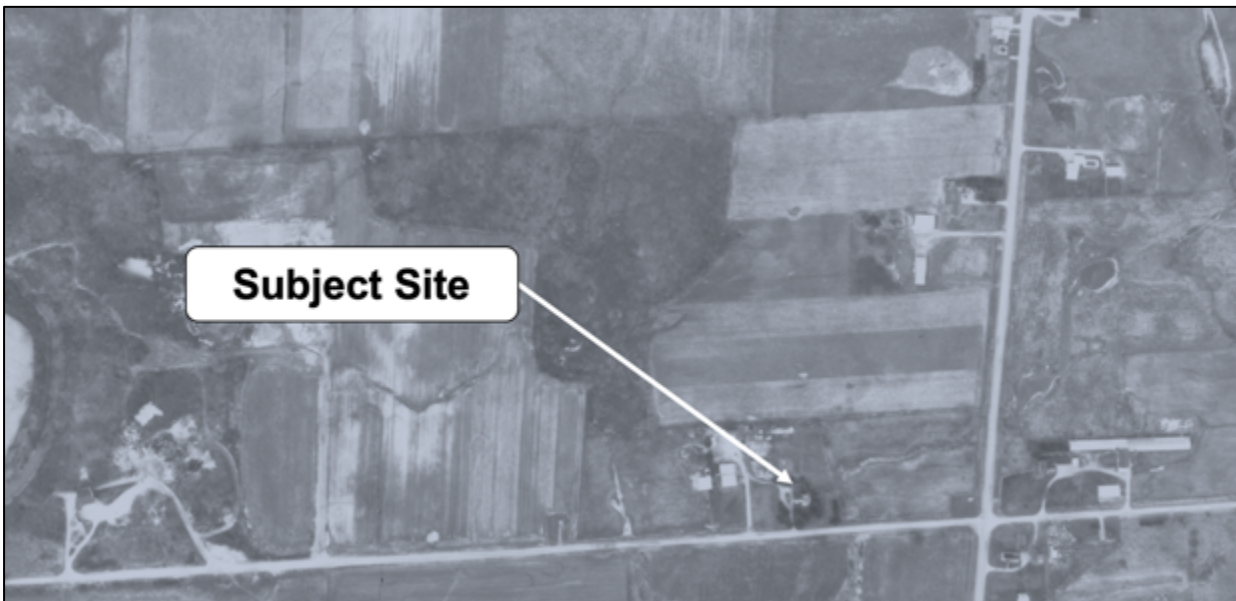
Source: Western University, n.d., a

Figure 29 - 1955 Air Photo



Source: Western University, n.d., b

Figure 30 - 1967 Air Photo



Source: Western University, n.d., c

Figure 31 - 2011 Air Photo

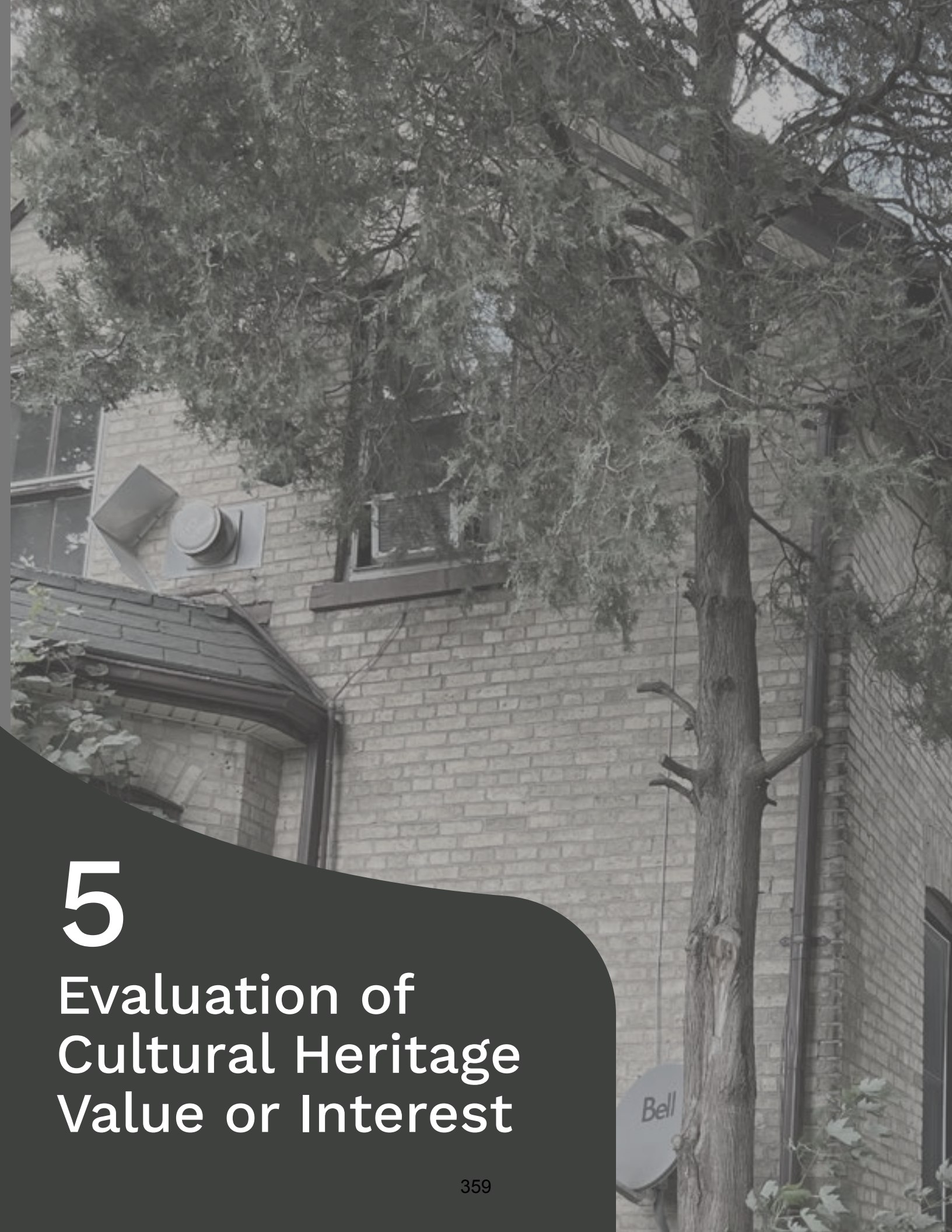


Source: Google Earth, 2011

4.4 Estimated Date of Construction of House

According to the 1878 Map of Westminster Township (see Figure 15 above), there is a house indicated on Lot 76 that appears to be consistent with the location of the house on the subject site today. The earlier 1843 Pre-Confederate Map of Westminster Township and the 1862 Tremaine Map do not display any houses on Lot 76.

By utilizing the 1878 Map, an approximation of around 1878 seems to provide the most reasonable estimate for the construction date of the house located at 7056 Pack Road. Drawing from the available records, familial histories associated with those who resided on the specified site, and the aforementioned maps, it is projected that the house was likely built as early as 1878.



5

Evaluation of Cultural Heritage Value or Interest

5.0 Evaluation of Cultural Heritage Value or Interest

5.1 Primer

The following section provides an evaluation of the remaining potential cultural heritage value of the subject site as per O. Reg. 9/06: Criteria for Determining Cultural Heritage Value or Interest under the Ontario Heritage Act, R.S.O. 1990, c. O.18.

O. Reg. 9/06 is the legislated criteria for determining cultural heritage value or interest and is related to design and/or physical values, historical and/or associative value, and contextual values as follows.

5.2 Evaluation Criteria

The criteria for determining Cultural Heritage Value or Interest (“CHVI”) under O. Reg 9/06 is as follows:

1. The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.
7. The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.

8. The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.
9. The property has contextual value because it is a landmark.

5.3 Evaluation Against Ontario Regulation 9/06

It is noted that the subject site is already identified as a property of CHVI due to their “listed” status within the City of London’s Register. The purpose of this evaluation is to determine what, if any, specific CHVI exists on the subject site and to assist in deciding on whether a designation is appropriate if two or more of the above criteria are met.

5.3.1 Design / Physical Value

In our opinion, the house at 7056 Pack Road is a yellow brick vernacular farmhouse that exhibits some stylistic influences the Gothic Revival style.

According to Blumenson (1990), the Gothic Revival style was popular between 1830 and 1900 and drew inspiration from medieval Gothic design. It is generally characterized by its use of pointed arches, steeply pitched gable roofs, ornate bargeboards, and stained glass windows. Gothic Revival buildings evoke a sense of verticality and elegance. Commonly found in churches, mansions, and farmhouses, this architectural movement aimed to recreate the romanticized aesthetics of the medieval past, emphasizing intricate craftsmanship and a picturesque appearance. The style's popularity between the 19th and early 20th centuries led to the creation of numerous buildings during this time period.

Exemplary Gothic Revival buildings commonly feature board-and-batten siding, decorative finials, intricate decorative trim or tracery, ornate gable boards / bargeboards / vergeboarding, pointed arches for windows and doorways, quoining (often made of brick or wood), stained glass windows with pointed-arch openings, steeply pitched gable roofs, towers and turrets, as well as verandas or porches adorned with decorative railings.

The house at 7056 Pack Road features some stylistic influences of the Gothic Revival style, which is demonstrated in elements like the steeply peaked dormers on the front and east side of the roof. The front gable section of the south (front) façade features a large offset bay window with segmented arches, characteristic of the Gothic Revival style. The upper-level windows on this section have segmental arches and slightly projecting sills, reflecting the stylistic elements of the era.

However, while these Gothic Revival influences are present, the house is not an exemplary version of this style. Many of the common Gothic Revival features are missing, including decorative finials, intricate decorative trim or tracery, ornate gable boards / bargeboards / vergeboarding, pointed arches for windows and doorways, quoining, stained glass windows with pointed-arch openings, towers and turrets.

The overall architectural character of the house leans more towards a vernacular farmhouse style, with the 1.5-storey single-detached layout, L-shaped floorplan, and yellow brick construction. The incorporation of a 1-storey mudroom addition and a 1-storey garage on the north side further supports the Vernacular Farmhouse classification. The use of yellow brick and the general simplicity of the exterior are characteristic of the Vernacular style, which often prioritizes practicality and functionality over-elaborate ornamentation.

Vernacular architecture tends to encompass local design traits and utilizes readily available building materials, representing prevailing trends and practices of a specific era, but not necessarily a specific style. It refers to traditional styles that have been passed down through generations, responding to the local climate, culture, and available resources. These buildings adapt to weather conditions, utilize natural ventilation, and exhibit variations across regions due to influences from traditions, beliefs, and social customs.

While the house exhibits Gothic Revival influences in some aspects of its design, it is the combination of these influences with the practical and straightforward characteristics of vernacular houses that makes it better described as a Vernacular Farmhouse with Gothic Revival Stylistic Influences.

Furthermore, brick houses were common in Ontario during the mid to late 1800s. This period witnessed a notable transition in architectural preferences and construction materials. While earlier structures were often built using locally available wood, the mid to late 1800s saw a shift towards using brick as a primary building material.

Overall, the house at 7056 Pack Road is best described as a Vernacular Farmhouse with Gothic Revival stylistic influences, combining practicality and simplicity with some elements reminiscent of the Gothic Revival era.

Overall, in our opinion, the farmhouse is not a rare, unique, or representative example of a style, type, expression, material, or construction method. It is one example of a Vernacular Farmhouse with Gothic Revival stylistic influences in London. It does not display a high degree of craftsmanship or artistic merit; nor demonstrates a high degree of technical or scientific achievement.

5.3.1.1 Comparative Analysis



A comprehensive comparative analysis was conducted to establish a foundational understanding of similar properties in the City of London that share common features. The sample selection process prioritized buildings with similarities in age, style (particularly the "L-shaped" or "T-shaped" floor plan), typology, and materials, including the use of yellow brick façades. The aim of this analysis was to determine whether the structure on the subject site qualifies as a rare, unique, or early example of a particular style, type, expression, material, or construction method, as described in O. Reg. 9/06.

For this purpose, various comparative examples were drawn from listed properties and those designated under Part IV and Part V within the City of London Register as updated December 9, 2022. It is also noted that five properties on the list were sampled by City staff but are not yet posted on the City's Register available online. Residential buildings were the focus, predominantly featuring vernacular architecture, along with some examples of Gothic Revival and Ontario Farmhouse styles.

In total, 31 comparable properties were identified, out of which 6 are currently designated (protected) properties under Part IV or V of the Ontario Heritage Act. It's important to note that these 31 properties do not encompass all available options but are intended to be a representative sample of similar building typologies (see Table 1 for the complete comparison). The subject site, located at 7056 Pack Road, is included as entry #32 in Table 1 for reference alongside the other identified properties.

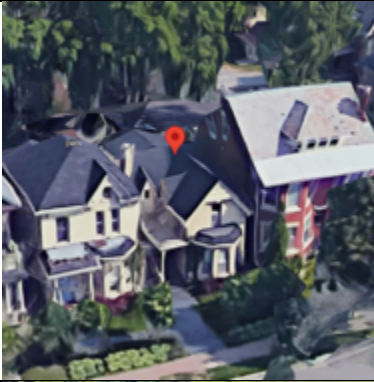


Table 2 - Comparative Analysis







#	Address	Heritage Status	Street / 3D View	Air View	Age as per Register	Material	Style as per Register
1	1094 Glanworth Dr	Not Listed on Dec 9, 2022 Register			Unknown (Built between 1862 and 1913, as per 1862 Tremaine Map and 1913 Topo map)	White Vinyl or Wood Siding as of Oct 2022	L-Plan Footprint
2	1205 Gainsborough Rd	Listed			1900	Appears to be Yellow Brick as of 2023	T- Plan Footprint, Vernacular






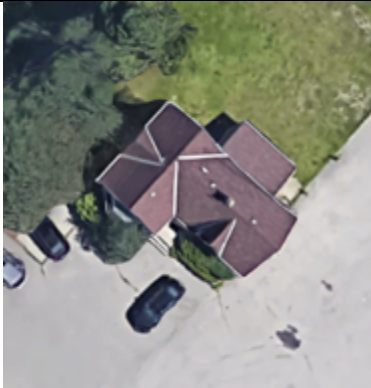
3	1324 Adelaide St N	Listed			1880	Yellow Brick as of Nov 2022	L-Plan Footprint, Victorian
4	1340 Dingman Rd	Listed			1865	Appears to be White as of 2023, but actual colour material unconfirmed, as house too far from public ROW	T-Plan Footprint, Vernacular
5	1589 Fanshawe Park Rd E	Listed			1865	Grey-Green Stucco as of Oct 2022, likely over brick	L-Plan Footprint, Gothic Revival


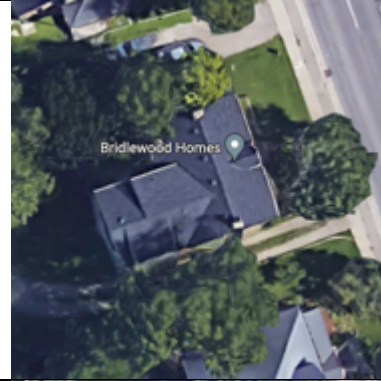
6	1712 Westminster Dr	Listed			1880	Yellow Brick as Jul 2019	T-Plan Footprint, Ontario Farmhouse
7	1896 Sunningdale Rd E	Listed			1895	Yellow Brick with Green Painted Gables Possibly made of Wood Shakes	L-Plan Footprint with Addition, Victorian
8	1950 Sunningdale Rd W	Listed			1865	Red Brick (likely veneer) and White Vinyl Siding, likely frame structure	(Slight) L- Plan Footprint, Gothic Revival


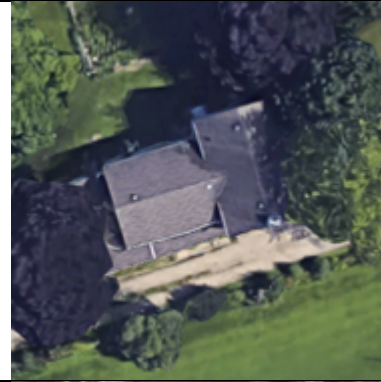



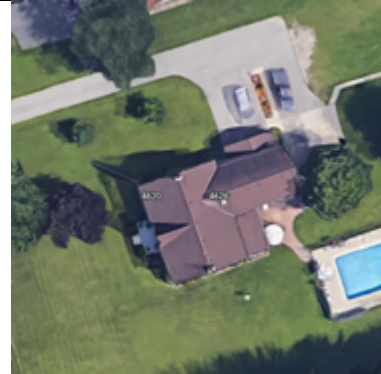
9	1965 Sunningdale Rd W	Listed			1875	Yellow Brick as of Jun 2021	T-Plan Footprint with Additions, Style Unconfirmed
10	2 Carrothers Ave	Designated Part V (L.S.P.- 3437-179)			1860	Weathered Brown Brick as of Dec 2022 with vergeboarding	Generally Rectangular Footprint, Gothic Revival
11	2221 Trafalgar St	Not Listed on Dec 9, 2022 Register			Unknown (Built prior to 1862, as per 1862 Tremaine Map)	Yellow Brick as of Dec 2022	Generally, L- Plan Footprint, Style Unconfirmed


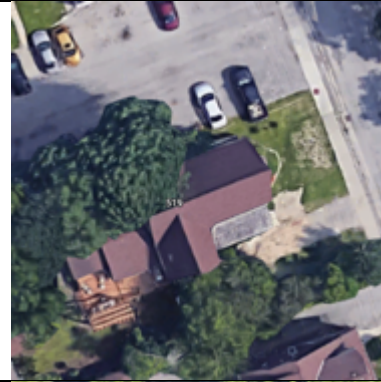




12	248 Hyman St	Designated Part V (L.S.P.-3400-254)			1887	Yellow Brick as of Oct 2022	T-Plan with Addition, Gothic Revival
13	283 Gideon Dr	Listed			1880	Yellow Brick as of Aug 2021	T-Plan Footprint with Addition, Ontario Farmhouse
14	3050 Trafalgar St	Designated Part IV (L.S.P.-3241-561)			1870	Appears to be Yellow Brick, Distance from Public ROW too great to confirm	T-Plan Footprint with Additions, Gothic Revival

15	309 Gideon Dr	Not Listed on Dec 9, 2022 Register			Unknown (Built between 1862 and 1913, as per 1862 Tremaine Map and 1913 Topo map)	Yellow Brick as of Jul 2023	T-Plan Footprint with Addition, Style Unconfirmed
16	3146 Westminster Dr	Listed			1875	Yellow Brick as Nov 2022	L-Plan Footprint with Addition, Vernacular
17	335 Wharcliffe Rd N	Listed			1887	Beige or Yellow Painted Stucco (likely over Brick) as of Oct 2022	L-Plan Footprint with Additions, Queen Anne

18	35 Elmwood Ave E	Designated Part IV & V (L.S.P.-3337-216 & L.S.P.-3439-321)			1880	Yellow Brick as of Dec 2022 (By-law says "London White Brick")	By-law says, "cross gabled roof", with Addition, Gothic Revival
19	3583 Westminster Dr	Listed			1865	Cream or Light-Yellow Wood or Vinyl Siding (Potential Frame Structure) as of Nov 2022	L-Plan Footprint with Additions, Vernacular
20	3836 Colonel Talbot Rd	Listed			1875	Yellow Brick as of Nov 2022	L-Plan Footprint with Addition, Vernacular

21	4267 Manning Dr	Listed			1865	Appears to be Yellow Brick as of Jun 2021	T-Plan Footprint, Gothic Revival
22	4379 Colonel Talbot Rd	Listed			1870	Yellow Brick with White Wood / Vinyl-Sided Addition, Ivy in Front as of Nov 2022	L-Plan Footprint, Style Unconfirmed
23	4492 Colonel Talbot Rd	Listed			1860	Yellow Brick as of Nov 2022	L-Plan Footprint with Addition, Ontario Farmhouse

24	4509 Colonel Talbot Rd	Listed			1870	White Painted Brick with Stone Quoins as of Nov 2022	T-Plan Footprint with possible Addition, Ontario Farmhouse
25	4570 Westminster Dr	Not Listed on Dec 9, 2022 Register			Unknown (Built prior to 1862, as per 1862 Tremaine Map)	Beige Wood Siding as of Aug 2021	L-Plan Footprint with Additions, Style Unconfirmed
26	4626 Colonel Talbot Rd	Listed			1870	Yellow Brick as of Jul 2023	L-Plan Footprint with Addition, Ontario Farmhouse

27	519 Maitland St	Designated Part IV & V (L.S.P.- 313-986 & L.S.P.- 3400-254)			1874	Yellow Brick as of Oct 2022	L-Plan Footprint with Addition, Gothic Revival
28	5612 Highbury Ave S	Listed			1870	Yellow Brick as of Sep 2018 Google	T-Plan Footprint with Additions, Gothic Revival
29	772 Crumlin Sideroad	Not Listed on Dec 9, 2022 Register			(Built after 1862, as per 1862 Tremaine Map)	Yellow Brick with White Vinyl or Wood Siding on Addition as of Nov 2022	L-Plan Footprint with Additions, Style Unconfirmed

30	85 Albion St	Designated Part IV & V (L.S.P.- 3185-132 & L.S.P.- 3437-179)			1886 (1880 in By-law)	Yellow Brick (White Brick in By-law) with White Vergeboarding as of Dec 2022	Symmetrical Three-Bay Façade With Centre Gable, Gothic Revival
31	9071 Longwoods Rd	Listed			1890	Yellow Brick with White Painted Gables (potentially of Wood Shake with bargeboard) as of Nov 2022	L-Plan Footprint with Additions, Queen Anne
32	7056 Pack Rd (Subject Site)	Listed			1875	Generally Yellow Brick as of Aug 2023	L-Plan Footprint with Addition, Vernacular

Of these examples:

- 22 are built of or clad in yellow brick (or appear to be yellow brick based on the best available image at the time), not including the subject site.
- 16 feature an “L-shaped” footprint, with most having additions, and one features a very slight “L-Plan” (1950 Sunningdale Rd W), not including the subject site.
- 5 are Vernacular Farmhouses.
- 8 are Gothic Revival styles.
- The dates of construction range from as early as 1860 to as late as 1900, with several dates unconfirmed.
- The 6 designated properties are all Gothic Revival style built between 1860 – 1880 and are protected under the OHA, and of those 6 protected examples 4 have “L-shaped” footprints, and all but one is constructed of yellow brick.
- Yellow brick is a prevalent material in the sampled properties.

The comparative analysis indicates that the house located at 7056 Pack Road is not one of the earliest examples of a Vernacular Farmhouse in London featuring an L-shaped footprint. The house's size and massing are not unique, and its L-shaped floor plan, along with the gabled roof with steeply peaked dormers, aligns with the design of other similar farmhouses in London. Some of these comparable farmhouses are already protected under the Ontario Heritage Act (OHA) through Part IV or V designations, or both. Many of these examples showcase varied shades of yellow brick, similar to the house at 7056 Pack Road, including examples that do not appear to have been converted for rental dwellings.

Based on the foregoing, it is our opinion that the property and structures at 7056 Pack Road lack significant design or physical value. This is because they do not represent a rare, unique, representative, or early instance of a specific architectural style, type, expression, material, or construction method. There are other examples scattered throughout the City that were constructed earlier, feature yellow brick, and possess "T" or "L-shaped" footprints, some of which are currently safeguarded under the protection of the OHA.

5.3.1.2 Discussion of Integrity

The subject property retains a 1.5- storey yellow vernacular farmhouse with gothic revival stylistic influences. The building does appear to have been altered since its approximate construction in 1878 with two additions having altered the footprint of the building, and evidence of changes to the exterior and alterations to the interior, as described below:

- Unsympathetic addition to the rear (north) for a garage, and a sympathetic mudroom / entrance to the east side.
- The mudroom addition to the east had cracks in its cinder block foundation.
- Removal of a chimney on the west side of the original brick house.

- Conversion of the interior to accommodate two separate rental dwelling units with private entrances.
- The roof had apparent damage through shingle loss.
- There were several areas of brick-and-mortar damage.
- Several windows and one door openings have been covered up.
- Windows feature newer rectangular vinyl inserts, clearly differentiated from original opening, especially where original opening is arched.
- Materiality is varied between original structure and additions.
- Brickwork on the north (rear) and west (side) elevations does not match. West side shows blend of yellow brick and polychromatic brickwork.
- Entrance doors do not appear to be original.
- Entrance verandah is not original.

The two large steeply pitched dormers on the south (front) elevation and east (side) may be original and are consistent with the age, style and character of the building. The footprint has been slightly altered by the presence of additions, and the different brickwork present on the north (rear) and west (side) elevations could signify a change to the original structure. The window openings of the original house appear to be intact, though the windows themselves are not original, and the vinyl inserts do not always match the shape of the original window openings. The three wooden doors appear to be early or original and the covered porch entranceway also includes original or early features such as the wooden posts, railings and spindles. The property generally retains the integrity of its original built character, but with some noticeable changes, additions, and alterations which do represent a change to the original condition. While most of these changes can be expected of a house with an estimated date of construction circa 1878, the most notable change is the interior conversion of the house into two separate rental dwelling units. According to the OHTK, a heritage property does not need to be in original condition since few survive without alterations between their date of origin and today. Integrity then, becomes a question of whether the surviving physical features continue to represent or support the heritage integrity of the property.

In our opinion, the surviving physical features generally maintain the original shell of the farmhouse, but the additions, changes, and alterations do result in noticeable change which takes away from the originality of the structure, especially when considering the interior unitization.

5.3.2 Historical / Associative Value

The parcel at 7056 Pack Road has association with the Cornell family who were significant to the early settlement in Westminster Township. This connection is primarily through Jesse Harmon Cornell, James Herbert Cornell, and Forra Delous Cornell, who were the successive owners of the subject site. They were the son, grandson, and great-grandson of Jesse Cornell, respectively. However, many properties in the area were owned and/or farmed by the Cornells within Westminster Township over the years, and their legacy or early settlement may be better represented in 3087 Colonel Talbot

Road (which was the location of Jesse Cornell's original patent), and their other farm parcels at 1029-1035 Southdale Road West.

The ownership records for the subject site become somewhat less distinct during the mid- to late 1800s, particularly when considering the division of Lot 76, and it is not entirely clear if Jesse Cornell owned a part of what is now the subject site. Historical maps and assessment rolls contribute to shedding light on this matter. However, one certainty remains: Forra Delous Cornell, a prominent and enduring owner of the subject site, is unequivocally linked to the lineage of Jesse Cornell as his great-grandson. This lineage spans across a minimum of four generations, reflecting the enduring legacy of the Cornell family history.

Furthermore, the property does not yield information that contributes to an understanding of a community or culture. The building has not been associated with any notable communities, such as nearby Lambeth, or cultures and is not known to potentially yield information regarding its neighbourhood community context. The property was one of many farm lots in this area of Westminster Township and is generally not tied to any of the communities found within Westminster Township. Therefore, the property does not meet this criterion. Lastly, the property does not demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community. The architect and builder of the house is unknown. Therefore, the property does not meet this criterion.

Overall, in our opinion, the property has associative value because it has direct associations with the Cornell family who were early settlers to the area, and significant to the community for their settlement, farming, and related activities.

5.3.3 Contextual Value

The property at 7056 Pack Road is, in our opinion, not important in defining, maintaining, or supporting the character of the area. The parcel represents a fragment of a larger original land grant, and the farmhouse aligns with similar architectural styles of other farmhouses and residences in London, as evident from a comparative analysis. There are no communities, public plazas, or cultures that have developed around the subject site as a result of the subject site.

As well, today, given the evolving urban land uses just east and south of 7056 Pack Road, the parcel is now at the interface of the rural / urban interface. This interface represents a change in context for the subject site. Today, the parcel at 7056 Pack Road is situated at the juncture of rural land and the City's Urban Growth Boundary. Accordingly, urbanization has encroached on the rural setting of the subject site to the south and east and has changed the site's context. This shift has resulted in a partial disconnect from its historically rural surroundings, with the balance of the rural character remaining to the north.

Physically and visually, the subject site is one of many remnant farmhouses that were constructed near road intersections. Functionally, and historically, the subject site has been severed into a lot that is a fraction of its original size and the subject site no longer functions as a farm or farmhouse as it once did, but rather a converted 2-unit rental dwelling on a rural property.

Additionally, the property lacks the qualities of a landmark. The existing farmhouse's height doesn't notably surpass neighboring structures, and its visibility from the street is obscured by trees, and no significant viewpoints highlight the property as a noteworthy or distinctive entity.

In summary, our evaluation leads us to conclude that the property at 7056 Pack Road does not have contextual value.

5.3.4 Summary Evaluation Table

Criteria of O. Reg. 9/06	Yes / No	Comments
1. The property has design value or physical value because it is a rare, unique, representative, or early example of a style, type, expression, material, or construction method.	No	The house at 7056 Pack Road is a yellow brick vernacular farmhouse that exhibits some stylistic influences the Gothic Revival style, but is not a rare, unique, representative, or early example of a specific style, type, expression, material, or construction method. Therefore, the property does not meet this criterion.
2. The property has design value or physical value because it displays a high degree of craftsmanship or artistic merit.	No	The house at 7056 Pack Road is a yellow brick vernacular farmhouse. Brick was typical for the mid- to late 1800s and there were many bricklayers familiar with this type of construction during this time. Therefore, the property does not meet this criterion.
3. The property has design value or physical value because it demonstrates a high degree of technical or scientific achievement.	No	The building does not reflect a high degree of technical or scientific achievement. Therefore, the property does not meet this criterion.
4. The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community.	Yes	The property has associative value because it has direct associations with the Cornell family who were early settlers to the area, and significant to the community for their settlement, farming, and

		related activities. Therefore, the property does meet this criterion.
5. The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture.	No	The building has not been associated with any notable communities, such as nearby Lambeth, or cultures and is not known to potentially yield information regarding its neighbourhood community context. Furthermore, the property was one of many farms in this area. Therefore, the property does not meet this criterion.
6. The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.	No	The property does not demonstrate or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community. The architect and builder of the house is unknown. Therefore, the property does not meet this criterion.
7. The property has contextual value because it is important in defining, maintaining, or supporting the character of an area.	No	The property does not significantly contribute to the area's character. As well, there are no communities, plazas, cultures or other significant growth that have accord from or around the subject site as a result of the subject site. The farmhouse's architectural style aligns with others in London. In addition, the encroaching urbanization to the east and south place the site along the rural-urban interface, which has altered its original context. This shift disconnects it partially from its historical rural surroundings, with some of the rural character remaining to the north. Thus, the property doesn't meet this criterion.
8. The property has contextual value because it is physically, functionally, visually, or historically linked to its surroundings.	No	Physically and visually, the subject site is one of many remnant farmhouses that were constructed near road intersections. Functionally, and historically, the subject site has been severed into

		a lot that is a fraction of its original size and the subject site no longer functions as a farm or farmhouse, but rather a converted 2-unit rental dwelling. Therefore, the property does not meet this criterion.
9. The property has contextual value because it is a landmark.	No	The property lacks the qualities of a landmark. The existing farmhouse's height doesn't notably surpass neighboring structures, and its visibility from the street is obscured by trees, and no significant viewpoints highlight the property as a noteworthy or distinctive entity. Therefore, the property does not meet this criterion.

5.4 Heritage Attributes

In our opinion, there are no significant identified heritage attributes associated with the property at 7056 Pack Road.

5.5 Recommendations

Under Bill 23, for Part IV Heritage Act designation, properties must meet at least two of the nine criteria in O. Reg. 9/06.

In our view, the subject site meets just one of these criteria and falls short on another. It holds associative value because it has direct associations with the Cornell family who were early settlers to the area, and significant to the community for their settlement, farming, and related activities.

Since the subject site meets only one of the nine criteria in O. Reg. 9/06 and have undergone several alterations and additions, we do not recommend considering 7056 Pack Road for designation under the Ontario Heritage Act.

Lastly, as the subject site does not meet the required criteria for designation, a "Draft Statement of Significance" is unnecessary.

Accordingly, we recommend removing the subject site from the Register.



6

Conclusions & Recommendations

6.0 Conclusions & Recommendations

The subject site comprises a rural residential parcel situated at the rural-urban interface along the City of London's Urban Growth Boundary. The site is developed with a 1.5-storey single-detached yellow brick house with an L-shaped floorplan and a gabled roof with steeply peaked dormers at the front and east sides. It includes a 1-storey mudroom addition on the east façade and a 1-storey garage as a rear addition on the north side. There is also a small garden shed to the east of the house.

The house at 7056 Pack Road is best described as a Vernacular Farmhouse with Gothic Revival stylistic influences, built sometime in the late 1800s, with the best estimate for construction being 1878.

This Cultural Heritage Evaluation Review (CHER) has assessed the subject site as a listed, non-designated property on the City's Register for its potential cultural heritage value or interest. The evaluation followed heritage conservation best practices and the criteria outlined in O. Reg 9/06 under the Ontario Heritage Act (OHA).

The property at 7056 Pack Road constitutes a portion of the original farm at Lot 76, West of Talbot Road. The remaining lot area reflects typical subdivision over the years. The farmhouse and property no longer serve as a farm, having been converted into two rental dwelling units. This unitization serves as one of the most significant alterations to the structure from its original condition.

In our assessment, the remnant farmhouse lacks rarity, uniqueness, representativeness, or early exemplification of a style, type, expression, material, or construction method. It also lacks a notable level of craftsmanship, artistic merit, or significant technical or scientific achievement.

Although some Gothic Revival stylistic influences are present, the house is not an exemplary version of this style. The house lacks many common elements of the Gothic Revival style, such as decorative finials, ornate trim, or pointed arches, among others. The combination of these influences with vernacular traits categorizes the structure as a Vernacular Farmhouse with Gothic Revival Stylistic Influences.

Comparable earlier yellow brick "T" or "L-shaped" structures exist in the City, some of which, are already protected by a designation under the OHA. As well, the farmhouse on-site has undergone various alterations, including unsympathetic additions, removed chimney, brick damage, and mismatched brickwork. Original windows were replaced with distinct vinyl inserts that do not always match the shape of the original openings, and entrance elements are not original. Notably, the conversion into two rental units is the most significant. Despite the alterations, the farmhouse's original shell persists, but the additions and alterations diminish its originality, especially concerning interior changes.

However, we find the property possesses associative value due to its direct connections with the Cornell family, early settlers of Westminster Township, who hold significance in the community for their settlement, farming, and related endeavors.

In terms of contextual value, the property does not contribute significantly to defining, maintaining, or supporting the area's character. It lacks meaningful physical, functional, visual, or historical links to its surroundings and does not function as a landmark.

Ultimately, our evaluation indicates that the subject site fulfills one criterion while falling short on another as outlined in O. Reg. 9/06. Given that the site meets only one of the nine criteria and has undergone various alterations and additions, we do not recommend considering 7056 Pack Road for designation under the Ontario Heritage Act. Lastly, as the subject site does not meet the necessary criteria for designation, creating a "Draft Statement of Significance" is unnecessary. Thus, we suggest removing the subject site from the Register.

Respectfully submitted,
Bright Past Heritage Consulting Inc.

A handwritten signature in black ink, appearing to read "Evan Sugden". The signature is fluid and cursive, with a long horizontal stroke at the end.

Evan M. Sugden, HBASc, MA, CAHP, RPP, MCIP
President | Heritage Planner



Hopedale

Byron

Lambeth

Scottsville

7

Resources

Bright Past
Heritage Consulting Inc.

7.0 Resources

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Appendix A:

Comprehensive Set of Images of Subject Site and House



58. 7056 Pack Rd West Elevation.HEIC



71. 7056 Pack Rd Southwest Elevation.HEIC



70. 7056 Pack Rd South (Front) Elevation 1.HEIC



67. 7056 Pack Rd Looking Northeast.HEIC



55. 7056 Pack Rd South (Front) Elevation.HEIC



75. 7056 Pack Rd North Facing Panoramic Front Yard.HEIC



119. Subdivision Development looking Southwest along Pack Rd.HEIC



118. Subdivision Development looking South from 7056 Pack Rd.HEIC



116. Commercial Uses at Corner of Pack Rd and Colonel Talbot Rd Southeast.HEIC



115. Urban Boundary South of Pack Rd looking East along Pack Rd from 7056 Pack Rd.HEIC



86. 7056 Pack Rd Front Facade Bay Window & Mud Room Addition.HEIC



78. 7056 Pack Rd East Side Mud Room Addition.HEIC



93. 7056 Pack Rd Stone Foundation.HEIC



81. 7056 Pack Rd Front Bay Window.HEIC



79. 7056 Pack Rd East Facade Mud Room Addition & Concrete Foundation Work.HEIC



56. 7056 Pack Rd East Elevation.HEIC



80. 7056 Pack Rd East Facade Boarded Over Window Opening.HEIC



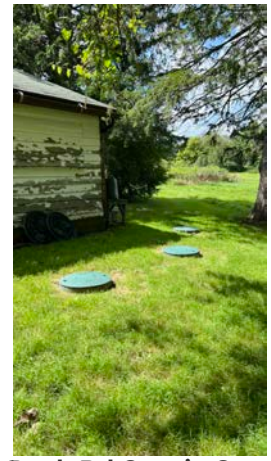
85. 7056 Pack Rd Cracked Cinder Block Mudroom Foundation.HEIC



91. 7056 Pack Rd North Facade Materiality Transition.HEIC



94. 7056 Pack Rd Mudroom Connection New vs. Old.HEIC



69. 7056 Pack Rd Septic System Components.HEIC



61. 7056 Pack Rd Rear and Side Yards looking Northeast.HEIC



90. 7056 Pack Rd North Elevation.HEIC



59. 7056 Pack Rd Rear Addition (Garage).HEIC



57. 7056 Pack Rd North Elevation.HEIC



62. 7056 Pack Rd Rear and Side Yards looking Southwest.HEIC



64. 7056 Pack Rd Side Yard looking West.HEIC



68. 7056 Pack Rd Rear Yard looking North 1.HEIC



113. Lands North of 7056 Pack Rd.HEIC



60. 7056 Pack Rd Rear and Side Yards looking East.HEIC



63. 7056 Pack Rd Side Yard looking East.HEIC



76. 7056 Pack Rd Northwest Elevation.HEIC



121. Pack Road Country Meats at 7086 Pack Rd West of 7056 Pack Rd.HEIC



122. Pack Road Country Meats.HEIC



87. 7056 Pack Rd Garage Addition.HEIC



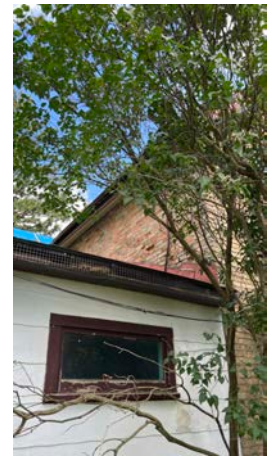
72. 7056 Pack Rd West Elevation.HEIC



73. 7056 Pack Rd West Elevation Chimney Removal and Re-Bricking.HEIC



77. 7056 Pack Rd Front Stoop.HEIC



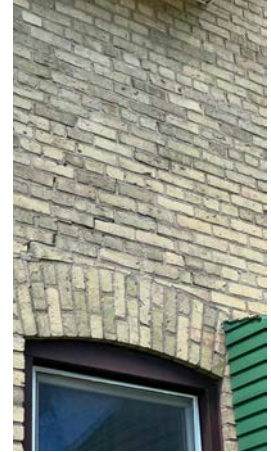
88. 7056 Pack Rd Garage Connection.HEIC



74. 7056 Pack Rd West Entrance (Unused).HEIC



95. 7056 Pack Rd Mortar Damage 1.HEIC



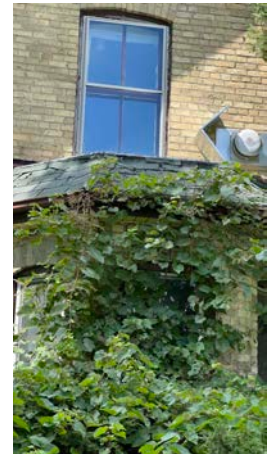
96. 7056 Pack Rd Mortar Damage 2.HEIC



92. 7056 Pack Rd Peaked Dormer and Arched Window Opening.HEIC



84. 7056 Pack Rd Brick Damage.HEIC



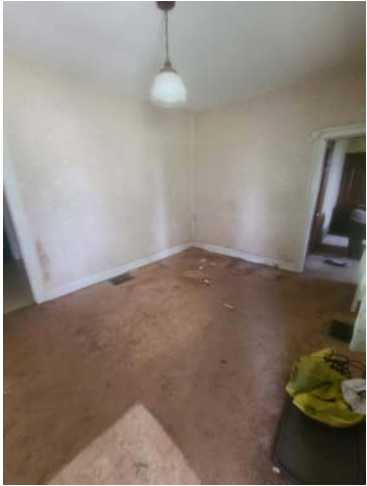
82. 7056 Pack Rd Bay Window Roof Damage.HEIC



65. 7056 Pack Rd Primary Driveway.HEIC



123. Urban and Rural Interface looking West from 7056 Pack Rd.HEIC



124 - Living Area.jpg



125 - Living Area.jpg



126 - Bedroom.jpg



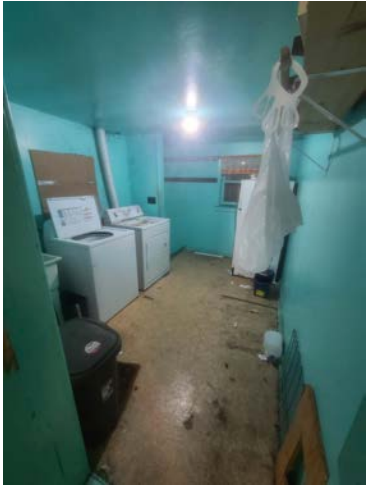
127 - Kitchen.jpg



128 - Bedroom.jpg



129 - Bathroom.jpg



130 - Laundry Room.jpg



131 - Bedroom.jpg



132 - Entrance.jpg



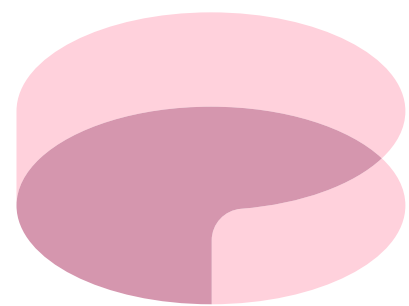
133 - Stairs to Basement.jpg



134 - Basement.jpg



135 - Basement.jpg



BRIGHT
PAST

Heritage Consulting Inc.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Scott Mathers, MPA, P.Eng
Deputy City Manager, Planning and Economic Development
Subject: Application By: Monteith Brown Planning Consultants
1958 Duluth Crescent
File Number: OZ-9638/39T-23504 , Ward 2
Meeting on: October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Monteith Brown Planning Consultants relating to the property located at 1958 Duluth Crescent:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 7, 2023 to amend the Official Plan, The London Plan,
 - i) to **ADD** a new Specific Policy to the Neighbourhoods Place Type to permit apartments, mixed-use buildings, community facilities and a maximum height of four storeys,
 - ii) to **ADD** the subject lands to Map 7 – Specific Policy Areas – of The London Plan, and
 - iii) to **REVISE** Map 1 – Place Types – of the Official Plan, The London Plan to **REDESIGNATE** a portion of the subject property **FROM** a Neighbourhoods Place Type **TO** a Green Space Place Type.
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on November 7, 2023 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, as amended in part (a) above, to change the zoning of the subject property **FROM** a Neighbourhood Facility (NF1) Zone, **TO:** a Holding Residential R1 (h*h-100*R1-2) Zone; a Holding Residential R4 Special Provision (h*h-100*R4-5(_)) Zone; a Holding Residential R5 Special Provision (h*h-100*R5-6(_)) Zone; a Holding Residential R6 Special Provision (R6-5(_)) Zone; a Holding Residential R5 Special Provision (h*h-100*R5-6(_)) Zone; a Holding Residential R6 Special Provision (h*h-100*R6-5(_)) Zone; a Holding Residential R6 Special Provision (h*h-100*R6-5(_)) Zone; and an Open Space OS1 Special Provision (OS1(3)) Zone.
- (c) The Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised through the application review process for the property located at 1958 Duluth Crescent.
- (d) The Approval Authority **BE ADVISED** that Municipal Council supports issuing draft approval of the proposed plan of residential subdivision, submitted by Monteith Brown Planning Consultants, (File No. 39T-23504), dated June 26, 2023, which shows two (2) single detached dwellings, four (4) multi-family residential blocks, one (1) mixed-use residential block, one (1) park block, and one (1) public pathway block to be served by one (1) public road (extension to Duluth Crescent).

Executive Summary

Summary of Request

Acting on behalf of the City of London's Municipal Housing Development division, the applicant has requested an amendment to The London Plan, the Official Plan for the City of London, to redesignate a portion of the property from a Neighbourhoods Place Type to a Green Space Place Type.

The applicant has requested an amendment to The London Plan to add a Specific Policy Area to the Neighbourhoods Place Type to permit buildings up to four (4) storeys in height, and to allow apartment buildings, small-scale community facilities, and mixed-use buildings as permitted uses.

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Neighbourhood Facility (NF1) Zone to: a Residential R1 (R1-2) Zone, a Residential R4 (R4-5(_)) Special Provision Zone, a Residential R5 (R5-6(_)) Special Provision Zone, a Residential R6 (R6-5(_)) Special Provision Zone, a Residential R5 (R5-6(_)) Special Provision Zone, a Residential R6 (R6-5(_)) Special Provision Zone, a Residential R6 (R6-5(_)) Special Provision Zone, and an Open Space OS1 (OS1(3)) Special Provision Zone.

The applicant has requested draft approval for a Plan of Subdivision consisting of two (2) single detached dwellings, four (4) multi-family residential blocks, one (1) mixed-use residential block, one (1) park block, and one (1) public pathway block, all to be served by one (1) public road.

Staff are recommending approval of the requested London Plan amendment and Zoning Bylaw amendment with additional special provisions and holding provisions that will facilitate the proposed residential and mixed-use buildings up to four (4) storeys in height on the subject lands.

This Official Plan amendment, Zoning amendment and Draft Plan of Subdivision will add 224 new dwelling units in the City of London.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended action is for Municipal Council to approve the recommended Official Plan and Zoning By-law Amendments to permit the use, intensity and form of the associated proposed plan of subdivision, which is being considered by the Approval Authority.

Linkage to the Corporate Strategic Plan

The recommendation supports the following Strategic Area of Focus:

Housing and Homelessness (1.1), by ensuring increased access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.

Housing and Homelessness (3.1), by insuring London's growth and development is well planned and considers use, intensity, and form.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

May 27, 2019 – Report regarding letter of interest for the surplus school site at 1958 Duluth Crescent from the London District Catholic School Board (LDCSB).

1.2 Planning History

In March 2019, the London District Catholic School Board advised the City that it had identified two school properties as surplus and available for potential acquisition, including the former St. Robert's Catholic Elementary School site at 1958 Duluth Crescent. City Staff evaluated the property for suitability for municipal purposes including affordable housing, parkland, and community facilities. The review identified municipal needs for affordable housing and park land.

City of London staff from Planning and Development, Parks and Recreation, and Municipal Housing Development (MHD) have collaborated to develop a high-level

development concept for each site that establishes the amount and configuration of parkland that will be required.

Monteith Brown Planning Consultants (MBPC) were retained by the City of London to put forward an application to subdivide the land in line with the concept, including associated London Plan and Zoning Bylaw amendments to facilitate the development.

1.3 Property Description and Location

The subject lands are located on the northwest side of Admiral Drive and east of the terminus of Duluth Crescent with a total area of approximately 2.98 hectares (7.36 acres). The lands are the former site of the St. Robert's Catholic Elementary School, which was closed in 2018. The school buildings and associated amenities were demolished in 2021 and only a paved path from the Garland Crescent walkway to Admiral Drive remains. The rest of the property is largely a vacant grass field with a few trees interspersed throughout.



Figure 1 - View of Subject Lands looking northwest from Admiral Drive (Google Streetview, Oct 2022)



Figure 2 - View of Subject Lands looking east from Duluth Crescent (Google Streetview, Oct 2022)

Site Characteristics

- Current Land Use – Vacant open space, former elementary school
- Frontage (approx.) – 20m on Duluth Crescent, 43m on Admiral Drive
- Area (approx.) – 2.98 hectares (7.36 acres)
- Shape – Irregular
- Built Area Boundary: Yes
- Primary Transit Area: No

Surrounding Land Uses

- East – existing single detached, semi-detached and townhouse dwellings
- South – Mary Immaculate Parish
- West – existing single-detached dwellings
- North – existing single-detached dwellings, London Christian Elementary School



Figure 3 - Semi-Detached and Townhouse Dwellings on Admiral Dr. to the East of the Subject Lands (Google Streetview, Oct. 2022)



Figure 4 - Single-Detached Dwellings on Crystal Crescent to the West of the Subject Lands (Google Streetview Oct, 2022)



Figure 5 - Existing Walkway and Single Detached Dwellings on Garland Crescent north of the Subject Lands (Google Streetview, Oct. 2022)

Existing Planning Information

- London Plan Place Type – Neighbourhoods
- Existing Zoning – Neighbourhood Facility (NF1) Zone

Additional site information and context is provided in Appendix "C".

Location Map:



Figure 6 - Aerial Photo of subject lands and the surrounding lands

2.0 Discussion and Considerations

2.1 Development Proposal

A residential infill development is proposed, comprised of single-detached dwellings, townhouses, low-rise apartments, and mixed-use buildings near the intersection of Trafalgar Street and Clarke Road. Two single-detached dwellings and blocks of street-fronting townhouse dwellings are proposed for the northwest corner along the extension to Duluth Crescent as a transition from the existing neighbourhood. The northeast corner of the property is proposed to be developed as two-storey low-rise townhouses and apartment buildings. The southern portion of the subject lands are proposed to be development as two four-storey apartment buildings and a four-storey mixed use apartment building. A public park is proposed at the southeast corner of the site, adjacent to the planned new intersection of Admiral Drive and the Duluth Crescent extension. A public walkway is proposed to connect to the existing walkway from Garland Crescent to the north of the subject lands.

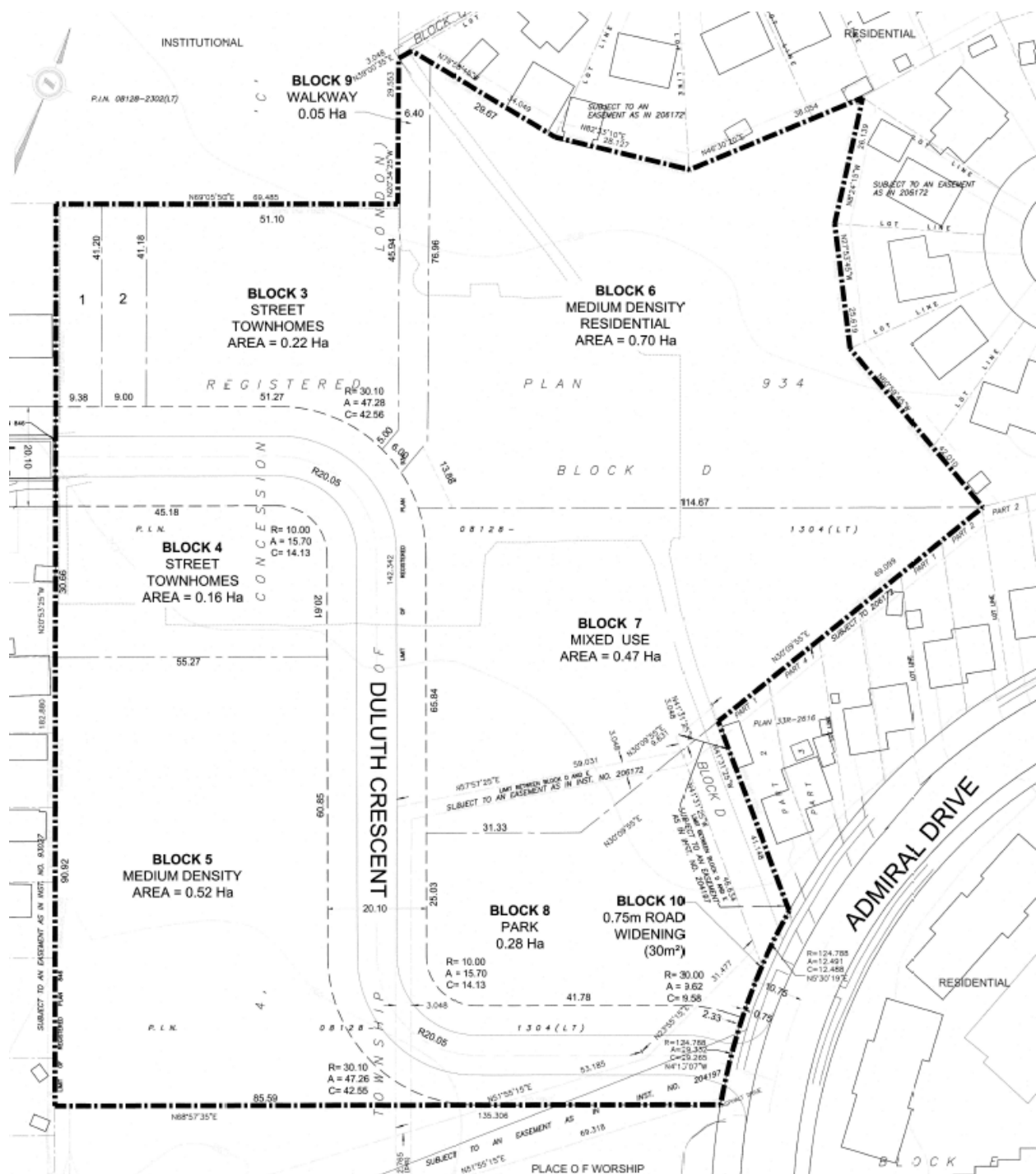


Figure 7 - Excerpt from Proposed Draft Plan (MBPC, 2023)

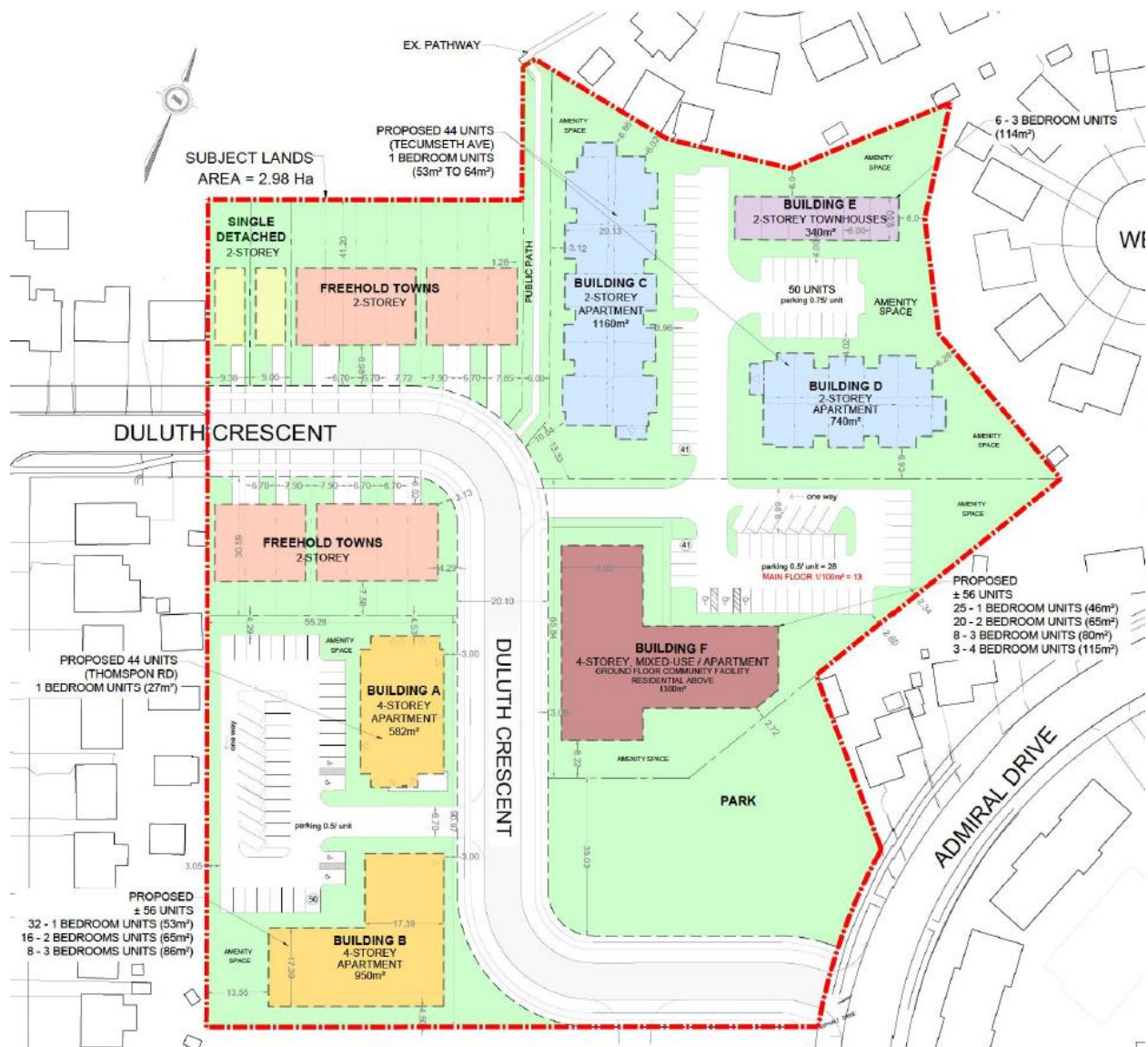


Figure 8 - Conceptual Site Plan (Monteith Brown Planning Consultants, 2023)

The proposed development has an anticipated 224 units and the below includes the following features within the plan:

Lots 1-2 (Single-detached Dwellings)

- Land use: Low Density Residential
- Form: Single-Detached Dwellings
- Height: 2 storeys
- Residential units: 2 units, plus 2 additional residential units (ARUs)
- Lot Frontage: minimum lot frontage of 9m

Blocks 3-4 (Freehold Townhouses)

- Land use: Medium Density Residential
- Form: Street Fronting (Freehold) Townhouse Dwellings
- Height: 2 storeys
- Residential units: 14 proposed (4 townhouse blocks with 3-4 dwellings in each)
- Density: 37 units / hectare proposed
- Lot Frontage: minimum 6.7m per unit

Block 5 (Buildings A and B)

- Land use: Medium Density Residential
- Form: Low-Rise Apartment Buildings
- Height: 4 storeys
- Residential units: 100 proposed (2 apartment buildings with 44 & 56 units)
- Density: 192 units / hectare proposed
- Parking: 50 spaces (0.5 spaces / unit)

Block 6 (Buildings C, D and E)

- Land use: Medium Density Residential
- Form: Cluster Townhouse Dwellings & Low-Rise Apartment Buildings
- Height: 2 storeys
- Residential units: 50 proposed (2 apartment buildings with 26 & 18 units, and a 6-unit townhouse building)
- Density: 72 units / hectare proposed
- Parking: 41 spaces (0.75 spaces / unit)

Block 7 (Building F)

- Land use: Mixed Use / Medium Density Residential
- Form: Low-Rise Apartment Building & Community Facility (ground floor)
- Height: 4 storeys
- Residential units: 56 proposed (2 apartment buildings with 44 & 56 units)
- Density: 119 units / hectare proposed
- Parking: 41 spaces (residential: 28, 0.5/unit; ground floor: 13, 1/100m²)

Blocks 8 (Neighbourhood Park)

- Neighbourhood Park north of the proposed intersection of Duluth Crescent and Admiral Drive, 0.28 hectares.

Blocks 9 (Public Walkway)

- Public walkway connecting the proposed extension of Duluth Crescent north to the existing pathway to Garland Crescent, 0.05 hectares, 6m wide



Figure 9 - Massing Model of the Proposed Development (Monteith Brown Planning Consultants, 2023)

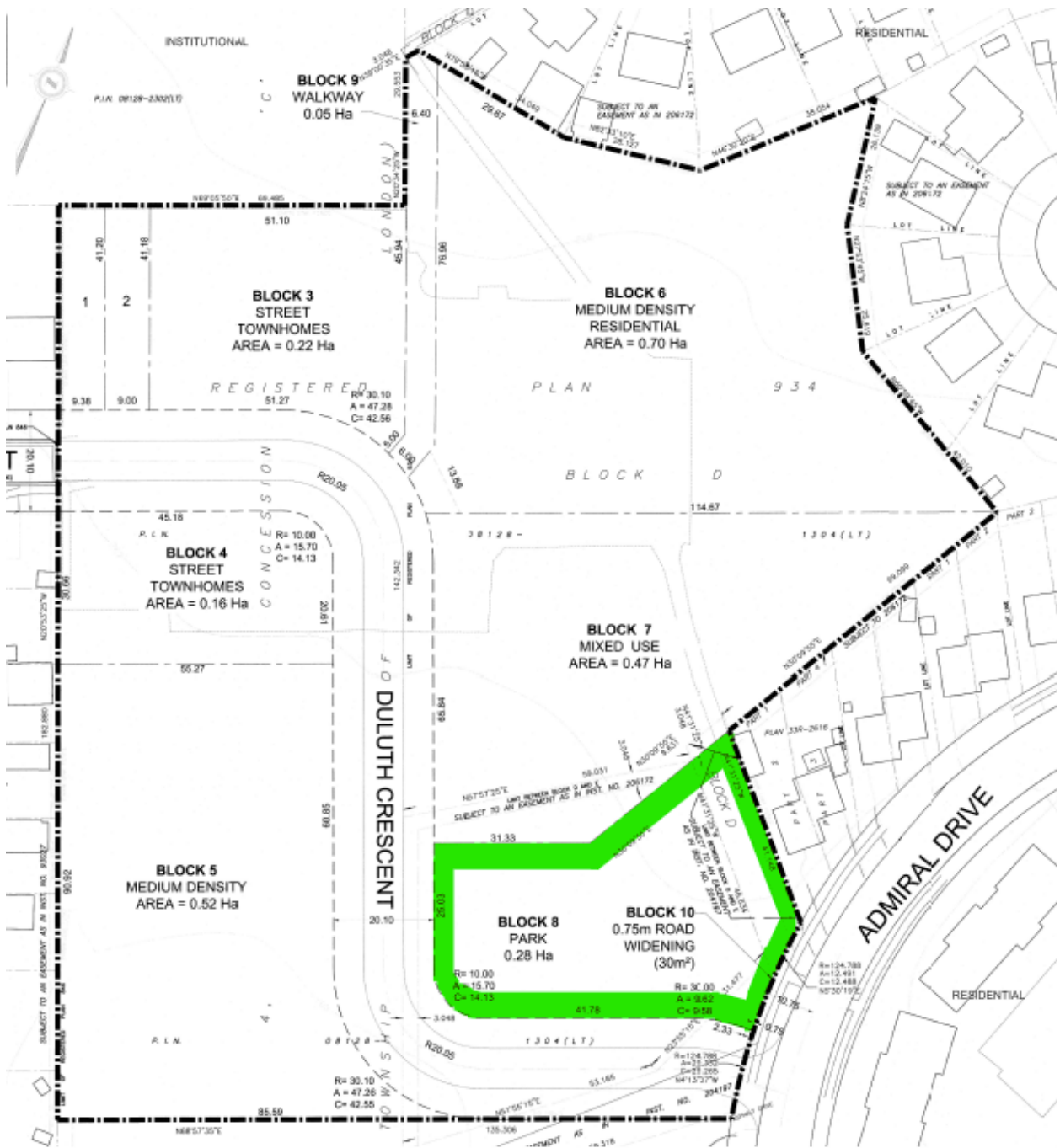
Additional plans and drawings of the development proposal are provided in Appendix “D”.

2.2 Requested Amendments

London Plan Amendment

The applicant has requested an Official Plan amendment to redesignate the public park (Block 8) from Neighbourhoods to Green Space in The London Plan as shown below in Figure 10.

The applicant has also requested an Official Plan amendment to add a Specific Policy to the Neighbourhoods Place Type in The London Plan, and to Map 7: Specific Policy Areas to permit buildings up to four (4) storeys in height, and to add low-rise apartments, small-scale community facilities, and mixed-use buildings as permitted uses.



Redesignate **FROM** Neighbourhoods **TO** Green Space

Figure 10 - The Requested Amendment to Map 1 – Place Types of the London Plan

Zoning By-Law Amendment

The applicant has requested a Zoning By-Law amendment to rezone the property from a Neighbourhood Facility (NF1) Zone to a range of residential zones and an open space zone.

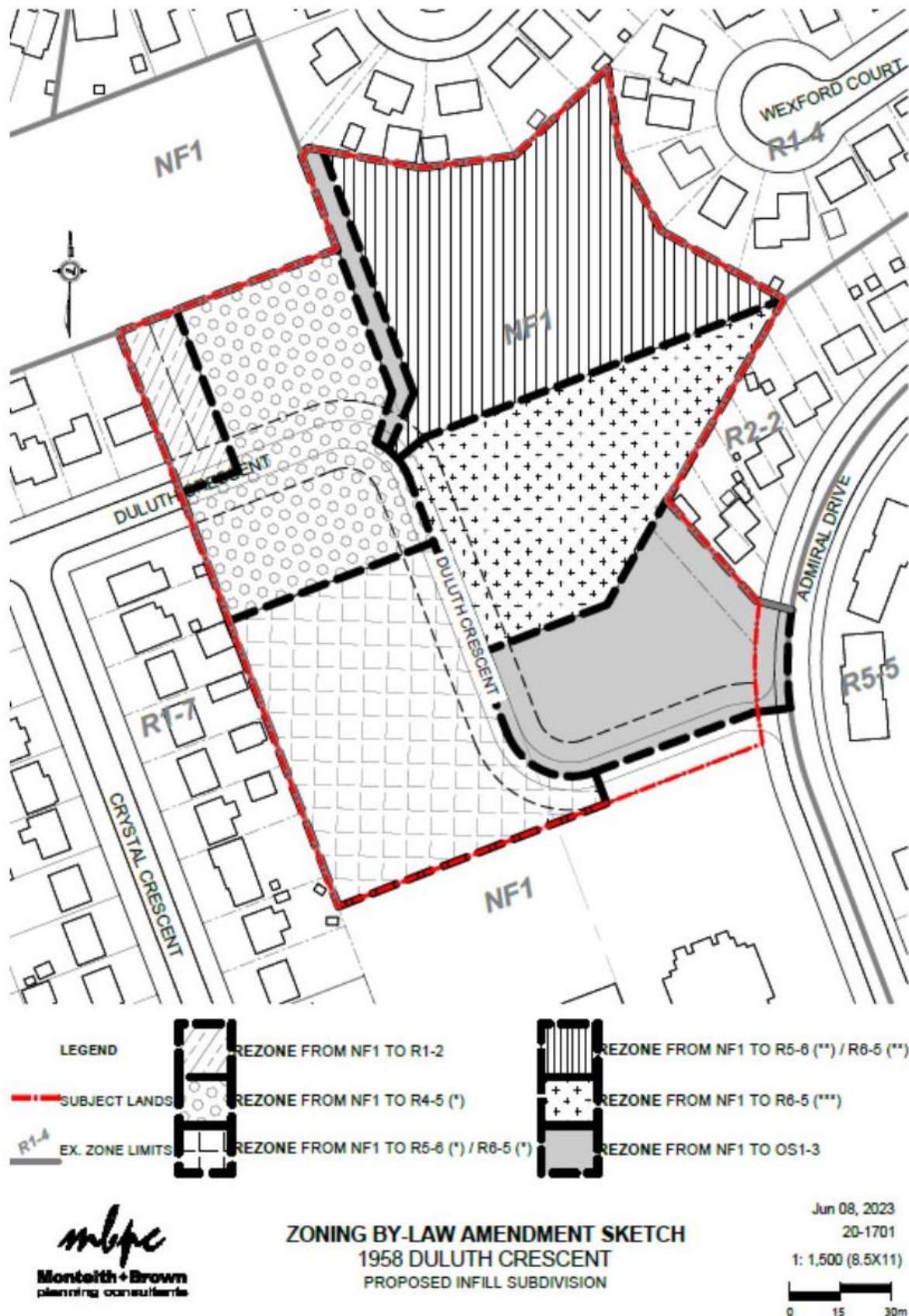


Figure 11 - Requested Zoning By-Law Amendment (MBPC, 2023)

The following Table 1 summarizes the applicant's requested amendment to the Zoning Bylaw Z.-1:

Table 1 - Requested Zones and Special Provisions for each Block

Lot / Block Number	Requested Zone(s)	Requested Special Provisions
Lots 1 & 2	R1-2	<ul style="list-style-type: none"> No special provisions
Blocks 3 & 4	R4-5 ()	<ul style="list-style-type: none"> Lot Coverage (%) Maximum: 45
Block 5	R5-6 () R6-5 ()	<ul style="list-style-type: none"> Front and Exterior Side Yard Depth (m) Minimum: <ul style="list-style-type: none"> 3.0 metres (Front Yard Depth) Interior Side and Rear Yard Depth (m) Minimum: <ul style="list-style-type: none"> 4.5 metres minimum when the wall of a unit contains windows to habitable rooms (Interior Side Yard) Height (m) Maximum: 15 Density Units Per Hectare (Maximum): 200
Block 6	R5-6 () R6-5 ()	<ul style="list-style-type: none"> Lot Frontage (m) Minimum: 12 Interior Side and Rear Yard Depth (m) Minimum: <ul style="list-style-type: none"> 3.0 metres minimum when the wall of a unit contains windows to habitable rooms adjacent to an OS1 zone (Interior Side Yard) Density Units Per Hectare (Maximum): 75
Block 7	R6-5 ()	<ul style="list-style-type: none"> Permitted Uses add to following: <ul style="list-style-type: none"> Assembly halls; community centre; libraries; day care; personal service establishments within the main permitted uses, restaurants associated with the main permitted uses, excluding a drive through facility; retail stores associated with the main permitted uses. Front and Exterior Side Yard Depth (m) Minimum: <ul style="list-style-type: none"> 3.0 metres (Front Yard Depth) Interior Side and Rear Yard Depth (m) Minimum: <ul style="list-style-type: none"> 2.5 metres minimum when the wall of a unit contains windows to habitable rooms adjacent to an OS1 zone (Interior Side Yard) Height (m) Maximum: 15 Density Units Per Hectare (Maximum): 150 Parking Minimum: 1/100m² non-residential uses
Block 8 & 9	OS1(3)	<ul style="list-style-type: none"> No special provisions

2.3 Internal and Agency Comments

The application and [associated materials](#) were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and key issues are addressed in Section 4.0 of this report. Based on comments from internal departments and agencies it is recommended that some additional special provisions and holding provisions are included to address urban design and servicing concerns and to minimize the impacts on surrounding land uses.

Key issues identified by staff and agencies included:

- Ensure the minimum lot width for townhomes is large enough to accommodate adequate separation between underground services and allow for adequate stormwater management.
- Provide a landscaped open space strip along the rear lot line of apartment building blocks to maintain privacy to adjacent residential uses.
- Ensure development blocks are designed to provide active frontages facing the public walkway and public park blocks.
- Parks is satisfied by the location and size of the proposed parkland and pathway blocks.

Detailed internal and agency comments are included in Appendix “E” of this report.

2.4 Public Engagement

On July 17, 2023, Notice of Application was sent to 224 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of The Londoner on July 20th, 2023. Two “Planning Application” signs were also placed on the site.

There have been four email responses received to date during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 Key Issues and Considerations of this report.

Concerns expressed by the public relate to:

- Increased traffic that will use the extended Duluth Crescent as a cut-through street;
- Increased traffic at the intersection of Admiral Drive and Trafalgar Street;
- Privacy concerns for adjacent low density residential dwellings due to the height of the proposed development; and
- Increased pedestrian traffic and safety concerns.

Detailed public comments are included in Appendix “F” of this report.

2.5 Policy Context

The Planning Act, 1990 and The Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the Planning Act (Section 3) and the Provincial Policy Statement, 2020 (PPS). The Planning Act requires that all municipal land use decisions affecting planning matters shall be consistent with the PPS. The PPS promotes efficient development and the provision of affordable and market-based housing through a range of housing types (PPS 1.1.1).

It also directs municipalities to identify appropriate locations for intensification and redevelopment to help meet projected needs (PPS 1.1.3), and to permit and facilitate an appropriate range of housing options, including market-based and affordable housing, and allow for densities of new development which make efficient use of land, infrastructure and public services (1.4.3).

The mechanism for implementing Provincial policies is through the Official Plan, The London Plan. Through the preparation, adoption and subsequent approval of The London Plan, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in The London Plan analysis below.

As the application for an Official Plan and Zoning By-law amendment is consistent with the general intent and purpose of The London Plan, it is staff’s opinion that the application is consistent with the Planning Act and the PPS.

The London Plan, 2016

The London Plan constitutes the Official Plan for the City of London, prepared and enacted under the authority of the provisions of Part III of the *Planning Act, R.S.O. 1990, c. P. 13*. It contains goals, objectives, and policies established primarily to manage and direct physical change and the effects on the social, economic, and natural environment of the city.

Neighbourhoods Place Type

The subject lands are located within the Neighbourhoods Place Type, and have frontage on an existing Neighbourhood Connector (Admiral Drive) and a planned extension to a Neighbourhood Street (Duluth Crescent). A range of low-density residential uses

including single detached, semi-detached, and townhouses, and triplexes are permitted (Table 10). Heights between one (1) and three (3) storeys are permitted (Table 11).

An Official Plan amendment is proposed to add a Specific Policy to the Neighbourhoods Place Type and on Map 7 – Specific Policy Areas for the subject lands to permit apartments, small-scale community facilities, and mixed-use buildings, as well as to permit development up to four (4) storeys in height. An amendment is also proposed to designate the public park as Green Space on Map 1 – Place Types.

Criteria for Specific Policy Areas

The London Plan includes conditions for evaluating the appropriateness of Specific Area Policies where the applicable Place Type policies would not accurately reflect the intent of City Council with respect to a specific site or area (TLP 1729-1734).

The following conditions apply when considering a new Specific Area Policy:

1. The proposal meets all other policies of the Plan beyond those that the specific policy identifies.
2. The proposed policy does not have an adverse impact on the integrity of the place type policies or other relevant parts of this Plan.
3. The proposed use is sufficiently unique and distinctive such that it does not establish an argument for a similar exception on other properties in the area.
4. The proposed use cannot be reasonably altered to conform to the policies of the place type.
5. The proposed policy is in the public interest and represents good planning.

The subject site is owned by the City of London and is proposed to be developed for the purpose of affordable housing and public parkland. The site and proposal are sufficiently unique to not set a precedent, and it is in the public interest to provide this parkland and mixed-use development at an intensity appropriate to the scale of the site. Staff are of the opinion that the proposed Specific Policy Area conforms to the evaluation criteria.

Evaluation of Planning and Development Applications

The London Plan also includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied, and that appropriate zones and special provisions have been applied.

Z-1 Zoning By-Law

The lands are currently within the Neighbourhood Facility (NF1) Zone. This Zone provides for and regulates public and private facility uses which primarily serve a neighbourhood function, such as the former elementary school.

Rezoning is required to facilitate the residential and mixed-use buildings that are envisioned on the subject lands including low and medium density residential, mixed-use, and open space zones.

3.0 Financial Impact

Through the completion of the works associated with this proposal, application fees, development charges and taxes will be collected. There will be an increase in the operating and maintenance costs once the City assumes the planned public roads and other infrastructure and public facilities in the planned subdivision. The City will also be responsible for the long-term capital renewal costs associated with these works.

4.0 Key Issues and Considerations

4.1 Land Use

Small-Scale Community Uses and Mixed-Use Buildings

The requested amendment to the London Plan proposes to add small-scale community facilities and mixed-use buildings as permitted uses on the subject lands, where the London Plan typically only permits low-density residential uses on Neighbourhood Streets (Table 10). The requested Zoning By-Law amendment includes site specific zoning to permit a range of residential uses, community facilities (including libraries, day care centres, community centres, and assembly halls), open space, and small scale-commercial uses such as personal service, restaurants (excluding drive-through facilities) and retail uses.

The London Plan encourages community facilities that are associated with and integral to a residential environment to be permitted at appropriate locations within the Neighbourhood Place Type (918_8, 930_). Community facilities will be directed to locations that are easily accessible and where they can help establish and enhance the character of the neighbourhood. The proposed location at the entrance to the new subdivision, within a mixed-use building and adjacent to the public park will help establish and enhance the character of the neighbourhood and provide these new amenities near the proposed and existing residential areas.

Staff recommend the amendments to permit small-scale community facilities and commercial uses within mixed-use buildings be approved.

Apartments Buildings

The requested amendment to the London Plan would add apartment buildings as a permitted use on the subject lands, where the London Plan typically only permits up to townhouses and triplexes within the Neighbourhood Place Type on Neighbourhood Streets and Neighbourhood Connectors. The associated Zoning By-Law amendment includes zones which would permit apartment uses on Blocks 5, 6 and 7 of the proposed subdivision.

The proposed mix of dwelling types, including apartments and mixed-use buildings, is supportive of the London Plan policies requiring new neighbourhoods to be planned with a variety of different housing types (509_). By providing a greater range of dwelling types within neighbourhoods, there are more appropriate housing options available to meet the needs of local residents at all stages of their lives and circumstances.

Apartments allow for a more compact form of development on the subject lands to ensure that adequate separation can be provided to adjacent low-density residential uses while still allowing for increased density on the subject lands. Limitations on the maximum heights will be applied to ensure that the apartment and mixed-use buildings will be appropriately integrated within the existing community.

Staff recommend that the requested amendments to add apartments as a permitted use within a new Specific Policy Area for the subject lands, and that the requested zoning by-law amendments to permit apartment uses be approved.

4.2 Intensity

The proposed development constitutes residential intensification within an existing neighbourhood as defined by the London Plan (938_). The proposed development

constitutes infill development where new residential units are developed on vacant or underutilized lots (939_5). It is an important strategy of the London Plan to support residential intensification, including infill development, while ensuring that development is appropriately located and fits well within the existing neighbourhood (940_).

Increased Height

The requested amendment to the London Plan would increase the permitted heights on the subject lands up to four (4) storeys. The London Plan generally supports increased height in places which have good access to transit and amenities such as the intersection of Neighbourhood Connectors and major Civic Boulevards (Table 11).

The subject lands are considered an appropriate location for infill and intensification as they are located very close (approximately 100m) to the intersection of Trafalgar Street (Civic Boulevard) and Admiral Drive (Neighbourhood Connector). The site is also within walking distance of a major commercial and transit hub at Argyle Mall (approximately 750m north), as well as the Argyle Arena and Clarke Road Secondary School. London Transit bus route 35 also provides direct service from Admiral Drive, adjacent to the subject lands to Argyle Mall and around Trafalgar Heights. Additionally stops for Bus Routes 2A, 3, 5, 7, 38 are located within 500m of the subject lands on Clarke Rd., Trafalgar St. and Wavell St. which provide service to Downtown, Western University, Hamilton Road, SoHo, Westmount Mall, Byron and Innovation Park. The subject lands are also located in close proximity to Nelson Plaza, a commercial area at Trafalgar St. and Clarke Rd. (with a grocery store, pharmacy, restaurants, and financial institutions). There is capacity within existing municipal infrastructure to accommodate the proposed development.

The subject lands are currently a large block within the existing community where it is possible to provide increased setbacks, landscaped buffers and enhanced design to minimize the impact on adjacent low-density residential uses. It is recommended that additional zoning regulations specified below be included in the proposed zones to maintain privacy between the existing surrounding uses and the proposed development.

The low-density residential lands to the north, east and west of the subject lands permit development up to 9 metres in height. The requested zones would limit height to 12 metres in the northeast portion of the development (Block 6) in order to ensure compatibility and transition. Special provisions are requested to permit up to 15 metres in the southern portion of the development (Blocks 5 & 7) adjacent to the public park, where potential impacts on adjacent residential uses are less. The proposed heights represent an appropriate transition from low density to medium density towards the public park and Admiral Drive.

The following special provision is recommended to be applied to the requested zones for the medium density residential Blocks 5, 6, and 7:

Landscaped Open Space Buffer (M) Minimum: A 3.0m required rear and interior side yard shall be provided adjacent to all R1 and R2 zones which may not be used for any other purpose other than landscaped open space.

Residential Density

The requested London Plan and Zoning By-Law amendments would permit infill development within a built up area of the community and would increase the density and population living within the neighbourhood if approved. The existing neighbourhood surrounding the subject lands is currently zoned to permit primarily low-density residential development including single-detached dwellings and townhouses.

Permitting medium density apartments and mixed-use buildings as infill development on the underutilized former school site will support the City's goals and objectives relating to residential intensification in the London Plan (80_).

The opportunity to acquire surplus lands from school boards and redevelop it for housing purposes is consistent with the City's homelessness prevention and housing

strategies in the London Plan (502_). The proposed development will contribute to the City's affordable housing target (517_).

The two-storey apartment and townhouse block (Block 6) in the northeast portion of the development is proposed to allow up to a maximum density of 75 units per hectare, which would permit 50 residential units on the 0.7 Ha block. The four-storey apartment block (Block 5) in the southwest corner is proposed to permit up to a maximum density of 200 units per hectare, which would permit the proposed 100 units on the 0.52 Ha block. The four-storey mixed-use block adjacent to the park in the southeast portion of the subject lands is proposed to allow up to a maximum density of 150 units per hectare which would permit up to 69 residential units on the 0.47 Ha block.

Due to the size of the blocks within the subdivision the increased densities that are proposed can be accommodated without many site-specific special provisions related to rear yard setbacks, parking requirements, lot coverage, or landscaped open space in the zoning by-law amendment. Blocks 5 and 6 can accommodate the required amount of parking for the proposed residential units. Block 5 is proposed to have a rear yard setback of more than double the required minimum, while the required 6m setback (to other residential zones) is maintained on Block 6.

The only block where special provisions are requested to the minimum parking rate is for non-residential uses on Block 7. It is proposed that the minimum parking rate for all non-residential uses be 1 per 100m², which would reduce the parking rate for assembly halls, day care centres, community centres and the other secondary uses to the standard the minimum rate for Library uses. The possible community facilities and associated secondary uses would be primarily intended to serve the needs of local residents. Based on the small scale nature of the proposed community and commercial uses, the availability of public transit, and the proximity to existing and planned residential development, the proposed parking reduction is considered reasonable.

Based on the size of the lots, and the ability to mitigate potential impacts on surrounding residential uses, the requested residential densities and special provisions are recommended to be approved.

Low-Density Uses within Medium-Density Blocks

To ensure that the lands that are planned for medium density are maintained as medium density in the future, staff are recommending that single-detached dwellings not be permitted within the proposed medium density zones. This will minimize potential land use conflicts in the future if there are changes to the proposed development of the site. This will also clearly identify and communicate the planned uses of the development blocks to the public.

Staff recommend that the following special provision be included:

Permitted Uses: All uses within the R6-5 zone variation with the exception of single-detached dwellings.

4.3 Form

Minimum Frontage for Street-Fronting Townhouses

Blocks 3 & 4 in the proposed draft plan of subdivision are intended for street-fronting townhouses with a minimum lot frontage of 6.7 metres for interior lots. The requested Residential R4-5 zone permits a minimum lot frontage of 5.5m per unit. Subdivision Engineering staff have reviewed the proposed amendments and identified that lots with less than 6.7m per unit will not be permitted so that appropriate separation between services can still be provided. Previously this would have been addressed during Site Plan Approval, however, due to recent provincial policies the townhouses will no longer be subject to the Site Plan Approval process.

As the proposed development is already planned to comply with the minimum lot frontage of 6.7m per unit, staff are recommending that this provision be included within the R4-5 zone:

Lot Frontage (M) Minimum: 6.7 per unit

Setbacks to the Public Realm

The proposed zoning by-law amendments include special provisions to reduce the required setbacks to public streets and open space. These special provisions are requested to help improve and activate these public spaces, while also allowing for increase setbacks to the rear of properties.

The applicant has requested that the minimum front yard setbacks for Blocks 5 and 7 be reduced to 3.0m, and that the minimum interior side yard setbacks adjacent to open space zones be reduced to 3.0m (Block 6) and 2.5m (Block 7). These proposed zoning regulations will allow for the buildings to be located closer to public streets, walkways and park and increased setbacks to surrounding residential dwellings at the back of each block. The requested special provisions are consistent with London Plan policies which encourage buildings to be located with minimal setbacks to public streets and spaces (London Plan 259_). In addition to the requested special provisions, staff are recommending including maximum front yard setbacks within the medium density blocks to ensure buildings are located to create an active street frontage and encourage pedestrian activity.

The following special provision is recommended to be added to the apartment and mixed-use blocks (Blocks 5 & 7) to require development to be located near the street frontage and away from the rear of blocks.

Front Yard Depth (M) Maximum: 6.0 metres

The following special provision is recommended to be added to the apartment and townhouse block (Block 6) and mixed-use block (Block 7) to require development to be located near public pathway and away from the rear of blocks.

Interior Side Yard Depth (M) Maximum: 6.0 metres adjacent to OS1 zone.

4.4 Traffic and Pedestrian Activity

A Traffic Impact Assessment (TIA) was completed by the applicant in support of the proposed development. The study identified that there will be a minor increase in traffic by 2029 with no major change in the function of most intersections around the development. The majority of traffic to and from the development is anticipated to use the Trafalgar and Admiral Dr. intersection to access the broader road network. The proposed "Z" shape of the extension to Duluth Crescent will naturally slow down traffic and discourage cut-through traffic using the street.

Based on the TIA, some delays in the afternoon rush hour are expected going southbound on Admiral Dr. at Trafalgar St. under both the 2029 background traffic (excluding traffic from the proposed development) and total traffic scenarios. A traffic signal warrant analysis was conducted for the intersection and determined that a signal was not warranted, as neither the number of vehicles nor the delay for each vehicle is deemed to meet the threshold for a signal. City staff agree with the recommendations of the TIA, and do not believe there is justification for a traffic light to be installed at the intersection of Admiral Dr. and Trafalgar St.

The proposed development limits the amount of parking that is available, and as such, will limit the traffic impact on the surrounding community. The availability of transit, pedestrian walkways, commercial amenities, and proximity to safe cycling lanes such as on Wavell Street, will encourage residents to use alternative forms of transportation.

Transportation's comments requiring that a new/updated Transportation Impact Assessment be submitted to assess the impact of the proposed development on abutting roads, sightlines on Admiral Drive and the Neighbourhood Facility have been addressed through the TIA submitted as part of the complete application.

Conclusion

The proposed amendments are consistent with the Provincial Policy Statement, 2020 which promotes a compact form of development in strategic locations to minimize land consumption and servicing costs. The proposed Official Plan, Zoning By-Law Amendment and Draft Plan of Subdivision are consistent with the general intent and purpose of the London Plan which encourages infill and intensification, the provision of a range and mix of dwelling types, and the provision of affordable housing. No outstanding significant concerns have been identified with the proposed amendments. Other concerns related to the design of specific development blocks will be addressed through Site Plan Approval as part of future applications once more detailed designs are available.

Prepared by: Michael Clark, MA
Planner, Subdivision Planning

Reviewed by: Bruce Page, MCIP, RPP
Manager, Subdivision Planning

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng
Deputy City Manager,
Planning and Economic Development

cc: Peter Kavcic, Manager, Subdivisions and Development Inspections
cc: Michael Pease, Manager, Site Plans
cc: Ismail Abushehada, Manager, Subdivision Engineering
cc: Matt Feldberg, Director, Municipal Housing Development

BP/mc

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Appendix A – Official Plan Amendment

Bill No. (Number to be inserted by
Clerk's Office)
2023

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

A by-law to amend the Official Plan,
The London Plan for the City of
London, relating to 1958 Duluth Street.

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 Official Plan, The London Plan, for the City of London 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 November 7, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading - November 7, 2023
Second Reading - November 7, 2023
Third Reading - November 7, 2023

AMENDMENT NO.
to the
OFFICIAL PLAN, THE LONDON PLAN, FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to facilitate the proposed infill and intensification development of the property at 1958 Duluth Crescent by permitting an increased building height; permitting additional uses including apartment buildings, small-scale community facilities, and mixed-use buildings; and designating the public park as Green Space.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 1958 Duluth Crescent in the City of London as shown on “Schedule 1” attached hereto.

C. BASIS OF THE AMENDMENT

The site-specific amendment would allow for residential infill and intensification including apartment buildings, small-scale community facilities, and mixed-use buildings up to four-storeys, as it is compatible with the surrounding land uses and will help enhance the character of the neighbourhood.

D. THE AMENDMENT

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

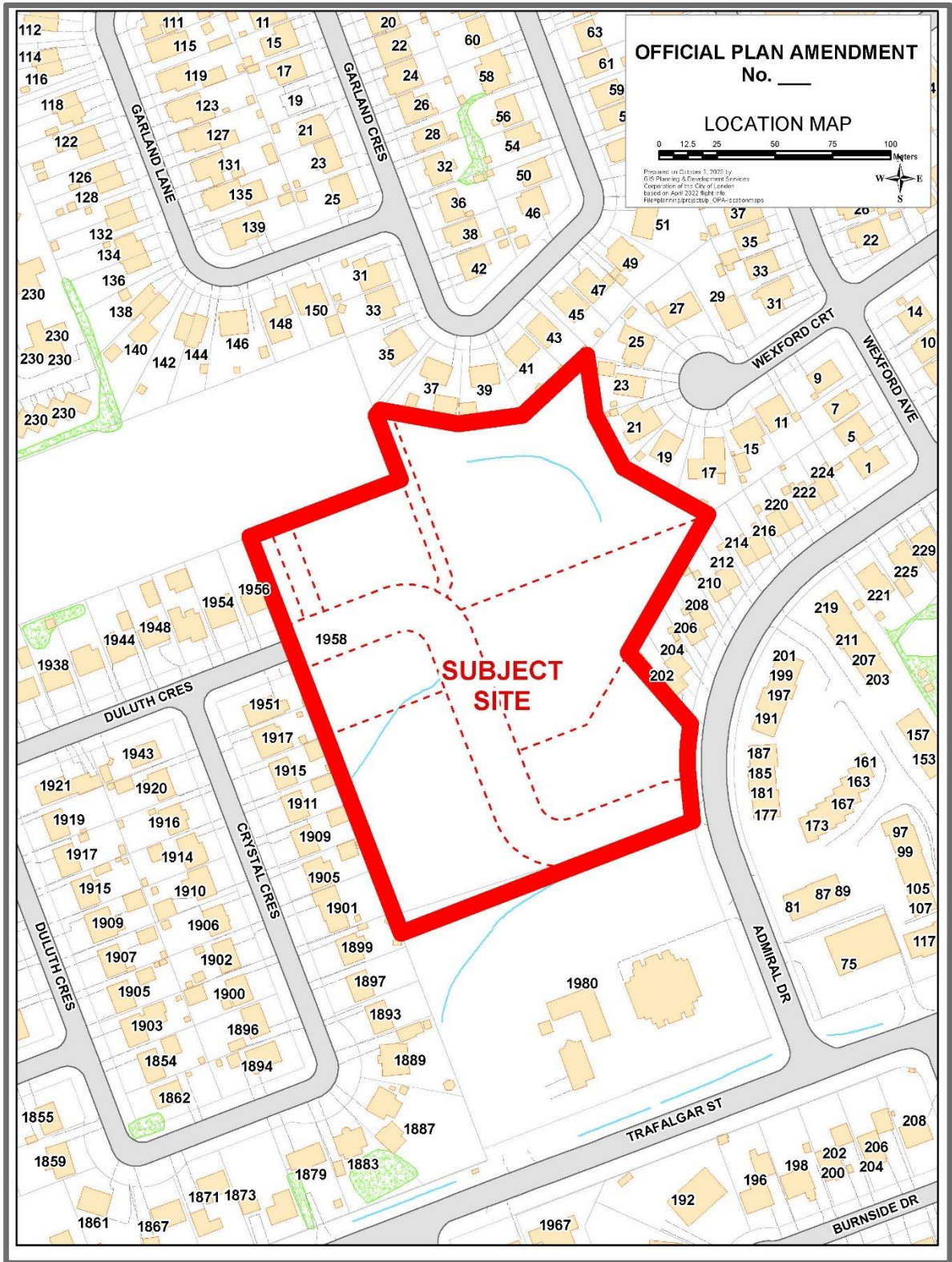
1. Specific Policies for the Neighbourhood Place Type of the Official Plan, The London Plan, for the City of London is amended by adding the following:

() 1958 Duluth Crescent

For the lands in the Neighbourhoods Place Type located at 1958 Duluth Crescent, as shown on Map 7 – Specific Policy Areas, apartment buildings, small-scale community facilities and mixed-use buildings shall be permitted in addition to the uses identified in Table 10, with an upper maximum height of 4 storeys.

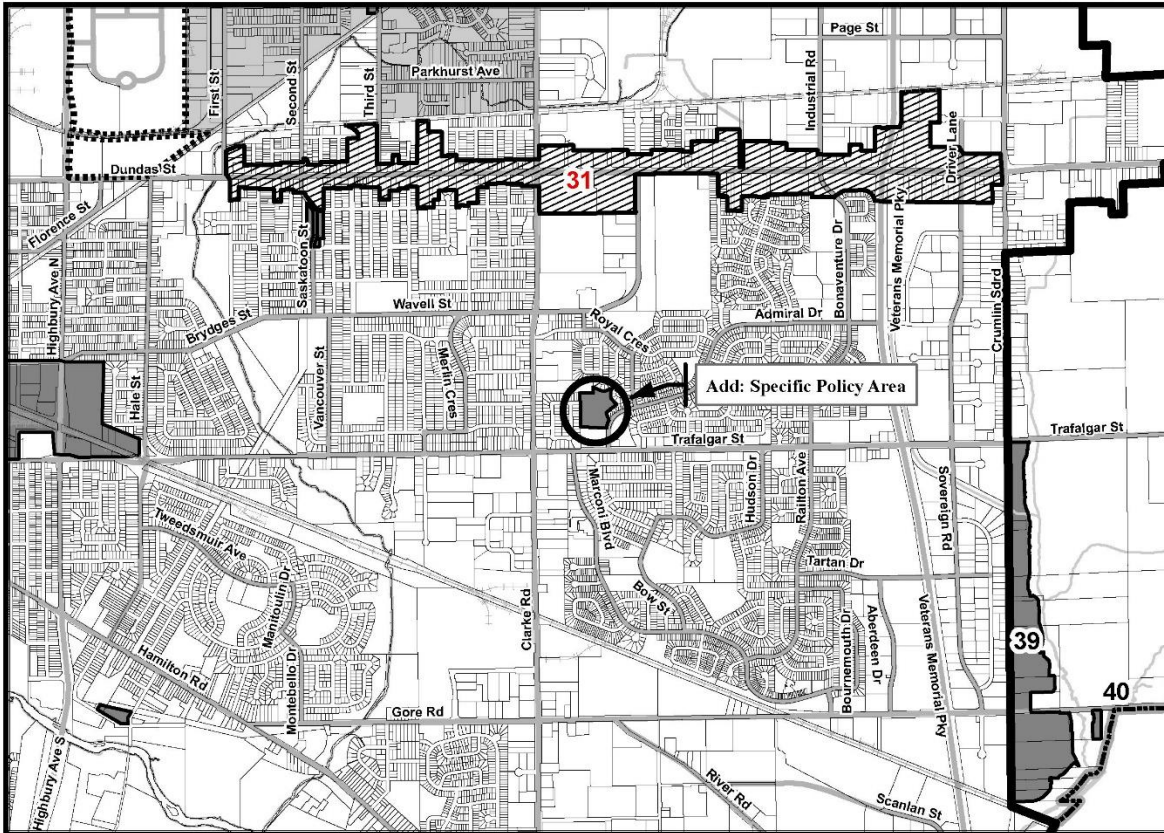
2. Map 7 - Specific Policy Areas, to the Official Plan, The London Plan, for the City of London Planning Area is amended by adding a Specific Policy Area for the lands located at 1958 Duluth Crescent in the City of London, as indicated on “Schedule 2” attached hereto.
3. Map 1 – Place Types, to the Official Plan, The London Plan, for the City of London Planning Area is amended by redesignating Block 8 in the Draft Plan of Subdivision for 1958 Duluth Crescent (File No. 39T-23504) from a Neighbourhood Place Type to a Green Space Place Type, as indicated on “Schedule 3” attached hereto.

“Schedule 1”



“Schedule 2”

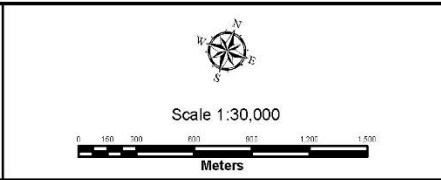
AMENDMENT NO:



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
OFFICIAL AMENDMENT NO. _____
PREPARED BY: Planning & Development

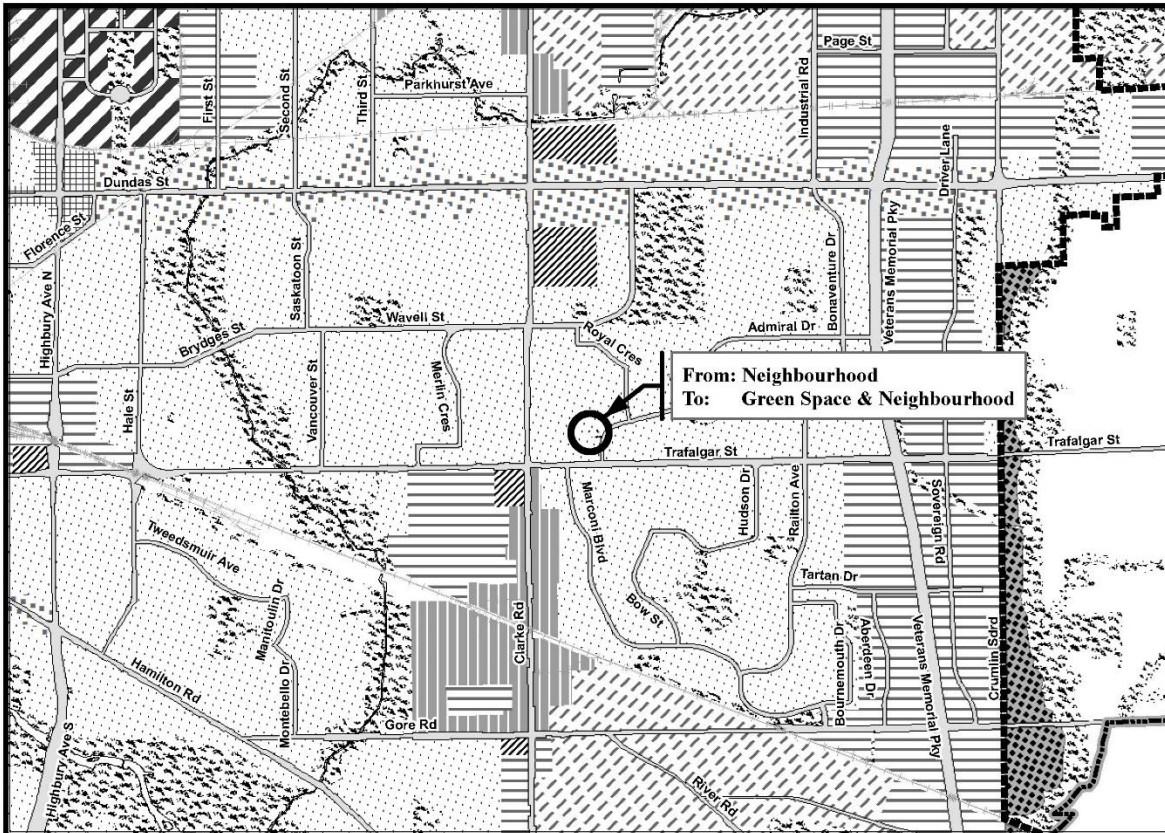


FILE NUMBER: OZ-9638
PLANNER: MC
TECHNICIAN: RC
DATE: 9/26/2023

Document Path: E:\Planning\Projects\p_officialplan\workconsol\00\amendments_LondonPlan\OZ-9638\Projects\AMENDMENT_Map7_SpecialPolicyAreas_b&w_8x11.mxd

“Schedule 3”

AMENDMENT NO:



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.

<p>SCHEDULE # TO</p> <p>OFFICIAL AMENDMENT NO. _____</p> <p>PREPARED BY: Planning & Development</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9638</p> <p>PLANNER: MC</p> <p>TECHNICIAN: RC</p> <p>DATE: 9/26/2023</p>
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Monteith + Brown
planning consultants

DRAFT PLAN OF SUBDIVISION
Block D RP-934 and Part of Block E RP-934 and Part of South 1/2 Lot 4, Concession C (Geographic Location) City of London
County of Middlesex

OWNERS' CERTIFICATE
I, the undersigned, being the owner of the lands shown on the above plan, hereby declare that the said plan is a true and correct representation of the lands shown thereon.

SURVEYOR'S CERTIFICATE
I, the undersigned, being a duly qualified and licensed surveyor in Ontario, do hereby certify that the above plan was prepared by me or under my direction and supervision and that it is a true and correct representation of the lands shown thereon.

RECORD OF SUBMISSION

No.	CITY REVIEW	DATE
1.		JUNE 2020
2.		

REQUIREMENTS UNDER SECTION 44 (1) OF THE PLANNING ACT, 1967

The undersigned hereby certifies that the provisions of the said Act and the Regulations made thereunder have been complied with in connection with the preparation and submission of the above plan.

LAND USE SCHEDULE

LAND USE	AREA (Hectares)	PERCENT
STREETS	0.07	2.3
RESIDENTIAL LOTS 1, 2, 3	0.88	2.8
RESIDENTIAL LOTS 4, 5, 6	1.22	4.0
MEDIUM DENSITY RESIDENTIAL	0.62	2.0
MIXED USE BLOCK 7	0.47	1.5
PARK BLOCK 8	0.28	0.9
WALKWAY BLOCK 9	0.05	0.2
ROAD & WIDENING BLOCK 10	0.51	1.7
TOTAL SITE AREA	2.98	100.0

CLIENT
HOUSING DEVELOPMENT CORPORATION

PREPARED BY
MBC

DATE
20-1-2023

SCALE
1:400

PROPOSED INFILL SUBDIVISION
1968 DULUTH CRESCENT, LONDON

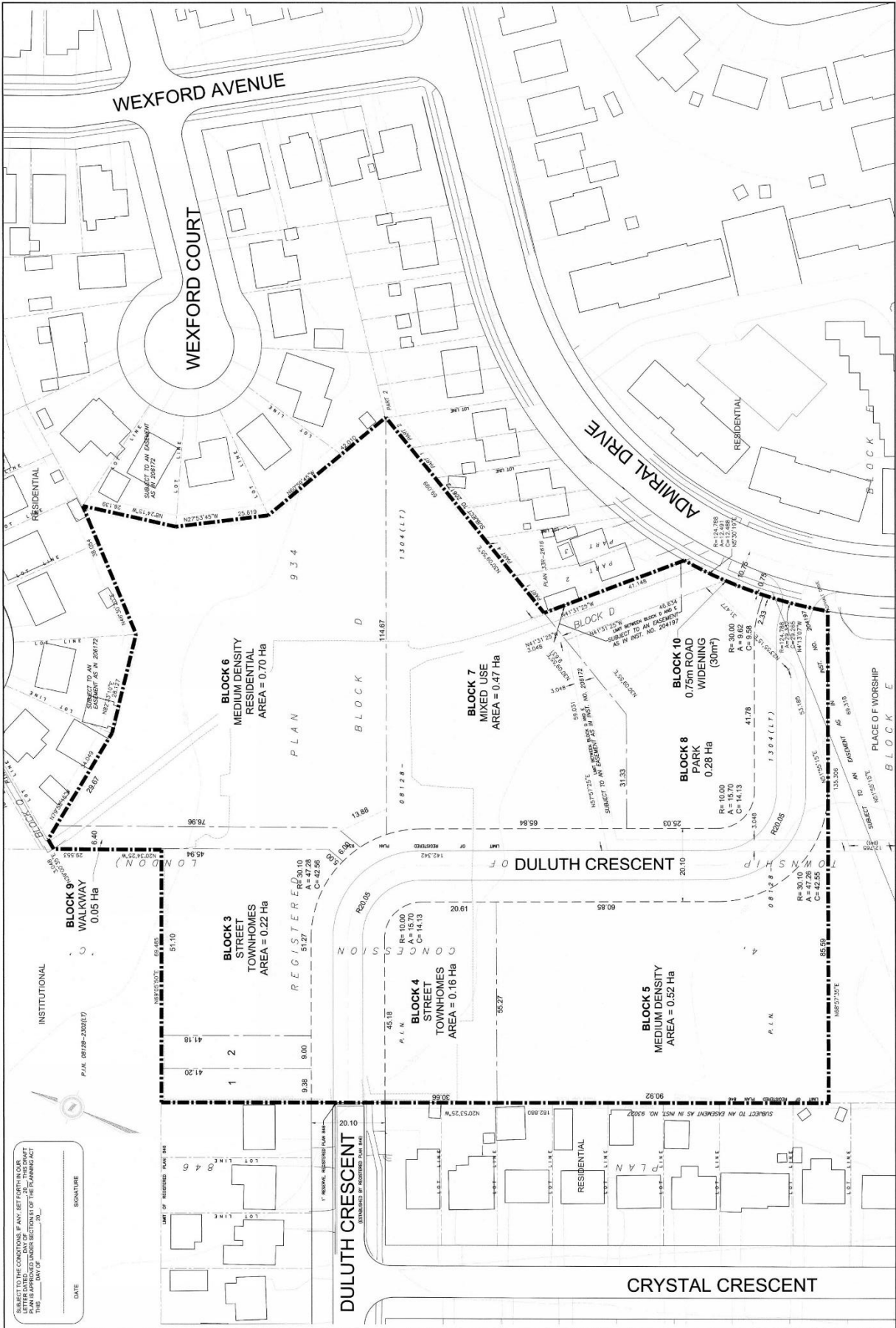
PROJECT No. 20-1701

DATE 20-1-2023

SCALE OF PLAN 1:400

DATE 20-1-2023

DP



Appendix B – Zoning By-Law Amendment

Bill No. (number to be inserted by Clerk's Office)
(2023)

By-law No. Z.-1-_____

A bylaw to amend By-law No. Z.-1 to rezone lands located at 1958 Duluth Crescent.

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 lands located at 1958 Duluth Crescent as shown on the attached map comprising part of Key Map No. A109, **FROM** a Neighbourhood Facility (NF1) Zone **TO** a Holding Residential R1 (h*h-100*R1-2) Zone; a Holding Residential Special Provision R4 (h*h-100*R4-5(_)) Zone; a Holding Residential Special Provision R5 (h*h-100*R5-6(_)) Zone; a Holding Residential Special Provision R6 (h*h-100*R6-5(_)) Zone; a Holding Residential Special Provision R5 (h*h-100*R5-6(_)) Zone; a Holding Residential Special Provision R6 (h*h-100*R6-5(_)) Zone; a Holding Residential Special Provision R6 (h*h-100*R6-5(_)) Zone; and a Special Provision Open Space OS1 (OS1(3)) Zone.

- 2) Section Number 8.4 of the Residential R4 Zone is amended by adding the following Special Provisions:

R4-5(*) 1958 Duluth Crescent (Street Townhouse Blocks)

a. Regulations

- i) Lot Coverage (%) Maximum: 45
- ii) Lot Frontage (m) Minimum: 6.7 per unit

- 3) Section Number 9.4 of the Residential R5 Zone is amended by adding the following Special Provisions:

R5-6(*) 1958 Duluth Crescent (Southwest Apartment Block)

a. Regulations

- i) Front Yard Depth (m) Minimum: 3.0
- ii) Front Yard Depth (m) Maximum: 6.0
- iii) Interior Side Yard Depth (m) Minimum: 4.5 metres minimum when the wall of a unit contains windows to habitable rooms.
- iv) Height (m) Maximum: 15
- v) Density Units Per Hectare (Maximum): 200
- vi) Landscaped Open Space Buffer (m) Minimum: 3.0m required for rear and interior side yard adjacent to all R1 and R2 zones which may not be used for any other purpose other than landscaped open space.

- 4) Section Number 9.4 of the Residential R5 Zone is amended by adding the following Special Provisions:

R5-6(**) 1958 Duluth Crescent (Northeast Apartment / Townhouse Block)

a. Regulations

- i) Lot Frontage (m) Minimum: 12
 - ii) Interior Side Yard Depth (m) Minimum: 3.0 metres minimum when the wall of a unit contains windows to habitable rooms adjacent to an OS1 zone.
 - iii) Interior Side Yard Depth (m) Maximum: 6.0 metres adjacent to an OS1 zone.
 - iv) Density Units Per Hectare (Maximum): 75
 - v) Landscaped Open Space Buffer (m) Minimum: 3.0m required for rear and interior side yard adjacent to all R1 and R2 zones which may not be used for any other purpose other than landscaped open space.
- 5) Section Number 10.4 of the Residential R6 Zone is amended by adding the following Special Provisions:

R6-5(*) 1958 Duluth Crescent (Southwest Apartment Block)

a. Regulations

- i) Permitted Uses: All uses within the R6-5 zone variation with the exception of single-detached dwellings.
- ii) Front Yard Depth (m) Minimum: 3.0
- iii) Front Yard Depth (m) Maximum: 6.0
- iv) Interior Side Yard Depth (m) Minimum: 4.5 metres minimum when the wall of a unit contains windows to habitable rooms.
- v) Height (m) Maximum: 15
- vi) Density Units Per Hectare (Maximum): 200
- vii) Landscaped Open Space Buffer (m) Minimum: 3.0m required for rear and interior side yard adjacent to all R1 and R2 zones which may not be used for any other purpose other than landscaped open space.

- 6) Section Number 10.4 of the Residential R6 Zone is amended by adding the following Special Provisions:

R6-5(**) 1958 Duluth Crescent (Northeast Apartment / Townhouse Block)

a. Permitted Uses

- i) All uses within the R6-5 zone variation with the exception of single-detached dwellings.

b. Regulations

- i) Lot Frontage (m) Minimum: 12
- ii) Interior Side Yard Depth (m) Minimum: 3.0 metres minimum when the wall of a unit contains windows to habitable rooms adjacent to an OS1 zone.
- iii) Interior Side Yard Depth (m) Maximum: 6.0 metres adjacent to an OS1 zone.
- iv) Density Units Per Hectare (Maximum): 75
- v) Landscaped Open Space Buffer (m) Minimum: 3.0m required for rear and interior side yards adjacent to all R1 and R2 zones which may not be used for any other purpose other than landscaped open space.

- 7) Section Number 10.4 of the Residential R6 Zone is amended by adding the following Special Provisions:

R6-5(***) 1958 Duluth Crescent (Mixed-Use Block)

a. Permitted Uses

- i) All uses within the R6-5 zone variation with the exception of single-detached dwelling;
- ii) Assembly hall;
- iii) Community centre;
- iv) Library;
- v) Day care centre;
- vi) Personal service establishment;
- vii) Restaurant, excluding a drive through facility; and
- viii) Retail store.

b. Regulations

- i) Front Yard Depth (m) Minimum: 3.0
- ii) Front Yard Depth (m) Maximum: 6.0
- iii) Interior Side Yard Depth (m) Minimum: 2.5 metres minimum when the wall of a unit contains windows to habitable rooms adjacent to an OS1 zone.
- iv) Interior Side Yard Depth (m) Maximum: 6.0 metres adjacent to an OS1 zone.
- v) Height (m) Maximum: 15
- vi) Density Units Per Hectare (Maximum): 150
- vii) Parking (Minimum): 1/100m² non residential uses
- viii) Landscaped Open Space Buffer (m) Minimum: 3.0m required for rear and interior side yards adjacent to all R1 and R2 zones which may not be used for any other purpose other than landscaped open space.
- ix) Non-residential uses are restricted to the ground floor of mixed-use residential buildings.

8) 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.

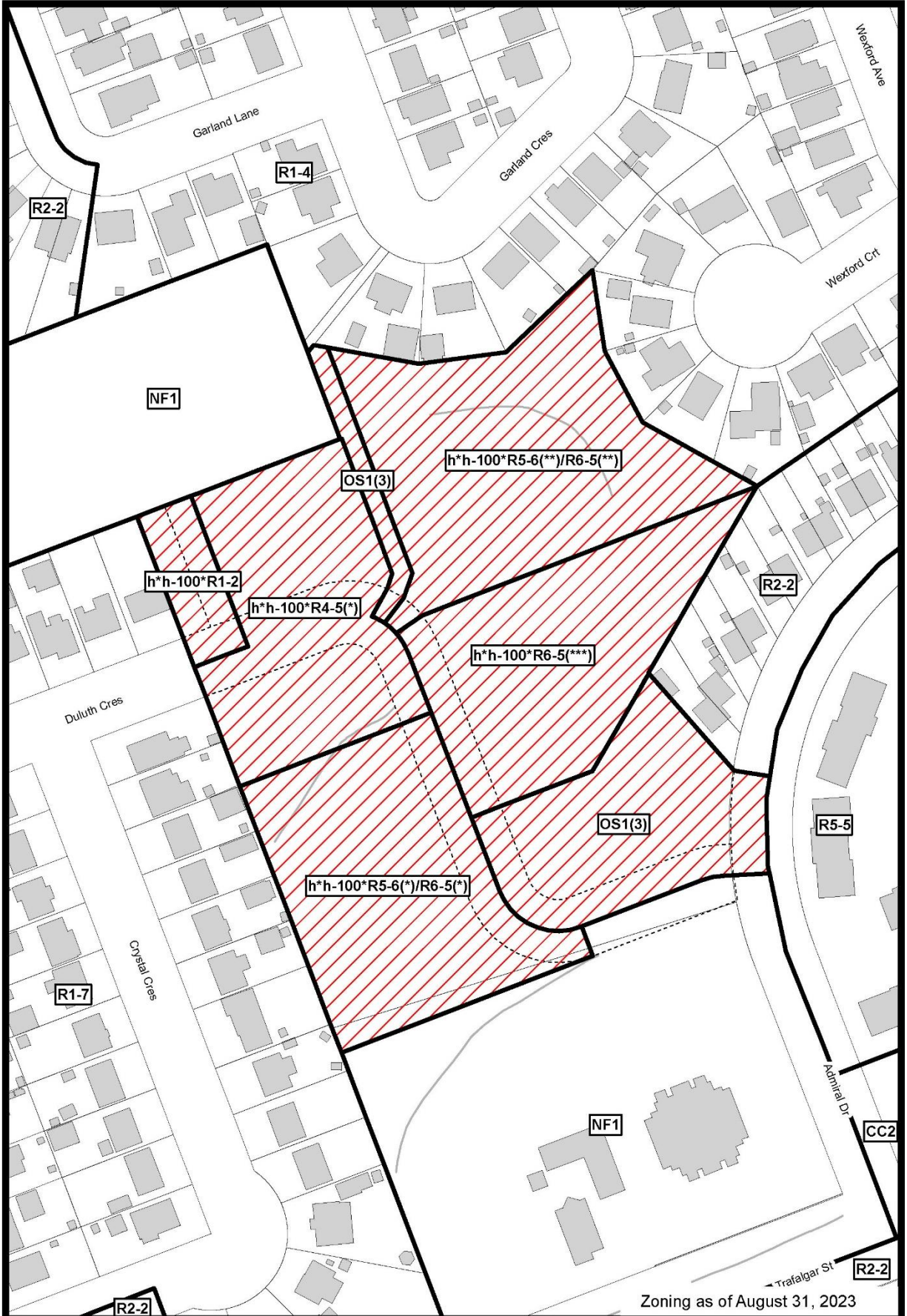
PASSED in Open Council on November 7, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.




Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading - November 7, 2023
 Second Reading - November 7, 2023
 Third Reading - November 7, 2023

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



<p>File Number: 39T-23504 / OZ-9638 Planner: MC Date Prepared: 2023/09/26 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,500</p> <p>0 5 10 20 30 40  Meters</p> <p></p>
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Geodatabase

Appendix C – Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Vacant, former elementary school
Frontage	20m (65 ft.) on Duluth Crescent 43m (141 ft.) on Admiral Drive
Area	2.98 Hectares (7.36 acres)
Shape	irregular
Within Built Area Boundary	Yes
Within Primary Transit Area	No

Surrounding Land Uses

North	Existing single-detached dwellings
East	Existing single-detached dwellings and townhouses
South	Place of worship
West	Existing single detached dwellings

Proximity to Nearest Amenities

Major Intersection	Clarke Rd. & Trafalgar St., 270 metres
Dedicated cycling infrastructure	Wavell Street Bike Lanes, 500 metres
London Transit stop	Admiral Drive, 50 metres
Public open space	Admiral Park & Nelson Park, 450 metres (east)
Commercial area/use	Nelson Plaza, 270 metres (southwest) Argyle Mall, 800 metres (north)
Food store	Metro, 425 metres (southwest)
Primary school	Lord Nelson Public School, 290 metres
Community/recreation amenity	Argyle Arena, 422 metres East Lions Community Centre, 1,000 metres East Branch LPL & YMCA Child Care, 1,250 m

B. Planning Information and Request

Current Planning Information

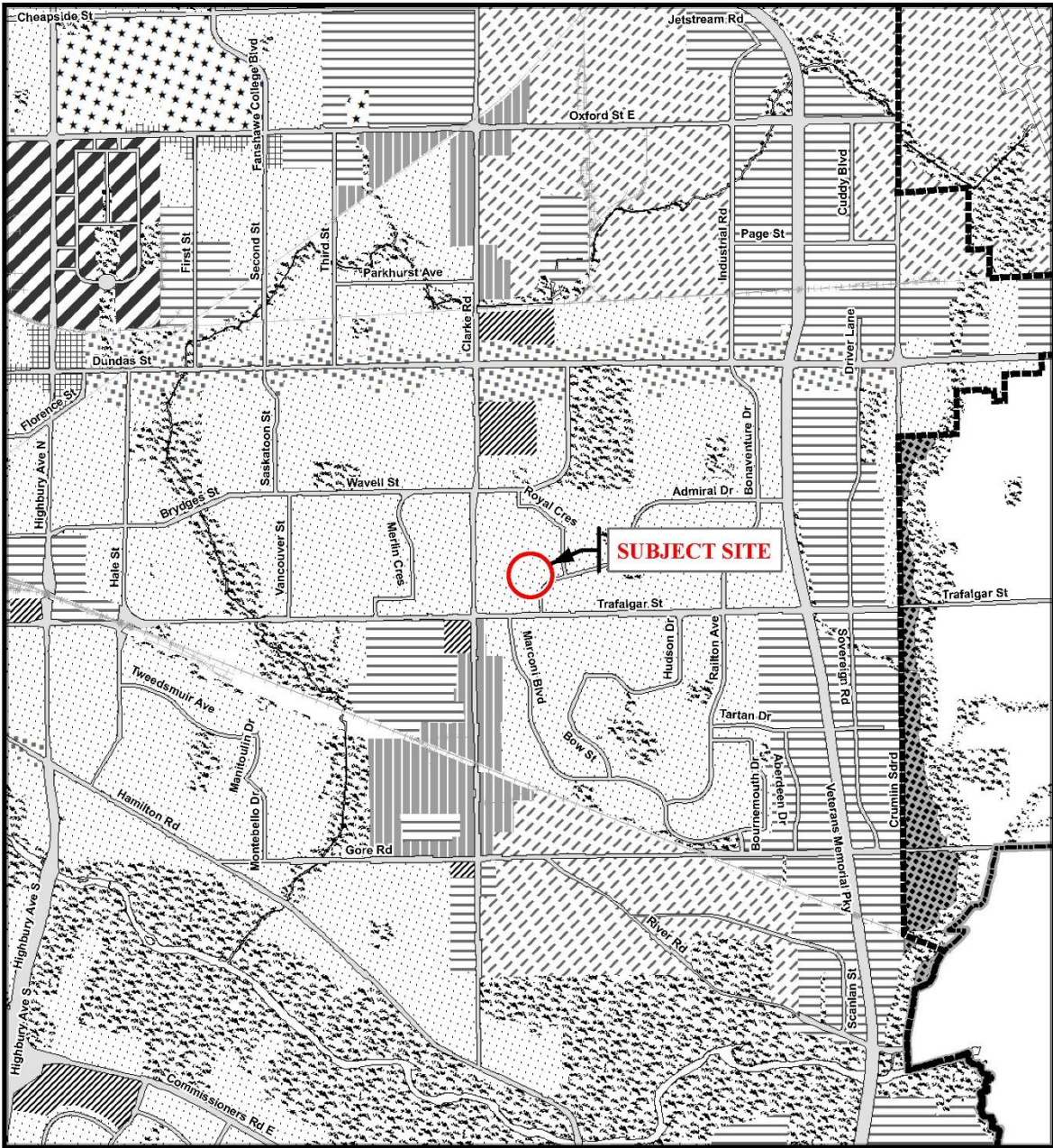
Current Place Type	Neighbourhood, Neighbourhood Street (Duluth Cr.) & Neighbourhood Connector (Admiral Dr.)
Current Zoning	Neighbourhood Facility (NF1) Zone

Requested Designations

Requested Place Type	Neighbourhoods and Green Space
Requested Special Policies	<ul style="list-style-type: none">• Permit Apartment, Small-Scale Community Facilities, and Mixed-Use Buildings• Permit buildings up to 4 storeys in height

Requested Zoning

Requested Zoning	Lots 1-2: R1-2, Blocks 3-4: R4-5(*), Block 5: R5-6(*), R6-5(*), Block 6: R5-6(**), R6-5(**), Block 7: R6-5(***), Blocks 8-9: OS1
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Legend

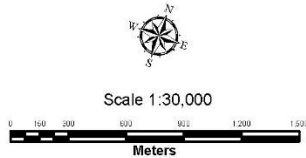
- | | | |
|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | Future Industrial Growth | Waste Management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

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

**CITY OF LONDON
Official Plan**

**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning & Development



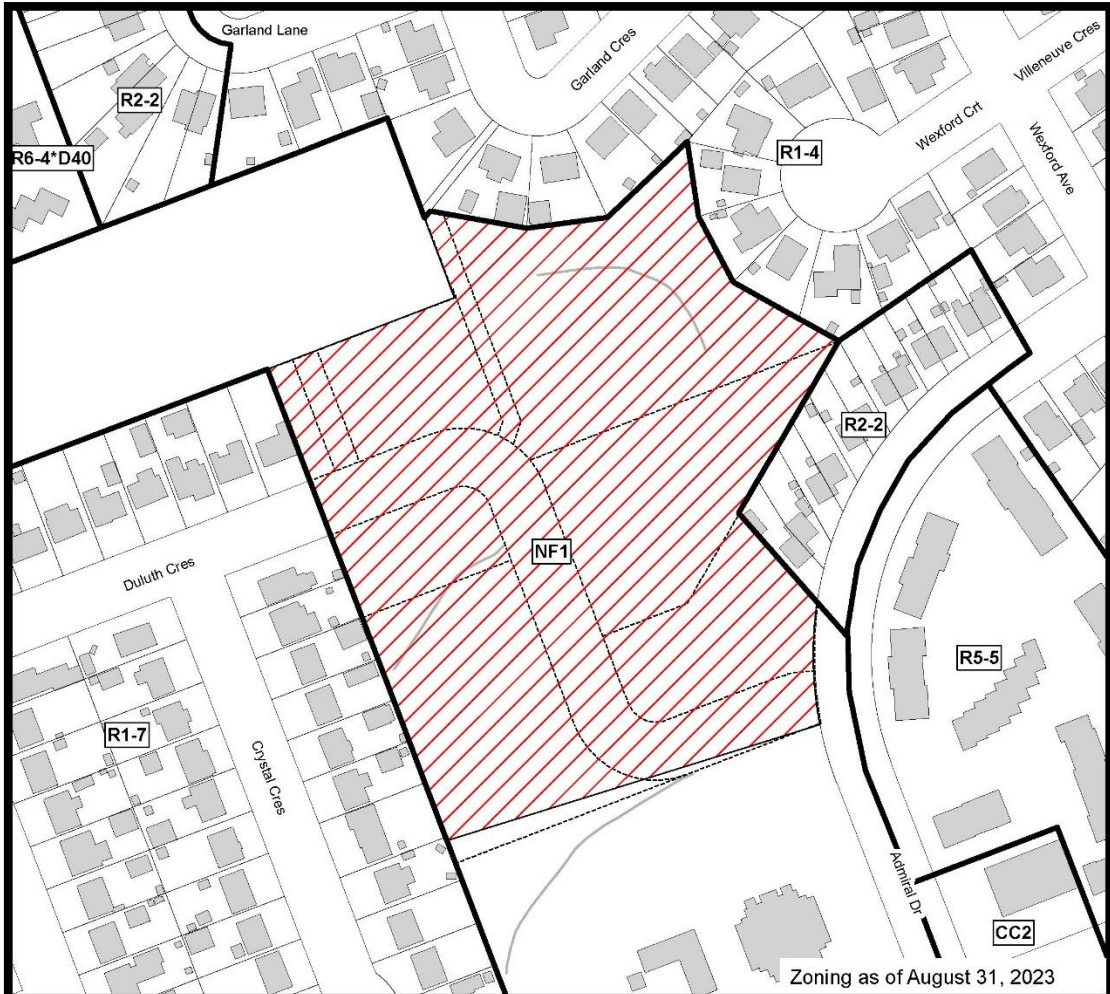
File Number: OZ-9638

Planner: MC

Technician: RC

Date: 2023/9/26

Project Location: E:\Planning\Projects\p_officialplan\workconso\00\excerpts_LondonPlan\mxd\OZ-9368_Map1_PlaceTypes.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| | LI - LIGHT INDUSTRIAL |
| DA - DOWNTOWN AREA | GI - GENERAL INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| NSA - NEIGHBOURHOOD SHOPPING AREA | UR - URBAN RESERVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | |
| AC - ARTERIAL COMMERCIAL | AG - AGRICULTURAL |
| HS - HIGHWAY SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | TGS - TEMPORARY GARDEN SUITE |
| SS - AUTOMOBILE SERVICE STATION | RT - RAIL TRANSPORTATION |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

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



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

FILE NO:

OZ-9638

MC

MAP PREPARED:

2023/09/26

RC

1:2,000

0 10 20 40 60 80

Meters

Requested Zoning Special Provisions

Blocks 3-4 (Street Fronting Townhouses) – R4-5(*)

Regulation	Required	Requested	Recommended
Lot Frontage (minimum)	5.5m per unit	No change	6.7m per unit
Lot Coverage (maximum)	40%	45%	45%

Block 5 (Four-Storey Apartments) - R5-6(*) & R6-5(*)

Regulation	Required	Requested	Recommended
Permitted Uses (R6-5)	Single detached dwelling; Semi-detached dwelling; Duplex dwelling; Triplex dwelling; Townhouse dwelling; Stacked Townhouse dwelling; Apartment buildings Fourplex dwelling;	No change	Semi-detached dwelling; Duplex dwelling; Triplex dwelling; Townhouse dwelling; Stacked Townhouse dwelling; Apartment buildings Fourplex dwelling;
Front and Exterior Side Yard Depth (minimum)	6.0 metres (Local Street – Main Building & Garage)	Front Yard Depth (minimum): 3.0 metres	Front Yard Depth (minimum): 3.0 metres
Front Yard Depth (maximum)	n/a	n/a	6.0 metres
Interior Side and Rear Yard Depth (minimum)	[...] 6.0 metres (19.7 feet) when the wall of a unit contains windows to habitable rooms. [...]	Interior Side Yard: 4.5 metres minimum when the wall of a unit contains windows to habitable rooms	Interior Side Yard: 4.5 metres minimum when the wall of a unit contains windows to habitable rooms
Height (maximum)	12.0 metres	15.0 metres	15.0 metres
Density (maximum)	R5-6: 50 units per hectare R6-5: 35 units per hectares	200 units per hectare	200 units per hectare
Landscaped Open Space Buffer Depth (Minimum)	n/a	n/a	3.0 metres required rear and interior side yard shall be provided adjacent to all R1 and R2 zones which may not be used for any other purpose other than landscaped open space.

Block 6 (Two-Storey Apartments and Townhouses) - R5-6() & R6-5(**)**

Regulation	Required	Requested	Recommended
Permitted Uses (R6-5)	Single detached dwelling; Semi-detached dwelling; Duplex dwelling; Triplex dwelling; Townhouse dwelling; Stacked Townhouse dwelling; Apartment buildings Fourplex dwelling;	No change	Semi-detached dwelling; Duplex dwelling; Triplex dwelling; Townhouse dwelling; Stacked Townhouse dwelling; Apartment buildings Fourplex dwelling;
Lot Frontage (minimum)	R5-6: 30 metres R6-5: 10 metres	12.0 metres	12.0 metres
Interior Side and Rear Yard Depth (minimum)	[...] 6.0 metres (19.7 feet) when the wall of a unit contains windows to habitable rooms. [...]	Interior Side Yard: 3.0 metres minimum when the wall of a unit contains windows to habitable rooms adjacent to any OS1 zone.	Interior Side Yard: 3.0 metres minimum when the wall of a unit contains windows to habitable rooms adjacent to any OS1 zone.
Interior Side Yard Depth (maximum)	n/a	n/a	6.0 metres adjacent to any OS1 zone.
Density (maximum)	R5-6: 50 units per hectare R6-5: 35 units per hectares	75 units per hectare	75 units per hectare
Landscaped Open Space Buffer Depth (Minimum)	n/a	n/a	3.0 metres required rear and interior side yard shall be provided adjacent to any R1 and R2 zones which may not be used for any other purpose other than landscaped open space.

Block 7 (Four-Storey Apartment / Mixed-Use Building) - R6-5(*)**

Regulation	Required	Requested	Recommended
Permitted Uses	Single detached dwelling; Semi-detached dwelling; Duplex dwelling; Triplex dwelling; Townhouse dwelling; Stacked Townhouse dwelling; Apartment buildings Fourplex dwelling;	Single detached dwelling; Semi-detached dwelling; Duplex dwelling; Triplex dwelling; Townhouse dwelling; Stacked Townhouse dwelling; Apartment buildings Fourplex dwelling; Assembly hall; Community centre; Libraries; Day care centre; Personal service establishments associated with the main permitted uses; Restaurants associated with the main permitted uses, excluding a drive-through facility; Retail stores associated with the main permitted uses.	Semi-detached dwelling; Duplex dwelling; Triplex dwelling; Townhouse dwelling; Stacked Townhouse dwelling; Apartment buildings Fourplex dwelling; Assembly hall; Community centre; Libraries; Day care centre; Personal service establishments associated with the main permitted uses; Restaurants associated with the main permitted uses, excluding a drive-through facility; Retail stores associated with the main permitted uses.
Lot Frontage (minimum)	R5-6: 30 metres R6-5: 10 metres	12.0 metres	12.0 metres
Front and Exterior Side Yard Depth (minimum)	6.0 metres (Local Street – Main Building & Garage)	Front Yard Depth (minimum): 3.0 metres (Local Street – Main Building & Garage)	Front Yard Depth (minimum): 3.0 metres (Local Street – Main Building & Garage)
Front Yard Depth (maximum)	n/a	n/a	6.0 metres
Interior Side and Rear Yard Depth (minimum)	[...] 6.0 metres (19.7 feet) when the wall of a unit contains windows to habitable rooms. [...]	Interior Side Yard: 2.5 metres minimum when the wall of a unit contains windows to habitable rooms adjacent to any OS1 zone.	Interior Side Yard: 2.5 metres minimum when the wall of a unit contains windows to habitable rooms adjacent to any OS1 zone.
Interior Side Yard Depth (maximum)	n/a	n/a	6.0 metres adjacent to any OS1 zone.
Height (maximum)	12.0 metres	15.0 metres	15.0 metres
Density (maximum)	35 units per hectares	150 units per hectare	150 units per hectare
Landscaped Open Space Buffer Depth (Minimum)	n/a	n/a	3.0 metres required rear and interior side yard shall be provided adjacent to any R1 and R2 zones which may not be used for any other purpose other than landscaped open space.

C. Development Proposal Summary

Development Overview

A residential infill development is proposed by the applicant comprised of single-detached dwellings, townhouses and low-rise apartments near the intersection of Trafalgar Street and Clarke Road. Two single-detached dwellings and blocks of street-fronting townhouse dwellings are proposed for the northwest corner along the extension to Duluth Crescent. The northeast corner of the property is proposed to be developed as two-storey low-rise townhouses and apartment buildings. The southern portion of the subject lands are proposed to be development as two four-storey apartment buildings and a four-storey mixed use apartment building. A municipal park is proposed at the southeast corner of the site along Admiral Drive, adjacent to the planned new intersection with the extension to Duluth Crescent.

Proposal Statistics

Land use	Residential, Mixed-Use, Small-Scale Community Facility, Open Space
Form	Single-Detached Dwellings, Townhouses, Apartments, Mixed-Use Buildings
Height	Two (2) – Four (4) Storeys
Residential units	224 Total <ul style="list-style-type: none">• 2 Single Detached Dwellings• 2 Additional Residential Units• 20 Townhouse Units• 200 Apartment Units
Density	75 units per hectare
Gross floor area	Community Facility: up to 1,300 square metres

Appendix D – Additional Plans and Drawings

Rendering of the Proposed Development & Landscape Plan (MBPC, 2023)



Conceptual Landscape Plan of the Proposed Development (MBPC, 2023)



PLANT LIST

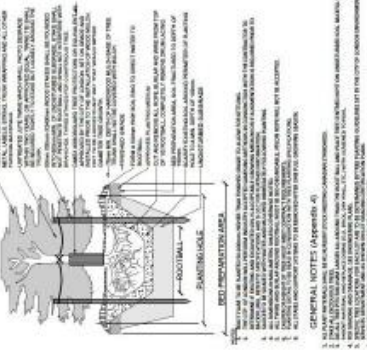
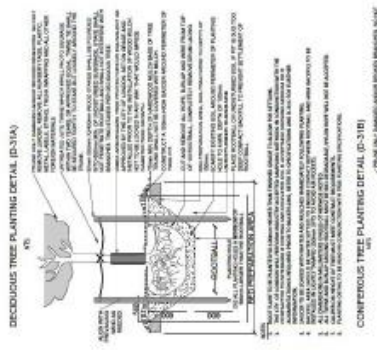
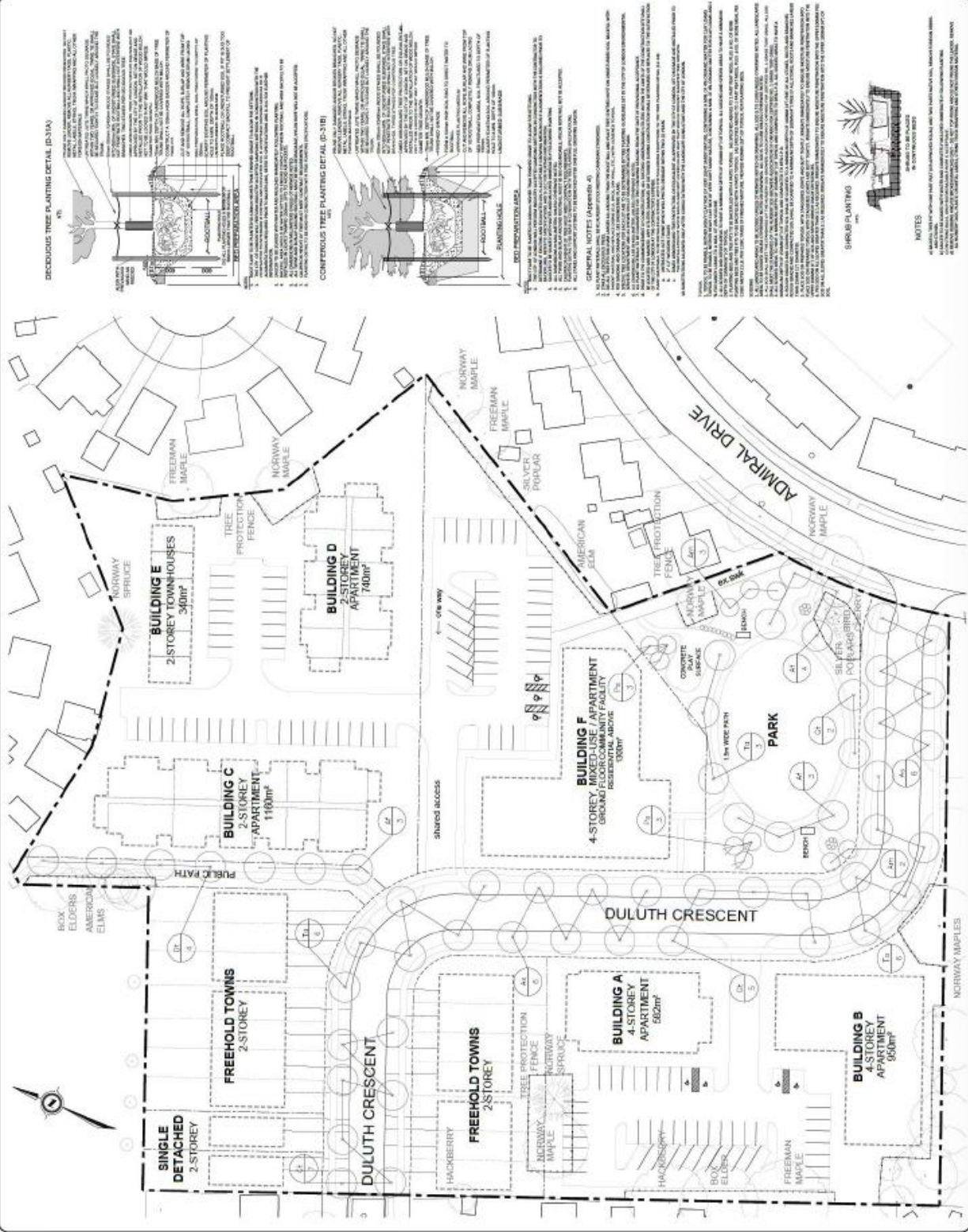
PLANT ID	PLANT NAME	SIZE	LOCATION
1	AMERICAN ELM	12"	DRIVEWAY
2	BOX ELDER	12"	DRIVEWAY
3	FREEHOLD MAPLE	12"	DRIVEWAY
4	NORWAY SPRUCE	12"	DRIVEWAY
5	NORWAY MAPLE	12"	DRIVEWAY
6	SILVER POPULAR	12"	DRIVEWAY
7	AMERICAN ELM	12"	DRIVEWAY
8	FREEHOLD MAPLE	12"	DRIVEWAY
9	NORWAY SPRUCE	12"	DRIVEWAY
10	NORWAY MAPLE	12"	DRIVEWAY
11	SILVER POPULAR	12"	DRIVEWAY
12	AMERICAN ELM	12"	DRIVEWAY
13	FREEHOLD MAPLE	12"	DRIVEWAY
14	NORWAY SPRUCE	12"	DRIVEWAY
15	NORWAY MAPLE	12"	DRIVEWAY
16	SILVER POPULAR	12"	DRIVEWAY
17	AMERICAN ELM	12"	DRIVEWAY
18	FREEHOLD MAPLE	12"	DRIVEWAY
19	NORWAY SPRUCE	12"	DRIVEWAY
20	NORWAY MAPLE	12"	DRIVEWAY
21	SILVER POPULAR	12"	DRIVEWAY
22	AMERICAN ELM	12"	DRIVEWAY
23	FREEHOLD MAPLE	12"	DRIVEWAY
24	NORWAY SPRUCE	12"	DRIVEWAY
25	NORWAY MAPLE	12"	DRIVEWAY
26	SILVER POPULAR	12"	DRIVEWAY
27	AMERICAN ELM	12"	DRIVEWAY
28	FREEHOLD MAPLE	12"	DRIVEWAY
29	NORWAY SPRUCE	12"	DRIVEWAY
30	NORWAY MAPLE	12"	DRIVEWAY
31	SILVER POPULAR	12"	DRIVEWAY
32	AMERICAN ELM	12"	DRIVEWAY
33	FREEHOLD MAPLE	12"	DRIVEWAY
34	NORWAY SPRUCE	12"	DRIVEWAY
35	NORWAY MAPLE	12"	DRIVEWAY
36	SILVER POPULAR	12"	DRIVEWAY
37	AMERICAN ELM	12"	DRIVEWAY
38	FREEHOLD MAPLE	12"	DRIVEWAY
39	NORWAY SPRUCE	12"	DRIVEWAY
40	NORWAY MAPLE	12"	DRIVEWAY
41	SILVER POPULAR	12"	DRIVEWAY
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46	SILVER POPULAR	12"	DRIVEWAY
47	AMERICAN ELM	12"	DRIVEWAY
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50	NORWAY MAPLE	12"	DRIVEWAY
51	SILVER POPULAR	12"	DRIVEWAY
52	AMERICAN ELM	12"	DRIVEWAY
53	FREEHOLD MAPLE	12"	DRIVEWAY
54	NORWAY SPRUCE	12"	DRIVEWAY
55	NORWAY MAPLE	12"	DRIVEWAY
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83	FREEHOLD MAPLE	12"	DRIVEWAY
84	NORWAY SPRUCE	12"	DRIVEWAY
85	NORWAY MAPLE	12"	DRIVEWAY
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87	AMERICAN ELM	12"	DRIVEWAY
88	FREEHOLD MAPLE	12"	DRIVEWAY
89	NORWAY SPRUCE	12"	DRIVEWAY
90	NORWAY MAPLE	12"	DRIVEWAY
91	SILVER POPULAR	12"	DRIVEWAY
92	AMERICAN ELM	12"	DRIVEWAY
93	FREEHOLD MAPLE	12"	DRIVEWAY
94	NORWAY SPRUCE	12"	DRIVEWAY
95	NORWAY MAPLE	12"	DRIVEWAY
96	SILVER POPULAR	12"	DRIVEWAY
97	AMERICAN ELM	12"	DRIVEWAY
98	FREEHOLD MAPLE	12"	DRIVEWAY
99	NORWAY SPRUCE	12"	DRIVEWAY
100	NORWAY MAPLE	12"	DRIVEWAY

PRELIMINARY
FOR ENGINEERING PURPOSES ONLY

RECORD OF SUBMISSION
DATE: 10/10/2023
PROJECT: 1928 DULUTH CRESCENT
JOB DEVELOPMENT

SCALE: 1" = 40'

HOUSING DEVELOPMENT CORPORATION



Appendix E – Internal and Agency Comments

Archaeology – August 3, 2023

Just confirming that I have received and reviewed the Stage 1-2 Archaeological Assessment associated with this file (P344-0413-2020) along with the Ministry's acceptance letter.

I can confirm that the archaeological requirements have been met, and the property is no longer considered to have archaeological potential.

Please find below the revised Urban Design comments for the Draft Plan of Subdivision at 1958 Duluth Crescent (39T-23504):

Urban Design – July 27, 2023

Comments for the Subdivision Design

1. The applicant is commended for having reconfigured Building 'A' as an L-shape building along Duluth Crescent Extension and locating the driveway access between Building 'A' and Building 'B'
 - Provide an active edge to the street frontage to promote accessibility, walkability, wayfinding, and passive surveillance by locating active uses like primary lobby entrance, ground floor residential units' entrances, amenity rooms, etc. to establish a pedestrian-oriented built edge with street-oriented units
2. The increased outdoor amenity space (triangular space) located in Block 6 and Block 7 by reducing the driveways and parking area is acknowledged and should be carried forward.
 - Include a walkway connection between the urban park and the proposed outdoor amenity space

Matters for Zoning

Zoning provisions for all Blocks

1. Minimum and maximum setbacks from Duluth Street Extension and the existing and proposed Public Path block
2. Ensure that the proposed built forms are oriented to Duluth Crescent or the public path and park with active ground floor uses such as principal building entrance, individual unit entrances, amenity rooms, lobbies etc. and establishes a pedestrian-oriented built edge with street-oriented units. Refer to The London Plan, Policy 286, 288
3. Ensure that side elevation of corner units that are facing Duluth Crescent or the Public Path block with enhanced detail, such as wrap-around porches, entrances and a similar number of windows as is found on the front elevation to provide an active edge that offers passive surveillance. Refer to The London Plan, Policy 290
4. Built form should avoid side façades facing the public streets
5. All medium density blocks shall not permit single detached dwellings.
6. Noise walls and non-transparent fencing (i.e., board on board) shall not be permitted between the blocks and along the street frontages. Refer to The London Plan, Policy 241
 - Fencing will be limited to only decorative transparent fencing with a maximum height of 4ft (1.2m) or landscaping with provision for pedestrian access along public streets, amenity spaces and the open space block.

Zoning provisions for Blocks 3 & 4 should address:

- An appropriate separation distance between the townhouse blocks with and without window openings to habitable rooms
- Garage setback and maximum width to ensure garages are not a dominant feature in the streetscape by occupying most of the building/unit façade. Refer to The London Plan, Policy 222A

Zoning provisions for Block 5 should address:

- A minimum setback from Block 4 to mitigate shadow and overlook issues onto the private amenity spaces of the townhouses
- A minimum setback to the East to allow for a landscape buffer between the parking lot and the private amenity spaces of the adjacent residential uses to avoid any negative impacts

Zoning provisions for Block 6 should address:

- A maximum distance from the drive aisle to ensure active entryway with appropriate enclosure and minimize view of the surface parking at the rear

Zoning provisions for Block 7 should address:

- A minimum ground floor height of 4.5m to provide flexibility for the proposed community facility use.

Matters for Site Plan

1. Provide a network of pedestrian walkways that connects the building entrances to the public park, shared amenity areas, parking areas and the existing and proposed public sidewalks along Duluth Crescent to ensure safe and convenient pedestrian connection throughout the site. Refer to The London Plan, Policy 255
2. Orient the built forms towards Duluth Crescent with increased amount of openings/glazing, massing, articulation and walkway connections from the individual units on the ground floor to establish an active built edge and offer passive surveillance
3. Provide enhanced elevation for the end units that are facing the Admiral Drive, Duluth Crescent, Public Path, the shared access to Block 5, 6 & 7 and the shared outdoor amenity spaces with wrap-around features, entrances and a similar number of windows, materials, and articulation as is found on the front elevation.
4. Ensure the large surface parking in Block 5, 6 & 7 is well-screened by a landscape buffer to avoid any negative impacts on the adjacent residential properties. Refer to The London Plan, Policy 253
5. Ensure the Buildings in Block 3, 6 and 7 abutting the existing sidewalk and the Public Path block include an active edge with uses such as entrances with direct pedestrian access and windows oriented towards it as opposed to privacy fencing and blank side facades

Provide concept plans to show how each of the blocks will function and full set of dimensioned elevation for all sides and all types of built forms. Further Urban Design comments may be provided upon the receipt of the drawings

Condition for the Subdivision Agreement:

1. The following shall apply to corner lot of Block 4
 - Both front and side elevations shall be of equal quality in terms of their architectural components, number and proportions of openings, materials and attention to detail. (The London Plan, Policy 290, 291)

2. The following shall apply to the lot of Block 3 that shares a side property line with the Public Path block:
 - The same level of detail shall be provided on the elevation facing the Public Path block, as is present on the front elevation. This will include the provision of windows, façade articulation, and wrapping of materials around the corner of the built form. (The London Plan, Policy 290, 291)
3. The following shall apply to corner lots of Blocks 3 & 4:
 - Lots shall be configured such that the frontages are oriented towards the higher order street.
 - Limit chain link or decorative fencing to no more than 50% of the exterior side-yard abutting the exterior side-yard frontage, to the satisfaction of the City.

Complete Application Requirements:

Please note that UDPRP consultation is not required for this application.

Landscape Architect – August 22, 2023

1. Major Issues
 - a. No potential grounds for refusal, or issues that could require significant changes to the proposal.
2. Matters for OPA/ZBA
 - a. If boundary trees are identified on a tree preservation plan, consent to injure or remove will be required. If consent cannot be obtained from co-owner, then a non-disturbance setback will need to be established at each tree's critical root zone limits as determined by dbh.
3. Matters for Site Plan
 - a. If boundary trees are identified in the tree preservation plan, consent to injure or remove boundary trees is a requirement of Site Plan approval. A recommendation for approval will be forwarded for Site Plan Review.
 - b. A recommendation for proof of payment for the coordinated removal of city trees will be forwarded for Site Plan review. Proof of payment issued by Forestry Operations requirement of Site Plan approval.
 - c. Replacement trees to be recommendation to Site Plan Review based on total dbh removed.
4. Complete Application Requirements
 - a. A tree preservation plan is required to:
 - i. establish the ownership of trees growing along property lines , including the identification of boundary trees that are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes. Use Total Station to locate trees in close proximity to property lines. GPS location not acceptable due to errors caused by canopy coverage.
 - ii. Identify critical root zones of boundary trees and those up to 3m outside of property lines. This information is used to determine setbacks required to minimally impact boundary and offsite trees. "Critical Root Zone" means the area of land within a radius of ten (10) cm from the trunk of a tree for every one (1) cm of trunk diameter

- iii. Identify City Owned trees and shrubs that require consent to injure or remove. To request the removal of a city tree or to request consent to damage the root system of a City tree, contact Forestry Dispatcher at trees@london.ca
- iv. Determine total dbh proposed for removal to determine tree replacement. London Plan Policy 399 requires 1 tree for every cm dbh removed.

The tree preservation plan and tree protection measures must be completed in accordance with City of London Design Specifications and Requirements Manual, Chapter 12 Tree Planting and Protection Guidelines Section 12.2.2 <https://www.roadauthority.com/Standards>

Parks Planning and Design – August 31, 2023

Parks Long Range Planning and Design has reviewed the submission for the above noted plan of subdivision and offers the following comments:

- Parks is supportive of the location and size of the proposed park block to be dedicated to the City.

Draft Comments

- In conjunction with the first Engineering submission, the Owner's qualified consultant shall show grading and servicing on and adjacent to the Park Block to the satisfaction of the City.
- The Park Block shall not be used for stockpiling of any kind.

Transportation Planning and Design – July 25, 2023

New Special conditions

- The Owner shall have its professional engineer design and construct the roadworks in accordance with the following road widths:
 - Duluth Crescent (Neighbourhood Street) to have a road pavement with (excluding gutters) of 7.5 metres with a minimum road allowance of 20.10 m metres.
- In conjunction with the first submission of engineering drawings, the Owner shall comply with all City standards as found in the Design Specifications and Requirements Manual (DSRM) to the satisfaction of the City Engineer.
- In conjunction with the first submission of engineering drawings, the Owner shall comply with the Complete Streets Manual to the satisfaction of the City Engineer.

Sidewalks

- In conjunction with the first submission of engineering drawings, the Owner shall provide details of a 1.5 metres (5') sidewalk on both sides of all streets. A 2.50m boulevard width (back of curb to sidewalk) shall be provided.

Pavement Markings & Signs

- In conjunction with the first submission of engineering drawings, the Owner shall provide details of the following pavement markings and signs, as per City standard to the satisfaction of the City:
 - No Parking signs within 20m of all stop signs
 - PXO signs and pavement markings

Boundary Road Works

- In conjunction with the Design Studies submission, the Owner shall submit a transportation study in accordance with the Transportation Impact Study Guideline to determine the impact of this development on the abutting arterial roads to the satisfaction of the City. Prior to undertaking this study, the Owner shall contact the Transportation Planning and Design Division regarding the scope and requirements of this study. The Owner shall undertake any recommendations of the study, to the satisfaction of the City and at no cost to the City.
- The Owner shall relocate the existing PXO on Admiral Drive north of Trafalgar Street to the Duluth Crescent intersection when Duluth Crescent is extended to Admiral Drive, to the satisfaction of the City Engineer.

Road Widening

- The Owner shall be required to dedicate sufficient land to widen Admiral Rd to 11.5 metres from the centreline.
- The Owner shall be required to dedicate 3.0 m x 3.0 m “daylighting triangles” at all street intersections as per Zoning By-law Z1 Section 4.21.

Construction Access/Temporary/Second Access Roads

- The Owner shall direct all construction traffic associated with this draft plan of subdivision to utilize Admiral Drive via Trafalgar Street or other routes as designated by the City.

Transportation Planning and Design – September 5, 2023

TIA comments:

- Sight distance on Duluth Crescent at Admiral Dr to be corrected, the speed on admiral is 40Km/H.
- Table 5: Trip Generation Summary includes Neighborhood Facility(Library-LUC 590). The site plan doesn't show anything regarding this Neighbourhood Library.
- Provide clarification, and/or update TIA as it may be needed.

Site Plan – August 31, 2023

I don't have substantial comments since this is a subdivision and not a site plan, but the reduced lot frontage for Block 6 could be difficult to accommodate when it gets to site plan. The conceptual site plan shows a shared access from Block 7, which appears functional but I would like to see that registered as an easement over Block 7 to ensure continued access for Block 6. If the blocks are later sold to different owners trying to establish the easement after the fact could be difficult.

Alternatively, if they could move the property line so Block 6 has the required frontage to access Duluth Crescent that would be ideal.

Development Engineering – October 2, 2023

Please find attached the recommended conditions for the draft plan relating to engineering matters for the above-noted subdivision application. These conditions represent the consolidated comments of the Planning and Development (engineering) division, the Transportation Planning and Design division, the Sewer Engineering division, the Water Engineering division and the Stormwater Engineering division.

Zoning By-law Amendment

Planning and Development and the above-noted engineering divisions have no objection to the proposed Zoning By-law Amendment for the proposed revised draft plan of subdivision subject to the following:

1. 'h' holding provision is implemented with respect to servicing, including sanitary, stormwater and water, to the satisfaction of the Deputy City Manager, Environment and Infrastructure and the entering of a subdivision agreement.
2. 'h-100' holding provision is implemented with respect to water services and appropriate access that no more than 80 units may be developed until a looped watermain system is constructed and there is a second public access available, to the satisfaction of the Deputy City Manager, Environment and Infrastructure.

Please include in your report to Planning and Environment Committee that there will be increased operating and maintenance costs for works being assumed by the City.

Technical Comments

The following comments are related to the review of reports/studies submitted in support of the proposed Draft Plan of Subdivision. The Applicant should review and address these preliminary comments in conjunction with the subsequent milestone following Draft Approval (e.g., Consolidated Review, Engineering Drawings).

1. The Applicant should be advised that the proposed street townhomes (R4-5 zone) will require a minimum lot frontage of 6.7 metres to provide adequate separation between services and avoid conflicts with City services, all in accordance with City standards.
2. Furthermore, the Applicant should be advised that where rear-yard catch basins (RYCBs) are proposed, additional side-yard separation beyond minimum setbacks may be required to accommodate servicing leads (from RYCB to mainline sewer) between units, in accordance with City standards. This may impact the lotting fabric or unit size where minimum frontages are being proposed.

“1958 Duluth Crescent, London – Stormwater Management Report” prepared by EXP Service Inc. (June 2023)

1. The Owner shall notify future owners of Blocks 6 and 7 that only one access will be permitted for the blocks to Duluth Crescent. A joint access agreement must be established for the shared access and the access must comply with the requirements from the Transportation Impact Assessment for this site.

Imperial – July 18, 2023

Please be informed, there is no Imperial infrastructure in the vicinity of this location, and there is no need for further engagement.

Hydro One – July 25, 2023

We are in receipt of your Plan of Condominium application, 39T-23504 dated July 17th, 2023. We have reviewed the documents concerning the noted Plan and have no comments or concerns at this time. Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.

Upper Thames River Conservation Authority – July 31, 2023

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies within the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006), Section 28 of the Conservation Authorities Act, the Planning Act, the Provincial Policy Statement (2020), and the Upper Thames River Source Protection Area Assessment Report.

Conservation Authorities Act

The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act.

Drinking Water Source Protection: Clean Water Act

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/>

Recommendation

The UTRCA has no objections or requirements to this application and a Section 28 permit will not be required. Thank you for the opportunity to comment.

London Hydro – July 18, 2023

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. 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 blanket easement.

Appendix F – Public Engagement

Community Engagement Summary

The following is an excerpt from the Final Proposal Report, prepared by Monteith Brown Planning Consultants, submitted as part of the complete application requirements summarizing the community engagement strategy:

As part of MHD's commitment to the community and recognizing the importance of engaging with neighbours in one-on-one conversations about the proposed development, MHD and MBPC hosted a privately-initiated, virtual community information meeting on May 3, 2023 from 7:00 to 8:00 P.M. as a webinar via the Zoom platform.

Invitations, in the form of a post card, were prepared by the City's Communications Department and mailed out to all property addresses within at least 120 metres of the subject lands (the standard notification distance prescribed in the Planning Act for public meetings relating to Official Plan and Zoning By-law Amendments). The invitation provided a brief description of the proposed development, and a request to register for the meeting in advance through the City's "Get Involved" website. A total of 6 households attended the meeting, as well as Deputy Mayor and Ward Councillor Shawn Lewis.

At the virtual community information meeting, MBPC and MHD provided a presentation on the proposed development and provided the opportunity for questions and comments from the attendees. A copy of the PowerPoint presentation from the meeting, along with a recording of the meeting, has been uploaded to the City's "Get Involved" website.

Overall, there were no objections to the development proposal raised by the attendees. A few questions were brought forward regarding park location, overall unit count, and impacts on surrounding schools. MBPC, MHD, and Ward Councillor Lewis were able to provide appropriate responses to those questions.

Subsequently, members of the public were invited to attend an in-person Community Information Session at East Lions Community Centre on May 11, 2023, from 3:00 to 6:00 P.M. The information for this meeting was also provided on the post card mailed out for the privately-initiated, virtual community information meeting.

At the in-person Community Information Session, MBPC and MHD prepared and displayed Presentation Boards illustrating the site context, proposed development, and next steps. In addition, one display board provided the opportunity for members of the public to provide their thoughts on the project via comments written on sticky notes and placed on the Board. A copy of the Display Boards from the in-person meeting have been uploaded to the City's "Get Involved" website.

Approximately 10 members of the public attended the in-person Community Information Session. Overall, the proposed was generally well received. The following comments were provided orally in response to the proposed development:

- "Happy to see enhanced setbacks to protect privacy to adjacent properties."
- "Development appears to suit majority of population / demographic."
- "Want to see complete community development: a place to live, work, eat, leisure, etc."
- "Age-in-place opportunity is great!"
- "Concern for increased traffic to Admiral Drive"
- "Want to see seniors apartment building(s)"

It is noted that the virtual and in-person community information meetings were held prior to filing any planning applications for the property.

Email - July 22, 2023

I am a resident on Admiral Drive backing on to your planning development. I have been to a virtual meeting as well as attended the one at East Lions in person.

I was told that there was not enough population for any kind of traffic lights on Admiral. I am wanting to know what kind of research has been done into the traffic in that area. Where you are planning the exit on to Admiral is currently a school crossing. I can not open the living room windows in our house because the traffic is non stop. Similarly, sitting on the front porch is far from peaceful now from the traffic and often hard to get out of the laneway.

If you add that amount of population your plan as anticipated definitely is going to increase the traffic tremendously and something needs to give the residents on Admiral Drive some kind of relief. From experience, a busy street, which now will be much busier, decreases the property value tremendously.

I questioned this at both meetings and will continue until I am able to get any firm answer.

Thank you.

Email – July 26, 2023

I am a long time resident (1938 Duluth Crescent) and would like to make my concerns known about the extension of Duluth Crescent to Admiral Drive. I feel this would cause too much of an increase in traffic on our quiet crescent.

Is it possible to instead provide access to the new subdivision solely from Admiral Drive?

Thank you,

Email – August 21, 2023

Hello . We are a group of residents that live on Garland Crescent and Garland lane .

We understand that housing is desperately needed in all of london. We have looked over the plans that we're sent out and have some concerns.

We are concerned with increased pedestrian traffic in the area with the amount of new homes and apartments in the plans .

We have seen the walkways are being extended to continue through the new development. The walkway we have now in not maintained in the winter at all . There is no lights in the walkway and is very dark. There is little to no maintenance done .

There are no street lights on garland crescent all the way to Royal crescent. People crossing Royal from Garland crescent when it is dark is very dangerous. With the increased pedestrian traffic that is going to come with the new housing lighting definitely needs to be addressed .

lights should be installed in the walkway as well as street lights down Garland Crescent and the intersection of Garland and Royal needs to have street lights installed.

Some of the homes on Garland Crescent backing onto the proposed development have concerns about privacy as the area behind their homes was a school yard when the purchased their homes.

We are also concerned about the construction phase of this project as to noise levels, dust increased traffic as well as theft from the site and garbage blown throughout the neighborhood.

We also have concerns with policing in our area with the increased pedestrian traffic on garland crescent. We have our share of thefts in the area and can see that this will increase.

Email – August 30, 2023

I have some concerns about the proposed development/re-zoning at 1958 Duluth Cres.

The intensity of the building is a huge concern. It is being proposed to put two 4 storey apartment buildings 45' off the property line and a maximum height of 50' in block 5. This building first of all wont fit in with anything in the existing neighbourhood. It would be the tallest building in most of east london. This building would not only take away any privacy of the current homes, but would also block light for the whole morning. Has there been any light studies completed and the impacts on current residents?

Not only is this a large building but they are seeking to also have special provisions made to current codes and by-laws so the building is more invasive to the community. It is being proposed that the maximum height of the building be increased beyond code by an extra 10', or a 4th floor instead of just 3. It is also being requested that the building needs to be closer to the front side and rear property lines to allow for the building to be larger, further intruding on local residents' properties.

It is being proposed that with the allotted space that has been set aside for these apartments by the developer, they want to quadruple the amount of units than typically allowed by codes and bylaws. Based on space requirements allowed by current rules it can only support 50 units per hectare, with just over half a hectare there should only be 25 units but instead is being proposed that 100 units be allowed.

With the "s" curve being connected through to Admiral Dr this will increase the amount of traffic using Duluth cres and Crystal cres trying to bypass the Admiral/Trafalgar corner, and the Clarke/Trafalgar intersection. This presents hazards to the local kids who use these back to back quiet crescents. This would again further disturb current residents. Do the traffic studies include any impact studies for the existing residents on these blocks? The proposed parking lot for these 2 apartments in block 5 have only allowed 1/2 of a parking spot per unit in the buildings. This will only add to the intrusion on the block as it will become overflow parking making the additional traffic more dangerous.

The size and ambition of this project is too large, it will negatively impact the area and its residents. Further research and alternate plans need to be looked into. When most of the residents on this block bought their homes it was a quiet residential low density neighbourhood sharing the community with a catholic school. Nothing to do with this current proposal has any consideration to the current residents. some of which who have lived in this quiet safe neighbourhood for 50+ years. Please help us by not allowing the special provisions being requested to be approved.

In addition to all the previous points, what is the plan for the existing school impacts? With an additional 200+ units being proposed on the property as a whole have studies been done for percentages of kids who will be added to the current catchments or will a new school need to be built to accommodate these new proposed residents? What is the expected/estimated population increase to this neighbourhood with this proposed development? Current schools in the area are already at high capacity.

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: 3317 White Oak Road Inc. (c/o MHBC)
3317 White Oak Road
File Number: Z-9645, Ward 12
Date: October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 3317 White Oak Road Inc. (c/o MHBC) relating to the property located at 3317 White Oak Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 7, 2023 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** an Urban Reserve (UR4) Zone **TO** a Holding Light Industrial (h-18*h-(_)h-212*h-(_)LI6/LI7/LI10) Zone;

IT BEING NOTED, that the above noted amendment is being recommended for the following reasons:

1. The recommended amendment is consistent with the *PPS 2020*;
2. The recommended amendment conforms to the *Southwest Area Secondary Plan*;
3. The recommended amendment conforms to *The London Plan*, including, but not limited to the Light Industrial Place Type and Key Directions; and
4. The recommended amendment facilitates the future development of an underutilized site within the Built Area Boundary and Primary Transit Area with an appropriate form of industrial uses.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from an Urban Reserve (UR4) Zone to a Light Industrial (LI6/LI7/LI10) Zone.

Staff are recommending approval of the requested Zoning By-law amendment with the addition of holding provisions for archaeological assessment (h-18), noise study (h-_), D-6 analysis (h-212), and wastewater and sanitary capacity (h-_).

Purpose and the Effect of Recommended Action

The recommended action will permit a range of light industrial activities on the site.

Rationale of Recommended Action

The intended light industrial uses are in keeping with the permissions of the Light Industrial Place Type of the *The London Plan* and the Industrial designation of the City's *Southwest Area Secondary Plan*.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Economic Growth, Culture, and Prosperity** by supporting London to be a regional centre that proactively attracts and retains talent, business, and investment.

Analysis

1.0 Background Information

1.2 Property Description and Location

3317 White Oak Road is located on the west side of White Oak Road, with additional frontage on the future Bradley Avenue Road extension, in the Longwoods Planning District. The subject lands are currently vacant, and regular in shape with a frontage of 103.89 metres (337 feet) on White Oak Road, an area of 1.94 hectares (4.79 acres) and a depth of 187.3 metres (614 feet).

The subject lands are located in the Built Area Boundary and Primary Transit Area. The surrounding land uses include a municipal Storm Water Management Pond to the west, the future Bradley Avenue extension and Light Industrial uses to the south, vacant lands planned for commercial uses to the north and light industrial uses to the east.

Site Statistics:

- Current Land Use: Vacant lands
- Frontage: 103.89 metres (337 feet)
- Depth: 187.31 metres (614 feet)
- Area: 1.94 hectares (4.79 acres)
- Shape: regular (rectangle)
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: Yes

Surrounding Land Uses:

- North: Vacant Lands (Zoned for Commercial uses)
- East: Light Industrial uses
- South: Light Industrial uses
- West: Storm Water Management Pond (City Owned)

Existing Planning Information:

- Existing London Plan Place Type: Light Industrial
- Existing Special Policies: N/A
- Existing Zoning: Urban Reserve (UR4)

Additional site information and context is provided in Appendix "B".

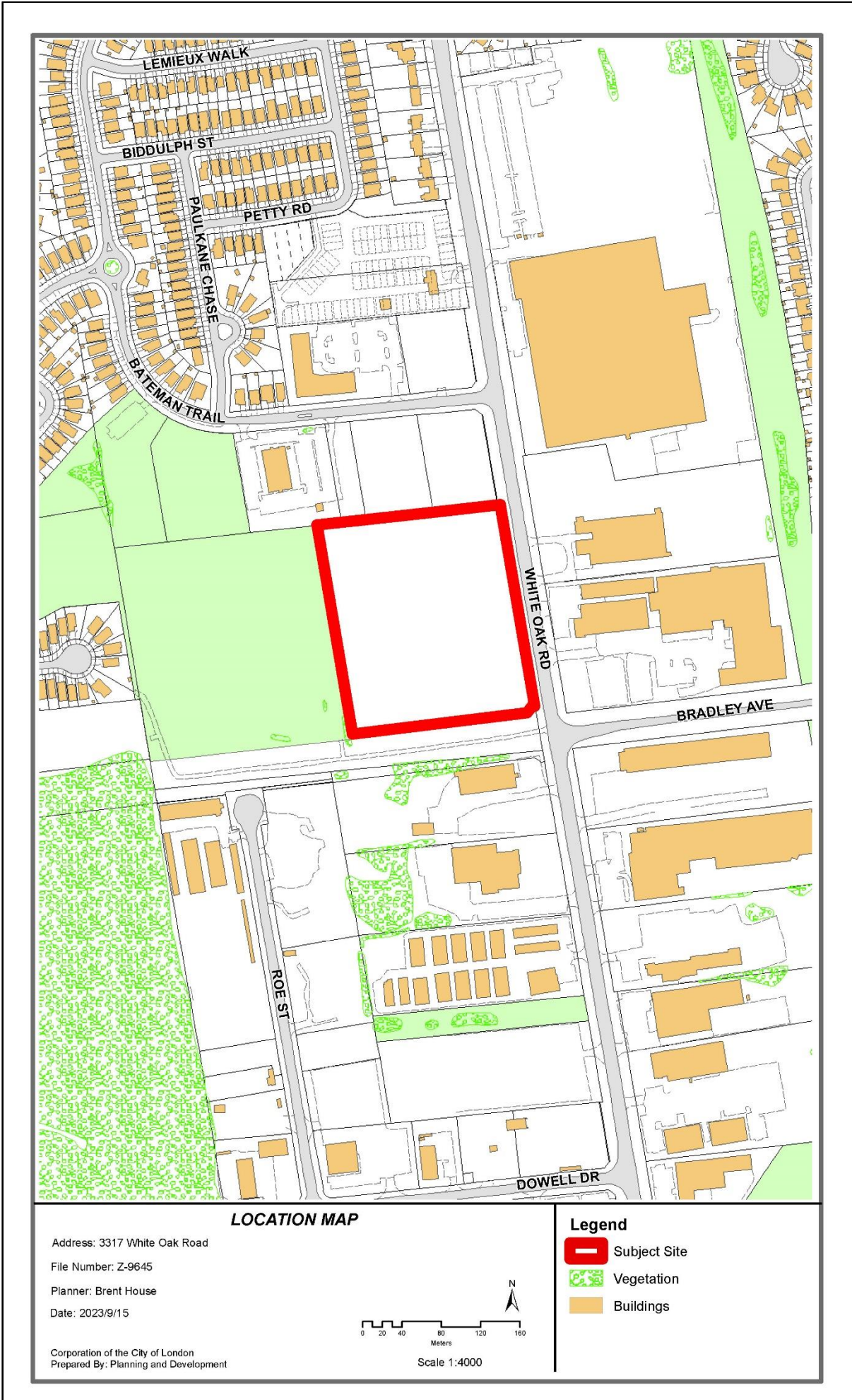


Figure 1- Location Map of 3317 White Oak Road and surrounding lands

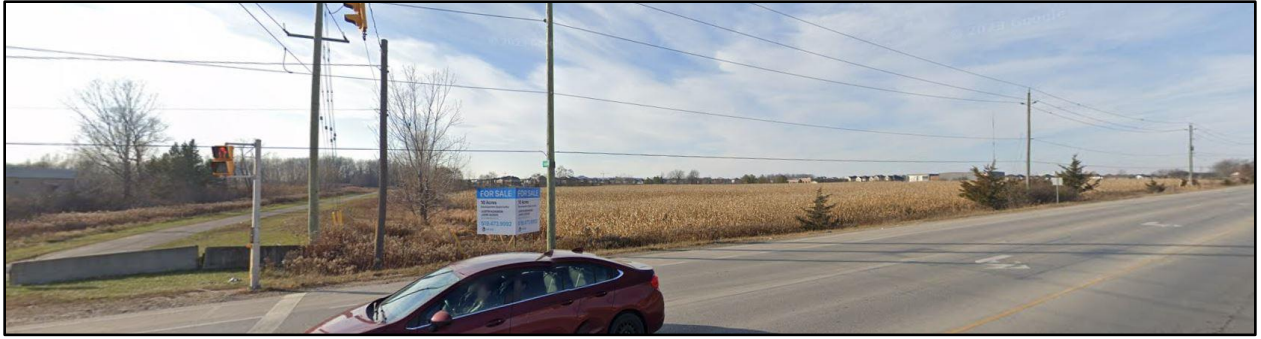


Figure 2 - Streetview of 3317 White Oak Road (view looking from White Oak Road and Future Bradley Avenue Extension)

2.0 Discussion and Considerations

2.1 Development Proposal / Proposal

The applicant is proposing to re-zone the subject lands to a holding Light Industrial (h-18*h-(_)h-212*h-(_)LI6/LI7/LI10) Zone, to facilitate the development of two industrial buildings on separate parcels. The proposed zones provide a range of uses which are in keeping with the permissions of the Light Industrial Place Type and the Industrial designation of the *Southwest Area Secondary Plan*.

The proposed development includes the following features:

- Land use: Industrial
- Form: two industrial type buildings
- Height: 12.19 metres
- Residential units: N/A
- Density: N/A
- Gross floor area: N/A
- Building coverage: 23.8% for Parcel 1, 38.5% for Parcel 2
- Parking spaces: 10 surface parking spaces for Parcel 1, 16 parking spaces for Parcel 2
- Bicycle parking spaces: 10 spaces for Parcel 1, 15 spaces for Parcel 2
- Landscape open space: 42.6% for Parcel 1, 41.3% for Parcel 2
- Functional amenity space: N/A

Additional information on the development proposal is provided in Appendix “B”.

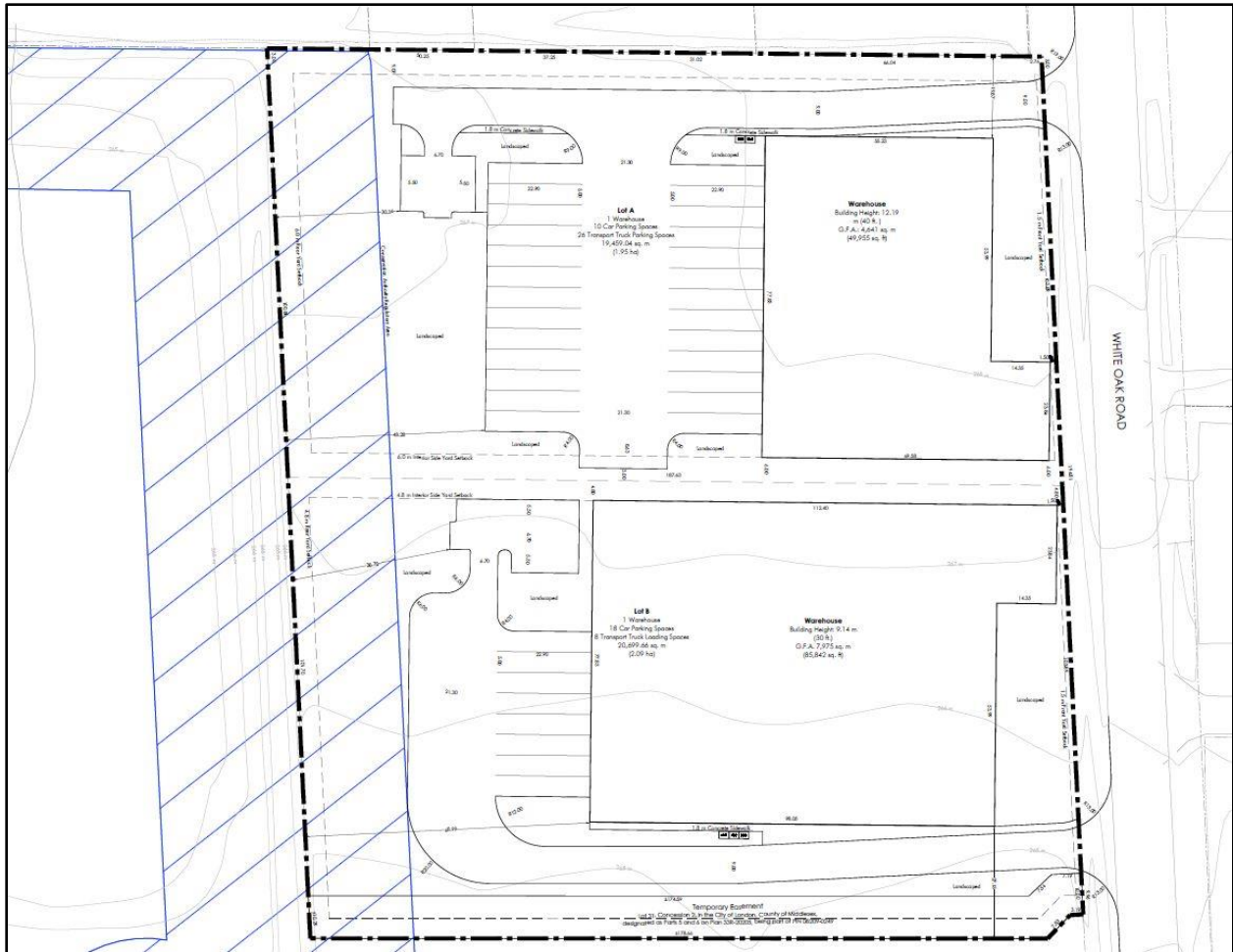


Figure 3 - Conceptual Site Plan (Received June 20, 2023)

Additional plans and drawings of the development proposal are provided in Appendix “C”.

2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from an Urban Reserve (UR4) Zone to a holding Light Industrial (LI6/LI7/LI10) Zone.

2.3 Internal and Agency Comments

The application and [associated materials](#) were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Holding Provision h-18 applied to the lands for acceptance of an Archaeological Assessment.
- Holding Provision h-() applied to the lands to restrict sanitary flows to 405l/s.
- Holding Provision h-() applied to the lands for acceptance of a noise study at the time of development.
- Holding Provision h-212 applied to the lands for acceptance of D6-analysis report.

Detailed internal and agency comments are included in Appendix “D” of this report.

2.4 Public Engagement

On August 22, 2023, Notice of Application was sent to 16 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 23, 2023. A “Planning Application” sign was also placed on the site.

There were zero responses received during the public consultation period.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, *The London Plan*. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of *The London Plan*, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in *The London Plan* analysis below.

As the application for a Zoning By-law amendment complies with *The London Plan*, it is staff's opinion that the application is consistent with the *Planning Act* and the *PPS*.

The London Plan, 2016

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

Southwest Area Secondary Plan

The *Southwest Area Secondary Plan (SWAP)* has been reviewed in its entirety and it is staff's opinion that the proposed Zoning Bylaw amendment is consistent with it. The subject lands are designated Industrial pursuant to Schedule 13 (North Longwoods Residential Neighbourhood Land Use Designations) of the *SWAP*. The policies for the North Longwoods Neighbourhood and the General Land Use Policies do not provide guidance regarding permitted land uses for the Industrial designation. As such, *The London Plan* policies are the relevant policy in relation to the analysis of the subject lands.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Land Use

The proposed range of industrial uses on the subject site are supported by the policies of the *Provincial Policy Statement, 2020 (PPS)* and is contemplated in the Light Industrial Place Type in *The London Plan* (TLP, 115_). The Light Industrial Place Type permits a broad range of industrial uses which are unlikely to impose significant impacts on surrounding light industrial land uses due to their emissions such as noise, odour,

particulates and vibration (1115_1). The range of uses are also contemplated in the Industrial designation within the North Longwoods Neighbourhood (SWAP, 13.0).

Permitted uses within the proposed LI6/LI7/LI10 Zones include uses such as automobile body shops; automobile repair garages; building or contracting establishments; repair and rental establishments; service and repair establishments; service trades; truck sales and service establishments; custom workshops; tow truck business; storage depots; terminal centres; transport terminals; and self-storage establishments among others contemplated in the Light Industrial (LI1) Zone. The proposed light industrial uses on site are not anticipated to have significant impacts and would complement the existing uses within the surrounding area.

As the proposal does not currently identify any specific use or form of development, and the site plan provided is conceptual in nature, staff are recommending holding provisions for a noise study (h-_) and D6 analysis (h-212). These studies will ensure these matters are addressed through any future development of the site to ensure that there isn't a substantial impact on the nearby residential uses based on the industrial use proposed at that time.

4.2 Intensity

The proposed intensity of the future development conforms to the policies of the Light Industrial Place Type in *The London Plan* and contributes to utilizing the lands efficiently, through the re-zoning of the lands to a wide range of light industrial uses. The vision of the Place Type promotes a wide choice of locations, lot sizes, services, and street and rail access in order to accommodate a wide range of target industrial sectors and industrial uses (1113_3). No special provisions to the proposed zones are required for measures of intensity such as height, coverage and parking, indicating the proposed intensity is generally appropriate.

Regarding wastewater and sanitary capacity, it will be imperative that any developments on these lands stay within the allotted population (404p) and peak flow amount (4.54L/s) as outlined in MTEs proposal. There are known basement flooding issues downstream of the site along Jalna Blvd. As such, City Staff are recommending a holding provision for sanitary capacity h-(_) to limit sanitary flows from this development to 4.5l/s.

4.3 Form

The proposed form is consistent with the Light Industrial Place Type policies and the City Design Policies. While the site plan is conceptual in nature, it demonstrates that the lands can be developed within the parameters of the proposed LI6/LI7/LI10 Zones in the Zoning By-law without the need for special provisions. Any future development proposed on the subject site will require a subsequent site plan approval process. Through the site plan approval process, issues such as servicing, outdoor storage, buffering, landscaped open space, parking and fencing will be addressed.

4.4 Archaeological Assessment

As part of the complete application a Stage 1-2 Archaeological Assessment was submitted. However, the Ministry's acceptance letter has not yet been provided, so City Staff cannot clear the property of archaeological potential. It is recommended that the h-18 holding provision be applied until the Archaeological Assessment acceptance letter has been provided.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from an Urban Reserve (UR4) Zone to a holding Light Industrial (h-18*h-(_)h-212*h-(_)LI6/LI7/LI10) Zone. Staff are recommending approval of the requested Zoning By-law amendment with additional holding provisions. The recommended action is consistent with the *PPS*, conforms to the *Southwest Area Secondary Plan* and *The London Plan*, and will permit the re-zoning of lands to an appropriate Zone that fits the character of the site and provides for future use of employment lands.

Prepared by: Brent House, Planner

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

Copy: Heather McNeely, Director, Planning and Development
Michael Pease, Manager, Site Plans
Brent Lambert, Manager, Development Engineering

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 3317 White Oak Road

WHEREAS this amendment to the Zoning By-law Z.-1 conforms 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 lands located at 3317 White Oak Road, as shown on the attached map comprising part of Key Map No. A.111, **FROM** an Urban Reserve (UR4) Zone **TO** a Holding Light Industrial (h-18*h-()*h-212*h-()*LI6/LI7/LI10) Zone.
2. Section Number 3.8 2) of the Holding "h" Zone is amended by adding the following Holding Provisions:
 - a. h-() Purpose: To ensure development on these lands at 3317 White Oak Road stays within the allotted population (404p) and peak flow amount (4.54L/s), to mitigate against known basement flooding issues downstream of the site along Jalna Blvd. The h-() shall not be removed until sanitary reports have been prepared and confirmation the sanitary system is implemented to the satisfaction of the City Engineer.
 - b. h-() Purpose: To ensure that the proposed development does not negatively impact nearby sensitive uses, a noise study shall be undertaken, and any identified mitigative measures be incorporated into the development. The h-() shall not be removed until such time as a development agreement is entered into which incorporates the recommended mitigative measures from an approved noise study.
3. This Amendment shall come into effect 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.

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.

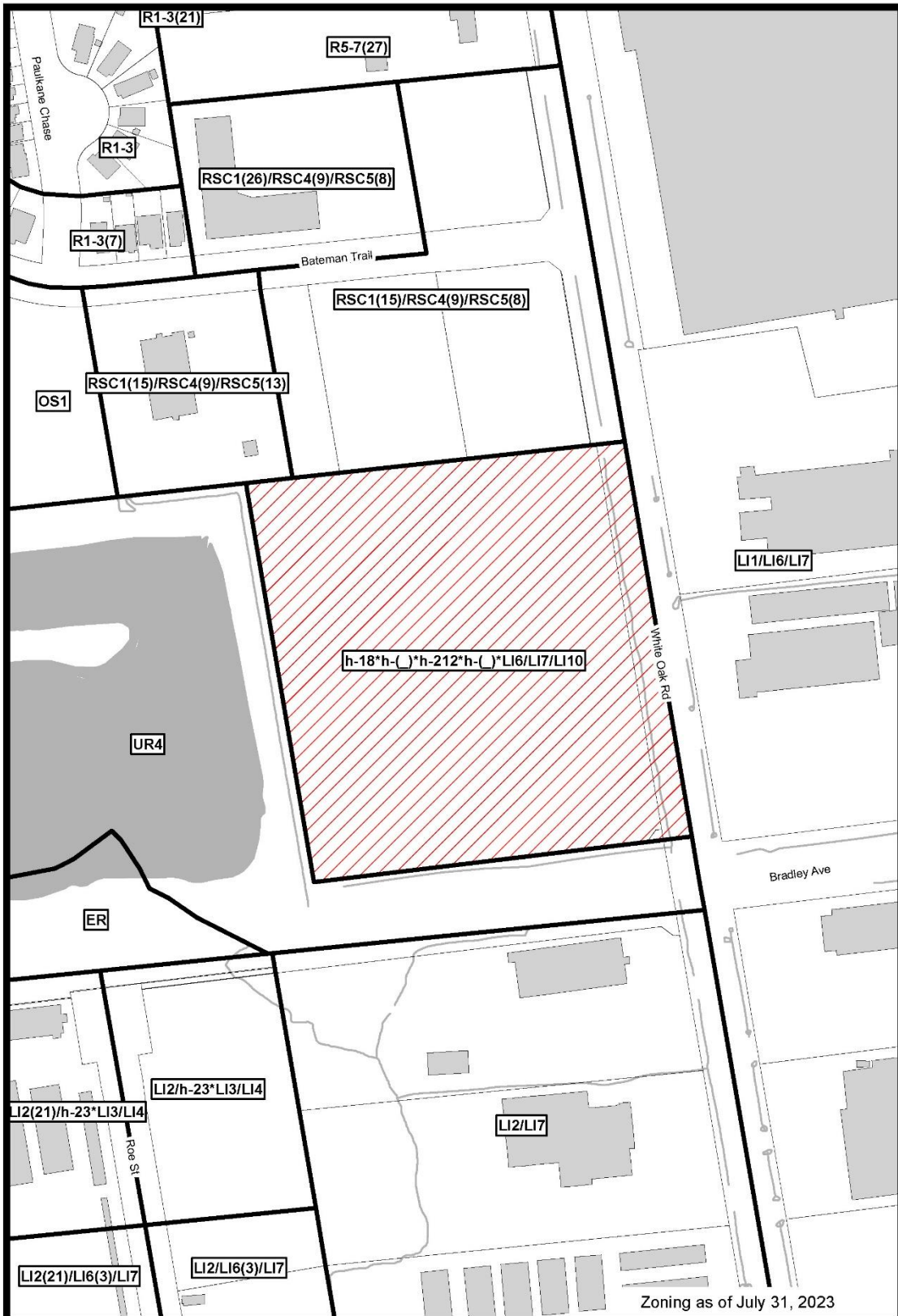
PASSED in Open Council on November 7, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor


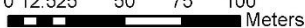

Michael Schulthess
City Clerk

First Reading – November 7, 2023
Second Reading – November 7, 2023
Third Reading – November 7, 2023

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



Zoning as of July 31, 2023

<p>File Number: Z-9645 Planner: BH Date Prepared: 2023/09/18 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:2,500</p> <p>0 12.525 50 75 100 Meters </p> <p></p>
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Geodatabase

Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Vacant (Cultivated Field)
Frontage	103.89 metres (337 feet)
Depth	187.31 metres (614 feet)
Area	1.94 hectares (4.79 acres)
Shape	Regular (rectangle)
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

Surrounding Land Uses

North	Vacant lands (Zoned for Commercial uses)
East	Light Industrial uses
South	Light Industrial uses
West	Storm Water Management Pond (City Owned)

Proximity to Nearest Amenities

Major Intersection	Bradley Avenue/White Oak Road, 30 metres
Dedicated cycling infrastructure	White Oak Road Bike Lane, 10 metres
London Transit stop	White Oak Road at Bradley NS NB - #2899, 50 metres
Public open space	Paul Haggis Park, 70 metres
Commercial area/use	N/A – Industrial use
Food store	N/A – Industrial use
Primary school	N/A – Industrial use
Community/recreation amenity	N/A – Industrial use

B. Planning Information and Request

Current Planning Information

Current Place Type	Light Industrial Place Type, fronting a Civic Boulevard
Current Special Policies	within Southwest Area Secondary Plan
Current Zoning	Urban Reserve (UR4) Zone

Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	Light Industrial (LI6/LI7/LI10) Zone

C. Development Proposal Summary

Development Overview

Rezone to a Light Industrial (LI6/LI7/LI10) Zone to permit a range of industrial uses.

Proposal Statistics

Land use	Industrial
Form	Future development
Height	12.19 metres
Residential units	N/A – Industrial use
Density	N/A – Industrial use
Gross floor area	N/A – Industrial use
Building coverage	23.8% Parcel 1, 38.5% Parcel 2
Landscape open space	42.5% for Parcel 1, 41.3% for Parcel 2
Functional amenity space	N/A – Industrial use
New use being added to the local community	Yes

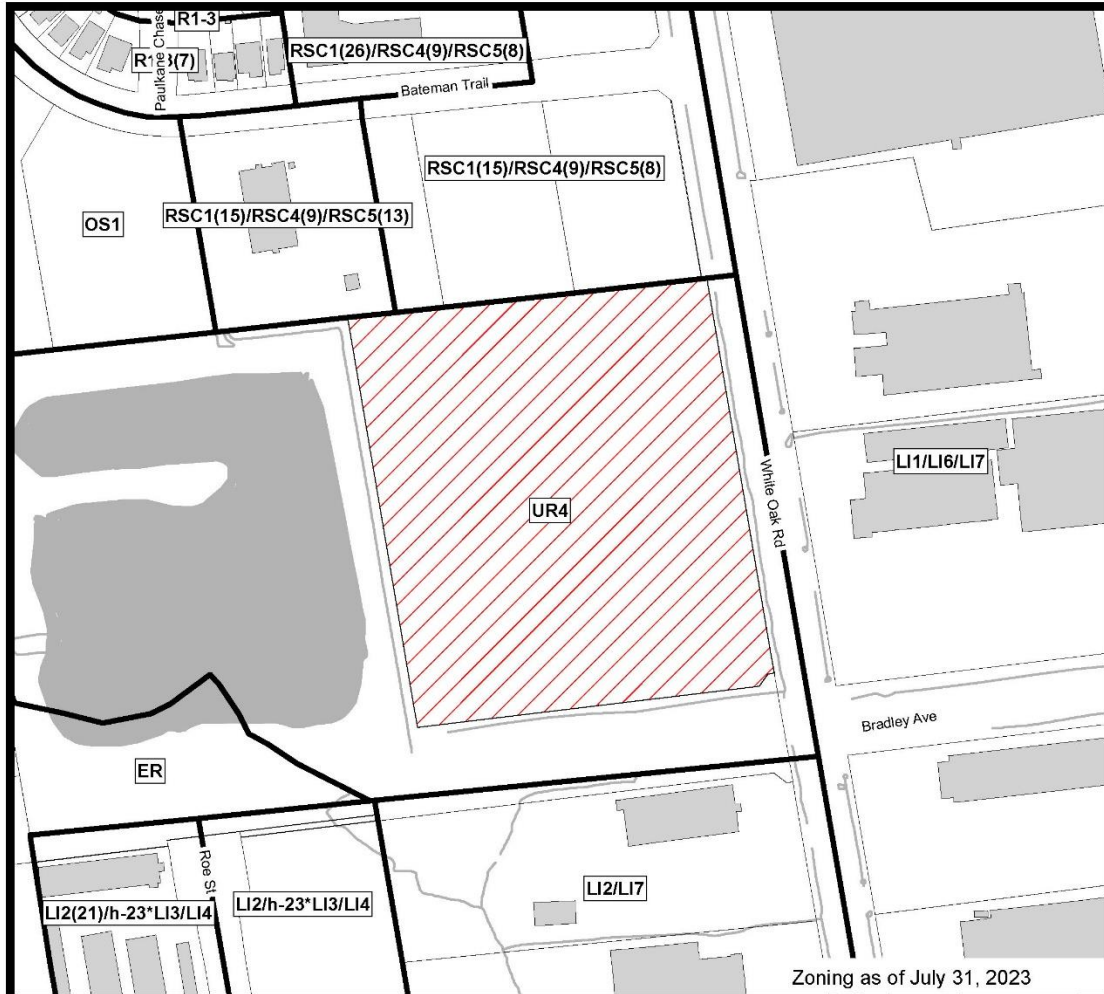
Mobility

Parking spaces	10 surface parking spaces Parcel 1, 16 surface parking spaces Parcel 2
Vehicle parking ratio	N/A
New electric vehicles charging stations	N/A
Secured bike parking spaces	10 spaces for Parcel 1, 15 spaces for Parcel 2
Secured bike parking ratio	N/A
Completes gaps in the public sidewalk	To be determined
Connection from the site to a public sidewalk	To be determined
Connection from the site to a multi-use path	NA

Environmental Impact

Tree removals	None
Tree plantings	To be determined
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	No
Green building features	Unknown

Appendix C – Additional Mapping



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-17*LI1

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

- | | |
|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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**



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

FILE NO:

Z-9645

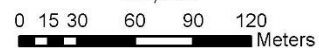
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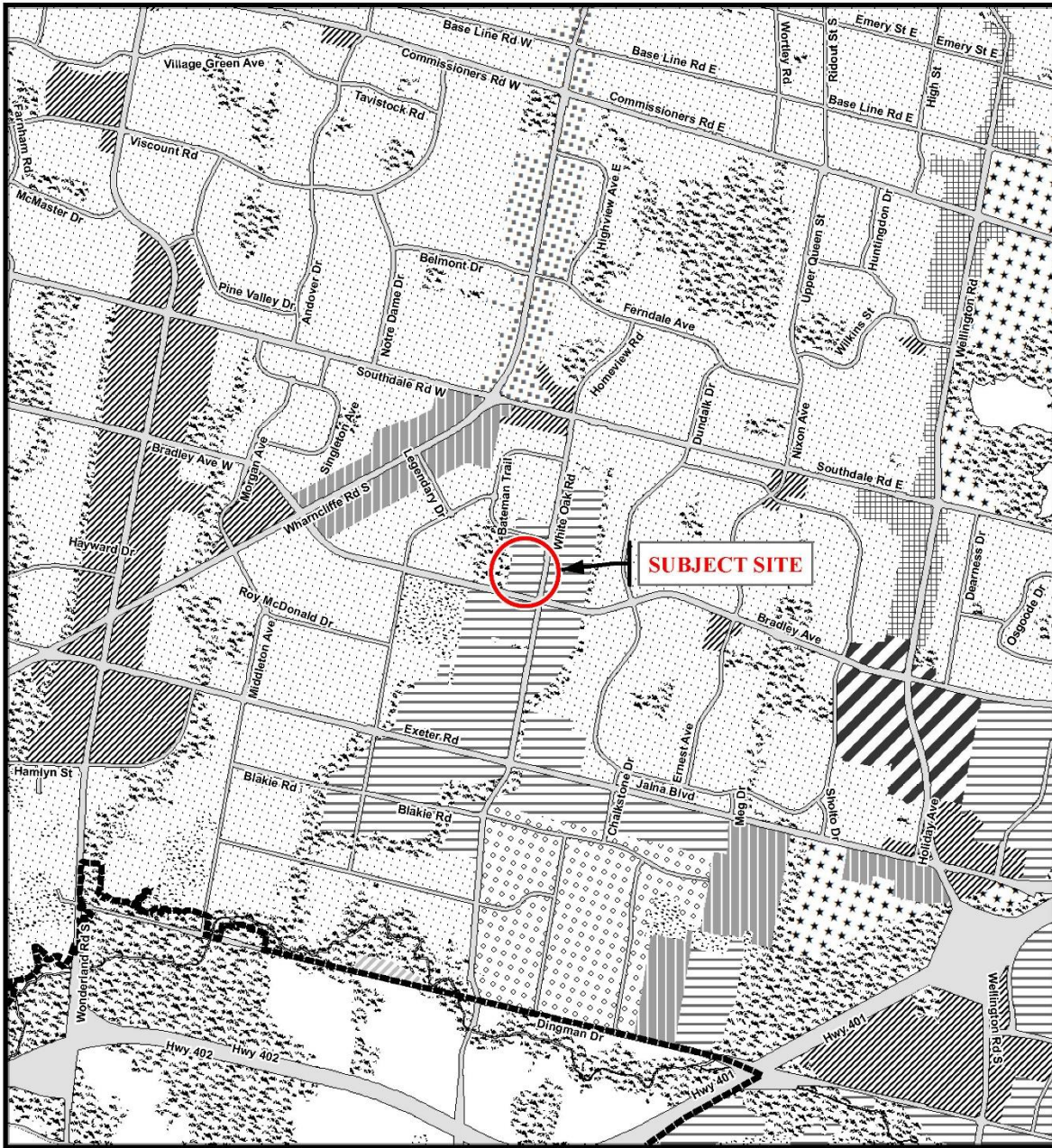
MAP PREPARED:

2023/9/18

RC

1:3,000





Legend

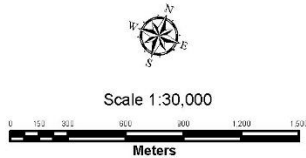
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|------------------------|--------------------------|---|
| Downtown | Future Community Growth | Environmental Review |
| Transit Village | Heavy Industrial | Farmland |
| Shopping Area | Light Industrial | Rural Neighbourhood |
| Rapid Transit Corridor | 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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

**CITY OF LONDON
Official Plan**

**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning & Development



File Number: Z-9645
Planner: BH
Technician: RC
Date: 2023/9/18

Project Location: E:\Planning\Projects\p_officialplan\workconsol\00\excerpts_LondonPlan\mxds\Z-9645_Map1_PlaceTypes.mxd

Appendix D – Internal and Agency Comments

Heritage

- Just reviewing the submission materials for this one and see a Stage 1-2 Archaeological Assessment has been submitted. It looks like the Ministry's acceptance letter has not yet been submitted so we cannot clear the property of archaeological potential yet. I recommend that the h-18 holding provision be applied until the Archaeological Assessment has been accepted.

Ecology

- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

Engineering

Matters for OPA/ZBA:

Wastewater:

- It will be imperative that any developments on these lands stay within the allotted population (404p) and peak flow amount (4.54L/s) as outlined in MTEs proposal. There are known basement flooding issues downstream of the site along Jalna Blvd. Holding provision to limit sanitary flows from this development to 4.5l/s

Items to be addressed as a part of a complete site plan application:

Stormwater:

- The site is located within the UTRCA regulated area and therefore the applicant is to engage as early as possible with UTRCA to confirm any requirements, including, but not limited to, approvals, permits, or setbacks required for this site.
- As per attached as-constructed 17380, the site at C=0.70 is tributary to the existing STMH10 mm storm sewer on 3355 White Oak Road. For proposed development in exceedance of the approved C-value of the downstream SWM Facility design, the site is to store volumes in excess of the allowable release rate. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
- The proposed land use of commercial will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
- The owner shall be required to comply with the MECP and City's applicable Acts, Regulations, Standards, Specifications and Requirements including Drainage By-Law and acts (WM-4), to ensure that the post-development storm/drainage discharges from the subject lands will not cause any adverse effects to adjacent lands, all to the specifications of the City Engineer.
- Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the applicable Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site, ensuring that stormwater flows are self-contained and that

grading can safely convey up to the 250 year storm event, all to be designed by a Professional Engineer for review.

- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site shall be prepared to the specification and satisfaction of the City Engineer and shall be in accordance with City of London and MECP (formerly MOECC) standards and requirements. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

UTRCA

As indicated, the subject lands **are** regulated by the UTRCA due to the presence of a riverine flooding hazard associated with the UT-DC-266 Drain. Generally, the UTRCA requires hazard lands to be zoned *Open Space OS4* to ensure the long-term protection of these features and provide for clear limits of development associated with the zone boundaries. As the watercourse is located on the adjacent lands owned by the City, where there is an existing Stormwater Management (SWM) Pond zoned Urban Reserve UR4, the UTRCA will not require the subject lands to implement an OS4 zone at this time. Should a future rezoning occur on the City-owned lands to implement an Open Space zone, the UTRCA recommends that a house-keeping amendment be undertaken on the subject lands to implement the agreed-upon setback from the watercourse.

As a result, the UTRCA has **no objections** to the proposed Zoning By-law Amendment.

We would like to remind the applicant that written approval from the UTRCA is required prior to undertaking any works within the regulated area, including but not limited to site alteration, grading or development.

Urban Design

The proposed development is consistent with The London Plan and the Southwest Area Secondary Plan (SWASP). Urban Design is generally supportive of the proposal and has the following comments:

Relocate the warehouse on lot B closer to the intersection of White Oak Road and the future Bradley Avenue Extension and move the driveway to the north of lot B

- **Consider providing a shared driveway in the centre to access both lots A & B** for making efficient use of the site and have minimum impacts on the adjacent properties to the north. Refer to The London Plan, Policy 1124_1, 253

Matters for Zoning

1. The following zoning provisions for setbacks along the boundaries of the subject site should be provided:
 - A minimum and maximum front yard (East) and exterior side yard (South) setback from the ultimate Right-of-Way of White Oak Road and the future Bradley Avenue Extension
 - A minimum setback should encourage street-orientation while avoiding encroachment of footings and canopies. Refer to The London Plan, Policy 259, 286, 288
 - A maximum setback should ensure that the buildings are located close to the streets and restrict parking between the buildings and the public streets. Refer to The London Plan, Policy 269, 272, 288
 - Rear yard (West) setback

- Zoning should ensure an adequate setback and buffer between the proposed development and the green space is maintained. Refer to The London Plan, Policy 253
 - Interior side yard (North) setback
 - Zoning should address a minimum setback between the driveway and the property line to the north to avoid any negative impacts on the adjacent properties. Refer to The London Plan, Policy 253
- 2. Development along Civic Boulevard and Urban Thoroughfare should incorporate a high standard of urban design. Refer to the London Plan, 371_4,5.
 - Orient the building towards White Oak Road and the future Bradley Avenue Extension with active uses, transparent glazing, principal entrances with direct walkway connection to the public sidewalks along the streets and any avoid blank walls facing the streets to promote accessibility, walkability, wayfinding, and passive surveillance. Refer to The London Plan, Policy 285, 286, 291, 288
- 3. Zoning should address the corner at the intersection of White Oak Road and the future Bradley Avenue Extension
 - Ensure that both the façades fronting White Oak Road and the future Bradley Avenue Extension are treated with the same level of articulation in terms of principal building entrances, wrap-around features, windows/glazing etc. to establish the same relationship with the streets and allow for passive surveillance. Refer to The London Plan, Policy 290, 228

Matters for Site Plan

1. Extend the sidewalks to connect the public sidewalk along White Oak Road.
2. The provision for bicycle parking on lots, A & B is acknowledged and should be carried forward.
3. Infrastructure and utilities (e.g., Switch boxes, transformers, electrical and gas meters, ground-mounted air conditioning units and other above-ground or building mounted mechanical equipment) should be located away from the street frontages, building entrances and Bradley Avenue and White Oak Road intersection. Refer to The London Plan, Policy 231 & 232
 - Any service equipment on the building terrace should be well-screened and integrated with the design of the building
4. Further, policies of the Southwest Area Secondary Plan (SWASP) are to be incorporated within the site layout and building design. These include the provision of green technologies [SWAP 20.5.3.2(ii)(d)], minimum parking facilities [SWAP 20.5.3.9(iii)(j)]. Refer to The London Plan, Policy 1126 & 282
5. Submit a full set of dimensioned elevations for all sides of the proposed buildings. Further urban design comments may follow upon receipt of the drawings.

Please note that UDPRP consultation will **not** be required for this application.

Parks Planning

1. **Major Issues**
 - None.
2. **Matters for OPA/ZBA**
 - None. Industrial use, parkland dedication waived.

Landscape Architecture

1. **Major Issues**
 - No potential grounds for refusal, or issues that could require significant changes to the proposal.
2. **Matters for OPA/ZBA**

- No matters that will influence the OP/ZBL mapping, designation/zone, regulations, special provisions, holding provisions, etc.

3. Matters for Site Plan

- If required for implementation of development design, consent to remove or injure City of London trees growing in the White Oak Rd boulevard will be required at Site Plan.

4. Complete Application Requirements

- No additional reports and studies required.

Site Plan

- I don't have any significant site plan comments on this file as there isn't a development proposed at this time, but the concept plan provided appears to demonstrate that the lands can be developed within the parameters of the proposed zone.
- I would recommend including holding provisions for a noise study (h-54) and D6 analysis (h-212) though, that way we can require it from a future developer to ensure that there isn't going to be a substantial impact on the nearby residential uses depending on the industrial use proposed at that time.

London Hydro

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee
From: Scott Mathers MPA, P. Eng.,
Deputy City Manager, Planning and Economic Development
Subject: 764, 772 and 774 Crumlin Sideroad, Ward 2
Public Participation Meeting
Date: October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of New London Group Ltd. (c/o Zelinka Priamo Ltd.), relating to the property located at 764, 772 and 774 Crumlin Sideroad:

- a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 7, 2023 to amend the Official Plan, The London Plan, by **REVISING** the policy for Crumlin / Gore Road in the Specific Policies for the Rural Neighbourhoods Place Type and by **REMOVING** the subject lands from Map 7 – Specific Policies Areas – of the Official Plan;
- b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on November 7, 2023 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, as amended in part (a) above, to change the zoning of the subject property **FROM** a Residential R1 (R1-17) Zone, an Open Space (OS4) Zone, an Agricultural (AG1) Zone and an Environmental Review (ER) Zone **TO** a holding Residential R1 Special Provision (h-183*R1-14(_)) Zone, an Open Space (OS4) Zone, an Agricultural (AG1) Zone and an Environmental Review (ER) Zone.

IT BEING NOTED, that the above noted amendment is being recommended for the following reasons:

- i) The recommended amendment is consistent with the Provincial Policy Statement, 2020;
- ii) The recommended amendment conforms to the policies of The London Plan, including, but not limited to, the Key Directions and Rural Neighbourhoods, Open Space and Farmland Policies;
- iii) The recommended amendment will facilitate the future severance of the subject lands into multiple residential lots;
- iv) The recommended amendment is consistent with the character of the existing rural neighbourhood area and will not negatively impact surrounding properties; and,
- v) The proposed uses are compatible with the adjacent land uses and considers both the long-term protection of agricultural resources and the long-term compatibility of uses.

Executive Summary

Summary of Request

The applicant has requested an amendment to The London Plan to add a Specific Policy Area to the Rural Neighbourhoods Place Type to allow for reduced lot area of 0.4ha within the Crumlin Sideroad area. Staff are recommending revising the existing special policy for Crumlin / Gore Road to remove the subject lands.

The applicant has also requested to rezone a portion (future lots) of the subject site from a Residential R1-17 Zone to a Residential R1-14(_) Special Provision Zone to

facilitate new residential parcels on the land. The requested special provision will permit the reduced lot area (0.4ha) proposed through The London Plan amendment. Staff are recommending a holding provision for a hydrogeological study.

Purpose and the Effect of Recommended Action

The purpose and effect of the recommended London Plan amendment and Zoning By-law amendment is to facilitate the future severance of the subject lands to allow for the development of single detached dwellings.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- Housing and Homelessness - London's growth and development is well planned and considers use, intensity, and form.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter.

None.

1.2 Property Description and Location

The subject lands are located on the east side of Crumlin Sideroad, between Gore Road to the south and Trafalgar Street to the north, in the Crumlin Planning District. The property has a total area of 41.7 ha with frontage along Crumlin Sideroad. The proposed lots are to be developed along the Crumlin Sideroad frontage, with 6.4 ha of developable lands within the current R1-17 Zone. The lands currently contain a single-detached dwelling along the frontage of Crumlin Sideroad, with agricultural lands surrounding the rest of the subject lands to the east.

1.3 Site Characteristics

- Current Land Use – Agricultural, Residential, Municipal Drain
- Lot Area – 41.7 hectares
- Depth – 608.5 metres
- Located within the Built Area Boundary: No
- Located within the Primary Transit Area: No
- Shape – Rectangular

1.4 Surrounding Land Uses

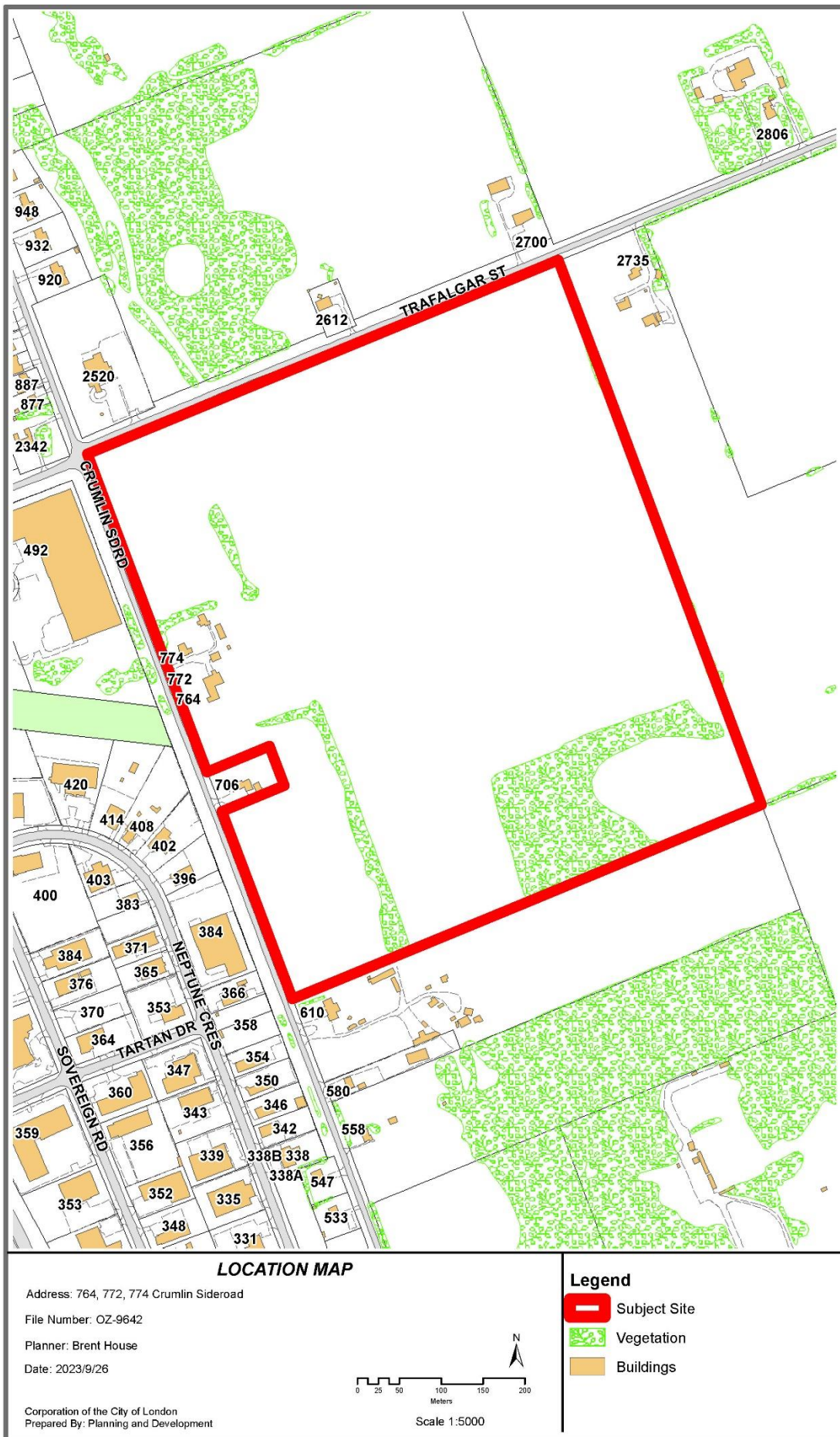
- North – Residential/farmland
- East – Farmland
- South – Residential/farmland
- West – Industrial

1.5 Existing Planning Information

- The London Plan Place Type – Rural Neighbourhoods/Green Space/Farmland
- Existing Zoning – Residential R1 (R1-17)/Agricultural (AG1)/Open Space (OS4)
- Street Frontage Classification- Civic Boulevard

Additional site information and context is provided in Appendix "C".

1.6 Location Map



2.0 Discussion and Considerations

2.1 Developmental Proposal

The requested amendment is required to facilitate the severance of new rural residential lots within the Rural Neighbourhoods Place Type along the frontage of Crumlin Sideroad. The proposal will facilitate the development of future single-detached residential dwellings. The intent of the rezoning is to facilitate an accompanying consent to sever application which is currently showing 13 new lots.



Figure 1: Existing Surrounding Context (Aerial View)

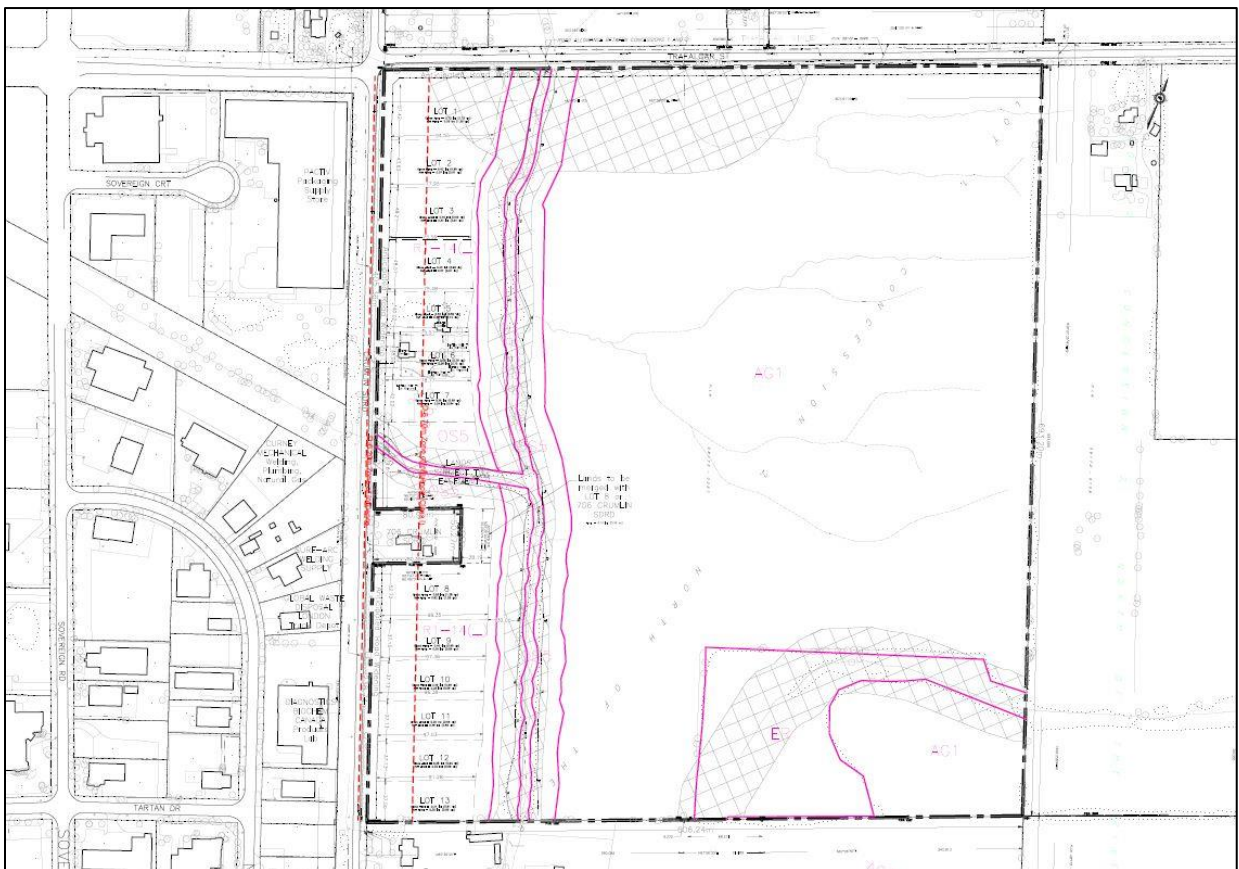


Figure 2: Proposed Site Plan

2.2 Requested Amendment

The applicant has requested to rezone a portion (Rural Neighbourhood) of the subject site from a Residential R1 (R1-17) Zone to a Residential R1 (R1-14) Zone to facilitate future residential parcels on the land. A Special Policy Area in The London Plan and special provision to the R1-14() zone have been requested to allow for lots to be a minimum 0.4 ha in area, as currently lots must meet a minimum requirement of 1 ha in the area. No new buildings or structures are proposed to be constructed as part of this rezoning application.

Regulation (R1-14)	Required	Proposed and Staff Recommendation
Lot Area m ² (minimum)	2000m ² (0.2 ha)	4000m ² (0.4 ha)

2.3 Public Engagement

On August 9, 2023, a Notice of Application was sent to 38 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 10, 2023. A “Planning Application” sign was also placed on the site.

There were 2 responses received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Type of development occurring on the lands
- Future road widening of Trafalgar and Crumlin Sideroad

Detailed public comments are included in Appendix “D” of this report.

2.4 Internal and Agency Comments

The application and [associated materials](#) were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Private sanitary services
- Technical requirements for the associated consent application

Detailed internal and agency comments are included in Appendix “E” of this report.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the Planning Act (Section 3) and the Provincial Policy Statement, 2020 (PPS). The Planning Act requires that all municipal land use decisions affecting planning matters shall be consistent with the PPS.

The mechanism for implementing Provincial policies is through the Official Plan, The London Plan. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of The London Plan, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework.

Rural Areas are considered important to the economic success of the province and to our quality of life. Land use patterns within rural areas shall be carefully planned so as

to encourage healthy, integrated and viable growth through; (1) building upon the existing rural character, (2) promoting regeneration, (3) accommodating a mix of housing, (4) encouraging the conservation and redevelopment of existing rural housing stock, and (5) utilizing rural infrastructure and public services efficiently (1.1.4.1) Permitted uses on rural lands located in municipalities also include residential development, including lot creation, that is locally appropriate for the context of the site (1.1.5.2)

Staff's opinion is that the application for an Official Plan and Zoning By-law amendment is consistent with the Planning Act and the PPS.

The London Plan, 2016

The subject site is within the Crumlin / Gore Road Specific Policy Area in the Rural Neighbourhood Place Type in The London Plan (policy 1253), which states:

In the Rural Neighbourhoods Place Type located along the east side of Crumlin Road between Trafalgar Street and the Canadian National Railway lands, and along Gore Road between Crumlin Road and Wabuno Creek, lot creation may be considered subject to the policies of this Plan provided the lot shall have a minimum area of one hectare and have frontage on Crumlin Road or Gore Road.

This specific policy area was carried over from the 1989 Official Plan and was adopted as part of an Ontario Municipal Board appeal settlement in 2007. At the time, the intent of the specific policy was to limit the number of lots in the area, consistent with the rural character. It was acknowledged that future planning applications would be necessary to create lots in the future.

The London Plan provides policies for private servicing for lands outside of the Urban Growth Boundary. Consistent with the Provincial Policy Statement, it is the expectation that all new rural development establishes, and maintains in perpetuity, sustainable private services wherever municipal water, wastewater and storm drainage services are not available. Policy 477 4.c) outlines the minimum lot size for private sewage disposal systems shall be 0.4 hectares, or such larger area as may be required based on the cumulative conditions of the site, in accordance with the Ontario Building Code Act.

Policy 1251 of The London Plan, identifies evaluation criteria for applications within Rural Neighbourhoods including:

1. The Rural Neighbourhoods Place Type boundary will be considered a hard boundary and the expansion of it will not be permitted.
2. Infill development will be permitted and encouraged.
3. Commercial uses should be in scale with the rural neighbourhood and designed to support the immediate area.
4. Industrial uses should be developed in conformity with the Farmland Place Type policies.
5. Development will not prevent the through movement of agricultural vehicles through the rural neighbourhood.
6. Any proposed planning and development application shall meet the required Minimum Distance Separation (MDS I) policies in the Our Tools.
7. Municipal water and sewer services will not be extended beyond the limits of the Urban Growth Boundary.
8. Planning applications will be evaluated using the Planning and Development Applications section in Our Tools.

Staff's opinion is that the application for an Official Plan and Zoning By-law amendment conforms to the policies of The London Plan.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Issue and Consideration #1: Land Use

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.

Section 2.3 of the PPS requires that development shall be directed to designated settlement areas. The London Plan designates the subject lands Rural Neighbourhoods. The London Plan Policies in relation to lot creation permit infill development where it provides opportunities for the location of new non-farm residential uses in the rural area on an infill basis, to avoid the loss of productive agricultural lands (The London Plan, Policy 1241_1). As these lands have been designated Rural Neighbourhood, and are currently zoned to permit residential uses, the proposed rezoning to allow for future single detached dwellings is in keeping with the intent of the Place Type.

The applicant has indicated that their goal is to service the lots with municipal water which is available at the intersection of Trafalgar Street and Crumlin Sideroad. The applicant is also looking to provide individual private wastewater treatment systems for each created lot on the subject lands. On site servicing will be dealt with through the consent application to ensure lots are suitably sized to allow for the proper siting and functioning of these services (The London Plan, Policy 1243_)

The recommended amendment is in keeping with the PPS 2020 as the amendment would allow for the continued conservation of existing rural housing stock, facilitate an infill opportunity on lands designated for rural residential development and would maintain the character of the surrounding rural area. The recommended amendment also contributes to the appropriate utilization of an established lot within a rural area and preserving the remainder of the farmland parcel for continued agricultural use.

The amendment is considered to maintain the vision and goals of the PPS 2020 for rural areas and is not anticipated to have a negative impact on the healthy, integrated, or viable growth of the property.

The subject lands are within the Rural Neighbourhoods Place Type of the London Plan. The Rural Neighbourhoods Place Type is intended to be applied to hamlets or residential settlement areas located outside of the Urban Growth Boundary. The primary intent of lands located within the Rural Neighbourhoods is to direct urban development to the urban communities outlined in the Plan and identify growth areas to discourage the creation of new rural residential settlement areas (The London Plan, Policy 1241_). Infill development will be permitted where possible but no extensions of existing rural neighbourhood areas for residential purposes will be permitted. As the subject lands are located within the Rural Neighbourhoods Place Type, the lands are designated for residential development based on the policies outline in The London Plan, which permit infill and lot creation within the area on the lands designated for development.

Consistent with The London Plan, the proposed amendment would maintain the character of the surrounding area and conforms to the above policies for residential lot creation in the Rural Neighbourhoods Place Type. As mentioned previously, the requested amendment is intended to facilitate an accompanying *consent to sever* application.

4.2 Issue and Consideration #2: Intensity

Intensity policies within The London Plan look to enhance rural character and viability of the rural neighbourhood and to not detract from the surrounding land use (The London Plan, 1248_). The proposed amendment intends to continue protecting the city's valuable agricultural land while contributing the viability of the existing rural neighbourhood. Special provisions will ensure the lands are be used appropriately in the long-term and that they will not detract from the surrounding land uses.

The London Plan speaks to lots that can be supported by adequate potable water supply and adequate method of sewage disposal that are satisfactory to the authority having approval jurisdiction (The London Plan, 1248_3). The London Plan outlines that the minimum lot size a parcel can be to support on-site sewage disposal and adequate water is 0.4 ha (The London Plan, 477_4.c). The future severance application will determine the appropriate size and shape of the lots and how many lots will be able to be accommodated on the lands. Through conditions of the severance additional studies will be required to determine if lots below the required 0.4 ha can be accommodated on site. Minimum Distance Separation (MDS) formulae will similarly be required to be applied as part of the consent to sever application.

For these reasons, staff consider the request to rezone the lands conforms to the Place Type designated in The London Plan, and do not anticipate any negative impacts to the existing agricultural practices in the surrounding area as a result of the proposed amendment.

4.3 Issue and Consideration #3: Form

Policy 1250_1 states within the Rural Neighbourhoods Place Type, development is to be street-oriented on all public rights-of-way, with buildings located consistent with the existing streetscape and front entrances oriented to the street. In this instance, the proposal shows all development oriented towards Crumlin Sideroad. Given the re-zoning application is for purposes of a subsequent consent application to create the lots, future built form on the subject lands will be regulated by the R1-14() zoning provisions.

4.4 Specific Policy Area

The subject site is within the Crumlin / Gore Road Specific Policy Area in the Rural Neighbourhood Place Type in The London Plan (policy 1253). The Specific Policy Area was created in 2008 as a result of a 2007 settlement for an Ontario Municipal Board (now called Ontario Land Tribunal) appeal related to a planning application. The intent of the specific policy was to increase the minimum lot size to one hectare to maintain the rural character of the area. The tribunal settlement also resulted in the subject property being rezoned to permit residential development.

The applicant has requested a new Specific Policy Area for the subject site to allow for smaller lot sizes, not less than 0.4 hectares. 0.4 hectares is the minimum lot size permitted in The London Plan for rural properties with private sanitary systems. The actual size of the lots will be determined through the application for consent to sever and will be conditional on the City approving the required technical reports and studies to support the application. As the requested Specific Policy Area is to allow a minimum lot size which is already contemplated in the general Civic Infrastructure policies of The London Plan, staff are recommending that the wording of the Crumlin / Gore Road Specific Policy Area be amended to remove the subject property, and that Map 7 – Specific Policy Areas be revised to delete the subject site from the map. The Specific Policy Area will continue to apply to the properties south of the subject site.

4.5 Zoning

The Residential Special Provision R1 (R1-14()) Zone will permit the creation of future residential lots on the subject lands. The Residential R1-14 Zone is meant to apply to large lots with single detached dwellings. The minimum required lot size in the R1-14 Zone is 2000 square metres, or 0.2 ha. As previously noted, a special provision is being recommended to ensure a minimum lot area of 0.4 ha, is required which is in keeping with The London Plan Civic Infrastructure policies to allow lots to be a minimum of 0.4 ha in size. This minimum lot size ensures that on-site functions such as water and septic tanks can be accommodated.

City of London Staff are recommending a holding provision (h-183) to be added to the subject lands, to require a hydrogeological study as part of the consent to sever application to ultimately inform the number and size of lots created.

h-183 Purpose: To ensure that development will not have any negative impacts on the groundwater in the area, with specific attention given to any negative impacts on existing wells, a Hydrogeological Study shall be prepared by a qualified professional and submitted to the City to evaluate the potential impact of the proposed development to area private wells and provide recommendations for monitoring post construction impacts and possible mitigation measures to the satisfaction of the City Engineer prior

4.6 Open Space Land Increase

In accordance with the submitted EIS, the proposed zone lines have been increased to accommodate setbacks along the watercourse to the south of the existing barn on the subject lands. As a result, the h-2*OS4 zone has expanded to 0.8 ha to accommodate the Crumlin Municipal Drain. The buffer has increased to greater than 30 metres from the water course and City Ecology Staff are satisfied that this buffer is sufficient to protect the natural features of the drain.

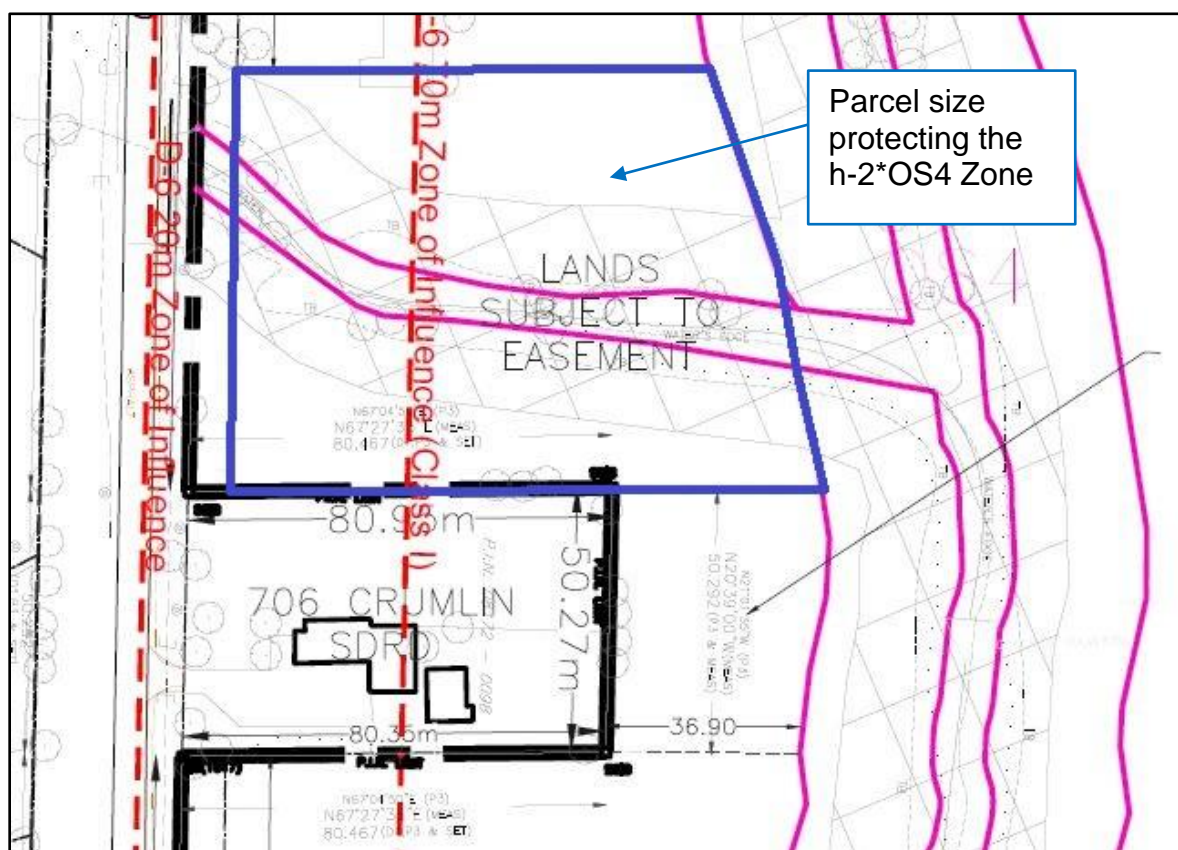


Figure 3: Parcel protecting the h-2*OS4 Zone.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the policies of The London Plan for the Rural Neighbourhoods Place Type. The recommended amendment would allow for the creation of new residential lots on the subject lands, while protecting the natural and agricultural features that exist on site. As such, the proposed amendment is being recommended for approval.

Prepared by: Brent House
Planner, Planning Implementation

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P. Eng
Deputy City Manager, Planning and Economic Development

Appendix A – Official Plan Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

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

A by-law to amend the Official Plan, The London Plan for the City of London, 2016 relating to 764, 772, 774 Crumlin Sideroad

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 Official Plan, 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) or 17(27.1) of the *Planning Act, R.S.O. 1990, c.P.13*.

PASSED in Open Council on November 7, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – November 7, 2023
Second Reading – November 7, 2023
Third Reading – November 7, 2023

AMENDMENT NO.
to the
OFFICIAL PLAN, THE LONDON PLAN, FOR THE CITY OF LONDON

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to amend the Crumlin / Gore Road policy in the Specific Policies for the Rural Neighbourhoods Place Type and to remove the subject lands from Map 7 – Specific Policy Areas - of the City of London to allow for lot sizes less than one hectare to be considered.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 764, 772, 774 Crumlin Sideroad in the City of London.

C. BASIS OF THE AMENDMENT

The site-specific amendment is consistent with the Provincial Policy Statement, conforms to The London Plan, specifically the Rural Neighbourhood policies and Civic Infrastructure policies as they relate to rural lot sizes which would allow for lots to be created that are no less than 0.4 hectares as determined by required water and sanitary servicing reports.

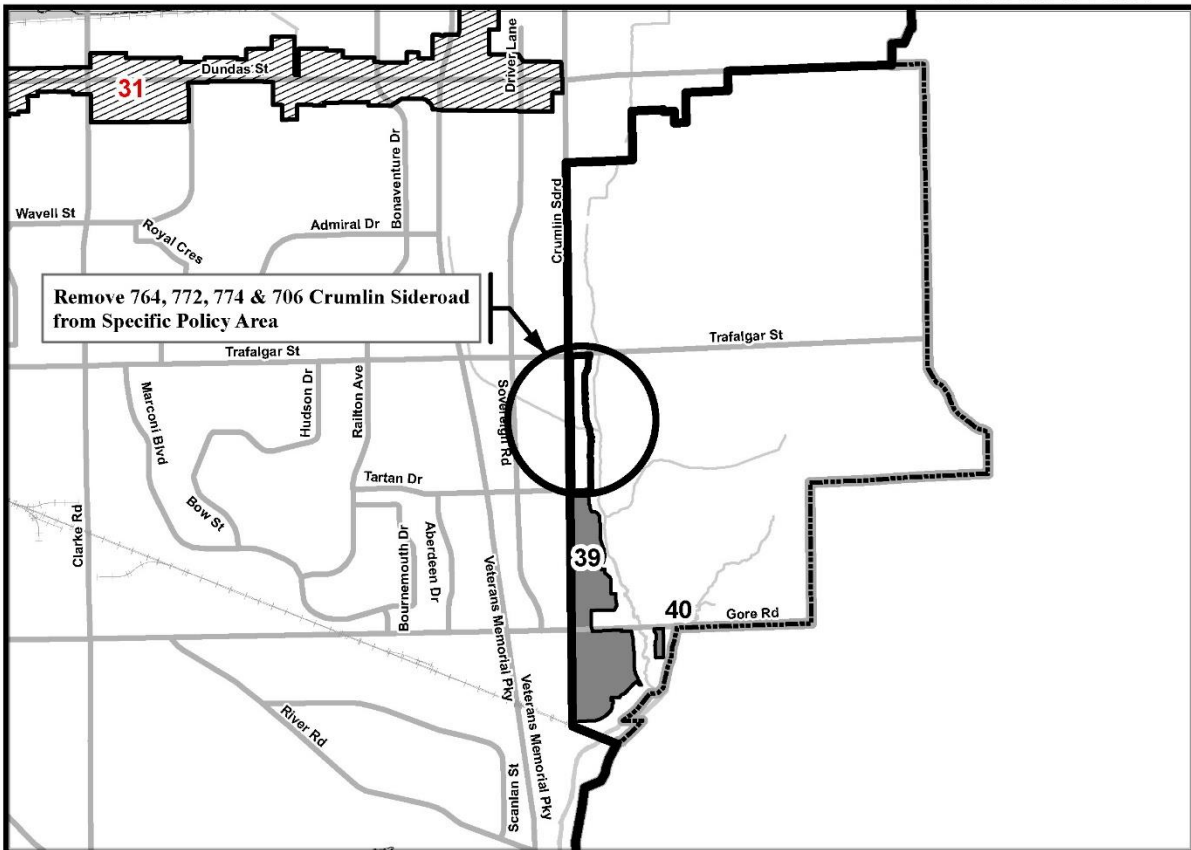
D. THE AMENDMENT

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

1. Policy 1253_ Crumlin / Gore Road within the Specific Policies for the Rural Neighbourhoods Place Type of the Official Plan, The London Plan, for the City of London is amended by replacing the words “Trafalgar Street” with the words “Tartan Drive”.
2. Map 7 - Specific Policy Areas, to the Official Plan, The London Plan, for the City of London Planning Area is amended by removing the lands located at 764, 772, 774 Crumlin Sideroad in the City of London, from the area labeled 39. Crumlin / Gore Road as indicated on “Schedule 1” attached hereto.

Schedule 1

AMENDMENT NO:



LEGEND

- Specific Policies
- Rapid Transit and Urban Corridor Specific-Segment Policies
- Near Campus Neighbourhood
- Secondary Plans

BASE MAP FEATURES

- Streets (See Map 3)
- Railways
- Urban Growth Boundary
- 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.

<p align="center">SCHEDULE 1 TO</p> <p>OFFICIAL AMENDMENT NO. _____</p> <p align="center">PREPARED BY: Planning & Development</p>	<p align="center"> Scale 1:30,000 Meters </p>	<p>FILE NUMBER: OZ-9642</p> <p>PLANNER: BH</p> <p>TECHNICIAN: RC</p> <p>DATE: 10/10/2023</p>
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Appendix B – Zoning By-law Amendment

Bill No.(number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 764,
772 and 774 Crumlin Sideroad

WHEREAS New London Group Ltd. has applied to rezone an area of land located at 764, 772 & 774 Crumlin Sideroad, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms 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 lands located at 764, 772 and 774 Crumlin Sideroad, as shown on the attached map comprising part of Key Map No. A109, from a Residential R1 (R1-17) Zone, Agricultural (AG1) Zone and Open Space (OS4) Zone TO a holding Residential Special Provision R1 (h-183*R1-14() Zone, Agricultural (AG1) Zone and Open Space (OS4) Zone.
- 2) Section Number 5.2 of the Residential (R1) Zone is amended by adding the following Special Provisions:

R1-14() 764, 772 & 774 Crumlin Sideroad
 - a) Regulations
 - i. Lot Area (Minimum): 0.4 hectares
- 3) This Amendment shall come into effect 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.

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.

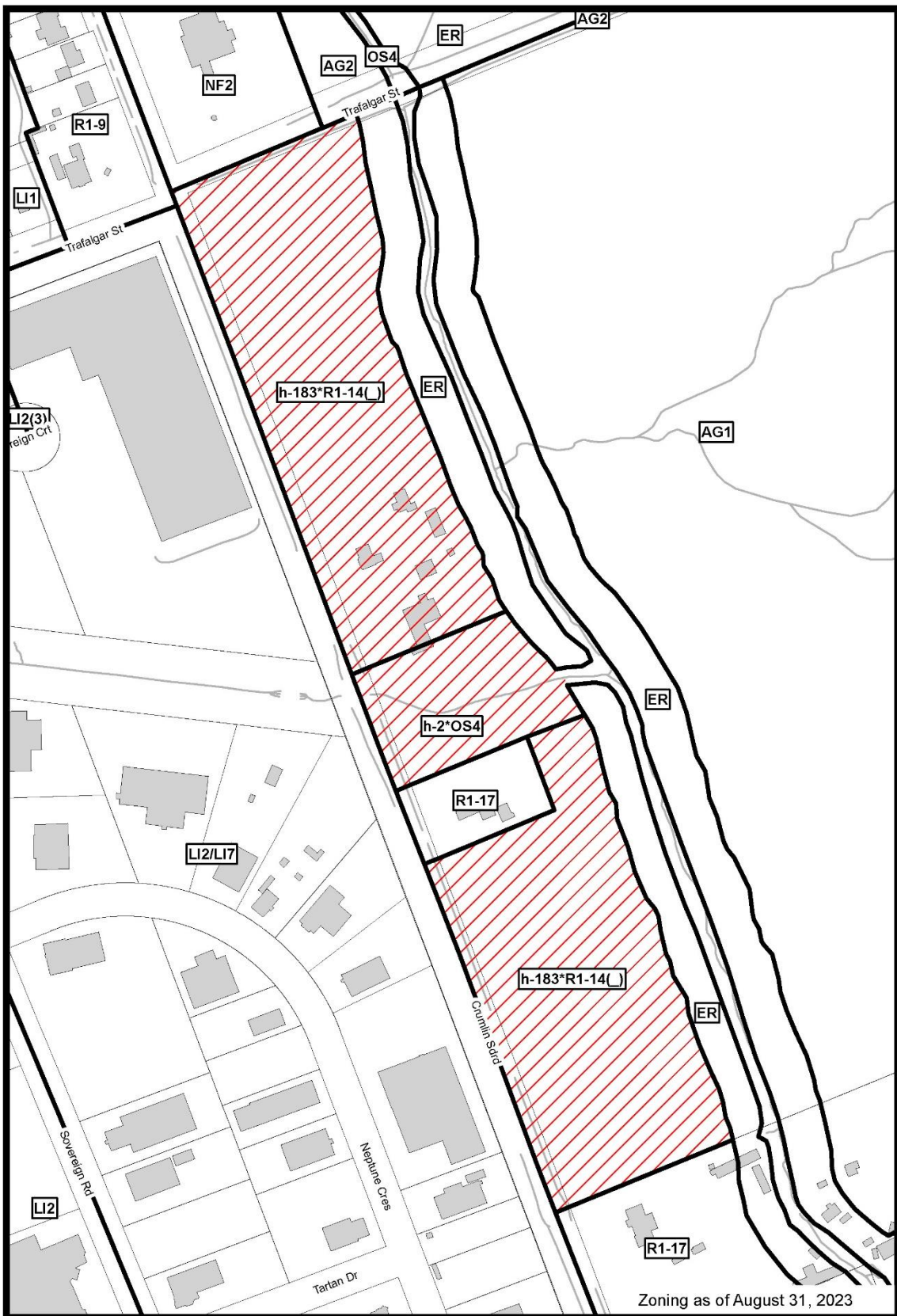
PASSED in Open Council on November 7, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – November 7, 2023
Second Reading – November 7, 2023
Third Reading – November 7, 2023

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



File Number: OZ-9642
 Planner: BH
 Date Prepared: 2023/10/10
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:3,000

0 15 30 60 90 120 Meters



Geodatabase

Appendix C - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Vacant (Cultivated Field) and 3 residential dwellings
Frontage	644.6 metres (2,114.8 feet) (Crumlin Sideroad)
Depth	605.4 metres (1,986.2 feet)
Area	41.7 hectares (103.0 acres)
Shape	irregular
Within Built Area Boundary	No
Within Primary Transit Area	No

Surrounding Land Uses

North	Residential/farmland
East	Farmland
South	Residential/farmland
West	Industrial uses

Proximity to Nearest Amenities

Major Intersection	Trafalgar Street & Crumlin Sideroad, northwest corner of site
Dedicated cycling infrastructure	Clarke Road Bike Lane, 2,486.4 metres
London Transit stop	Sovereign at Tartan SB - #1720, 1,200 metres
Public open space	Forest View Park, 1,384.4 metres
Commercial area/use	Nelson Plaza, ~2,500 metres
Food store	Nelson Plaza (Metro Grocery Store), ~2,500 metres
Primary school	Holy Family Catholic School, ~1,500 metres J.P. Robarts Public School, ~1,800 metres
Community/recreation amenity	Argyle Arena, ~2,200 metres

B. Planning Information and Request

Current Planning Information

Current Place Type	Rural Neighbourhoods Place Type, fronting a Civic Boulevard
Current Special Policies	1253_ In the Rural Neighbourhoods Place Type located along the east side of Crumlin Road between Trafalgar Street and the Canadian National Railway lands, and along Gore Road between Crumlin Road and Wabuno Creek, lot creation may be considered subject to the policies of this Plan provided the lot shall have a minimum area of one hectare and have frontage on Crumlin Road or Gore Road.
Current Zoning	Urban Reserve (UR4) Zone

Requested Designation and Zone

Requested Place Type	Rural Neighbourhoods Place Type, fronting a Civic Boulevard
Requested Special Policies	lot creation may be considered subject to the policies of this Plan provided the lot shall have a minimum area of 0.4 hectares and have frontage

	on Crumlin Road. Additional studies may allow the lots to be reduced below 0.4 hectares.
Requested Zoning	Zone

C. Development Proposal Summary

N/A.

Development Overview

The applicant has requested to rezone a portion (future lot) of the subject site from a Residential R1 (R1-17) Zone to a Residential R1 (R1-14) Zone to facilitate future residential parcels on the land.
--

Proposal Statistics

Land use	Residential and agricultural
Form	Residential development in the form of single-detached dwellings
Height	N/A
Residential units	Determined at the time of consent
Density	N/A
Gross floor area	N/A
Building coverage	N/A
Landscape open space	N/A
Functional amenity space	N/A – single-family lots
New use being added to the local community	Yes

Mobility

Parking spaces	N/A – Single family lots
Vehicle parking ratio	N/A
New electric vehicles charging stations	N/A
Secured bike parking spaces	N/A – Single family lots
Secured bike parking ratio	N/A
Completes gaps in the public sidewalk	No
Connection from the site to a public sidewalk	No
Connection from the site to a multi-use path	NA

Environmental Impact

Tree removals	None
Tree plantings	TBD
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	YES
Existing structures repurposed or reused	YES
Green building features	Unknown

Appendix D – Public Engagement

Community Engagement

Public Liaison: On August 9, 2023, a Notice of Application was sent to 38 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 10, 2023. A “Planning Application” sign was also placed on the site.

Nature of Liaison: The purpose and effect of this zoning change is to create new residential parcels on the Subject Lands. Possible change to Zoning By-law Z.-1 FROM a Residential R1 (R1-17) Zone, an Agricultural (AG1) Zone, and an Open Space (OS4) Zone TO a Residential R1 (R1-14) Zone, an Agricultural (AG1) Zone, and an Open Space (OS5) Zone.

Public Responses: There were 2 responses received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Type of development occurring on the lands
- Future road widening of Trafalgar and Crumlin Sideroad

Appendix E - Agency/Departmental Comments

Heritage

- The archaeological requirements for this property and application can be considered addressed.

Ecology

Thank you for circulating the Draft Scoped Environmental Impact Study (EIS) Letter – 764, 772, and 774 Crumlin Side Road for review and comment. Please address the below items in the subsequent submission in support of final approval.

1. Recommendation 1 – Revise text from “(without fences)” to “(without gates)”.
2. Provide recommendations in text that address pathway alignment requirements based on Section 5.4 of the Environmental Management Guidelines, 2021 (EMGs). See EMGs text below:

It is with these directions in mind that the City is generally of the position that pathways, trails and “passive” low-impact development may be incorporated into ecological buffers, provided they are:

 - *designed, constructed and managed to support the natural heritage features and their ecological functions*
 - *typically located in the outer half of the buffer (i.e., further away from the feature rather than closer)*
 - *typically limited to a maximum of one third of the total buffer width (e.g., occupying no more than 5 m of a 15 m buffer) with the remaining buffer being naturalized, and*
 - *are proposed within buffers that meet or exceed the minimums established in Table 5-2*

Pathways, trails and / or passive low impact development measures may only be permitted where they are demonstrated to meet all the criteria above in an environmental study at the City’s discretion, and in consultation with the appropriate agencies, where their regulated areas overlap with the features and buffers in question.
3. Ensure all EIS recommendations are carried through to future consent agreement.

Engineering

Comments to the Re Zoning:

- Engineering does not support the special policy area to allow smaller than 0.4ha lots as part of the zoning approval. Studies/reports will be required at the consent stage to determine if the special policy is feasible/achievable.
- Engineering does not support including the number of lots as part of the zoning approval. The number of lots will be determined by supporting studies/reports at the consent stage.
- Engineering recommends h 195 (or similar h) for the purpose of securing the required reports at the consent stage and for future notification to a potential buyer of the property.

Through further internal discussions it was determined that the engineering considerations will be dealt with through the conditions of consent to severe, and that these issues will not impact the proposed zoning.

The following items are to be considered during a future consent application stage:

Transportation:

- Both the Crumlin SdRd and Trafalgar St frontages are subject to a 7.942 metre widening to achieve the required 18.0m from centreline.
- A 6m x 6m daylight triangle is required at the intersection.
- A Traffic Management Plan will be required for work in the City ROW to be submitted with the Site Plan proposal.
- Detailed comments regarding access design and location will be discussed through the Site Plan Process.

Sewers:

- There is no municipal sanitary sewer fronting or in close proximity to the proposed lands. Therefore, prior to any lot creation, since these lands are not serviced by existing municipal water or wastewater systems, the Owner shall include a servicing suitability study of groundwater and geotechnical conditions. This may include but not be limited to an assessment of water supply and sewage disposal system impacts of existing and proposed development associated with the site prepared by a professional hydrogeologist. The study must demonstrate to the satisfaction of the City that private sewage disposal systems, with associated reserve discharge areas, and storm drainage can be established and in particular if private sewage disposal systems are proposed, the Owner will be required to provide information with their application to demonstrate that the site can adequately meet the requirements of (MECP) MOE Procedure D-5-4 Technical Guideline for Individual On-Site Sewage Systems.
- All required separation distances set out in the Ontario Building Code between wells, septic systems and storm drainage systems must be adequately met.
- No endorsement, draft, or conditional approval under the Planning Act shall be provided by the City for any development dependent on a new private sewage disposal system, private water system or private drainage system until the development has complied with the provisions listed above.

Water:

- The subject lands are located outside of the Urban Growth Boundary and no municipal watermain fronts the property.
- The nearest municipal watermain is located at the corner of Trafalgar and Crumlin Rd. The applicant may extend municipal water servicing at their cost to service these lands in accordance with the City of London Design Standards and requirements;
- The applicant may choose to service any future lots with private water servicing for each site (private well).
- The Owner will be required to provide information with their application to demonstrate that the site can adequately meet the requirements of (MECP) MOE Procedure D-5-5 Private Wells: Water Supply Assessment.
- The City will not accept/permit a permanent automatic flushing device considering the proximity of the natural heritage features and the lack of a standard outlet for the flushing device.
- With respect to a possible crossing under the Crumlin Drain, it would be necessary to cross under the drain with a minimum of 1.5 m cover in order to prevent freezing of the watermain. However it would also be necessary to address Municipal Class EA requirements for the watermain Crossing if they are to be done by open cut or by trenchless crossing. Where a trenchless crossing were to be used, it would be necessary to address geotechnical requirements based on the existing soil conditions (i.e. to have sufficient cover for soil conditions to prevent frack out of a trenchless crossing) etc. Valving would be required on both sides of the channel crossing.
- If the crossing were to be done above the culvert, the 1.5 m cover requirement (above and below) would apply or the use of appropriate insulation would be necessary.

Stormwater:

- Please note: Any future development applications within subject lands that are not serviced by municipal water or wastewater systems shall be subject to a suitability study of the hydrogeological and surface drainage conditions in accordance with London Plan policy 477. This may include comprehensive groundwater investigations for the entire site, surface drainage conditions with regard for external and downstream impacts, and assessment of water supply and sewage disposal system impacts from the proposed development(s) associated with the site. If required, the hydrogeological assessment shall be scoped by City and UTRCA staff, and be prepared by a qualified professional. As well the hydrogeological assessment shall demonstrate to the satisfaction of the City, that private water well(s) and private sewage disposal system(s) can be established to meet the appropriate standards, will not impact adjacent properties and/or natural heritage features, and will not be impacted by groundwater and surface drainage conditions. The Owner is to engage with the MOEE to determine if their review of the D 5 4/D 5 5 assessment is required.
- The applicant should be aware that prior to approval of any future consent application, the owner's consultant is requested to develop a "Comprehensive Servicing Plan" or similar

document to guide future development and provide comprehensive phasing of the grading and SWM strategy to show drainage requirements will be met on the site(s). This document should demonstrate that the proper SWM practices will be applied to ensure on-site controls are designed to reduce/match existing peak flows from the 2 through 100 year return period storms.

- The applicant should be aware that prior to approval of any future consent application, the owner's consultant is required to provide a preliminary lot grading plan for the portion of the parcel west of the Parkinson Drain safely, and assess overland stormwater flows to ensure safe conveyance up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- In accordance with the London Plan section 477, as part of the application for zoning by-law amendment, the applicant shall provide a hydrogeological study to assess the groundwater table and the cumulative impacts of the private water, sanitary, and stormwater servicing from multiple lots. The recommendations of the study are to be implemented by associated servicing design.
- The subject lands are bisected by a municipal drain identified as the Parkinsons Municipal Drain. The proposed development will require revised assessment schedules in accordance with the Drainage Act. The Owner is to initiate and assume, if required, all engineering costs associated with the preparation of a revised assessment schedules in accordance with the Drainage Act, R.S.O 1990, as amended. A copy of revised assessment schedules are to be provided to the City's Drainage Superintendent. Assessment splits under the Section 65 (1) of the Drainage Act would be required on both the Parkinson Drain and Crumlin Drain.
- A maintenance easement must be left on at least one side of the ditch. This is typically 15 meters wide to allow room for an excavator, levelling of spoil and a grass buffer between the top of the bank and the levelled spoil. For the north/south portions of the Parkinson and Crumlin Drains this could be addressed by having the developer(s) provide working space under the Drainage Act (similar to an easement) along the east side of the ditch. For the portion of the Crumlin Drain from the junction of the ditches to Crumlin Road, working space under the Act will also be required. If the working space is proposed on these lots or future lots, we recommend a legal easement be registered on title.
- The site is located within the UTRCA regulated area and therefore UTRCA approval/permits may be required, including confirmation as to required setbacks and flood limits.
- The regulatory floodline elevation model may require an update based on the most recent information available and current Regulatory Floodline modeling standards. This update should be carried out. UTRCA must be engaged with respect to confirmation of Hazard Lands if there are any updated floodplain limits.
- The provided Planning and Design report states: *"As confirmed by the supporting servicing report, the proposed lot areas are a sufficient size and configuration to accommodate the future dwellings and future private on-site sanitary and storm services."* The report does not speak to stormwater servicing or management.
- There are no storm sewers currently established for the proposed site on Crumlin Side Road. As per the Drainage By-Law, section 5.2, where no storm sewer is accessible the applicant shall provide a dry well or storm water retention system which is certified by a Professional Engineer to the satisfaction of the City Engineer.
- Since the land use will ultimately be single family residential, per paragraph 5.7 of the Drainage by-law, foundation drain flows may alternatively be discharged via a sump pump to the ground surface, provided that the discharge to the ground surface does not create continually wet ground conditions and/or does not create any adverse effect upon municipal sidewalks and roads or upon adjacent properties. SWED opines that this provision is not feasible for the proposed lots without mitigation, particularly if a multi-use pathway is implemented as there would be a high-risk for icing issues.

General Comments

- The subject lands are located in the Waubuno Subwatershed and is tributary to the Crumlin Drain. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Pottersburg Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- Any proposed Low Impact Development (LID) stormwater management solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate,

hydraulic conductivity (under field saturated conditions), and seasonal high ground water elevation. Please note that the installation of monitoring wells may be required to properly evaluate seasonal groundwater fluctuations. 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.

- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- The owner shall be required to comply with the MECP and City's applicable Acts, Regulations, Standards, Specifications and Requirements including Drainage By-Law and acts (WM-4), to ensure that the post-development storm/drainage discharges from the subject lands will not cause any adverse effects to adjacent lands, all to the specifications of the City Engineer.
- An erosion/sediment control plan shall be required that will identify all erosion and sediment control measures for the subject site during all construction phases, in accordance with City of London and MECP standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction in accordance with Erosion and Sediment Control Guide for Urban Construction (TRCA, 2019). These measures shall be identified in construction drawings with any background or design information to be included in the Storm/Drainage Servicing Report.

UTRCA

- the subject lands **are** regulated by the UTRCA due to the presence of riverine flooding and erosion hazards associated with the Crumlin and Parkinson Drains. The proposed concept plan identifies the creation of thirteen (13) new residential lots with frontage on Crumlin Sideroad, to be serviced by individual on-site sanitary service and an extension of the municipal water service. The proposed applications seek to:
 - To create a special policy area within the *Rural Neighbourhoods Place* Type for undersized lots;
 - Re-zone from *Residential R1-17* to *Residential R1-14* for undersized lots; and,
 - Re-zone the lands subject to flood and erosion hazards plus their associated setbacks/buffers to *Open Space OS5*.
- We offer the following comments:
 - The area proposed to be designated and zoned for residential uses appears to be appropriately setback from the municipal drains/watercourses based on the descriptions provided within the Planning and Design Report. However, upon review of the revised development proposal, it appears as though the setback from proposed Lot 7 encroaches into this area. Please submit a revised development proposal figure which delineates:
 - The top of bank of the Parkinson and Crumlin drains/watercourses;
 - Dimensioned setbacks from the top of bank of the drains/watercourses to the proposed lot lines of all lots; and,
 - Dimensioned setbacks from the top of bank of the drains/watercourses to the proposed designation/zone boundary.

Urban Design

- Urban Design staff have no further comments for the Official Plan / Zoning By-law Amendment at 764-774 Crumlin Sideroad. A condition will be requested at the time of Consent Application for street orientation for the Trafalgar Street-flanking elevation for Lot 1 . Please ensure Urban Design is circulated once this application is received.

Parks Planning

1. **Major Issues**
 - None.

2. Matters for OPA/ZBA

- None.

3. Matters for Consent

- Parkland dedication is required in the form land or cash in lieu of land, pursuant to By-law CP-25 and will be finalized at the time of consent.
- Based on the accepted EIS, the natural heritage lands may be accepted at a compensated rate as defined in By-law CP-25. The balance of the required dedication will be taken as cash in lieu.
- Fencing will be required along the shared property line as per City design standards SPO 4.8.
- Requirements for fencing, how the land is to be restored & transferred to the City will be refined through the future consent process.

Landscape Architecture

1. Major Issues

- No potential grounds for refusal, or issues that could require significant changes to the proposal.

2. Matters for OPA/ZBA

- No matters that will influence the OP/ZBL mapping, designation/zone, regulations, special provisions, holding provisions, etc.

3. Matters for Consent

- A tree preservation plan will be required at Consent Stage, completed in accordance with City of London **Section 13.3 SPC Bylaw**. Plan must: delineate limits of disturbance, identify all tree species at risk, inventory existing vegetation-species, size, location, health, age; calculate total diameter of tree growth proposed for removal [dbh] and detail tree removals, tree retention, tree fence alignment and construction mitigation measures.

Site Plan

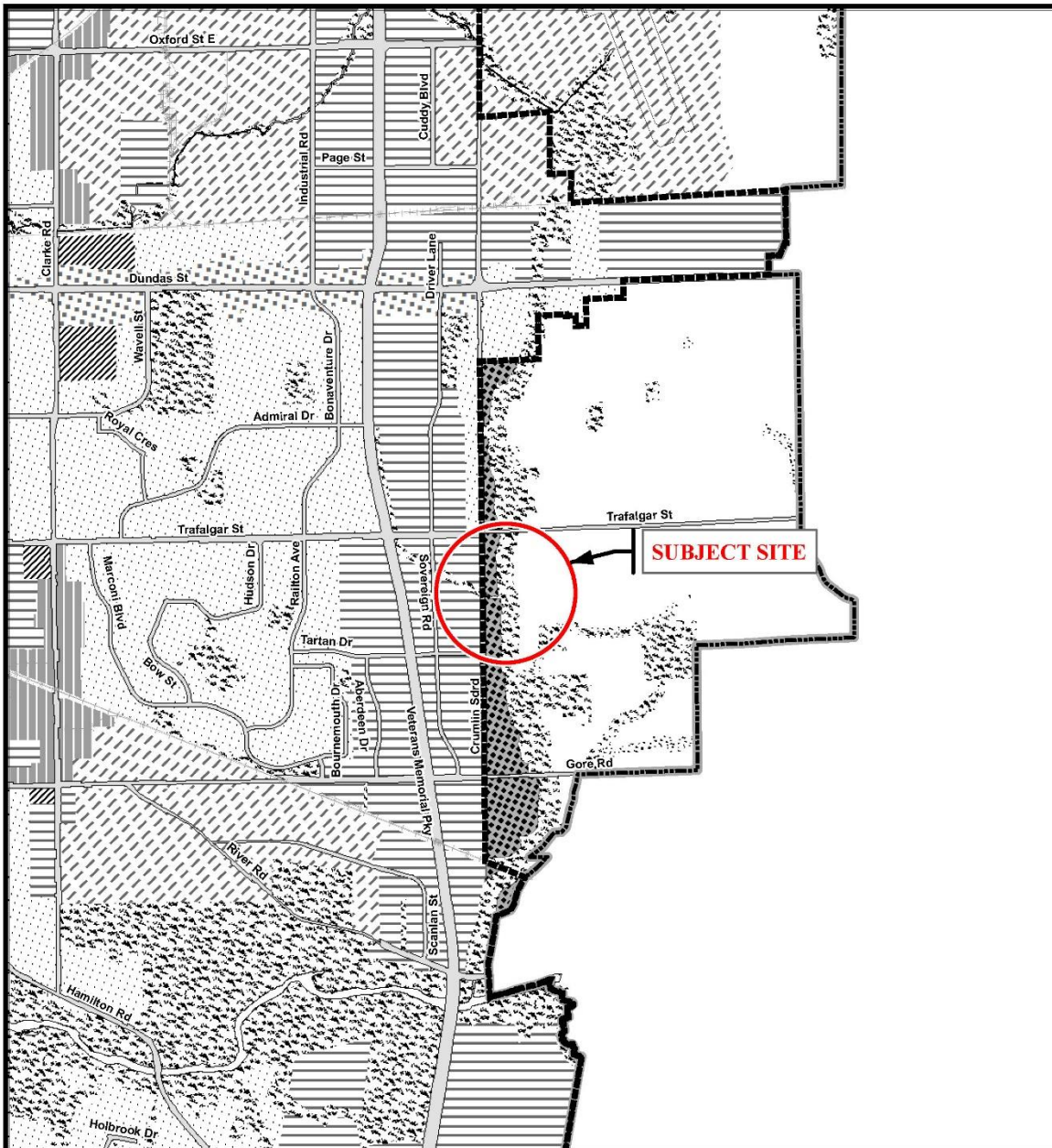
- As the proposal is for single detached dwelling, the development would not be subject to Site Plan.

London Hydro

- London Hydro has no objection to this proposal or possible official plan and/or zoning amendment. Any new or relocation of the existing service will be at the expense of the owner.

Appendix F – Relevant Background

The London Plan – Map 1 – Place Types



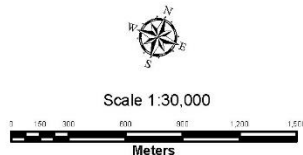
Legend

- | | | |
|------------------------|--------------------------|---|
| 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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

CITY OF LONDON
Official Plan
LONDON PLAN MAP 1
- PLACE TYPES -

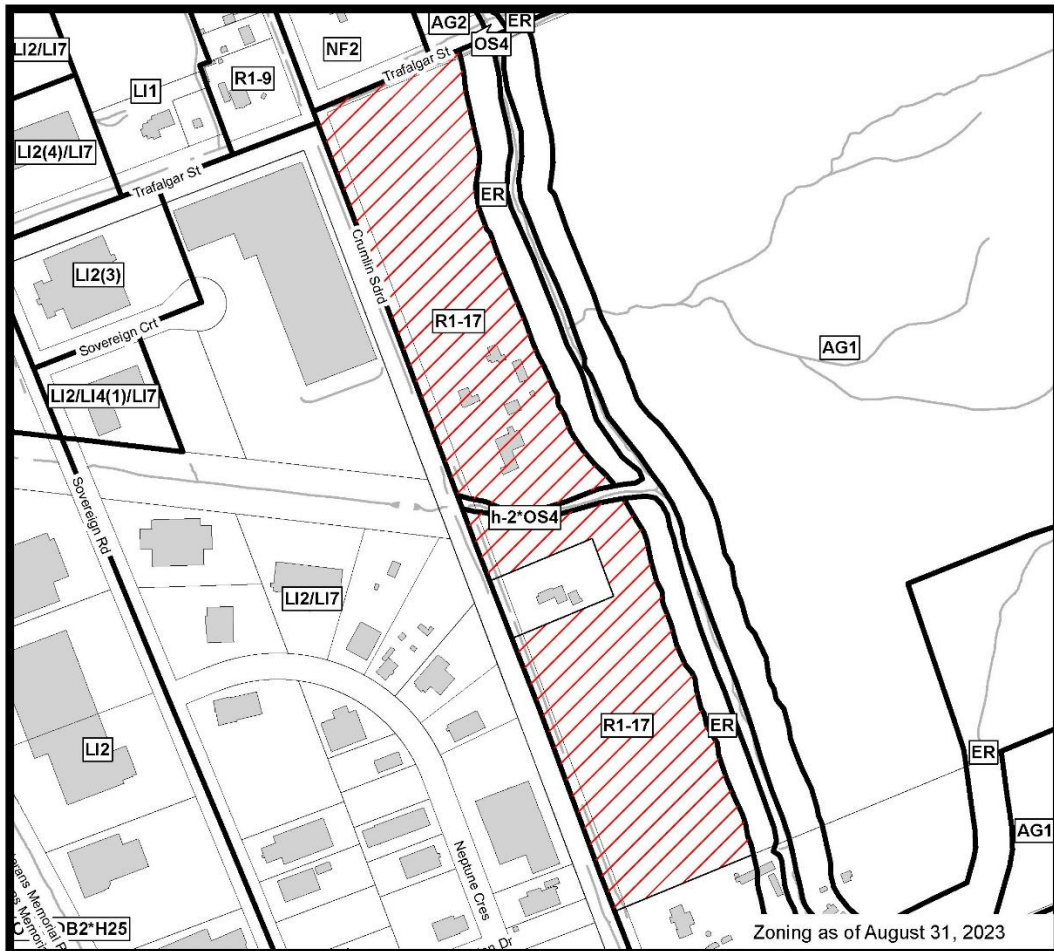
PREPARED BY: Planning & Development



File Number: OZ-9642
Planner: BH
Technician: RC
Date: 2023/9/26

Project Location: E:\Planning\Projects\p_officialplan\workconso\00\excerpts_LondonPlan\mxds\OZ-9642_Map1_PlaceTypes.mxd

Zoning By-law Z-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|---|-----------------------------------|
| R1 - SINGLE DETACHED DWELLINGS | RF - REGIONAL FACILITY |
| R2 - SINGLE AND TWO UNIT DWELLINGS | CF - COMMUNITY FACILITY |
| R3 - SINGLE TO FOUR UNIT DWELLINGS | NF - NEIGHBOURHOOD FACILITY |
| R4 - STREET TOWNHOUSE | HER - HERITAGE |
| R5 - CLUSTER TOWNHOUSE | DC - DAY CARE |
| R6 - CLUSTER HOUSING ALL FORMS | |
| R7 - SENIOR'S HOUSING | OS - OPEN SPACE |
| R8 - MEDIUM DENSITY/LOW RISE APTS. | CR - COMMERCIAL RECREATION |
| R9 - MEDIUM TO HIGH DENSITY APTS. | ER - ENVIRONMENTAL REVIEW |
| R10 - HIGH DENSITY APARTMENTS | |
| R11 - LODGING HOUSE | OB - OFFICE BUSINESS PARK |
| DA - DOWNTOWN AREA | LI - LIGHT INDUSTRIAL |
| RSA - REGIONAL SHOPPING AREA | GI - GENERAL INDUSTRIAL |
| CSA - COMMUNITY SHOPPING AREA | HI - HEAVY INDUSTRIAL |
| NSA - NEIGHBOURHOOD SHOPPING AREA | EX - RESOURCE EXTRACTIVE |
| BDC - BUSINESS DISTRICT COMMERCIAL | UR - URBAN RESERVE |
| AC - ARTERIAL COMMERCIAL | |
| HS - HIGHWAY SERVICE COMMERCIAL | AG - AGRICULTURAL |
| RSC - RESTRICTED SERVICE COMMERCIAL | AGC - AGRICULTURAL COMMERCIAL |
| CC - CONVENIENCE COMMERCIAL | RRC - RURAL SETTLEMENT COMMERCIAL |
| SS - AUTOMOBILE SERVICE STATION | TGS - TEMPORARY GARDEN SUITE |
| ASA - ASSOCIATED SHOPPING AREA COMMERCIAL | RT - RAIL TRANSPORTATION |
| OR - OFFICE/RESIDENTIAL | "h" - HOLDING SYMBOL |
| OC - OFFICE CONVERSION | "D" - DENSITY SYMBOL |
| RO - RESTRICTED OFFICE | "H" - HEIGHT SYMBOL |
| OF - OFFICE | "B" - BONUS SYMBOL |
| | "T" - TEMPORARY USE SYMBOL |

CITY OF LONDON

PLANNING SERVICES / DEVELOPMENT SERVICES

ZONING BY-LAW NO. Z-1 SCHEDULE A



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

FILE NO:

OZ-9642 BH

MAP PREPARED:

2023/09/26 RC

1:4,500

0 20 40 80 120 160 Meters

Report to Planning and Environment Committee

To: Chair and Members
Planning & Environment Committee

From: Scott Mathers MPA, P. Eng.,
Deputy City Manager, Planning and Economic Development

Subject: Kindred Works (c/o Zelinka Priamo Ltd.)
1901 Jalna Boulevard
City File: Z-9633, Ward 12
Public Participation Meeting

Date: October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Kindred Works (c/o Zelinka Priamo Ltd.) relating to the property located at 1901 Jalna Boulevard:

- (a) The proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 7, 2023, to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Neighbourhood Facility (NF) Zone **TO** a Residential R8 Special Provision (R8-4(_)) Zone.
- (b) The requested Special Provisions, as part of the amendment to Zoning By-law No. Z.-1, that notwithstanding Section 4.19.4) b) parking may be permitted in the south exterior yard along Jalna Boulevard and to permit a maximum driveway width of 4.6 metres whereas 3.0 metres is required, **BE REFUSED** for the following reasons:
 - i. The requested Special Provisions do not conform to the policies of The London Plan, including the City Design policies, Neighbourhood Place Type policies and criteria of the Planning Impact Analysis, nor the regulations of the Zoning By-law No. Z.-1 with regards to parking locations.
- (c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i. The apartment building be designed to address its corner location through massing, architectural details, and location of entrances, and to accommodate opportunities for mixed-use on the ground floor.
 - ii. Additional visual screening be provided for any surface parking exposed to the public street(s) and rooftop mechanical penthouses and equipment.
 - iii. The short-term bicycle parking stalls along Southdale Road East be relocated to be fully on private property.
 - iv. To improve the accessibility of the lay-by, access should be shifted and/or expanded.
 - v. Should driveways be provided for the street townhouses, they should be 3.0 metres with any adjacent walkways being a different material use to delineate the spaces, and that the walkway is not to be used for parking.

IT BEING NOTED that the above noted amendment is being recommended for the following reasons:

- i. The recommended amendment is consistent with the *Provincial Policy Statement, 2020 (PPS)*, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The *PPS* directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;

- ii. The recommended amendment conforms to *The London Plan*, including but not limited to the Key Directions, City Building policies, and the Neighbourhoods Place Type policies;
- iii. The recommended amendment would permit an appropriate form of development at an intensity that is appropriate for the site and the surrounding neighbourhood; and
- iv. The recommended amendment facilitates an infill development on an underutilized site and provides a broader range and mix of housing options within the area.

Executive Summary

Summary of Request

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Neighbourhood Facility (NF) Zone to a Residential R8 Special Provision (R8-4(_)) Zone.

Purpose and the Effect of Recommended Action

The recommended action will permit a 6-storey, 100-unit, residential apartment building and two 2-storey, 5-unit, standard townhouse blocks, with a maximum density of 132 units per hectare (uph). Special provisions are required to consider Jalna Boulevard to the west as the front lot line; permit a minimum front yard depth of 6.0 metres whereas 8.0 metres is required; a minimum north exterior side yard depth of 2.0 metres whereas 8.0 metres is required; minimum south exterior side yard depth of 2.0 metres whereas 8.0 metres is required; a maximum density of 132 uph whereas 75 uph is required; a maximum apartment building height of 22.0 metres (6-storeys);); an encroachment for balconies on the apartment building of 1.5 metre projection into the north exterior side yard whereas 3.0 metres to the lot line is permitted; to permit standard townhouses as an additional use; and to permit community centres as an accessory use to the apartment building with a maximum gross floor area of 300 square metres.

The recommended action to refuse the requested special provisions will thereby not allow parking in the south exterior yard along Jalna Boulevard (in accordance with Zoning By-law No. Z.-1 Section 4.19.4 b)) nor permit a maximum driveway width of 4.6 metres whereas 3.0 metres is the maximum.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

1. **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
2. **Housing and Homelessness**, by supporting faster/streamlined approvals and increasing the supply of housing with a focus on achieving intensification targets.
3. **Housing and Homelessness**, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners. (housing)

Analysis

1.0 Background Information

1.1 Property Description and Location

The subject site is located within the White Oaks Planning District at the intersection of Jalna Boulevard and Southdale Road East. The site has an area of approximately 0.84 hectares with a frontage of approximately 92 metres on Jalna Boulevard on the west property line, 98 metres on Jalna Boulevard on the south property line, and 98 metres on Southdale Road East. The site currently contains a place of worship, White Oaks United Church, with surface level parking and a community garden. The surrounding

neighbourhood consists of a mix of residential uses, primarily low to medium density uses abutting the site, as well as a mix of commercial uses and intermittent office uses along Southdale Road East.

1.2 Site Statistics

- Current Land Use – Place of Worship
- Frontage – 98 metres (Jalna Boulevard to the West)
- Depth – 92 metres
- Area – 8,400 metres square (0.84 hectares)
- Shape – Square
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: Yes

1.3 Surrounding Land Uses

- North – Residential; Commercial
- East – Office; Residential
- South – Residential; Neighbourhood Facility
- West – Commercial; Residential

1.4.1 Existing Planning Information

- *The London Plan* Place Type – Neighbourhoods at the intersection of a Civic Boulevard and Neighbourhood Connector
- Existing Zoning – Neighbourhood Facility (NF) Zone

Additional site information and context is provided in Appendix B.

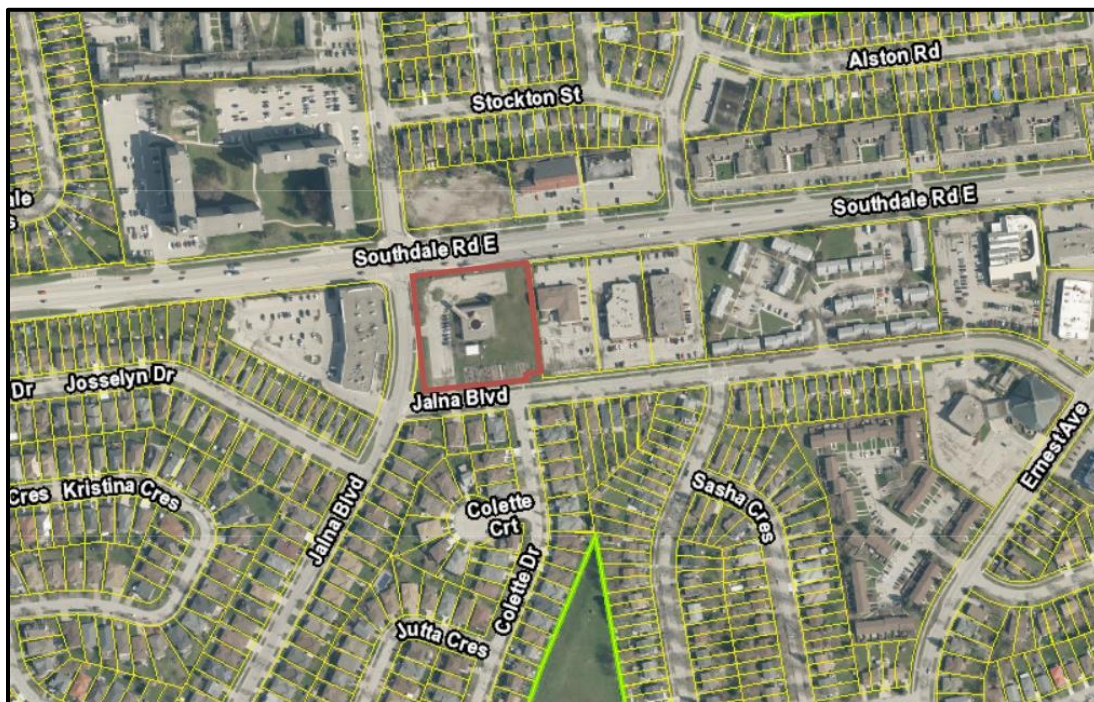


Figure 1. Aerial Photo of 1901 Jalna Boulevard and surrounding lands.



Figure 2. Streetview of 1901 Jalna Boulevard (view from Southdale Road East looking southwest)



Figure 3. Streetview of 1901 Jalna Boulevard (view from Jalna Boulevard looking west)



Figure 4. Streetview of 1901 Jalna Boulevard (view from Jalna Boulevard looking north)

2.0 Discussion and Considerations

2.1 Development Proposal

In June 2023, the City accepted a complete zoning by-law amendment application. The development proposal is comprised of a 6-storey, 100-unit, residential apartment building and two 2-storey, 5-unit, standard townhouse blocks, with a maximum density of 132 uph. The application included a conceptual site plan, shown below as Figure 5. Building rendering and elevations are shown in Figures 6-8 below.

Based on comments from staff, the applicant agreed to close the proposed right turn only exit access along Southdale Road to reduce traffic concerns as well as revise the internal vehicular access, at the time of Site Plan approval.

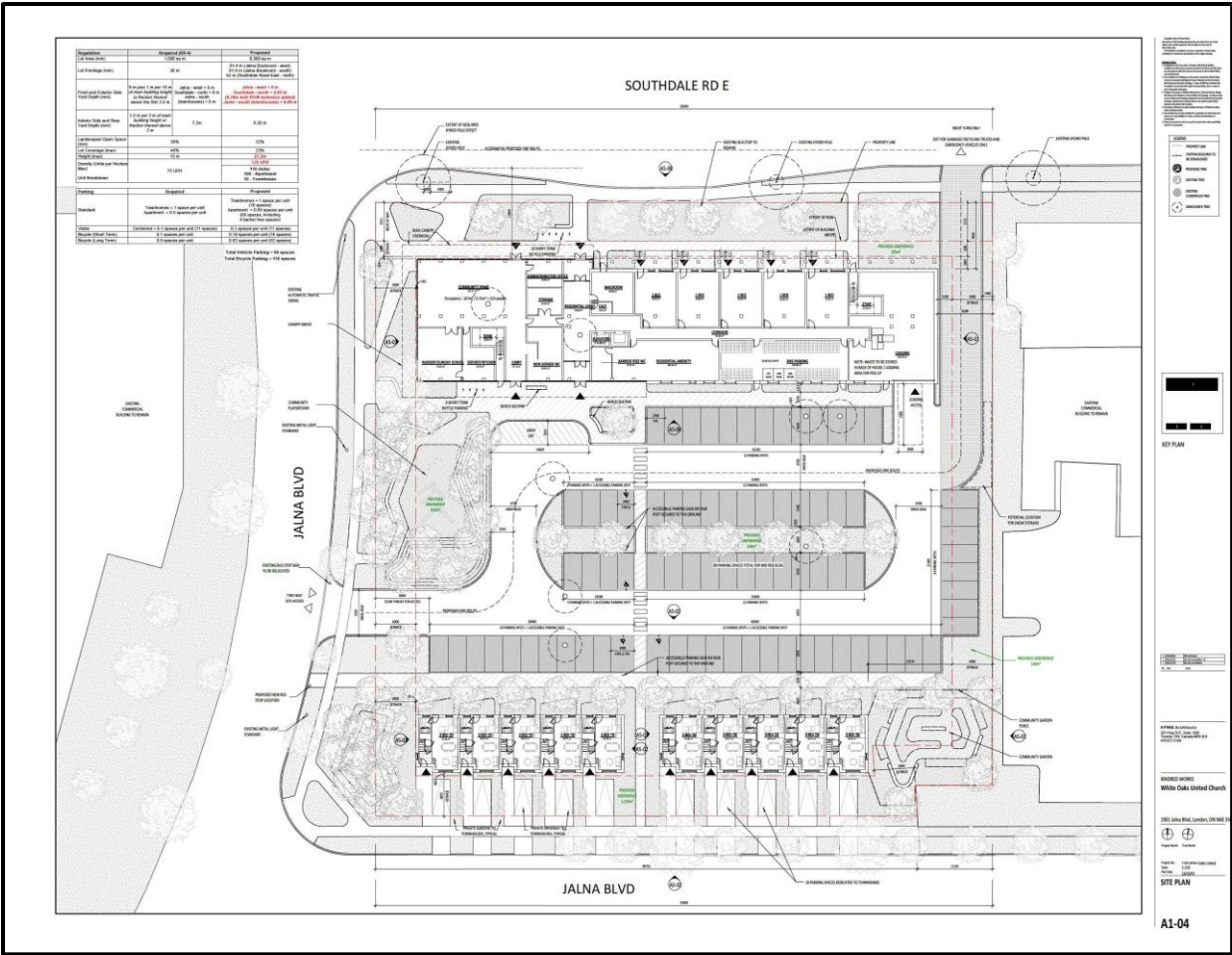


Figure 5. Concept Site Plan



Figure 6. Building Renderings (Building 1 facing southwest from Southdale Road East)



Figure 7. Building Renderings (Building 1 facing northwest from Jalna Boulevard)



Figure 8. Building Renderings (Buildings 2 and 3 facing northwest from Jalna Boulevard)



Figure 9. Building Renderings (Buildings 2 and 3 facing southeast from subject site)

The proposed development includes the following features:

- Land use: Residential
- Form: Apartment and Standard Townhouses
- Height: 6-storey Apartment; 2-storey Townhouses
- Residential units: 110 units
- Density: 132uph
- Building coverage: 23%
- Landscape open space: 32%
- Parking spaces: 79 surface parking spaces

Additional proposal information and context is provided in Appendix B and C.

2.2 Requested Amendment

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Neighbourhood Facility (NF) Zone to a Residential R8 Special Provision (R8-4(_)) Zone.

The following table summarizes the special provisions that have been requested by the applicant:

Regulation (R5-4)	Required	Proposed
Road Considered the Front Lot Line		Jalna Boulevard W
Front Yard Depth (minimum)	8.0 metres	6.0 metres
North Exterior Side Yard Depth (minimum)	8.0 metres	2.0 metres
South Exterior Side Yard Depth (minimum)	8.0 metres	6.0 metres
Density (maximum)	75 uph	132 uph
Apartment Building Height (maximum)	13.0 metres	22.0 (6-storeys)
Encroachment - Balconies on Apartment Building	1.5 metre projection into the front yard is permitted provided the projection is no	1.5 metre projection into the north exterior side yard

	closer than 3.0 metres to the lot line"	
Maximum Driveway Width	3.0 metres	4.6 metres
Parking Location	Rear or Interior Side Yard	South Exterior Side Yard
Standard Townhouses	Not permitted	Permitted
Community centre accessory to the apartment building	Not Permitted	Permitted with a maximum gross floor area of 300 square metres

2.3 Community Engagement

On July 5, 2023, Notice of Application was sent to 367 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, July 6, 2022. A "Planning Application" sign was also placed on the site.

There were four responses received during the public consultation period.

Key issues identified by the public included:

- Traffic, Parking and Safety
- Height and Density
- Increased Open Space
- Construction Impacts

Detailed public comments are included in Appendix D of this report.

2.4 Internal and Agency Comments

The application and [associated materials](#) were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies based on the Revised Notice of Application include:

- Concerns raised with the design and location of the right-turn only access along Southdale Road East and Staff have requested its removal and redesign during Site Plan.
- The proposed lay-by was not accessible, and Staff have recommended it be shifted and expanded during Site Plan.
- Accessible parking stalls are to contain a 1.5 metre access aisle.
- The short-term bicycle parking stalls along Southdale Road East are to be relocated to be fully on private property.
- The proposed apartment building should be designed to address its corner location through massing, architectural details, and location of entrances.
- Visually screen any surface parking exposed to the public street(s)
- Screen or enclose any rooftop mechanical penthouses and equipment.
- Additional special provisions for maximum setbacks from the right-of-way as well as a minimum ground floor height of 4.5 metres for the apartment building.

Detailed internal and agency comments are included in Appendices E and G of this report.

2.5 Policy Context

2.5.1 *The Planning Act and the Provincial Policy Statement, 2020*

The Provincial planning policy framework established through the *Planning Act* (Section

3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, *The London Plan*. Through the preparation, adoption, and subsequent Ontario Land Tribunal (OLT) approval of *The London Plan*, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in *The London Plan* analysis below.

As the application for a Zoning By-law amendment complies with *The London Plan*, it is staff's opinion that the application is consistent with the *Planning Act* and the *PPS*.

2.5.2 The London Plan, 2016

The London Plan includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

3.0 Financial and Environmental Impacts and Considerations

3.1 Financial Impact

There are no direct municipal financial expenditures with this application.

3.2 Climate Emergency

On April 23, 2019, Council declared a Climate Emergency. Through this declaration the City is committed to reducing and mitigating climate change. Details on the characteristics of the proposed application related to the City's climate action objectives are included in Appendix C of this report.

4.0 Key Issues and Considerations

4.1 Land Use

The proposed residential and accessory uses are supported by the policies of the *Provincial Policy Statement, 2020 (PPS)* and contemplated in the Neighbourhoods Place Type where a property is at the intersection of a Civic Boulevard and Neighbourhood Connector in *The London Plan* (Table 10). The proposed residential uses align with the goals of the Neighbourhoods Place Type by contributing to neighbourhoods that allow for a diversity and mix of housing types that are compatible with the existing neighbourhood character (TLP 918_2 and _13). The residential uses are also proposed to be affordable which aligns with Key Directions to invest in, and promote, affordable housing to revitalize neighbourhoods, ensure housing for all Londoners, and to attract a diverse population to the city (TLP 55_13, 57_11).

A community centre use is also being recommended as an accessory use to the apartment building with a maximum gross floor area of 300 square metres. Mixed-use buildings with a residential use that may also include appropriately sized retail, service

or office uses on the ground floor are contemplated in the Neighbourhoods Place Type where a property is at the intersection of a Civic Boulevard and Neighbourhood Connector (TLP 925_). Community facilities such as places of worship; day care centres; branch libraries; schools; community centres; public parks; and public recreation facilities; and similar community-oriented facilities that are normally associated with, and integral to, a residential environment, may also be permitted at appropriate locations (TLP 930_). Community facilities will be directed to locations that are easily accessible and where they can help establish and enhance the character of a neighbourhood. At present the subject site is zoned as Neighbourhood Facility and contains a place of worship which provide community centre type uses. Staff is of the opinion that the proposed residential and community centre uses are appropriate for the site.

4.2 Intensity

The proposed residential intensity is consistent with the policies of the PPS that encourage residential intensification, redevelopment, and compact form (1.1.3.4), an efficient use of land (1.1.1 a), and a diversified mix of housing types and densities (1.4.1). The proposed residential intensity conforms with the Neighbourhoods Place Type in *The London Plan* which contemplates an upper maximum height of 6-storeys where a property has frontage onto a Civic Boulevard (Table 11). When zoning to the upper maximum height a development should include features required to mitigate the impacts of the additional height and densities whereby the increase in building height may be permitted where the resulting intensity and form of the proposed development represents good planning within its context (TLP 1640_, 1641_).

The proposed residential intensity will facilitate an appropriate scale of development that is compatible within the existing neighbourhood character, directing the height and intensity toward the higher order street (TLP 918_13). The townhouses are also located on the southern portion of the subject site along Jalna Boulevard to provide a transition in height towards the low-density residential uses to the south (TLP 953_2). The apartment building also includes design features to provide distinction between the base and upper levels such as a one-storey podium, to mitigate for potential impacts of the additional height and maintain a pedestrian-scale environment at street level. Furthermore, the redevelopment will facilitate the efficient use of land and existing municipal services (TLP 953_2 and 3).

Special provisions to permit a maximum apartment building height of 22.0 metres (6-storeys) and a maximum density of 132uph are being recommended.

4.3 Form

The proposed built form is generally consistent with the Neighbourhoods Place Type and the City Design policies in *The London Plan* by facilitating an appropriate form and scale of residential intensification that is compatible with the existing neighbourhood character (TLP 953_2). Specifically, the proposed built form supports a positive pedestrian environment, a mix of housing types to support ageing in place and affordability and is designed to be a good fit and compatible within its context/neighbourhood character (Policy 193_).

The apartment building is proposed to be situated close to the intersection of Southdale Road East and Jalna Boulevard, to define the street edge, and create an inviting, active, and comfortable pedestrian environment (TLP 259_). The proposed community centre accessory to the apartment building is situated to be easily accessible for both residents and members of the public with street-oriented designs and ground floor entrances facing the streets. The building design also includes building articulation, rhythm, materials, fenestration, and balconies along both street frontages ensuring that development is consistent with the urban design goals of *The London Plan*.

Additionally, the apartment building is oriented towards the higher-order street (TLP 261_) with a transition in height and intensity toward the low-density residential uses to the south. The proposed built form and massing of the townhouses has consideration for the surrounding land uses and is appropriate to the scale of the low-density

residential uses to the south (TLP 953_2).

4.4 Exterior Side Yard Parking (Jalna Boulevard to the south)

To maintain a consistent built form, front yard parking in the Neighbourhoods Place Type is not permitted on properties fronting a Neighbourhood Street or Neighbourhood Connector (TLP 936_). Rather, *The London Plan* calls for parking facilities to minimize negative impacts on the public realm by strategically locating and screening these parking areas in the rear and interior side yard (TLP, 272_). At present the townhouse dwellings are proposing parking within the south exterior side yard along Jalna Boulevard (a Neighbourhood Connector). This site layout does not promote connectivity and safe movement for pedestrians, cyclists, and motorists, nor does it minimize the visual exposure of the parking areas to the street (TLP 255_, 269_).

Currently the subject site has a single access from Jalna Boulevard South whereby the proposed site layout and parking configuration would facilitate 10 driveways directly onto Jalna Boulevard South with no garages proposed. The proposed increased driveway width, although intended to permit a walkway alongside the driveway, also has the potential to accommodate two vehicles per townhouse unit. As such, the proposed location, configuration, and size of the parking area is not designed to promote connectivity and safety particularly since the driveways are in close proximity to two intersections where site lines are of increased importance with regards to creating traffic hazards (TLP 255_). The parking location is also not sensitive to, compatible with, or fits within the existing and planned neighbourhood context whereby the existing neighbourhood has consistent and observable physical characteristics, including minimal points of access onto the northside of Jalna Boulevard South and driveways leading to garages on the southside of the street (TLP, 953_1). There are also several City trees in the boulevard that would need to be removed to facilitate the driveways.

As such, the applicant's request for a special provision, that *notwithstanding Section 4.19.4 b) parking may be permitted in the south exterior yard along Jalna Boulevard*, is being recommended for refusal as the parking location is not designed to mitigate potential impacts on adjacent and nearby properties, including but not limited to traffic and access management, visual impacts of parking, and pedestrian and cyclist safety (TLP 1578_6). Staff are similarly not in support of the request to increase driveway width to 4.6m.

A preferred alternative design solution that would mitigate the above-noted concerns is to accommodate parking in the rear (north) of the townhouse dwellings, adjacent to the existing proposed parking lot. A reduced setback for the townhouses from Jalna Boulevard would accommodate more room to the north for parking. A secondary solution would be to provide attached garages to minimize the visual impacts of front yard parking. However, this second solution does not necessarily mitigate the safety concerns.

Staff are not supportive of permitting surface parking in the south exterior side yard of the townhouses and are recommending refusal of the requested special provision. As Staff are not supportive of the parking location, the requested special provision for an increased driveway width is also being recommended for refusal.

Staff are recommending approval of a further reduced south exterior side yard setback to accommodate the townhouses being shifted south and additional parking located to the north. Alternative design considerations and site layout adjustments should be considered at the time of Site Plan. Additional mitigation measures along the frontage of Jalna Boulevard including fencing and increased landscaping should also be considered.

4.5 Apartment Parking and Access

Parking for the apartment building will be located internally, visually screening surface parking from the street to maintain a visual aesthetic and safety, while encouraging a pedestrian oriented streetscape (Policy 936_4). Further screening of the parking areas

and garage pick-up and/or loading areas, with enhanced landscaping, is also recommended. The proposed number of parking spaces currently exceeds the amount required as per the Zoning By-law. Given the subject sites pedestrian, cycling and transit accessibility, a reduction in the number of parking spaces could assist in accommodating additional landscaping, open space, and amenities (TLP 275_).

During the commenting period, staff also expressed concern with the proposed right turn only exit access along Southdale Road East, recommending its closure and the site access be redesigned. It was also noted that the proposed lay-by was not accessible and could be shifted and/or expanded as a result of the removed access along Southdale Road East. As part of the Staff recommendation, direction to the Site Plan Approval Authority has been provided to address these issues to ensure the development supports the promotion of connectivity and safe movement for pedestrians, cyclists, and motorists between, and within, sites (TLP 255_).

4.6 Zoning

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Neighbourhood Facility (NF) Zone to a Residential R8 Special Provision (R8-4(_)) Zone. The following summarizes the special provisions that have been proposed by the applicant and what is being recommended by staff.

A minimum front yard depth (West property boundary) of 6.0 metres.

The intent of a front yard depth is to ensure sufficient space between the buildings and front lot line to accommodate all site functions while still facilitating a pedestrian oriented development. In this case, the reduced front yard depth will help facilitate a pedestrian oriented development by, establishing a strong street edge. Additionally, the proposed building orientation of the apartment building fronting Southdale Road East will help establish a positive interface with the public realm.

A minimum north exterior side yard depth of 2.0 metres.

The intent of an exterior side yard depth is similar to front yard depth in that the regulation ensures adequate separation between the buildings and exterior lot line to accommodate all site functions. In this case, the development is oriented to have its primary façade along Southdale Road East to the north. To provide a sense of enclosure and a positive pedestrian environment, staff agree with the reduced exterior side yard setback to the north of 2.0m.

A minimum south exterior side yard depth of 6.0 metres.

The applicant has requested a reduction to the exterior side yard setback to the south property line along Jalna Boulevard to 6.0m whereas 8.0m is required. 6.0m is being requested to accommodate front yard parking spaces which are not permitted within the zoning bylaw. Staff are recommending an alternative reduced setback of 2.0m for the south exterior side yard setback to provide sufficient space interior to the site to accommodate parking and screening, landscaping, and amenity space.

A maximum density of 132 uph.

The intent of regulating densities is to ensure the appropriate intensity of development while considering and mitigating impacts to the neighbourhood (TLP 935_3). The proposed maximum density provision of 132 uph will allow for the implementation of the proposed redevelopment and will align with the intensity policies of *The London Plan* that permits a standard maximum height of 6-storeys (Table 11). In this case, the proposed residential intensity will also facilitate an appropriate scale of development that is compatible within the existing neighbourhood character, directing the increased density toward the higher order street (TLP 918_13). Additional mitigation measures will include fencing and increased landscaping to offset any potential intensity concerns.

A maximum apartment building height of 22.0 metres (6-storeys).

Within the Residential R8 Zone it is noted that heights over 13.0 metres shall be site specifically applied. This is to ensure that where appropriate and where increased heights can mitigate impacts to abutting properties, additional height may be permitted. In this case, 22.0 metres (6-storeys) is contemplated in *The London Plan* (Table 11) and will facilitate an efficient use of land (TLP 953_2).

An encroachment to balconies on apartment building of 1.5 metre projection into the exterior side yard.

The intent of encroachment regulations is to ensure that all aspects of the built form are located at an appropriate distance away from adjacent properties to mitigate impacts, including stormwater runoff and privacy concerns. In this case, the special provision will apply to the encroachment of the proposed balconies from Southdale Road East. The encroachment complies to the required 1.5 metre projection but is situated closer to the lot line than is permitted. Given the location of the balconies along the road, staff are of the opinion that the balconies will not cause adverse impacts to abutting properties.

To permit standard townhouses as an additional use.

The proposed Residential R8 Zone provides for an regulates medium density development in the form of low-rise apartments and stacked town houses. To facilitate a transition in use and intensity towards the low-density residential uses to the south, standard townhouses are proposed (TLP 953_2). Since standard townhouses are not permitted in the proposed Residential R8 Zone a special provision is recommended to permit the use. The use is considered a compatible within the existing neighbourhood context and appropriate on the subject site (TLP 918_13).

That notwithstanding Section 4.19.4) b) parking may be permitted in the south exterior yard along Jalna Boulevard.

Section 4.19.4 of the Zoning By-law states that no person shall use any land or cause or permit the use of any land situated in any zone for the purpose of parking or storage of a vehicle in any front yard or exterior side yard; and no person shall use any land or cause or permit the use of any land situated in any zone for the purpose of uncovered surface parking areas in any front yard or exterior side yard.

The intent of regulating parking locations is to encourage pedestrian-oriented streets and streetscapes through consistent designs that support and appeal to pedestrians while also promoting safety for pedestrians, cyclists, and motorists (TLP, 272_, TLP 255_). The regulation also helps to protect the existing character and aesthetic of residential neighbourhoods from the known visual impacts of parking on the streetscape (269_). This is especially important in established neighbourhoods where regulating parking locations ensures new residential development and/or intensification is sensitive too, compatible with, and fits within the existing and planned neighbourhood context (TLP, 953_1).

To address instances where the strict prohibition against front yard parking may inhibit the appropriate use of a property, Municipal Council adopted the Residential Front Yard and Boulevard Parking Policy. The policy provides an exception-based framework for the creation of front yard and boulevard parking areas for residential purposes. The baseline for approval includes demonstrating that no suitable alternative to legalizing front yard parking exists, and that the parking area exception conforms to the general intent and purpose of *The London Plan* policies and Zoning By-law regulations.

As proposed, the parking location does not mitigate for potential impacts on adjacent and nearby properties, including but not limited to traffic and access management, visual impacts of parking, and pedestrian and cyclist safety (TLP 1578_6). Alternative design considerations and site layout adjustments could be considered to accommodate parking in the rear of the townhouse dwellings or in garages, consistent with *The London Plan* and Zoning By-law. Alternatives can be reviewed by Staff the Site Plan Approval Authority.

A maximum driveway width of 4.6 metres.

The intent of regulating driveway widths is to help protect the existing character and aesthetic of residential neighbourhoods from the visual and environmental impacts of large areas of paved surfaces. The regulation also helps encourage pedestrian-oriented streets and streetscapes that mitigate potential pedestrian-vehicle conflicts. In this case, since Staff are not supportive of the location of the parking area in the exterior side yard, Staff are consequently also recommending the refusal of the increased maximum driveway width. Given the above noted concerns regarding the proposed parking location in the exterior side yard, Staff are of the opinion that an increased driveway width would further increase safety concerns and visual impacts on the character and pedestrian experience of the neighbourhood (TLP 1578_6).

Conclusion

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the subject site from a Neighbourhood Facility (NF) Zone to a Residential R8 Special Provision (R8-4(_)) Zone. Staff are recommending approval of the requested Zoning By-law Amendment with special provisions but refusing the requests to, notwithstanding Section 4.19.4) b), permit parking in south exterior yard along Jalna Boulevard and to permit a maximum driveway width of 4.6 metres.

The recommended action is consistent with the *Provincial Policy Statement, 2020 (PPS)*, conforms to *The London Plan* and will permit a permit a 6-storey, 100-unit, residential apartment building and two 2-storey, 5-unit, standard townhouse blocks, with a maximum density of 132uph. The development will facilitate the redevelopment of the subject site and will help broaden the range and mix of housing options within the area.

Prepared by: **Michaella Hynes**
Planner, Planning Implementation

Reviewed by: **Mike Corby, MCIP, RPP**
Manager, Planning Implementation

Recommended by: **Heather McNeely, MCIP, RPP**
Director, Planning and Development

Submitted by: **Scott Mathers, MPA, P. Eng**
Deputy City Manager, Planning and Economic
Development

Copy: Britt O'Hagan, Manager, Current Development
Michael Pease, Manager, Site Plans
Brent Lambert, Manager, Development Engineering

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1901
Jalna Boulevard.

WHEREAS Kindred Works has applied to rezone an area of land located at 1901 Jalna Boulevard, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this rezoning conforms 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 lands located at 1901 Jalna Boulevard, as shown on the attached map comprising part of Key Map No. A111, from a Neighborhood Facility (NF) Zone to a Residential R8 Special Provision (R8-4(_)) Zone.
- 2) Section Number 9.4 of the Residential (R8-4) Zone is amended by adding the following Special Provisions:

R8-4 () 1901 Jalna Boulevard

a) Additional Permitted Uses

- i) Standard townhouses
- ii) Community centre accessory to the apartment building with a maximum gross floor area of 300 square metres.

b) Regulations:

- i) For the purposes of Zoning, Jalna Boulevard to the west is to be considered the front lot line.
- ii) Front Yard Depth (Minimum) 6.0 metres (19.7 feet)
- iii) North Exterior Side Yard Depth (Minimum) 2.0 metres (6.6 feet)
- iv) South Exterior Side Yard Depth (Minimum) 2.0 metres (19.7 feet)
- v) Density (Maximum) 132 units per hectare
- vi) Apartment Building Height (Maximum) 22.0 metres (6-storeys)
- vii) Encroachment - Balconies on Apartment Building 1.5 metre projection into the north exterior side yard

- 3) This Amendment shall come into effect 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.

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.

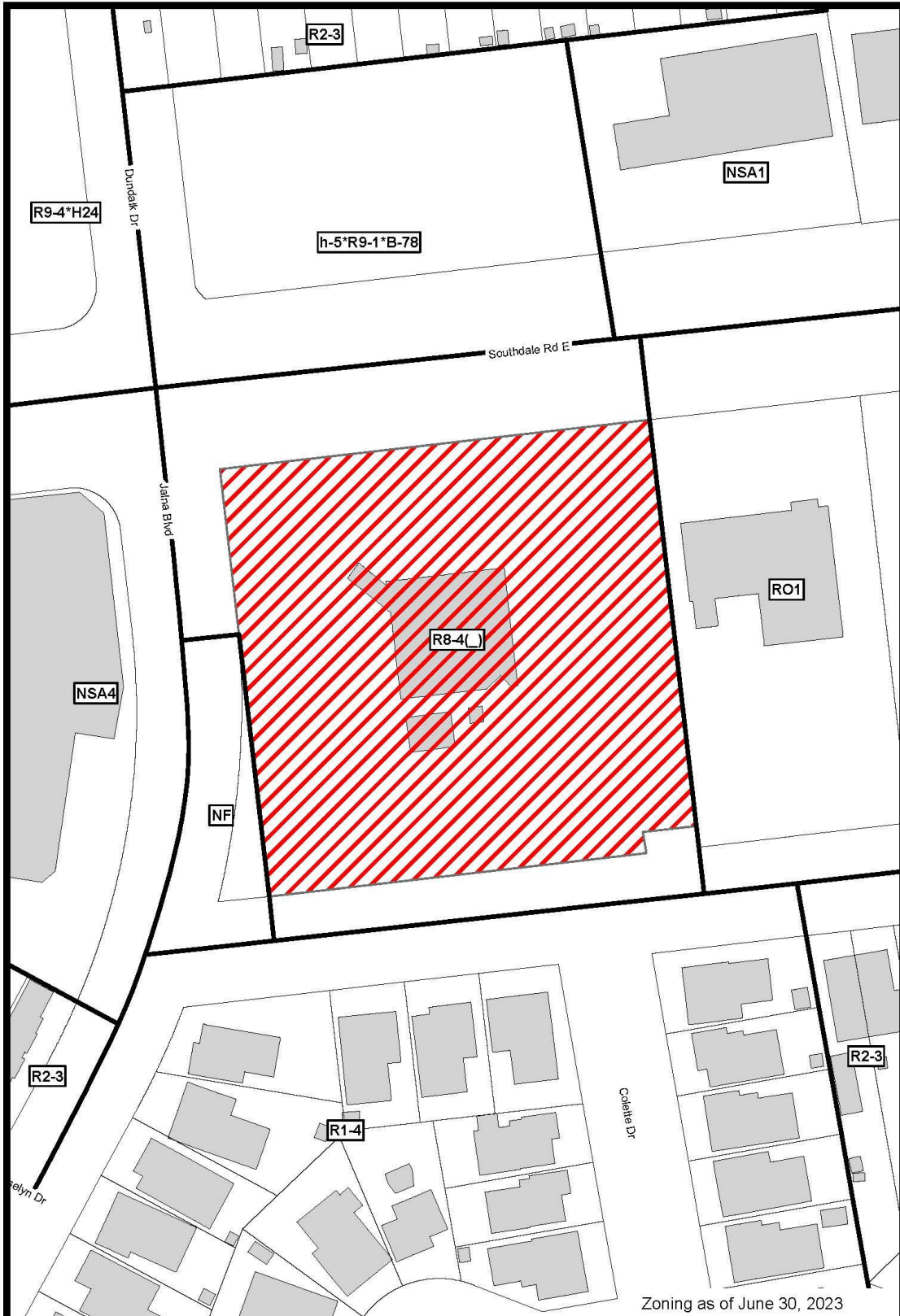
PASSED in Open Council on November 7, 2023, subject to the provisions of PART VI.1 of the *Municipal Act*, 2001.



Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – November 7, 2023
Second Reading – November 7, 2023
Third Reading – November 7, 2023

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



<p>File Number: Z-9633 Planner: MH Date Prepared: 2023/8/9 Technician: JI By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,000</p> <p>0 5 10 20 30 40 Meters</p> 
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Geodatabase

Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Place of Worship
Frontage	98 metres (Southdale Road East)
Depth	92 metres
Area	8,400 metres square (0.84 hectares)
Shape	Regular (square)
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

Surrounding Land Uses

North	Residential/ Commercial
East	Office/ Residential
South	Residential/ Neighbourhood Facility
West	Commercial/ Residential

Proximity to Nearest Amenities

Major Intersection	Southdale Road East and Jalna Boulevard (onsite)
Dedicated cycling infrastructure	Not onsite
London Transit stop	Route 10 via Southdale Road East and Route 93 via Jalna Boulevard (onsite)
Public open space	Ashley Oaks Park (135m)
Commercial area/use	Shoppers Drug Mart (26m)
Food store	Shoppers Drug Mart (26m)
Primary school	Ashley Oaks Public School (128m)
Community/recreation amenity	Earl Nichols Recreation Centre/Arena (735m)

B. Planning Information and Request

Current Planning Information

Current Place Type	Neighbourhoods at the intersection of a Civic Boulevard and Neighbourhood Connector
Current Special Policies	N/A
Current Zoning	Neighbourhood Facility (NF) Zone

Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	N/A
Requested Zoning	Residential R8 Special Provision (R8-4(_)) Zone

Requested Special Provisions

Regulation (R8-4)	Required	Proposed
Road Considered the Front Lot Line		Jalna Boulevard W
Front Yard Depth (minimum)	8.0 metres	6.0 metres
North Exterior Side Yard Depth (minimum)	8.0 metres	2.0 metres
South Exterior Side Yard Depth (minimum)	8.0 metres	6.0 metres
Density (maximum)	75 uph	132 uph
Apartment Building Height (maximum)	13.0 metres	22.0 (6-storeys)
Encroachment - Balconies on Apartment Building	1.5 metre projection into the front yard is permitted provided the projection is no	1.5 metre projection into the north exterior side yard

Regulation (R8-4)	Required	Proposed
	closer than 3.0 metres to the lot line"	
Maximum Driveway Width	3.0 metres	4.6 metres
Parking Location	Rear or Interior Side Yard	South Exterior Side Yard
Standard Townhouses	Not permitted	Permitted
Community centre accessory to the apartment building	Not Permitted	Permitted with a maximum gross floor area of 300 square metres

C. Development Proposal Summary

Development Overview

The development proposal comprises of a 6-storey, 100-unit, residential apartment building and two 2-storey, 5-unit, standard townhouse blocks, with a maximum density of 132uph.

Proposal Statistics

Land use	Residential
Form	Apartment Building and Standard Townhouses
Height	2-storeys to 6-storeys (22.0m max)
Residential units	110
Density	132 units per hectare
Gross floor area	Unknown
Building coverage	23%
Landscape open space	32%
Functional amenity space	Provided onsite
New use being added to the local community	Yes

Mobility

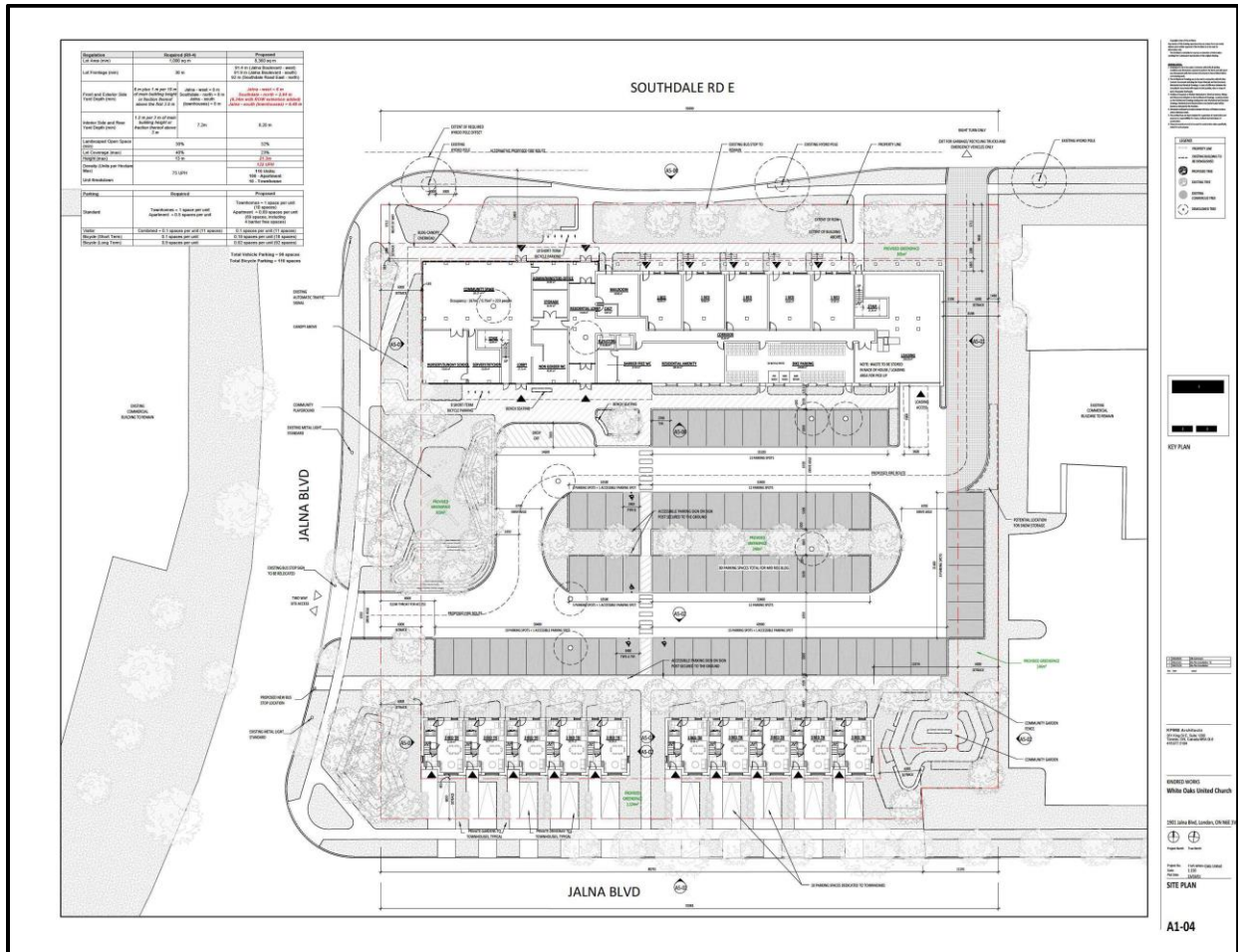
Parking spaces	79 surface parking spaces
Vehicle parking ratio	0.69 space/ unit (apartment) 1 space/unit (townhouses)
New electric vehicles charging stations	Unknown
Secured bike parking spaces	18 spaces (short term) 92 spaces (long term)
Secured bike parking ratio	0.18 spaces/ unit (short term) 0.92 spaces/ unit (long term)
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	No

Environmental Impact

Tree removals	No
Tree plantings	Yes
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	No
Green building features	Unknown

Appendix C – Additional Plans and Drawings

Concept Site Plan



Building Renderings – Building 1 facing southwest from Southdale Road East



Building Renderings – Building 1 facing northwest from Jalna Boulevard



Building Renderings – Buildings 2 and 3 facing northwest from Jalna Boulevard



Building Renderings – Buildings 2 and 3 facing southeast from subject site



Appendix D – Public Engagement

Community Engagement

Public liaison: On July 5, 2023, Notice of Application was sent to 367 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, July 6, 2022. A “Planning Application” sign was also placed on the site.

Nature of Liaison: The purpose and effect of this zoning change is to permit a 6-storey, 100-unit, residential apartment building and two 2-storey, 10-unit, townhouse blocks with parking. Possible change to the Zoning By-law Z.-1 FROM a Neighbourhood Facility (NF) Zone TO a Residential R8 Special Provision (R8-4(_)) Zone. Special provisions include: a minimum front yard depth of 6.0 metres whereas 8.0 metres is required; a minimum north exterior side yard depth of 2.0 metres whereas 8.0 metres is required; a minimum south exterior side yard depth of 6.0 metres whereas 8.0 metres is required; a maximum density of 132 units per hectare whereas 75 units per hectare is required; and a maximum height of 22.0 metres (6-storeys).

Public Responses: Four reply received.

Public Comment #1 – Received July 12, 2023

Contact Method – Phone

- Interested in learning more about the application after received a Notice of Application in the mail.

*Note: No further written comments or concerns received.

Public Comment #2 – Received July 17, 2023

Contact Method – Phone

- Who is the target population?
- Is this an affordable housing project?
- How will this impact traffic?

*Note: No further written comments or concerns received.

Public Comment #3 – Received July 19, 2023

Contact Method – Email

Hello Michaella,

I got the notice of planning application for File Z-9633 1901 Jalna Blvd earlier this month and have the following questions/comments.

1. There is already a plan for 400 Southdale road east (which is directly across the street from 1901 Jalna blvd) to add 181 apartments. This new application will add a further 100 apartments and 20 townhouses, totalling 301 new homes. What will be done to accommodate this increase in traffic, noise, pollution and litter?
2. The transportation impact assessment says the existing traffic conditions at Southdale and Jalna are acceptable, but I believe the scope of this is too narrow. Anyone living in these new buildings will have to drive either east towards wellington or west towards wonderland to get to any grocery store. The impact on Southdale road between Wonderland and Wellington should be considered. Currently it is impossible to drive on Southdale road and make two green lights in a row. The intersection of Southdale and Wharncliffe often takes two changes of the lights to make it through. It currently takes between 10 and 15 minutes to get from Jalna and Southdale to Wonderland and Southdale. This is a distance of less than 3.5 km. This should not be considered acceptable traffic. This is the current traffic before construction and in the summer. It is worse in the winter and will be terrible if all of these new apartments are built.

3. During construction what will be done to minimize noise and dirt/dust? I am concerned that I will not be able to leave windows or doors open to cool my house/provide me with fresh air.
4. How long would construction take?
5. The plan has 89 parking spaces for the 100 apartments (including visitor spaces). Given there is very little in walking distance other than houses, this does not seem like it will be enough. At least 1 parking space per apartment seems like the logical minimum.
6. The application calls for a building that is practically double the current allowable height. 22 meters is too tall for this area. This will be by far the tallest building on the south side of Southdale. This will block off a significant portion of sunlight/sky throughout the year. A building the same height as the shopper's drug mart across the street (+/- 3 meters) seems more reasonable for the area and will also alleviate most of the concerns above.
7. Potential traffic back up caused when someone wants to turn left from Jalna into the new apartment building (red arrow in picture below). There is no space for cars travelling along Jalna to go around a car that is waiting to turn. Given how close the driveway is to southdale road this should be considered.



8. Open space and greenery is nice. The city shouldn't be trying to cram buildings into every possible space. With 181 apartments being built across the street, do we really need 100+ more houses right across the street. There are so many empty buildings downtown, why are those not being converted into apartments?

Public Comment #4 – Received July 26, 2023
Contact Method – Email

Hello

I am writing with concerns regarding the Zoning By-Law Amendment for 1901 Jalna Blvd.

I am concerned with the size of the residential apartment building and then also adding two 2-storey, 10-unit, townhouse blocks with parking. That seems to be a lot for the size of the property.

Jalna Blvd is busy enough traffic wise already. Where are all of these people going to park?

The corner of Jalna Blvd and Jalna Blvd where the Shoppers Drug Mart is is extremely busy with traffic. Currently there is no lights or 4 way stop. This issue needs to be addressed.

There are a lot of kids that walk along this street going to and from school and they need to be able to cross the street without worrying about cars turning and hitting them.

Are these buildings all rentals or are they going to be sold as condos?

Is there going to be town hall meetings regarding this issue or is this a done deal?

Thank you for your time.

Appendix E – Internal and Agency Comments

UTRCA – Received July 7, 2023

- The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*.
- The UTRCA has no objections to the application, and we have no Section 28 approval requirements.

Parks Planning – Received July 14, 2023

Matters for Site Plan

- Parkland dedication for this development is required and will be taken in form of cash-in-lieu in accordance with By-law CP-25.

Urban Design – Received July 17, 2023

Matters for ZBA

- This application is scheduled to attend UDPRP on July 19, 2023, and a memo will be provided outlining the comments made by the panelists at the meeting. A Comment Response Table outlining in detail the applicant's response to the UDPRP comments is required. Please provide the Comment Response Table as well as any updated drawings that reflect any revisions made to address the UDPRP comments.
- This site is located in the Neighbourhoods Place Type in The London Plan [TLP] along a Civic Boulevard which contemplates the proposed use and height. Urban Design staff are supportive of the proposed development, and recommend the following be addressed:
- The applicant is commended for providing a site and building design that incorporates individual unit entrances along Southdale Road E, for providing the principal building entrance(s) along the street, for incorporating a mix of uses within the proposed apartment building, for providing a large number of programmed outdoor amenity and landscaped areas, and for directing the height and intensity toward the higher order street. We encourage the applicant to continue to incorporate these design features as the proposal moves through the development process.
- The following special provisions are recommended:
 - Maximum setbacks for both the apartment building and townhouses from the public ROW to ensure the proposed built form fosters a comfortable pedestrian environment along the street(s).
 - Maximum height for the apartment building and townhouses.
 - Minimum ground floor height of 4.5m for the apartment building.

Matters for Site Plan

- The proposed apartment building should be designed to address its corner location through massing, architectural details, and location of entrances [TLP 290].
 - Locate the principal building entrance close to the intersection of Southdale Road E and Jalna Boulevard to assist with wayfinding and provide activation for both street frontages.
- Include an enhanced side elevation for the townhouse unit flanking the street (the unit with its side facing Jalna Boulevard). Include the same level of architectural detail on the street-flanking façade as is found on the front elevation (size and number of windows, wrap-around porches, materials, architectural features, etc.) [TLP 285, 286].
- Architecturally differentiate the entrance(s) to the community facility use from the entrance(s) to the residential lobby with signage, massing, architectural detailing, etc. to assist with wayfinding [TLP 289].

- Visually screen any surface parking exposed to the public street(s) with enhanced all-season landscaping [TLP 278].
- Rooftop mechanical penthouses and equipment should be screened from view and/or incorporated into the overall building design [TLP 296].
- Confirm the location(s) of garbage pick-up and/or loading areas (if applicable) and ensure they are screened from view from public streets and/or pedestrian connections [TLP 266].
- Provide a full set of dimensioned elevations for all sides of the proposed buildings. Further comments may follow upon receipt of the elevations.

London Hydro – Received July 18, 2023

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant’s expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. **Note:** Transportation 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 blanket easement.

Landscape Architecture – Received July 2, 2023

- I do not have any comments to provide on the ZBA for 1901 Jalna.

Heritage – Received July 26, 2023

- 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 requirements for (Z-9633):
 - Archaeological Services Inc., Stage 1 Archaeological Assessment of 1901 Jalna Boulevard, Part of Lot 29, Concession 2, Geographic Township of Westminster, County of Middlesex, Now in the City of London (PIF P361-0119-2022) November 25, 2022.
- Please be advised that heritage planning staff recognizes the conclusion of the report that states: “The Stage 1 field review confirmed that the subject property does not retain any landscape integrity or archaeological potential due to previous extensive and pervasive ground disturbances. As such, it is recommended that no further archaeological assessment of the property be required.”
- An Ontario Ministry of Citizenship and Multiculturalism (MCM) archaeological assessment compliance letter has also been received, without technical review, dated February 13, 2023 (MCM Project Information Form Number P361-0119-2022, MCM File Number 0017807).
- Archaeological conditions can be considered satisfied for this application at 1901 Jalna Boulevard.

Site Plan – Received July 26, 2023

Matters for ZBA

- The driveway widths appear to be wide enough to accommodate more than 1 vehicle (with the sidewalk extension ending at the municipal sidewalk). In accordance with the Zoning By-law Z.-1, Section 4.191, for street-oriented townhouse dwellings in cluster form, the maximum driveway width leading to a parking area shall be no greater than 3 metres for a single car garage and no greater than 6 metres when leading to a two-car garage. A separate regulation applies if these are proposed to be freehold street townhouse dwellings. Applicant is to verify to determine if an additional special provision is required for drive-way widths.
- Applicant to verify the balconies for the apartment building meet the encroachment provisions for Section 4.27 in the Zoning By-law Z.-1. Balconies on apartment buildings are permitted to encroach 1.5 metres provided the projection is no closer than 3.0 metres to the lot line.

Matters for Site Plan

- Accessible parking stalls are to contain a 1.5 metre access aisle.
- Applicant to clarify the intent of the garbage collection. Is there a drop-off area external to the building? Or is the intent for collection vehicles to utilize the loading space?
- The short-term bicycle parking stalls along Southdale Road East are to be relocated to be fully on private property.
- Shift the lay-by slightly to the east to provide a better radius for turning movements.

Engineering – Received July 28, 2023

Matters for ZBA

TIA Comments

- Please note that the TIA is missing the Appendices and are to be submitted to complete the review of the TIA.

Site Design Comments

- There has been significant concern with the design and location of “right turn only exit” access along Southdale Rd. It is anticipated to be misused by traffic residential traffic and therefore we do not support proposed access. It should be removed, and overall site needs to be redesign.
- Proposed lay-by is not accessible, and it is recommended to relocate north side abutting building.
- Access to the Loading and waste collection area needs to be reoriented in absence of Southdale Rd access.

Ecology – Received September 3, 2023

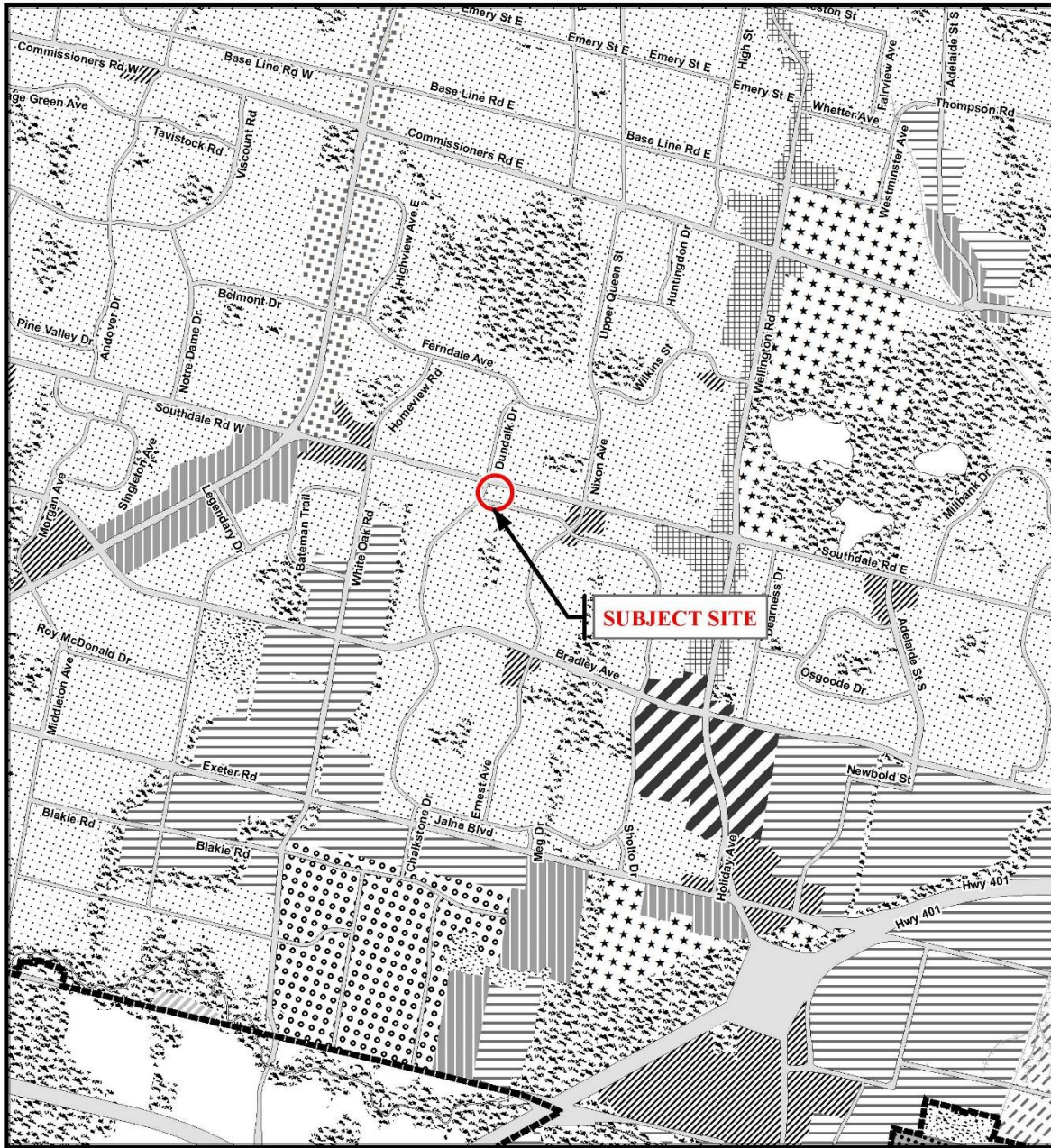
- This e-mail is to confirm that there are currently no ecological planning issues related to this property and/or associated study requirements.
- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation. Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-25 and will be finalized at the time of site plan approval.

Engineering – Received September 13, 2023

- Transportation doesn't have any other concern for this development to address at Zoning. We'll review right-out only access on Southdale Rd part of the Site Plan process.

Appendix F – Relevant Background

The London Plan – Map 1 – Place Types



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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

<p>CITY OF LONDON Official Plan LONDON PLAN MAP 1 - PLACE TYPES -</p> <p>PREPARED BY: Planning & Development</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>File Number: Z-9633 Planner: MH Technician: JI Date: 2023/8/9</p>
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Project Location: \\cfile1\giswork\Planning\Projects\p_officialplan\workconsol00\excerpts_LondonPlan\mxds\Z-9633_Map1_PlaceTypes.mxd

Appendix G – Applicant’s Reply to UDPRP Comments

Urban Design Peer Review Panel Comments – Applicant Response

Address of Development Site: 1901 Jalna Boulevard

Date of Panel Meeting: 07-19-2023

Comment:

The panel commends the proponents for a clear presentation, and a sensible site plan and building massing. The proposed mid-rise building fronting on Southdale Road East and townhouses facing on Jalna Boulevard are an appropriate transition on site from the mid-rise on major transit street to the low-rise neighborhood. The proponent is commended for the intention of providing 30% affordable units and for consideration of mass timber construction.

Applicant Response:

Noted.

Comment:

The panel suggests that the proponent review the intention for the future development of the right-of-way along Southdale Road east with City staff. If the large boulevard is to remain and could be planted with trees as shown, the building setback could be appropriate. However, if the city intends to implement road widening, consider the comments below:

a. The setback on Southdale Blvd is suggested to be increased to allow for some landscape planting space between the proposed walkway and individual unit entrances. Suggest a minimum 3m landscape space to improve the quality of these living spaces at the ground floor facing a major street.

b. Alternatively, the panel suggest considering that the 7-storey mid-rise building could contain retail space on the ground floor along Southdale road, rather than individual apartments. There is already retail frontage along Southdale with the Shopper’s Drug Mart on the west side of Jalna Boulevard. Retail space at grade could allow for the tighter set-back to remain.

Applicant Response:

Accommodating an increased setback on Southdale Blvd will have a significant impact on site and building design. The project will explore redesigning the landscape buffer between the ground floor unit entrances and the proposed walkway to improve the quality of those living spaces. The project will not explore Option B noted above; providing retail space does not align with the client’s intended program.

Comment:

The panel recommends reconsideration of the parking pads for the townhouse units currently shown along Jalna Boulevard to the south. Ideally parking should be located internal to the site away from public views and the pedestrian frontage. If the parking pads need to stay on the street, consider pairing parking spaces to reduce the number of curb cuts. Townhouse entrances and garages could also be paired to better reflect the double garage and driveway character of the south side of Jalna Boulevard.

Applicant Response:

The project will maintain the proposed townhouse parking pads as they are appropriate to the neighborhood context and character of Jalna Boulevard. As such, the project will not explore pairing the parking spaces together. Also, the project will not internalize the parking spaces at the site as there is insufficient area to support additional parking spaces in the site core.

Comment:

The panel suggests consideration be given to removing 3-4 parking spaces from the parking area adjacent to the Jalna Boulevard driveway entrance. This will help enhance the landscape buffer and character along Jalna Boulevard.

Applicant Response:

The project will not remove the parking spaces adjacent to Jalna Blvd as they are essential to the marketability of the apartment units.

Comment:

The panel suggests considerations be given to a consolidated greenspace/amenity space by relocating the community garden to the southwest corner of the site. A consolidated space will offer much greater flexibility for programming.

Applicant Response:

The project will not consider consolidating the greenspace to the southwest corner of the site as the site cannot accommodate this change without eliminating one or two townhouses or several parking spaces. The project supports the separate greenspaces as they are each contextually appropriate and sensitive to the scale of their location.

Comment:

The panel notes that it appears a portion of sod along the west edge of the 7-storey building is covered by a canopy. Note that irrigation will need to be provided if soft landscape is to remain as shown. Otherwise, walkways and gardens could be reconfigured to avoid planting areas being covered by the canopy.

Applicant Response:

The project will ensure adequate irrigation and daylighting for all areas of landscape.

Comment:

The panel commends the proponent for thoughtful and strong consideration of architectural character. The proposed buildings are handsome and generally well resolved.

Applicant Response:

Noted.

Comment:

The panel suggests that the corner townhouses should take advantage of the proposed green space by having the elevations facing the green spaces designed like front facades. We suggest considering moving the end townhouse entrances to face the proposed green spaces.

Applicant Response:

The project has considered reorienting the landscaping at the end townhouses to face the proposed green spaces, however, the project will maintain the current townhome configuration due to site constraints and privacy concerns for the end townhouse entrances.

Comment:

The panel recommends further consideration be given to the transition space between the private amenity spaces at the north edge of the townhouses, and the adjacent public walkway and parking spaces. We suggest considering strategies for improving privacy and landscape buffer including a change in grade, hedges, gardens, and/or low transparent fencing with gates.

Applicant Response:

The project will consider enhancing the landscaping elements between the townhouses and adjacent public walkways and parking areas to improve privacy and quality of the pedestrian experience.



Zelinka Priamo Ltd.

LAND USE PLANNERS

October 19, 2023

Chair Lehman & Committee Members
Planning and Environment Committee
City of London
300 Dufferin Street
London, ON
N6B 3L1

**Re: Application for Zoning By-law Amendment
United Property Resource Corporation
1901 Jalna Boulevard**
City File: Z-9633
Our File: UPR/LON/22-01

We are pleased to provide the Members of the Planning and Environment Committee (“PEC”) with the following information regarding the above-noted Zoning By-law Amendment application (“ZBA”), further to our review of the Staff Report, dated October 23, 2023.

The proposed ZBA would permit the development of a 6-storey apartment building with 100 units, and 10 townhouse dwelling units. Kindred Works, the applicant, is proposing to rent approximately 30% of the units at an affordable rate.

We have reviewed the Staff Recommendation, and appreciate the overall recommendation for approval of the proposed zoning amendment. However, we respectfully disagree with the Staff Recommendation to refuse certain requested site-specific provisions, and implement the proposed (alternative) zoning amendment that Staff have provided for your consideration, for the following reasons:

1. Permit Parking in Exterior Side Yard

The ZBA requests permission for parking in the south exterior side yard to provide dedicated parking for the townhouse units. The Staff Recommendation is to refuse to permit parking in the south exterior side yard for the proposed townhouse units.

In our opinion, the requested parking location is appropriate in this instance, based on the following:

- The subject lands are bounded by public Rights-of-Way on three sides (north, south, west). By definition, there is no interior side yard for the subject lands, and the rear yard is along the east side of the property, where parking would be

- permitted. Street townhouses with private driveways proposed along the north side of Jalna Boulevard represent an appropriate transition from the larger built form on Southdale Road to the low-density neighbourhood of single-detached dwellings to the south. This type of use and form could not be accommodated elsewhere on the site and still meet the overall objectives of the client to provide affordable housing, together with sound planning and urban design principles.
- Driveways are permitted in the exterior side yard only where said driveway leads directly to a private garage. If the proposed driveway led to a garage, City staff would be supportive of the requested exterior side yard parking since the garage would be deemed the legal parking area, regardless of where the car is parked. In reality, tenants and/or visitors will park their vehicles in the driveway, regardless if a garage is present on the property, as private garages can sometimes be used for other household purposes (i.e. storage). However, in the interest of maximizing interior living space and keeping development costs low, garages are not proposed for the townhouse units as part of this development.
 - The proposed exterior side yard parking will provide private parking spaces which are directly accessible for the proposed townhouse units, in a manner which is similar to the surrounding neighbourhood context (including the south side of Jalna Boulevard, directly across from the subject lands), considers affordability, and makes efficient use of the subject lands. Landscaping features will be utilized to contribute to a strong pedestrian realm and visually screen parked vehicles.
 - City staff have suggested reducing the exterior side yard depth for the townhouses in order to accommodate parking at the rear. This option was suggested by City staff previously and explored; however, it was confirmed that the exterior side yard reduction would not create enough space to provide sufficient parking for the proposed townhouses, as well as accommodating the parking needs of the apartment and community centre uses. Furthermore, the provision for exterior side yard parking will allow for the separation of parking for the apartment and community centre from the townhouses, thereby ensuring adequate parking for all residents.

2. Permit Increased Driveway Width

The Staff recommendation refuses to permit a maximum driveway width of 4.6m. The requested provision would recognize the entire width of the driveway and a pedestrian sidewalk connection which is adjacent to the driveway leading to the townhouse units.

It is our opinion that the requested driveway width is desirable and appropriate for the following reasons:

- The intent of the requested provision will accommodate a 3.0m driveway, suitable to park one vehicle, and a pedestrian connection adjacent to the driveway, leading directly from Jalna Boulevard to the door of the townhouse unit. This sidewalk connection promotes active transportation and activates the street.
- City staff have included a request for the Site Plan Approval Authority to consider utilizing different material to distinguish the pedestrian sidewalk and the driveway. We are not opposed to implementing this suggestion, as it is an affordable solution that will have aesthetic benefits.
- City staff are concerned that two vehicles will be parked using the driveway and the pedestrian sidewalk. The minimum driveway width required for one parked vehicle is 2.75m, and 5.5m for two parked vehicles. Therefore, two cars could not be accommodated within the proposed 4.6m-wide driveway.

As noted, we have no concerns with Staff's recommendation to permit the proposed development within the R8 Zone category, subsequent to the following special provisions, as per the ZBA, are included:

- A minimum front yard depth of 6.0m;
- A minimum north exterior side yard depth of 2.0m;
- A minimum south exterior side yard depth of 6.0m;
- A maximum building height of 22.0 metres;
- A maximum density of 132 UPH;
- A maximum encroachment for a balcony on an apartment of 1.5m;
- A maximum driveway width of 4.6m;
- Parking permitted in the south exterior side yard;
- Include standard townhouses as a permitted use; and,
- Include a community centre accessory to an apartment building with a maximum gross floor area of 300m².

In our opinion, we have satisfactorily addressed all of the relevant comments received relating to access, parking, pedestrian connections, and building setbacks. As noted above, our client is also proposing to include affordable units as part of the proposed development.

On behalf of our client, we thank you for the opportunity to provide the above information in advance of the October 23rd PEC meeting, and look forward to your consideration of

the ZBA, as proposed by our client. We believe that the proposed development will be a positive addition to the neighbourhood and will provide much needed housing opportunities.

The undersigned will be in attendance to address PEC and to answer any questions regarding the proposed development.

If you have any questions, please do not hesitate to contact the undersigned.

Yours very truly,

ZELINKA PRIAMO LTD.



Laura Jamieson, B.Sc.
Planner



Harry Froussios, BA, MCIP, RPP
Principal Planner

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Subject: Old Oak Properties
610-620 Beaverbrook Avenue
File Number: OZ-9517, Ward 13

Date: October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of Old Oak Properties relating to the property located at 610-620 Beaverbrook Avenue:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting on November 7, 2023 to amend the Official Plan, The London Plan, to **ADD** a new Specific Policy to the Neighbourhoods Place Type to permit two, five (5) storey apartment buildings and to **ADD** the subject lands to Map 7 – Specific Policy Areas – of The London Plan;
- (b) the proposed by-law attached hereto as Appendix "B" **BE INTRODUCED** at the Municipal Council meeting on November 7, 2023 to amend Zoning By-law No. Z.-1, in conformity with the 1989 Official Plan, and the Official Plan, The London Plan for the City of London as amended in part (a) above), to change the zoning of the subject property **FROM** an Urban Reserve (UR1)) Zone and a Holding Residential R5 (h*R5-7) Zone **TO** a Residential R8 Special Provision (R8-4() Zone;
- (c) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) Provide a building step down to 4-storeys to the north to provide appropriate height transition from abutting low-rise residential buildings;
 - ii) Screen the parking structure with the building facing Beaverbrook Avenue, and ensure that parts of the structure visible from the street are adequately screened with enhanced all-seasoned landscaping;
 - iii) Relocate the garbage loading/pick-up area away from the view from the public realm;
 - iv) Ensure there is a safe pedestrian connection from the city sidewalk to the north entrance of the east building for pedestrians leaving and arriving to the north;
 - v) Consider common outdoor amenity spaces (e.g., sit-out areas, rooftops gardens etc.) on the 5th floor terraces;
 - vi) Update the tree preservation plan, and/or provide adequate soil volumes for required perimeter plantings;
 - vii) Consider reducing the number of parking spaces on site and provide for increased landscaped open space;
 - viii) Ensure sidewalk widths are a minimum of 1.5m and increased to 2.1 metres wherever parking abuts a sidewalk;
 - ix) Ensure barrier-free stalls are located closer to the main buildings entrances and/or extend the access aisle crossings;
 - x) Consider relocating the move-in loading room closer to the loading area to avoid moving trucks parking within the main drive-aisle;
 - xi) Provide glass railings that are bird friendly;
 - xii) Ensure there is a minimum setback of 2.5m from parking to habitable space and provide landscaping or built elements to mitigate headlight

- glare;
- xiii) Provide a delineation between ground floor patios and the public realm and include lockable front doors for ground level units to encourage street activation;
- xiv) Ensure that the proposed parking structure is designed in a way that balances privacy, safety and headlight mitigation (e.g. lattice fence, brise-soleil structure, perennial plants, hardscaping etc.); and
- xv) Ensure Low Impact Development measures are incorporated to minimize any drainage impacts.

IT BEING NOTED, that the above noted amendments are being recommended for the following reasons:

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
2. The recommended amendment conforms to the policies of The London Plan, including but not limited to the Key Directions, City Building policies, the Neighbourhoods Place Type policies, the Zoning to the Upper Maximum policies, and the Evaluation Criteria for Planning and Development Applications policies;
3. The recommended amendment would permit development at a transitional scale and intensity that is appropriate for the site and the surrounding neighbourhood;
4. The recommended amendment facilitates the development of an underutilized site within the Built-Area Boundary and Primary Transit Area with an appropriate form of development.

Executive Summary

Summary of Request

The applicant has requested to amend The London Plan to add a Specific Policy to the Neighbourhoods Place Type to permit two 5-storey apartment buildings.

The applicant has also requested to rezone the subject site **FROM** an Urban Reserve (UR1) Zone and a Holding Residential R5 (h*R5-7) Zone **TO** a Residential R8 Special Provision (R8-4() Zone. Special provisions would permit a minimum front yard setback of 4.5 metres, whereas 8.0 metres is required; a minimum rear yard setback of 5.1 metres whereas 7.6 metres is required; a maximum building height of 17.0 metres whereas 13.0 metres is required; and a minimum landscaped open space of 24% whereas 30% is required.

Purpose and the Effect of Recommended Action

The recommended action will permit two, 5 storey apartment buildings with a total of 184 residential units with a density of 150 units per hectare.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
- **Housing and Homelessness**, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

October 2006 - OZ-7198 – 610 Beaverbrook Avenue

1.2 Planning History

An Official Plan Amendment and Zoning By-law Amendment application (OZ-7198) was submitted in 2006 to rezone 610 Beaverbrook Avenue from an Urban Reserve (UR) Zone to a Holding Residential R5 (h*R5-7) Zone.

Regarding the current application, it was originally submitted prior to The London Plan coming into full force and effect, so the policies of the 1989 Official Plan still applied. The applicant has since revised the application and The London Plan is in full force and effect.

1.3 Property Description and Location

The subject lands consist of two lots, 610 and 620 Beaverbrook Avenue. The lands are located on the west side of Beaverbrook Avenue, between Proudfoot Lane to the north and Sugarcreek Trail to the south, in the West London Planning District in Ward 13. The lands are currently vacant – 610 Beaverbrook Avenue originally contained a single detached dwelling which was demolished in 2010.

The lands are located in a predominantly medium to high density residential area, with forms including townhouses, stacked townhouses, and apartment buildings and small-scale commercial and community uses. Lower-density residential uses are located further to the south, along Riverside Drive. The lands are also adjacent to Mount Pleasant Cemetery and Sugarcreek Park.

Site Statistics:

- Current Land Use: Vacant
- Frontage: 102 metres (500 feet)
- Area: 1.2 hectares (2.9 acres)
- Shape: regular
- Located within the Built Area Boundary: Yes
- Located within the Primary Transit Area: Yes

Surrounding Land Uses:

- North: townhouse condominium
- East: Mount Pleasant Cemetery
- South: single detached dwelling, future stacked townhouse development
- West: Sugarcreek Park

Existing Planning Information:

- Existing London Plan Place Type: Neighbourhood fronting a Neighbourhood Connector
- Existing Special Policies: Primary Transit Area
- Existing Zoning: 610 Beaverbrook Avenue – Holding Residential R5 (h*R5-7)
620 Beaverbrook Avenue – Urban Reserve (UR1)

Additional site information and context is provided in Appendix C.



Figure 1- Aerial Photo of 610 and 620 Beaverbrook Avenue and surrounding lands



Figure 2 - Streetview of 610-620 Beaverbrook Avenue (view looking west)

2.0 Discussion and Considerations

2.1 Development Proposal

The subject lands are proposed to be developed for two, 5-storey, residential apartment buildings containing a combined total of 184 residential units, with a density of 150 units per hectare.

Vehicular parking is proposed in a parking deck between the two buildings with 236 parking spaces proposed for a parking ratio of 1.26 spaces per unit.

Common outdoor amenity areas are provided around the perimeter of the buildings blending into Sugarcreek Park. A large portion of the proposed building mass is to be oriented close to Beaverbrook Avenue to reinforce the streetscape and provide a strong street edge.

The proposed development includes the following features:

- Land use: Residential
- Form: Apartment buildings
- Height: 5 storeys (17m)
- Residential units: 184
- Density: 150 units / hectare
- Building coverage: 29%

- Parking spaces: 236 structured
- Bicycle parking spaces: 184
- Landscape open space: 24%

Additional information on the development proposal is provided in Appendix C.

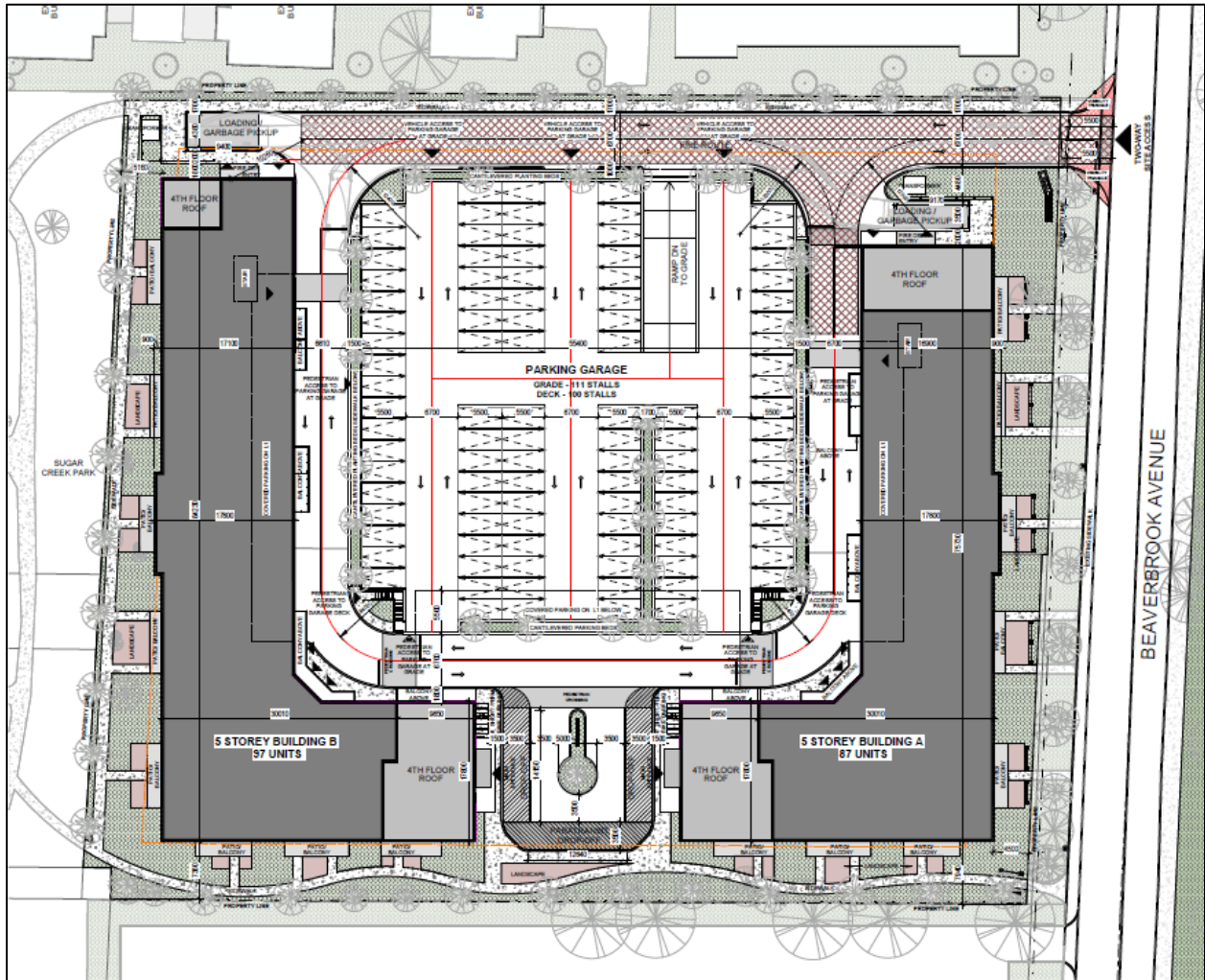


Figure 3 - Conceptual Site Plan (August 2023)



Figure 4 – Elevations (August 2023)



Figure 5 – Renderings (August 2023)

2.2 Requested Amendment(s)

The applicant has requested to amend The London Plan to add a Specific Policy to the

Neighbourhoods Place Type to permit two, 5-storey apartment buildings.

The applicant has further requested to rezone the subject site from an Urban Reserve (UR1) Zone and a Holding Residential R5 (h*R5-7) Zone to a Residential R8 Special Provision (R8-4()) Zone with the following proposed special provisions.

Regulation (R8-4())	Required	Proposed
Minimum front yard setback	8.0m	4.5m
Minimum rear yard setback	7.6m	5.1m
Maximum height	13.0m	17.0m
Minimum landscaped open space	30%	24%

2.3 Internal and Agency Comments

The application and [associated materials](#) were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- parking
- site functionality and design
- trees

Detailed internal and agency comments are included in Appendix D of this report.

2.4 Public Engagement

On September 8, 2023, a Revised Notice of Application was sent to 184 property owners and residents in the surrounding area. A Revised Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 21, 2023. A “Planning Application” sign was also placed on the site.

There were ten responses plus a petition received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Trees
- Lack of green space
- Intensity
- Density
- Height
- Traffic
- Privacy
- Drainage
- Sunlight

Detailed public comments are included in Appendix E of this report.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The *Provincial Policy Statement, 2020* (PPS) 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). As well, the PPS directs planning authorities to provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area (1.4.1).

The policies of the PPS direct planning authorities to identify appropriate locations and promote opportunities for transit-supportive development and accommodating a significant supply and range of housing options through intensification and redevelopment where it can be accommodated. The PPS also takes 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) and is supportive of development standards which facilitate intensification, redevelopment, and compact form (1.1.3.4). 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 use land, resources, infrastructure, public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed, are promoted by the PPS (1.4.3d)).

Lastly, the PPS is supportive of development standards which facilitate intensification, redevelopment, and compact form (1.1.3.4) and identifies that long term economic prosperity should be supported by encouraging a sense of place by promoting a well-designed built form, and by conserving features that help define character (1.7.1 e)).

The recommended amendment is consistent with the PPS as it will permit a more compact and intense form of development. The amendment will contribute to providing an appropriate range and mix of housing options and densities essential to meeting the projected requirements for current and future residents. The development creates an appropriate land use pattern and makes efficient use of an underutilized property within an established neighbourhood and settlement area. The proposed development represents an appropriate form of residential intensification, which assists in avoiding the need for unjustified, and uneconomical, expansion of land. It should also be noted that the proposed development has access to bus transit facilities and nearby commercial uses that assist in supporting a complete community.

The London Plan, 2016

Planning and Development Applications

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

Specific Policy Areas

The London Plan includes conditions for evaluating the appropriateness of Specific Area Policies where the applicable Place Type policies would not accurately reflect the

intent of City Council with respect to a specific site or area (TLP 1729-1734).

The following conditions apply when considering a new Specific Area Policy:

1. The proposal meets all other policies of the Plan beyond those that the specific policy identifies.
2. The proposed policy does not have an adverse impact on the integrity of the place type policies or other relevant parts of this Plan.
3. The proposed use is sufficiently unique and distinctive such that it does not establish an argument for a similar exception on other properties in the area.
4. The proposed use cannot be reasonably altered to conform to the policies of the place type.
5. The proposed policy is in the public interest and represents good planning.

Staff are of the opinion that all the above conditions have been met. The area surrounding the subject lands primarily consists of a mix of low to high rise residential uses. The recommended amendment would permit a form of residential intensification that is appropriately buffered from the abutting low-rise residential uses and contributes to the mix of housing options in the neighbourhood. The proposed development would also maximize the use of the land to accommodate appropriate residential density within the neighbourhood thereby allowing existing residents to age in place whilst efficiently taking advantage of existing municipal services and facilities.

Zoning to the Upper Maximum

To provide certainty and to ensure that impacts of the additional height are mitigated, a site-specific zoning by-law amendment is required to exceed the standard maximum height in The London Plan. This will provide assurance that measures, such as special provisions and Site Plan considerations, will be implemented to address public and Council concerns.

Staff are of the opinion that the proposed zoning provisions sufficiently mitigate the impacts of the additional height.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Land Use

The site is located within the Neighbourhoods Place Types of The London Plan, with frontage on a Neighbourhood Connector, in accordance with Map 1 – Place Types and Map 3 – Street Classifications.

Table 10 – Range of Permitted Uses in Neighbourhoods Place Type, shows the range of primary and secondary permitted uses that may be allowed within the Neighbourhoods Place Type, by street classification (921_). At this location, Table 10 would permit a range of low-rise residential uses including: single detached dwellings, semi-detached dwellings, duplex dwellings, converted dwellings, townhouses, and triplexes.

Policy 916_3 of the Neighbourhoods Place Type identifies key elements for achieving the vision for neighbourhoods, which includes a diversity of housing choices allowing for affordability and giving people the opportunity to remain in their neighbourhoods as they age if they choose to do so. Furthermore, policy 918_2 states that neighbourhoods will be planned for diversity and mix and should avoid the broad segregation of different housing types, intensities, and forms.

The proposed apartment buildings are not a contemplated use in accordance with Table 10, along a Neighbourhood Connector. Therefore, a Specific Policy to permit apartment buildings as a permitted use on the subject site is required. In staff's opinion the

proposed use is appropriate with the surrounding context which is predominately made up of medium to high density residential type uses. The current range of permitted uses in the Neighbourhood Place Type does not fully optimize the development potential of the subject lands which is capable of accommodating greater levels of intensity through an apartment building. Staff believe the use will provide an efficient use of land and is compatible amidst the existing residential uses in the area and meets the criteria to support a special policy.

4.2 Intensity

Table 11 - Range of Permitted Heights in the Neighbourhoods Place Type, provides the range of permitted heights based on street classification (935_1). At this location, Table 11 would permit a standard maximum building height of 4 storeys. There is no upper maximum height for the subject site. The applicant has requested an Official Plan Amendment to add a Specific Policy to the Neighbourhoods Place Type to permit apartment buildings at an upper maximum height of 5 storeys, exceeding the permitted four storeys.

Policy 1638_ states that applications to exceed the standard maximum height will be reviewed on a site-specific basis. In order to provide certainty and to ensure that the features required to mitigate the impacts of the additional height and densities are provided, a site-specific Zoning By-law amendment is required to exceed the standard maximum height (1640_). Through the amendment process the community, City Council and other stakeholders can be assured that measures will be implemented to mitigate any impacts of additional height or density. Increases in building height above the standard maximum may be permitted where the resulting intensity and form of the proposed development represents good planning within its context (1641_).

The proposed development has been reviewed from a form-based perspective to evaluate the appropriateness of the proposed intensity and to ensure the site is of a sufficient size to accommodate it. The requested amendment has also been reviewed in accordance with the Evaluation Criteria for Planning and Development Applications contained in policies 1577_ to 1579_ of the Our Tools section of The London Plan. Specifically, the application has been reviewed on the degree to which the proposal fits within its context.

Staff are satisfied that appropriate mitigation measures including but not limited to building step downs, setbacks, and the position of the buildings with the access along the north are provided to justify the additional building height as discussed in Section 4.5 of this report. Given the surrounding context and existing range of heights and intensity, the proposed two, 5-storey apartment buildings are considered appropriate and compatible within the neighbourhood context. As such, staff are satisfied the proposed intensity is in conformity with the criteria for Zoning to the Upper Maximum and the Evaluation Criteria for Planning and Development Applications.

4.3 Form

The London Plan encourages compact forms of development as a means of planning and managing for growth (7_, 66_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (59_2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59_8).

Within the Neighbourhoods Place Type, and according to the urban design considerations for residential intensification, compatibility and fit will be evaluated from a form-based perspective through consideration of the following: site layout in the context of the surrounding neighbourhood; building and main entrance orientation; building line and setback from the street; height transitions with adjacent development; and massing appropriate to the scale of the surrounding neighbourhood (953_2.a. to f.).

In addition to the Form policies of the Neighbourhoods Place Type, all planning and development applications will conform with the City Design policies of The London Plan

(841_1). These policies direct all planning and development to foster a well-designed building form, and ensure development is designed to be a good fit and compatible within its context (193_1 and 193_2). The site layout of new development should be designed to respond to its context, the existing and planned character of the surrounding area, and to minimize and mitigate impacts on adjacent properties (252_ and 253_).

Building Orientation and Built Form

The application was reviewed by the Urban Design Peer Review Panel. The Panel was generally supportive of the proposed development, commending the proponents for the quality of the submission, and the quality of the proposed design. A previous iteration of the development included the two buildings oriented in a backwards C-shape with larger masses towards the north and south property lines and parking structure facing the park. The Panel and staff advised that the buildings be rotated to the current U-shape in order to provide greater frontage along the street and park, and to screen the parking and provide a buffer to the north. As a result of those comments, the applicant rotated the development so the built form addressed both Beaverbrook Ave and Sugarcreek Park resulting in a more appropriate form of development for the site. The Panel's full comments and the applicant's response are contained in Appendix D.

The proposed buildings have been sited close to the front and rear lot lines, with the greatest mass oriented along Beaverbrook Ave and Sugarcreek Park to the west to limit impacts to the south and north. Access is proposed along the north side of the property to provide further buffering between the proposed built form and low-rise land use to the north. Through the recommended zoning regulations and direction to the site plan approval authority, an appropriate transition in height will be provided towards adjacent development. These recommendations include side yard setback regulations, access location and step downs to ensure the massing is appropriate to the scale of the surrounding neighbourhood. While the applicant has requested reduced front and rear yard setbacks, the reduced setbacks would facilitate an urban character that better aligns with modern urban design principles, creating a strong street wall, and setting the context for a comfortable pedestrian environment. The U-shape orientation of the buildings allow for substantial separation from adjacent land uses and stepping down to preserve access to sunlight and minimize overlook into rear yard amenity spaces.

Parking and Vehicular Access

Vehicular access is proposed off Beaverbrook Ave leading to a parking structure containing 236 parking spaces (1.26 spaces per unit) and bicycle parking of 184 spaces. All the parking is located to the interior of the development which limits visual impacts of the parking on Beaverbrook Ave and surrounding uses. Section 4.19 of Zoning By-law Z.-1 requires parking for apartment buildings at a rate of 0.5 spaces per unit, therefore the applicant is proposing more than twice the minimum required.

Outdoor Amenity Area

Common outdoor amenity areas are proposed around the exterior of the buildings with paths connecting the development to Beaverbrook Ave and Sugarcreek Park to the west. While the applicant is commended for providing a reasonably-sized outdoor amenity area, staff would encourage the application to provide additional amenity areas on the property. As the applicant is proposing a significant oversupply in parking, there is opportunity to explore alternative options to reduce the number of parking spaces to accommodate this increase in amenity space. These details will be reviewed and determined in greater detail at a future Site Plan Approval stage.

Staff are satisfied the revised development and site design has adequately addressed comments from staff and the Panel. Further design refinements, including landscaping details and final determination of the common outdoor amenity area(s), will occur through the detailed design at a future Site Plan Approval stage. As such, staff are satisfied the proposed development and built form are in conformity with policies of The London Plan.

4.4 Issue and Consideration #6: Zoning

In addition to the requested Specific Policy the applicant has also requested to rezone the subject site from an Urban Reserve (UR1) Zone and a Holding Residential R5 (h*R5-7) Zone to a Residential R8 Special Provision (R8-4() Zone. Special provisions would permit a minimum front yard setback of 4.5 metres, whereas 8.0 metres is required; a minimum rear yard setback of 5.1 metres whereas 7.6 metres is required; a maximum building height of 17.0 metres whereas 13.0 metres is required; and a minimum landscaped open space of 24% whereas 30% is required.

Front and Rear Yard Depth

In the Residential R8 Zone, minimum front and exterior side, interior side, and rear yard depths are established relative to building height resulting in larger setbacks for taller buildings. However, larger front yard depths are generally less conducive to achieving a street-oriented and transit-oriented building design. The reduced front yard and rear yard depth reflects current urban design standards in The London Plan, which encourage buildings to be positioned with minimal setbacks to public rights-of-way to create a street wall/edge that provides a sense of enclosure within the public realm (259). Staff have no concerns with the requested reductions, as they facilitate a development that is better oriented towards Beaverbrook Ave and Sugarcreek Park, consistent with the City Design policies in The London Plan.

Building Height and Building Step Downs

Staff are satisfied the requested two 5-storey buildings height with step down to 4-storeys are appropriate for the site. As discussed in section 4.3 of this report, the increase in height is appropriate for the site and has been mitigated to ensure there will be no adverse impacts on adjacent properties. Minimum setback requirements captured in the recommended amendments ensure adequate separation between the building and adjacent properties. The stepping down of the height to 4 storeys towards the north will reduce the privacy and shadow impacts on the adjacent townhouses. As such, staff is satisfied the proposed development is appropriate and provides for higher intensity, transit-oriented development.

Conclusion

The recommended amendment is consistent with the Provincial Policy Statement, 2020 and conforms to the policies of The London Plan, including but not limited to the Key Directions, City Building policies, Neighbourhoods Place Type policies, and the Evaluation Criteria for Planning and Development Applications policies. The recommended amendment would permit development at a transitional scale and intensity that is appropriate for the site and the surrounding neighbourhood, and facilitates the development of an underutilized site within the Built-Area Boundary and Primary Transit Area with an appropriate form of development.

Prepared by: Alanna Riley, MCIP, RPP
Senior Planner, Planning Implementation

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Cc: Britt O'Hagan, Manager, Current Development
Michael Pease, Manager, Site Plans
Brent Lambert, Manager, Development Engineering

Appendix A

Bill No. (number to be inserted by Clerk's Office)
2023

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

A by-law to amend the Official Plan, The
London Plan for the City of London, 2016
relating to 610-620 Beaverbrook Avenue

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 Official Plan, 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 November 7, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – November 7, 2023
Second Reading – November 7, 2023
Third Reading – November 7, 2023

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

A. PURPOSE OF THIS AMENDMENT

The purpose of this Amendment is to facilitate the proposed infill development at 610-620 Beaverbrook Avenue by permitting apartment buildings and an upper maximum height of five storeys on the property.

B. LOCATION OF THIS AMENDMENT

This Amendment applies to lands located at 610-620 Beaverbrook Ave in the City of London.

C. BASIS OF THE AMENDMENT

The site-specific amendment would allow for two, 5-storey apartment buildings. The proposed amendment is considered appropriate as it is consistent with the Provincial Policy Statement, 2020, conforms to The London Plan, including but not limited to the Key Directions, City Building policies, and the Specific Policy Area policies in Our Tools. The recommended amendment would permit development at a transitional scale and intensity that is appropriate for the site and the surrounding neighbourhood; and facilitates the development of an underutilized site within the Built-Area Boundary and Primary Transit Area with an appropriate form of development.

D. THE AMENDMENT

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

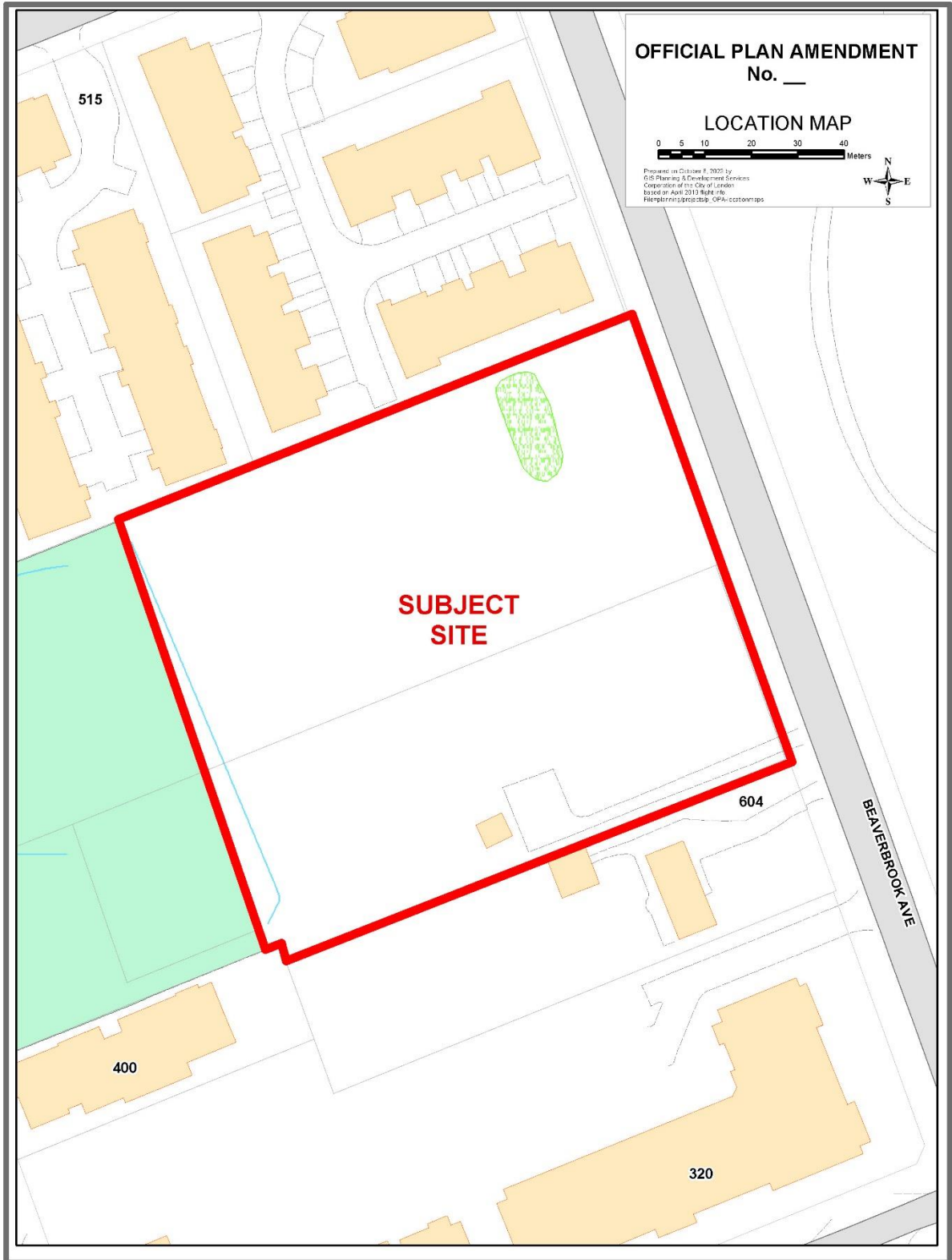
1. Specific Policies for the Neighbourhoods Place Type of the Official Plan, The London Plan, for the City of London is amended by adding the following:

(___) 610-620 Beaverbrook Avenue

For lands in the Neighbourhoods Place Type located at 610-620 Beaverbrook Avenue, as shown on Map 7 – Specific Policy Areas, apartment buildings shall be permitted in addition to the uses identified in Table 10, with an upper maximum height of five (5) storeys.

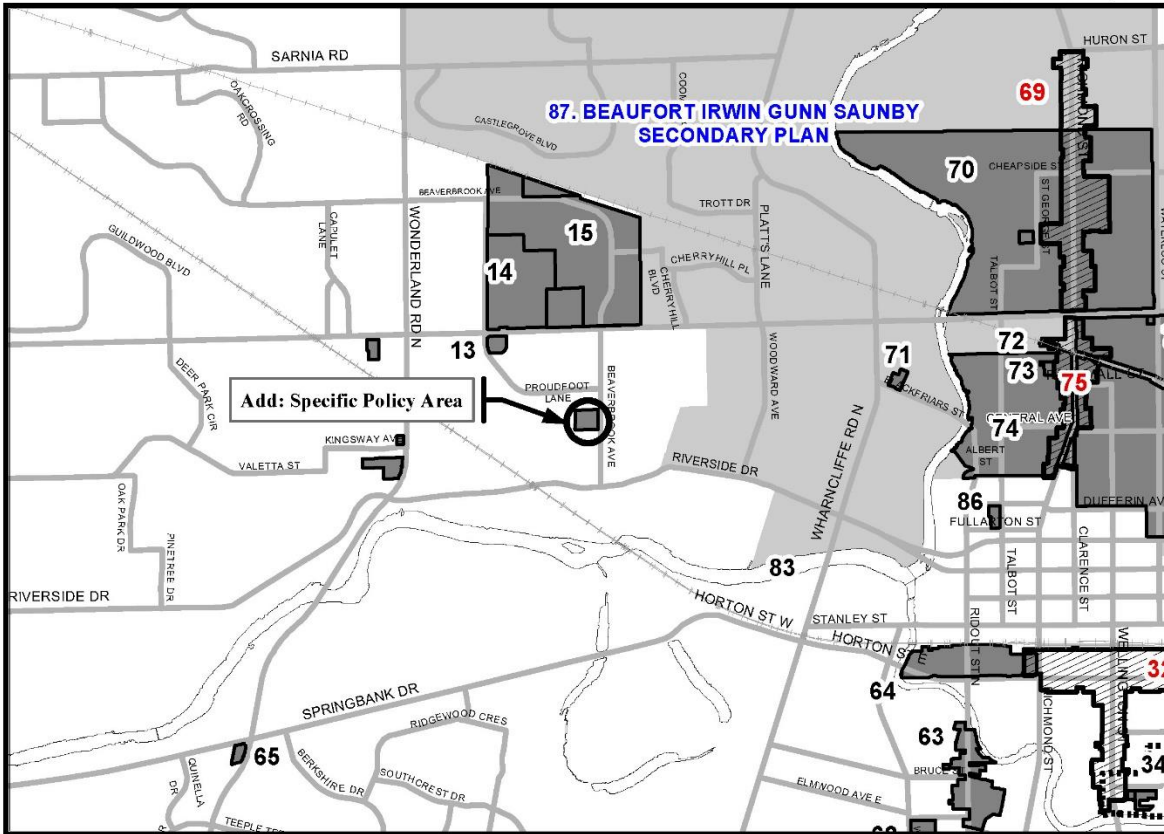
2. Map 7 - Specific Policy Areas, to the Official Plan, The London Plan, for the City of London Planning Area is amended by adding a Specific Policy Area for the lands located at 610-620 Beaverbrook Avenue in the City of London, as indicated on “Schedule 2” attached hereto.

Schedule 1



Schedule 2

AMENDMENT NO:



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.

<p>SCHEDULE # TO</p> <p>OFFICIAL AMENDMENT NO. _____</p> <p>PREPARED BY: Planning & Development</p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9517</p> <p>PLANNER: AR</p> <p>TECHNICIAN: RC</p> <p>DATE: 7/13/2022</p>
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Appendix B

Bill No.(number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-_____

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 610-
620 Beaverbrook Avenue.

WHEREAS Old Oak Properties has applied to rezone an area of land located at 610-620 Beaverbrook Avenue, 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 lands located at 610-620 Beaverbrook Avenue, as shown on the attached map comprising part of Key Map No. A106, **FROM** an Urban Reserve (UR1) Zone and a Holding Residential R5 (h*R5-7) Zone **TO** a Residential R8 Special Provision (R8-4(_)) Zone.
- 2) Section Number 12.4 of the Residential R8 Zone is amended by adding the following Special Provisions:

R8-4(_) 610-620 Beaverbrook Avenue
 - a) Regulations
 - i) Front Yard Depth (minimum): 4.5 metres
 - ii) Rear Yard Depth (minimum): 5.0 metres
 - iii) North Interior Side Yard Depth (minimum): 10.0 metres
 - iv) Height (maximum): 17 metres
 - v) Landscaped Open Space (minimum): 24%
- 3) 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.

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.

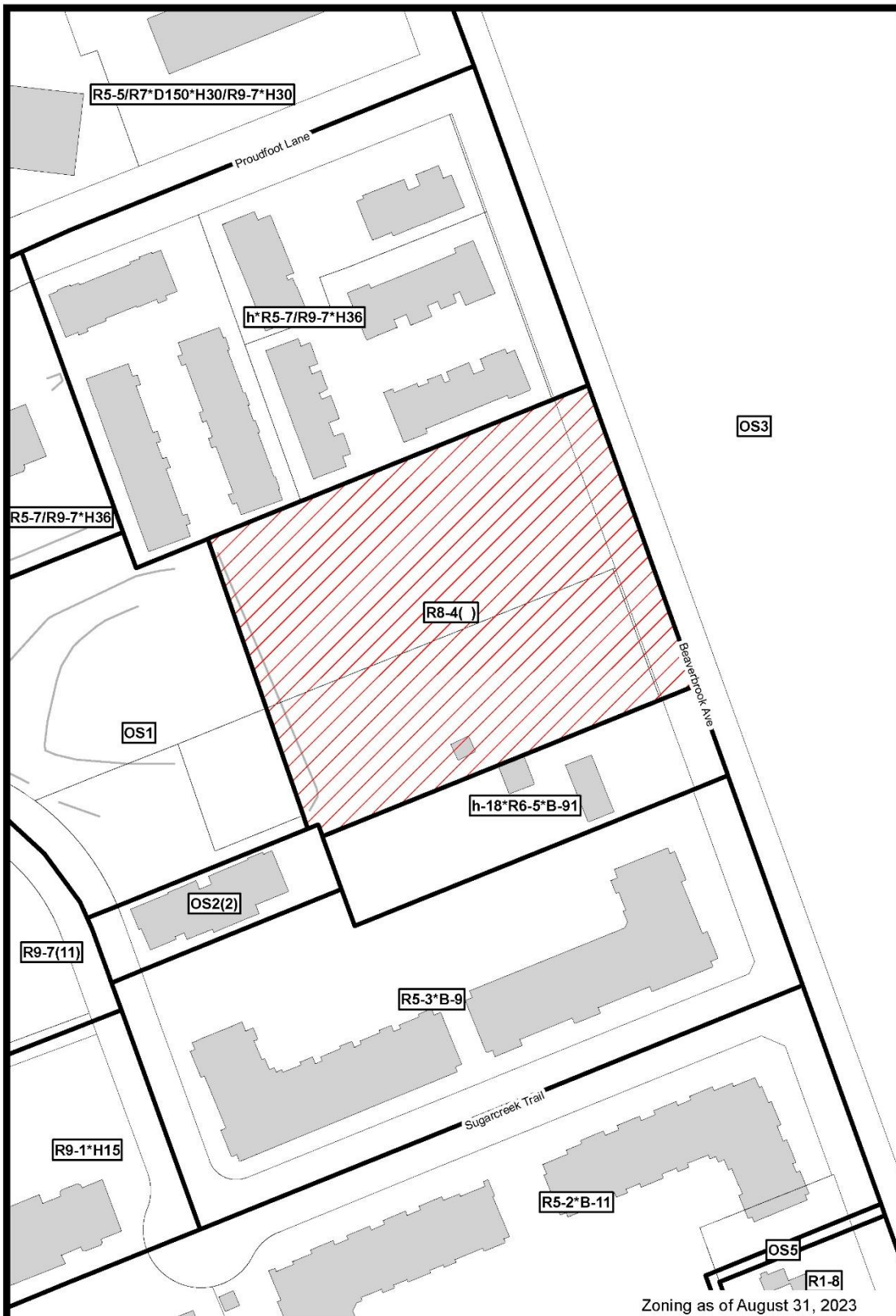
PASSED in Open Council on June 27, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.




Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – November 7, 2023
Second Reading – November 7, 2023
Third Reading – November 7, 2023

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



<p>File Number: OZ-9517 Planner: AR Date Prepared: 2023/10/06 Technician: RC By-Law No: Z.-1-</p>	<p>SUBJECT SITE </p> <p>1:1,500</p> <p>0 5 10 20 30 40 Meters </p> <p></p>
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Geodatabase

Appendix C - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Vacant
Frontage	102 metres (500 feet)
Area	1.2 hectares (2.9 acres)
Shape	Regular
Within Built Area Boundary	Yes
Within Primary Transit Area	Yes

Surrounding Land Uses

North	Townhouse condominium
East	Mount Pleasant Cemetery
South	Single detached dwelling, future stacked townhouse development
West	Sugarcreek Park

Proximity to Nearest Amenities

Major Intersection	Beaverbrook Avenue & Oxford Street West, 400m
Dedicated cycling infrastructure	Riverside Drive, 300m
London Transit stop	Riverside Drive (Route 19), 300m
Public open space	Sugarcreek Park, adjacent
Commercial area/use	Cherryhill Mall, 1.1km
Food store	Metro (Cherryhill Mall), 1.1km
Primary school	Eagle Heights Public School, 1.0km
Community/recreation amenity	Sugarcreek Park, adjacent

B. Planning Information and Request

Current Planning Information

Current Place Type	Neighbourhood Place Type, Neighbourhood Connector
Current Special Policies	Primary Transit Area
Current Zoning	610 Beaverbrook Ave – Holding Residential R5 (h*R5-7) 620 Beaverbrook Ave – Urban Reserve (UR1)

Requested Designation and Zone

Requested Place Type	N/A
Requested Special Policies	Permit two, 5-storey apartment buildings
Requested Zoning	R8-4()

Requested Special Provisions

Regulation (R8-4())	Required	Proposed
Minimum front yard setback	8.0m	4.5m
Minimum rear yard setback	7.6m	5.1m
Maximum height	13.0m	17.0m
Minimum landscaped open space	30%	24%

C. Development Proposal Summary

Development Overview

The subject lands are proposed to be developed for two, 5-storey, residential apartment buildings containing a combined total of 184 residential units, with a density of 150 units per hectare. 236 parking spaces are proposed on an above grade parking deck. Common outdoor amenity areas are provided around the perimeter of the building and blending into Sugarcreek Park.

Proposal Statistics

Land use	Residential
Form	Apartment buildings
Height	5 storeys (17 metres)
Residential units	184
Density	150 units per hectare
Building coverage	29%
Landscape open space	24%
New use being added to the local community	No

Mobility

Parking spaces	236 structured
Vehicle parking ratio	1.26 spaces per unit
New electric vehicles charging stations	Unknown
Secured bike parking spaces	184
Secured bike parking ratio	1 space per unit
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	Yes

Environmental Impact

Tree removals	131
Tree plantings	Unknown
Tree Protection Area	No
Loss of natural heritage features	N/A
Species at Risk Habitat loss	N/A
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	No
Green building features	Unknown

Appendix D – Internal and Agency Comments

First Submission Comments

Urban Design – Received August 10, 2022

- The proposed building and site design should incorporate the following as part of the Zoning By-Law Amendment application before proceeding to Site Plan Application.
 - Provide a full set of dimensioned elevations for all sides of the proposed buildings with materials and colours labelled. Further urban design comments may follow upon receipt of the elevations.
 - Locate built form along Park frontage in addition to the Beaverbrook Avenue frontage in order to provide for built and active edges to these public interfaces and also providing appropriate transition to the 2 storey townhomes located towards the North of the site.
 - Eliminate the parking structure along the park to provide a better interface. Explore opportunities to locate alternative low-rise (2 to 3 storeys) housing forms along park frontage such as townhouses or stacked townhouses with individual entrances off walkways along Sugarcreek Park boundary and garages accessed from rear as opposed to the proposed landscape terrace wall to activate the public interface along the Sugarcreek Park.
 - Reduce the apparent overall massing and length (over 100m) along East-West by breaking up each building into separate buildings or through creative massing using materials, recesses, projections, and fenestration.
 - Ensure to include active ground-floor uses on both the street-facing and park-facing elevations, such as individual residential unit entrances, amenity rooms, lobbies, the principal building entrance, etc.
 - The active uses along Beaverbrook Avenue including Primary building entrances and amenity areas are acknowledged. Provide individual unit entrances with walkway connection from City Sidewalk to the 2-Bed unit facing Beaverbrook Avenue.
 - Design the parking to be one level underground as opposed to structured parking to minimize the visual impact of the parking structure from the street as well for the units facing internally to the parking bays. This could facilitate additional units at ground levels as well as two storey units along the park frontage.
 - Provide a network of pedestrian walkways that connect to the adjacent park, the building entrances, and the public sidewalk on Beaverbrook Avenue.
 - The pedestrian connection provided along the North edge of the site is acknowledged. Provide a similar pedestrian connection along South property edge connecting the City Sidewalk and Sugarcreek Park with walkway connections from ground floor residential units.

Site Plan – Received August 10, 2022

Comments are as follows:

1. Based on comments provided at the time of SPC and by the UDPRP, the proponent is strongly encouraged to do underground parking given the cost and maintenance of green roofs.
2. Through the previous process, staff were looking for more direct pedestrian connections to the park at the rear – even through the current parking configuration. Currently, the only connection is along the north side of the site. Given the parks proximity, staff are not looing for a large outdoor common

amenity space but rather looking for these pedestrian connections to make the park more accessible to residents.

3. The current parking configuration does not provide for safe pedestrian connections to the building. Pedestrians are required to walk through the parking area to reach the building. Provide pedestrian connections to the building internal to the sites parking area.

London Hydro – Received July 6, 2022

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

Upper Thames Conservation Authority – Received June 16, 2022

The subject lands **are not** affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the *Conservation Authorities Act*. The UTRCA therefore has no objections to this application and Section 28 approvals are not required.

Landscape Architect – Received August 9, 2022

I have reviewed the Tree Assessment report prepared by RKLA in April 2022. I have no concerns about the report's accuracy and format. The inventory captured 145 individual trees within the subject site, within 3 meters of the legal property boundary, and in the City ROW of Beaverbrook Avenue. All (98) trees located within subject site are proposed for removal due to construction impacts. Twenty-nine trees are proposed for removal off site or on the shared property line with 604 Beaverbrook.

No species classified as endangered or threatened under the Ontario Endangered Species Act, 2007, S.O. 2007, c. 6 were observed during the tree inventory.

The site is not within or adjacent to a City of London Tree Protection Area.

All trees over 50cm dbh are protected by the City's Tree Protection By-law until Site Plan approval. Removal permits would be required until that time. Any person who contravenes any provision of this By-law is guilty of an offence. A permit convicted under this By-law is liable to a minimum fine of \$500.00 and a maximum fine of \$100,000.00, where the fine is not a set fine.

At Site Plan review, the applicant will be required to provide:

- consent from City of London for removal of three trees (tree ID #s 59,60 & 61) from the City ROW along Beaverbrook Ave due to construction impacts. Request could include tree #144 depending on actions of adjacent developer in road allowance adjacent to 604 Beaverbrook. Confirm with the developer of 604 Beaverbrook Ave that they are coordinating with the City for the removal of one tree from the City ROW along Beaverbrook Ave (tree ID #144)

consent from the owner of 604 Beaverbrook Ave for the removal of 29 trees offsite or on property line.

Parks Planning – Received June 23, 2022

Parks Planning and Design staff have reviewed the submitted notice of application and offer the following comments:

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

The site abuts Sugarcreek Park to the west and the following is to be considered at the time of site plan approval:

- The proposed sidewalk / pathway over the development lands for access from Beaverbrook Ave to Sugarcreek Park will require an easement for public use if

implemented, and all maintenance on the easement lands will not be the responsibility of the City

- Parks Planning & Design will review the detailed servicing and grading plans when the formal site plan application is submitted. Please clearly show how the pathway connection into the park will not negatively impact grading, drainage, or existing trees within the park, along with restoration to City Park standards for topsoil and seed.
- Any special provisions tied to the park can be confirmed after drawing review

Ecology – Received September 16, 2022

- Zoning amendment to allow two 3-storey stacked townhouse buildings with a total of 24 residential units. A maximum density of 70 units per hectare.
- This e-mail is to confirm that there are currently no ecological planning issues related to this property and/or associated study requirements.

Major issues identified

- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

Ecology – complete application requirements

- None.

Notes

- None.

Engineering – Received August 9, 2022

- The City of London's Environmental and Engineering Services Department offers the following comments with respect to the aforementioned zoning application:

The following items are to be addressed during the re-zoning application stage:

Wastewater

- The report is satisfactory however the applicant will need to provide a copy of the reference plan and easement agreement to confirm access to the described outlet.

The following items are to be considered during a future site plan application stage:

Wastewater

- According to the accepted area plan 22786, the proposed lands are tributary to 200mm diameter sanitary sewer on Sugarcreek Trail.

As set out on the accepted sanitary area plan and design sheet, the anticipated proposed population will exceed the allocated.

As part of a complete application, the Applicant's consulting engineer is to submit a servicing report that includes the capacity design of the downstream sanitary system to Proudfoot lane, maximum population and maximum flows will be generated based on the proposed zone as well as sanitary routing/connection to the ultimate intended municipal sanitary outlet. The owner is to clearly identify how the lands will connect to municipal outlet.

Sewer Engineering' expectation is that the holding provision remain in place until outlet and capacity can be addressed and demonstrated to satisfaction of the SED and the City Engineer.

- **Water**

- - Municipal water servicing is available from 250mm watermain on Beaverbrook Avenue fronting the site.
 - If building ownership will be condominium or there is potential separate ownership, separate municipal water services should be provided to each building.
 - Additional comments will be provided at the time of application and will be based on City's Design Standards.

- **Stormwater:**

- - Specific comment for this site
 - As per as-constructed 22785, the site at C=0.50 is tributary to the existing 375mm storm sewer and maintenance hole R7B at the west end of the site. The applicant should be aware that any future changes to the C-value will require the applicant to demonstrate sufficient capacity in this pipe and downstream systems to service the proposed development as well as provide on-site SWM controls. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
 - However, the City cannot confirm this storm connection/pdc exists to service the property. In order to service the proposed site(s) the applicant will be required to construct these sewers; these works shall be in accordance with City Standards.
 - The Developer shall be required to provide a Storm/Drainage Servicing Report demonstrating that the proper SWM practices will be applied to ensure on-site controls are designed to reduce/match existing peak flows from the 2 through 100 year return period storms.
 - The number of proposed parking spaces exceeds 29, the owner shall be required to have a consulting Professional Engineer confirming how the water quality will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Applicable options are outlined in the Stormwater Design Specifications & Requirements Manual.
 - The proposed land use of a high density residential triggers the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
 - Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high groundwater elevation. Please note that the installation of monitoring wells and data loggers may be required to properly evaluate seasonal groundwater fluctuations. 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.
 - 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 find more information and an application form at the following: <http://www.london.ca/residents/Water/water-bill/Pages/Water-and-Wastewater-Rates.aspx>.

- An Operations and Maintenance manual should be provided as a separate report/manual identifying any implemented/constructed LIDs. For examples of such report contents please refer to the following website <https://cvc.ca/low-impact-development/lid-maintenance-monitoring/>
- As per 9.4.1 of The Design Specifications & Requirements Manual (DSRM), all multi-family, commercial and institutional block drainage is to be self-contained. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely convey the 250 year storm event.
- Additional SWM related comments will be provided upon future review of this site.
- General comments for sites within the Mud Creek Subwatershed
- The subject lands are located in the Mudcreek Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Mudcreek Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
- The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
- The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
- The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
- Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
- An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP (formerly MOECC) standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

Transportation:

- Road Widening requirement 10.75m from centerline along Beaverbrook Ave;
- Consider a different configuration for access to underground parking, a sightline analysis may be required to determine safety of conflicting vehicle movements;
- Detailed comments regarding access to be provided through Site Plan.

Heritage – Received August 9, 2022

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 requirements for (Z-9517):

- Amick Consultants Limited. Stage 1-2 Archaeological Property Inspection, 610-620 Beaverbrook Avenue [...] Middlesex County, Ontario (PIF P038-1175-2021), April 11, 2022.

Please be advised that heritage planning staff recognize the conclusion of the report that states that: “[a]s a result of the Stage 2 Property Assessment of the study area, no archaeological resources were encountered. Consequently, the following recommendations are made:

1. No further archaeological assessment of the study area is warranted;
2. The provincial interest in archaeological resources with respect to the proposed undertaking has been addressed;
3. The proposed undertaking is clear of any archaeological concern.” (p2)

An Ontario Ministry of Heritage, Sport, Tourism, Culture Industries (MHSTCI) archaeological assessment compliance letter has also been received dated May 26, 2022 (MHSTCI Project Information Form Number P038-1175-2021, MHSTCI File Number 0015950).

Archaeological conditions can be considered satisfied for this application.

Second Submission Comments

Landscape Architecture – Received May 23, 2023

1. Development and Planning's Landscape Architect does not support the reduced setback from the west property line of 3m. Tree planting along interior property lines is a requirement of a Site Application. The reduced area will not be able to accommodate, surface drainage features, tree planting and vegetative screening to the adjacent public park or provide sufficient soil volume to support required tree vitality. The required setback of 7.6m to be enforced.

2. Four CoL boulevard trees are proposed for removal [59, 60, 61, 144]. To remove a City Tree from a boulevard, contact Forestry Dispatcher at trees@london.ca with details of your request for removal. Proof of payment issued by Forestry Operations is a requirement of Site Plan approval. A recommendation for proof of payment will be forwarded for Site Plan review.

3. Twenty-nine trees growing off site or on the property line shared with 604 Beaverbrook Ave are proposed for removal. Boundary trees are protected by the province's Forestry Act 1998, c. 18, Sched. I, s. 21. It is the responsibility of the developer to adhere to the Forestry Act legislation and to resolve any tree ownership issues or disputes. Consent to injure or remove boundary trees is a requirement of Site Plan approval. A recommendation for letters of approval will be forwarded for Site Plan Review..

4. All trees over 50cm dbh are protected by the City's Tree Protection By-law until Site Plan approval. Removal permits would be required until that time. Any person who contravenes any provision of this By-law is guilty of an offence. A permit convicted under this By-law is liable to a minimum fine of \$500.00 and a maximum fine of \$100,000.00, where the fine is not a set fine.

Parks Planning – Received May 25, 2023

Parks Planning and Design staff have reviewed the submitted notice of application and offer the following comments:

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-25 and will be finalized at the time of site plan approval.

The site abuts Sugarcreek Park to the west and the following is to be considered at the time of site plan approval:

- The proposed sidewalk / pathway (s) over the development lands for access from Beaverbrook Ave to Sugarcreek Park will require an easement(s) for public use if implemented, and all maintenance on the easement lands will not be the responsibility of the City
- Parks Planning & Design will review the detailed servicing and grading plans when the formal site plan application is submitted. Please clearly show how the pathway connection(s) into the park will not negatively impact grading, drainage, or existing trees within the park, along with restoration to City park standards for topsoil and seed.
- Any special provisions tied to the park can be confirmed after drawing review

Heritage – Received July 18, 2023

- The comments remain the same for the revised application on this property.
 - Heritage Impact Assessment Report – sufficient to fulfill requirements.
 - To mitigate potential impacts:
 - On the final conceptual townhouse layout, ensure the status of 1186 Fanshawe Park Road East is clearly identified as a LISTED property on the City's Register of Cultural Heritage Resources.
 - Due to the proximity of the proposed development, a permanent

- fence should be installed along that shared west boundary between 1186 Fanshawe Park Road East and 1208 Fanshawe Park Road East post-construction.
 - Additional landscape buffering along the boundary of 1186 and 1208 Fanshawe Park Road East to be considered as part of site plan approval.
- Archaeological Assessment requirements have been satisfied for this application.

Ecology – Received June 1, 2023

Official Plan and Zoning amendments to allow two, 5-storey apartment buildings

This e-mail is to confirm that there are currently no ecological planning issues related to this property and/or associated study requirements.

Major issues identified

- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

Ecology – complete application requirements

- None.

Notes

- None.

UTRCA – Received September 18 18, 2023

- The subject lands are not affected by any regulations (Ontario Regulation 157/06) made pursuant to Section 28 of the Conservation Authorities Act.
- The UTRCA has no objections to the application, and we have no Section 28 approval requirements.

London Hydro – Received September 26, 2023

- Servicing the above proposed should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearance from L.H. infrastructure is mandatory. A blanket easement will be required. **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 blanket easement.

Urban Design – Received September 19, 2023

Matters for Zoning

1. The Applicant is commended for incorporating the following site and building design features:
 - Providing an active frontage along Sugar Creek Park by orienting the built form with windows, balconies, entrances facing the park and patios extending into the setbacks with direct walkways leading to the park
 - Reducing the apparent length of the built form and breaking up each building through creative massing using materials, recesses, projections, and fenestrations
 - Providing pedestrian connections along the North and South property edge connecting the City Sidewalk and Sugarcreek Park with walkway connections from ground floor residential units.
2. A step back of minimum 5m above the 4th floor should be provided on the north side to allow for an appropriate transition towards the 2-storey townhouses and mitigate any shadow and overlook issues. Refer to The London Plan [TLP, 298]

Matters for Site Plan

1. Consider limiting the parking structure till the extent of the building facing Beaverbrook Avenue. Alternatively, ensure that the part of the structure visible from the street is adequately screened with enhanced all-seasoned landscaping. [TLP, 273]
2. Relocate the garbage loading/pick-up area away from the view of the public realm. [TLP, 266]
3. Ensure there is a safe pedestrian connection from the city sidewalk to the north entrance of the building facing Beaverbrook Avenue for pedestrians leaving and arriving to the north. [TLP, 255]
4. Common outdoor amenity spaces (e.g., sit-out areas, rooftops gardens etc.) on the 5th floor terraces are highly encouraged. [TLP, 295, 666, 667]

Engineering – Received September 15, 2023

Water

Matters for Site Plan

- Water is available via the municipal 250mm PVC watermain on Beaverbrook Ave.
- Separate Water service for each apartment building will be required.
- Our record shows the property is being serviced by 1/2" servicing from 250mm PVC watermain on Beaverbrook Ave. The existing water service to be decommissioned to City Standard (cut and capped at watermain) and each severed lots is required to have their new separate municipal water service connection.
- The Site is in the City's low Level service area, which has a hydraulic grade line of 301.8 m.
- A water servicing report will be required addressing domestic demands, fire flows, water quality.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system. Each separately owned buildings shall have a separate water service connection to the municipal water system.

Site Plan – Received September 15, 2023

1. Major Issues

- N/A

2. Matters for OPA/ZBA

- Reduce the number of parking stalls on site and provide for increased landscaped open space. The site is significantly over-parked.
- Sidewalk widths are to be a minimum of 1.5 metres and increased to 2.1 metres wherever parking abuts a sidewalk.

3. Matters for Site Plan

- The barrier-free stalls are to be located closer to the main building entrance and/or extend the access aisle crossings.
- Minor site design matters such as fire route sign locations, short-term bicycle parking, snow storage etc., will be addressed through the Site Plan Approval process.
- The moving room is noted however, consider relocating this closer to the loading area to avoid moving trucks parking within the main drive-aisle.

Appendix E – Public Engagement

Community Engagement

Notice of Application:

Public liaison: On June 16, 2022, Notice of Application was sent to property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, June 16, 2022. A “Planning Application” sign was also placed on the site.

Public Responses: Replies were received from 10 households and a petition was submitted.

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of two, 5-storey apartment buildings with 172 residential units and density of 141 units per hectare. Possible change to Zoning By-law Z.-1 **FROM** from an Urban Reserve (UR1) Zone and a Holding Residential R5 (h.R5-7) Zone **TO** a Residential Special Provision (R8-4(_)) Zone. Special provisions would permit a minimum front yard setback of 4.5 metres, whereas 8.0 metres is required; a minimum interior side yard setback of 6.0 metres whereas 7.6 metres is required; a minimum rear yard setback of 3.0 metres whereas 7.6 metres is required; a maximum building height of 19.0 metres whereas 12.0 metres is required; a minimum landscaped open space of 27% whereas 30% is required; and a maximum lot coverage of 36.5% where as 30% is required.

Revised Notice of Application:

Public liaison: On September 14, 2023 a Revised Notice of Application was sent to property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, September 14, 2023. A “Planning Application” sign was also placed on the site.

Public Responses: Replies were received from 10 households

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of two, 5-storey apartment buildings with 184 residential units and density of 150 units per hectare. Possible change to Zoning By-law Z.-1 **FROM** an Urban Reserve (UR1) Zone and a Holding Residential R5 (h.R5-7) Zone **TO** a Residential Special Provision (R8-4(_)) Zone. Special provisions would permit a minimum front yard setback of 4.5 metres, whereas 8.0 metres is required; a minimum rear yard setback of 5.1 metres whereas 7.6 metres is required; a maximum building height of 17.0 metres whereas 13.0 metres is required; and a minimum landscaped open space of 24% whereas 30% is required.

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

- Trees
- Lack of green space
- Intensity
- Density
- Height
- Traffic
- Privacy
- Drainage
- Sunlight

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

From: Leanda Carr

Sent: Thursday, June 23, 2022 10:28 AM

To: Riley, Alanna <ariley@London.ca>

Subject: [EXTERNAL] File #OZ-9517 Notice of Planning Application

Good Morning Alanna,

I received the notice of planning application for the proposed (2) Two five (5) storey buildings off of the Sugar Creek Park and Beaverbrook Rd by Old Oak properties.

I wholeheartedly disapprove of this build solely on the environmental and aesthetic impact of another building(s) in this area.

The lot itself use to be a farm property and contains a small pear orchard that families and wildlife enjoy, as well it has been recently used for picnics, dog training and an off shoot of the park for kids to play.

With the provided renderings the parking is going to be backing onto the park and it will increase both the noise and regular pollution levels for those enjoying the park.

I understand that the population of London is increasing and more available units must be built, but I think this zoning application should be denied.

As Old Oak keeps building the costs of rents have too gone up and these builds will be “unaffordable” to the majority of people with the standard median of \$2,100 for a 2 bedroom for their newer builds, and shared accommodations will become more prevalent and less of a family oriented neighbourhood.

If a building must be built I am proposing an 8 storey building with underground parking only so that the impact on green space is minimized as much as possible.

Thank you for your time,

Leanda Carr

From: Diane Young
Sent: Wednesday, March 23, 2022 9:47 AM
To: Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] Re: 604 Beaverbrook Avenue

Hello Alanna, I am a resident and owner at _____ and just received the notice about the 604 Beaverbrook Avenue Application yesterday. As you may know, my building is about 11 years old, and when I moved in there were lots of trees and green space in this area. Since that, four apartment buildings have gone up on the south side of this property, and now this development is proposed for the north side of the property. As an owner, it obviously isn't ideal to be in the centre of a concrete jungle, and lose much of that previous green space. Also, as a city, it doesn't seem desirable to re-zone areas that provided a bit of space and green. I am curious if the existing trees will remain between the Sugarcreek condos and the new development, or if those will be removed. If the trees remained, it would at least provide a bit of separation and a bit of green. I am not in favour of more development in this area that has already seen a lot of development in a short period of time.

Diane Young

From: Diane Young
Sent: Tuesday, June 21, 2022 6:24 PM
To: Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] Re: 604 Beaverbrook Avenue

Hello Alanna. I just received another notice of planning application for 610-620 Beaverbrook. This appears to be at the same location as the last notice, so just trying to understand what this means. Was the previous request denied or withdrawn, and now there is a new one for a bigger project? I obviously am not in favour of even more development in this area. The new proposal is for 172 units, and I believe the previous

one was for 32. Removing the trees in this area could really harm the environment and allow flooding and erosion.

Diane Young

From: Rafuna, Liridona **On Behalf Of** Fyfe-Millar, John
Sent: Wednesday, June 22, 2022 2:40 PM
To: Riley, Alanna <ariley@London.ca>
Cc: Fyfe-Millar, John; McGee, Mack
Subject: Resident concerns RE OZ 9517 610-620 Beaverbrook Ave Application

Hello Alanna,

With permission provided by the resident, Patricia G called our office today following up on a few concerns that she claimed to have reported/relayed via previous emails to your office.

Patricia expressed her disapproval over the proposed plans for a 5 storey building at this location as she feels that with the new additions to this area turning this land into green space would be much more useful and environmentally friendly. Patricia is suggesting that this location be considered for a community garden, or park playground equipment, or a bee pollinating garden, etc. She stated that other area residents feel the same about these suggestions and is hoping that these will be taken into consideration.

In addition to the above, Patricia also indicated that a while back they had initially received a notice of application for townhomes at this same address, and now it seems like the plans have changed to a 5 storey building instead. She is seeking some clarity on how this went from a townhomes application to a multi-storey building.

Lastly, Patricia wishes to only be contacted by you Alanna, and/or by the Councillor directly. She does not want her contact information to be shared with any other City Staff or City Departments.

Any direct information/assistance that you may be able to provide to the resident, with a final update to the Councillor, would be greatly appreciated.

Thank you kindly

6 July 2022

Ms. Alanna Riley
Planning & Development, City of London
300 Dufferin Avenue, 6th Floor London, ON N6A 4L9

Dear Ms. Riley:

I am writing to express my deep and sincere concerns about the proposed construction project at 610- 620 Beaverbrook Avenue (File: OZ-9517).

There are already numerous large apartment buildings in this area. Two apartment buildings were constructed during just the past few years (construction on the second of these is just reaching an end.) A third one is planned for 604 Beaverbrook. Amidst these tall buildings, there are two small communities of one- and two-story townhouses. These townhouses are quickly being closed in on all sides by huge apartment buildings.

As a resident of one of the townhouses located immediately adjacent to the proposed development site, I am acutely aware of the many ways this latest project threatens to affect my community and quality of life. These threats include:

- 1) Continuation of construction noise, traffic, and disruption which has already been going on in this neighbourhood non-stop for several years. As someone who works from home most of the time—almost ALL of the time now, during the pandemic—this project will be extremely disruptive and difficult. Many people

continue to work from home due to Covid, and the noise and stress levels will challenge the mental and physical well being of many of us.

2) The construction of these two additional apartment buildings will add further density, traffic, noise, and pollution to the neighbourhood, while drastically diminishing the green spaces.

3) The land where this project is proposed to be built is currently marked on maps as a park. It is used daily by local citizens for walking, playing ball and other sports, dog walking, and even picnic-ing. This is a very much used, loved, and appreciated community green space in the heart of our neighbourhood.

4) The land where this project is proposed to be built contains approximately 150 trees, many of them slated to be destroyed and removed, to facilitate construction. According to the City of London's Consolidated Tree Protection By-law (C.P.-1555-252, passed 24 November 2020), this area falls within a designated "Tree Protection Area."

5) This includes a row of trees along the perimeter of the fence separating the park area from the townhouses at 505 and 515 Proudfoot Lane. These perimeter trees provide an essential tree canopy that shades the townhouses. Removal of the trees will increase our reliance on air conditioning.

6) Paving of the lawns/grassy areas immediately adjacent to the townhouses will increase the risk of flooding of these townhouses.

It is ironic that a city that calls itself "The Forest City" continues to destroy trees and green spaces. And it is tragic that, as climate change becomes an urgent and existential concern, trees and green spaces are being willfully destroyed, including trees that provide essential canopy for homes and help to contain and control flooding.

If the city is unwilling to preserve this community green space and its trees for the benefit of the residents of the city of London, I respectfully request that you reconsider the structure and placement of the proposed construction, and have it set a much further distance from the townhouses, thus preserving the trees that protect these townhouses.

Thank you for considering my concerns

From: Anne Marie Madziak

Sent: Saturday, July 16, 2022 10:35 PM

To: Riley, Alanna <ariley@London.ca>

Subject: [EXTERNAL] 610-620 Beaverbrook proposal

Dear Alanna , Ed, John & Josh

My partner and I are writing you in response to the proposed apartment buildings that would become 610 and 620 Beaverbrook, application by Old Oak Properties.

We live in the _____ condo complex, which means these buildings would back on to us. However, that is not our concern.

We are very concerned about the loss of green space in this densely populated part of the city. I'm sure you are aware that many new Canadians live in the apartment buildings, many families with several children. As it is, the Sugar Creek Park, while equipped with amenities like a walking path, a few benches, playground equipment and a concrete basketball play area, it is too small for the number of children who live nearby and who flock to the park every day. I have never seen such a busy park and I've been thinking for a while now, wouldn't it be great for these kids to have a splash pad or (dreaming big) a small soccer field.

Honestly, the city should be expanding the green space and the amenities, not building townhouses at 604, and now two more apartment buildings with 172 units in the green space adjacent to the small park.

A related issue we ask you to consider is the impact on traffic of 172 additional households, plus however many are included in 604 Beaverbrook, not to mention the

development happening north of Proudfoot near Oxford St. Proudfoot Lane already needs traffic control as speeding vehicles are an ongoing issue and there are times when vehicles hardly slow down, let alone stop, at the 3 way stop at Proudfoot and Beaverbrook. Families and dog walkers and seniors cross Proudfoot all of the time because there is a long stretch between the crosswalk and the 3 way stop at Beaverbrook but it is increasingly dangerous to do so given the volume of traffic and the speed of some of the cars. I cannot imagine how bad it will be with an influx of so many new residents, many of whom will add cars to the road.

It is also of grave concern to us that this development would result in the loss of 145 trees. Environmentally, this seems unnecessary and irresponsible at this time.

We ask you to consider these ramifications if this proposal were to go through
We thank you for the invitation to provide feedback.

Warm regards,

Anne Marie Madziak & Janice Marchant

From: rick

Sent: Wednesday, July 6, 2022 3:53 PM

To: Riley, Alanna <ariley@London.ca>; Fyfe-Millar, John <jfmillar@london.ca>

Subject: [EXTERNAL] File OZ-9517 610 620 Beaverbrook Avenue

Official Plan and Zoning Bylaw Amendments

610-620 Beaverbrook Avenue

File OZ-9517

Applicant Old Oak Properties

Alanna Riley Planning and Development

John Fyfe-Millar

We are condo owners of _____ neighboring the proposed development. We have resided here for 22 years. We have watched the applicant develop Sugar Creek over the years.

We object to the QZ amendments Our comments are.

Front Yard Setback.

Special Provision permitting the front yard setback of 4.5m from the required 8m. This should not be reduced as it does not allow for future Beaverbrook Avenue improvements to handle the additional traffic and bike lanes. We assume the front yard is facing Beaverbrook Avenue. If I am wrong in this, please advise.

Interior Side Yard

We assume the side yard is the north limit abutting the existing MCC 505 Proudfoot Lane. The proposed development will be in direct view of our windows and patio area impacting our quality of life. Also lighting from the development will shine into our windows. We believe the 7.6 meters remain.

Rear Yard Setback

We assume the rear yard is the west limit of the property adjoins the property of Old Oak.

Maximum Building Height

The current standard of 12m should remain in place. Any increase will severely impact the north neighboring units 505 Proudfoot Lane. Any additional height will reduce daylight and invade the privacy of the neighboring units impacting the quality of life. The additional height is evident when comparing the Applicants recent build of 325 Sugarcreek Trail which is 5 story. The applicants past build of 320 Sugarcreek Trail is 4 story.

Thank you,

Rick & Ann Poppe

I expect you are aware of the proposed plan to build more apartments at 610-620 Beaverbrook Avenue. These are in addition to the ones proposed on 604 Beaverbrook - the site adjacent to 610-620.

From: Lorna Brooke
Sent: Thursday, July 28, 2022 7:47 PM
To: Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] Re: Proposed apartment development 610-620 Beaverbrook Ave.

Dear Councillor Fyfe-Miller,
I attended the Zoom meeting on July 14 regarding the 604 Beaverbrook development. At it, concern was raised regarding the probable increase in traffic on Beaverbrook and the loss of trees, that would arise from such a development
The representative from Zelinko Priamo Ltd. gave some assurance that such an impact would be low. This was not very convincing.

No mention was made of the proposed development at 610-620.
It now appears that will be a huge impact on Beaverbrook with regard to greater traffic flow and loss of trees.
I have seen the tree report (22 pages) on the website provided.
Most of the trees are scheduled to be removed.

It is difficult to understand why City Council is so set on building apartments on every green space in London.
This area is a high density residential one and has few green spaces in it.

I do hope that you will look into the concerns surrounding this development and that the Council will reject this proposal.

Thank you for your help in this matter.

Yours sincerely,

Lorna Brooke

From: Janet Anderson
Sent: Tuesday, July 19, 2022 9:39 AM
To: Fyfe-Millar, John <jfmillar@london.ca>; Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] Rezoning of 610-620 Beaverbrook

Dear John and Alanna,

Thank you John for your reply on Sunday! It was a lovely surprise. Although the land is privately owned and will be developed we still can get Old Oak to go back to the drawing board and redesign the plans to fit into the current zoning for development they are asking for, without the variances that they are requesting. At least that will space things out a little more, may be able to save more trees and will give the new residents a little more green space. I think it has been said there is a concern for water run off. I am concerned about the height of the planned development and how close the buildings will be to the road and laneways and the lack of parking. There is already a lack of parking in the neighbourhood. Can we at least make Old Oak stick to the requirements of the rezoning they are applying for?

Thank you for your time and for passing this along to the appropriate persons and departments.

Janet Anderson

Revised Notice of Application:

Public liaison: On Wednesday, June 28, 2023, a Revised Notice of Application was sent to 67 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on Thursday, June 28, 2023. A "Planning Application" sign was also placed on the site.

Nature of Liaison: The purpose and effect of this zoning change is to permit the development of two stacked townhouse buildings with a height of 3.5 storeys, and a total of 26 residential units. Possible change to Zoning By-law Z.-1 **FROM** a Residential R1 (R1-14) Zone **TO** a Residential R5 Special Provision (R5-7(_)) Zone, which would permit cluster townhouse dwellings and cluster stacked townhouse dwellings. The proposed special provisions would also permit a reduced minimum front yard depth of 3.0m, whereas 6.0m is required; a reduced rear yard depth of 5.0m, whereas 6.0m is required; and an increased maximum density of 74 units per hectare (uph), whereas 60uph is permitted.

Public Responses: No replies received.

From: Blaise Noel
Sent: Monday, May 22, 2023 8:05 PM
To: Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] 610-620 beaverbrook avenue

Good evening Alanna,

I am writing you this email in regard to the proposed buildings that Old Oak Properties wants to erect (610-620 Beaverbrook Avenue).

In my opinion, erecting these buildings is a not a good idea as it will negatively impact the environment as well as the people living in the surrounding area. This is currently a beautiful green space with many old trees that still have an abundance of life left to give. Many animals and plants have built a beautiful ecosystem there and it is the last remaining green space in this area. I find it ironic how London calls itself the "Forest City" yet the city is constructing new infrastructure on all the remaining green spaces that exist in and around the city. This green space is an area where many people walk their dogs and relax because there isn't any other space around here to do things such as this.

Furthermore, apart from the negative environmental impact, there is already a limited amount of space in the surrounding area and to find parking around this neighborhood is next to impossible. As I live at _____, I know already at my current building that there are not enough spots for the amount of tenants with vehicles. Many of the tenants in this building have to park on the street, and the exact same thing is going to happen at these buildings. Where are all these tenants supposed to park their vehicles? To add to this, we have terrible traffic in this area and adding multiple other buildings to this already very condensed neighborhood will only add to the chaos.

I strongly disagree with the proposed building applications as do many other surrounding residents, and I recommend the city of London to re-think these building proposals.

Regards,
Blaise Noel
From: Kathy I
Sent: Wednesday, September 27, 2023 10:51 AM
To: Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] File OZ-0517 610-620 Beaverbrook Ave

Hello

I currently live at _____ which backs onto the property involved for a requested rezoning

I have grave concerns about the increase in traffic flow that will result on Beaverbrook Ave.

I do not agree with the request for a higher building to 17 metres. This will allow renters to view down onto our property as there will be balconies on the north side.

Another huge concern is the impact to our environment. The numbers of trees that will be cut is is considerable. Since Old Oak owns the property I would suggest that the trees could be transplanted to the park area to the west end.

I also would like to request the specific measurements of where the lot line ends from Beaverbrook Ave to where the park lot line starts.

The map on the revised notice does not state any specific measurements on page four.

Sincerely

Kathy Irwin

8 June 2023

Ms. Alanna Riley
Planning & Development, City of London
300 Dufferin Ave., 6th Floor
London, ON N6A 4L9
Via e-mail: ariley@london.ca

Re: File OZ-9517 (610-620 Beaverbrook Avenue)

I am submitting this letter on behalf of the more than 120 Londoners who have signed the attached petition. They are concerned about the impacts of the proposed Old Oak development at 610-620 Beaverbrook, in particular, the loss of a much needed green space in this already extremely dense area of the city, along with the loss of 131 trees.

Currently in this neighbourhood, in what is a six square block area, there are already 19 high-rise buildings. There are three more high-rises being planned along Beaverbrook, in addition to the two proposed for the 610-620 Beaverbrook site, making a total of 24 high-rise buildings in an area of six square blocks.

While I understand the pressure you are facing to create more affordable housing, allowing more luxury high-rises in an already overly-dense neighbourhood, at the cost of green space, is not a solution. The addition of such high-priced units will continue to drive up the costs of housing in London. A city must be affordable, and livable. People do not want to live in a concrete jungle, surrounded on all sides by high-rises, with green spaces paved over.

Who is a city for? The people who live in it. It is important—indeed, vital—in city planning to consider the needs of the people living in the city. The people ARE the city. As Jane Jacobs said, “There is no logic that can be superimposed on the city; people make it, and it is to them, not buildings, that we must fit our plans.”

However, there has not been a community information meeting held about this development and the potential re-zoning and its ramifications. Those of us most affected—i.e., living immediately adjacent to the site—were assured by John Fyfe-Millar that we would be able to meet with the developer, Old Oak, to express our concerns. This did not happen.

Have any of the members of City Council, particularly those who are going to vote on whether or not to allow this rezoning, actually been to the site to see what is at stake, and how the current residents of the area would be affected? I know that Ward 13 Councillor David Ferreira has done so, and has listened to our concerns, but what about the rest of Council?

The green space at 610-620 Beaverbrook is used and appreciated by area residents. The space is used to picnic, to exercise, to go for family walks, to exercise dogs, to play volleyball or lacrosse, or just to sit and read in what is the one peaceful green space in the area (apart from the cemetery!).

Green space is crucial. James Felt, former head of the NYC Planning Commission, pointed out that: “The smallest patch of green to arrest the monotony of asphalt is

as important to the value of real estate as streets, sewers and convenient shopping.” Green space is an essential ingredient of a successful and livable city. As are trees. As renowned urban planner Frederick Law Olmsted noted, green space is essential to urban living, and trees are “the lungs of a city.” And, as we see the alarming consequences of rapid climate change, trees are more important than ever. Among the trees on this site that are slated to be destroyed are several very old, large, and majestic black walnut trees. A native species, the black walnut is protected on the City of Toronto; why not in the “Forest City”? It’s not just ironic, but disappointing, that the “Forest City” is so willing to destroy trees, and a company called Old Oak is destroying old oaks. Let’s stop, step back, and look at the bigger picture. Environmentalist John Sawhill warned, “In the end, or society will be defined not only by what we create, but what we refuse to destroy.”

Many of the residents of this ward who signed the attached petition live in buildings owned and managed by Old Oak. They complained to me about the lack of maintenance, and the unresponsiveness of Old Oak to their requests for maintenance. Old Oak has told them they simply do not have enough maintenance staff to respond to all the issues. As you are aware, Old Oak has been in the news more than once recently, due to tenant complaints about maintenance. Tenants even held a protest last week. Shouldn’t City Council require Old Oak to take care of the properties (and tenants) that it currently is responsible for, before granting it a rezoning that it is requesting in order to build more multi-dwelling, high-rise buildings that it will not be able to maintain properly? What is the end goal here: a city that has more expensive, but undesirable and unlivable, housing, in neighbourhoods that lack trees and green space?

Ideally, Old Oak would leave this piece of land, and its 145 trees, as green space to enrich the neighbourhood, the city, and the lives and welfare of the people of London. If Old Oak is not willing to do so, the next best option is for City Council to vote against the rezoning request. If Old Oak was limited to building townhouses on the site, this would at least assuage, in part, some of the concerns of the current residents of the area, particularly the ones living immediately adjacent to the site: concerns about increased density, traffic, stress on the sewage system, issues of drainage and potential flooding, etc. It would also, presumably, allow for a greater number of trees to be saved. Such a development, while not ideal, would fit better into the neighbourhood and be less intrusive.

London, as you are no doubt aware, has earned the #1 spot on a recent list of “Unhappiest places to live in Canada.” Certainly, a City Council that is willing to allow zoning amendments requested by big developers, while not taking into account the needs, opinions, and quality of life of its residents, does not create a happy place to live.

As a professor at Western, I interact with dozens, often hundreds, of students each year. When they ask my advice about whether to settle in London after graduation, I hope that I don’t have to advise them to leave London, because this is NOT a livable city; that it is a city whose future is being determined by a mayor and city council that ignores the will of the people and the voices of the constituents they swore to represent.

In closing, I’d like to quote Jane Jacobs once again: “We expect too much of new buildings, and too little of ourselves.” Let’s do the right thing—for this neighbourhood, for Ward 13, for the City of London, for the environment, and for the people of London, current and future. Please vote against this rezoning request.

-
- Respectfully,
-
- Dr. Aldona Sendzikas
 - **From:** "Sonja Tanner-Kplash"
 - **To:** ariley@london.ca
 - **Sent:** Saturday, June 3, 2023 6:26:36 PM
 - **Subject:** Planning Application 610-620 Beaverbrook Ave. File OZ 9517
-
- Dear Ms Riley:

The original Application proposed a density that is not sustainable or desirable in this area - the proposed increased density only exacerbates the issue.

In view of an additional project by another developer to the immediate south on Beaverbrook - future traffic congestion on that street is only one of many density considerations.

In addition, Old Oak Properties is not a reliable builder. Owners in MSCC#766 at 320 & 340 Sugarcreek Trail, have just paid \$M3.7 to repair ORIGINAL building deficiencies perpetrated by that company in 2011-13 when these condos were built - of which Old Oak Properties was informed in 2016 and for which they have refused to assume any responsibility.

- Thank you.

Dr. S. C. Tanner-Kaplash

From: Sonja Kaplash

Sent: Saturday, September 23, 2023 5:38 PM

To: Riley, Alanna <ariley@London.ca>

Subject: [EXTERNAL] Fwd: Planning Application 610-620 Beaverbrook Ave. File OZ 9517

Good Morning Ms. Riley:

Please review the emails below in reference to the above noted Planning Application.

Your most recent Sept. 14/23 "Revised Notice" for an Application by Old Oak Properties, now requests permission for **184 units**; a previous May 11/23 Application identified **176 units**, and an even earlier June 16/22 Application requested **172 units**.

In view of:

- (a) the objections set out in our original June 3/23 reply (copied below);
- (b) "creeping" increased density figures for this Application;
- (c) Old Oak's past performance and both a builder and a rental agent (CTV News item/ Tenants protest against SLUMLORD - link below)

<https://acorncanada.org/news/march-against-local-slumlord-old-oak-properties/>

- we continue to oppose this proposed development.

And, we would appreciate your acknowledgment of receipt of this correspondence.

Dr. S.C. Tanner-Kaplash

From: Lorraine Drew

Sent: Friday, September 15, 2023 3:29 PM

To: Riley, Alanna <ariley@London.ca>; Ferreira, David <dferreira@london.ca>

Subject: [EXTERNAL] Official plan and zoning by-law amendments Beaverbrook

Hello Riley,

Received a letter by mail today concerning the revised notice of planning application 610-620 Beaverbrook Avenue from the city.

When you consider the approval, I have serious concerns about traffic flow. Beaverbrook can be busy right now when the school buses are going especially. The very long light (2 min) at Beaverbrook/ Riverside cannot handle more traffic at busy times. Riverside is backed up at morning and late afternoon. This week it was backed up to the top of the hill by the cemetery heading east around the curves from which Wharncliffe already. The left turning signal heading north at Riverside and Wharncliffe is good during the day but at rush hour it is backed up for a long way. Another side is in

the evening after an event. A year ago on July 1st it took me an hour to get home from my daughters which is usually a 5-6 minute drive from Wortley because there was no advanced green at night and cars were moving through the light one by one going through a yellow or sometimes red light. This year because of a knee injury I met her at Ivy/Gibbons park while parking at the corner of Riverside and Wharncliffe. Sadly my older grandkids and I were not let out of the park along the the bridge until almost midnight due to the fire marshal advise . After asking the police when it was three quarters of an hour they advised going Queen Street. It was after midnight before I got home.

In summary the traffic is already a problem on both Riverside and Oxford, I cannot see how the traffic flow can handle more traffic.

Please don't approve until the traffic flow is already approved. Wharncliffe after 3 is a disaster coming out of or going into Wortley is a safety concern.

Lorraine Drew

Official Plan and Zoning Bylaw Amendments
610-620 Beaverbrook Avenue
File OZ-9517
Applicant Old Oak Properties

Alanna Riley Planning and Development
John Fyfe-Millar

We are condo owners of _____ neighboring the proposed development. We have resided here for 22 years. We have watched the applicant develop Sugar Creek over the years.

We object to the QZ amendments Our comments are.

Front Yard Setback.

Special Provision permitting the front yard setback of 4.5m from the required 8m. This should not be reduced as it does not allow for future Beaverbrook Avenue improvements to handle the additional traffic and bike lanes. We assume the front yard is facing Beaverbrook Avenue. If I am wrong in this, please advise.

Interior Side Yard

We assume the side yard is the north limit abutting the existing MCC 505 Proudfoot Lane. The proposed development will be in direct view of our windows and patio area impacting our quality of life. Also lighting from the development will shine into our windows. We believe the 7.6 meters remain.

Rear Yard Setback

We assume the rear yard is the west limit of the property adjoins the property of Old Oak.

Maximum Building Height

The current standard of 12m should remain in place. Any increase will severely impact the north neighboring units 505 Proudfoot Lane. Any additional height will reduce daylight and invade the privacy of the neighboring units impacting the quality of life. The additional height is evident when comparing the Applicants recent build of 325 Sugarcreek Trail which is 5 story. The applicants past build of 320 Sugarcreek Trail is 4 story.

Thank you,
Rick & Ann Poppe

From: Sonja Tanner-Kaplash Sent: Saturday, June 3, 2023 9:27 PM
To: Riley, Alanna <ariley@London.ca>
Subject: [EXTERNAL] Planning Application 610-620 Beaverbrook Ave. File OZ 9517

Dear Ms Riley:

The original Application proposed a density that is not sustainable or desirable in this area - the proposed increased density only exacerbates the issue.

In view of an additional project by another developer to the immediate south on Beaverbrook - future traffic congestion on that street is only one of many density considerations.

In addition, Old Oak Properties is not a reliable builder. Owners in MSCC#766 at 320 & 340 Sugarcreek Trail, have just paid \$M3.7 to repair ORIGINAL building deficiencies perpetrated by that company in 2011-13 when these condos were built - of which Old Oak Properties was informed in 2016 and for which they have refused to assume any responsibility.

Thank you.

Dr. S. C. Tanner-Kplash

From: chorton

Sent: Tuesday, June 6, 2023 1:31 PM

To: Riley, Alanna <ariley@London.ca>

Subject: [EXTERNAL] planning application for 610-610 Beaverbrook Avenue

I live at _____. My condo unit is directly north of the proposed 5 - storey apartment buildings which are planned for 610 -620 Beaverbrook Avenue. I have several concerns about the proposed amendments.

First, the land from the building area slopes down right beside the south wall of my condo and I am very concerned that there will be water run-off due to the construction of the buildings and concrete parking areas and that my unit may be flooded.

Second, comparing the proposal of July 2022, the new proposal increases the number of units from 172 to 176, increases the density from 141 units per hectare to 144, and makes no mention of the reduced interior side yard setback of 6.0 metres, reduced rear yard setback of 3.0 metres and decreased landscaped open space of 27% as mentioned in the 2022 proposal. As a result, the scope of the amendments is not clear, but increased density of the area is obvious.

Third, the existing land contains a large number of mature trees and the loss of this tree cover will have a significant environmental impact.

I realize that housing is needed and that this property is zoned for mid-rise development. However, to lessen the impact on the existing residences, I request that consideration be given to reducing the height of the buildings to the original 12 meters, reducing the number of units, not permitting the special provisions requested and protecting the existing tree cover.

Yours truly

Connie Horton

From: chorton

Sent: Tuesday, September 19, 2023 8:28 AM

To: Riley, Alanna <ariley@London.ca>; Ferreira, David <dferreira@london.ca>

Subject: [EXTERNAL] Zoning amendments for 610-620 Beaverbrook Avenue

I live at _____ which is adjacent to the north side of the proposed buildings at the above address. I recognize the need for housing in London and, therefore, do not oppose the construction of the buildings. However, I am concerned about the amendments which would result in the decreased open spaces. The proposal indicates that the landscaped open space would be decreased by 24%. At the moment that area is green space with many mature trees. The loss of all that space and trees would be

environmentally detrimental. I request that consideration be given to refusing the amendments so that as much green space and tree coverage could be preserved.

Connie Horton

From: Lorraine Drew

Sent: Friday, September 15, 2023 3:29 PM

To: Riley, Alanna <ariley@London.ca>; Ferreira, David <dferreira@london.ca>

Subject: [EXTERNAL] Official plan and zoning by-law amendments Beaverbrook

Hello Riley,

Received a letter by mail today concerning the revised notice of planning application 610-620 Beaverbrook Avenue from the city.

When you consider the approval, I have serious concerns about traffic flow. Beaverbrook can be busy right now when the school buses are going especially. The very long light (2 min) at Beaverbrook/ Riverside cannot handle more traffic at busy times. Riverside is backed up at morning and late afternoon. This week it was backed up to the top of the hill by the cemetery heading east around the curves from which Wharncliffe already. The left turning signal heading north at Riverside and Wharncliffe is good during the day but at rush hour it is backed up for a long way. Another side is in the evening after an event. A year ago on July 1st it took me an hour to get home from my daughters which is usually a 5-6 minute drive from Wortley because there was no advanced green at night and cars were moving through the light one by one going through a yellow or sometimes red light. This year because of a knee injury I met her at Ivy/Gibbons park while parking at the corner of Riverside and Wharncliffe. Sadly my older grandkids and I were not let out of the park along the the bridge until almost midnight due to the fire marshal advise . After asking the police when it was three quarters of an hour they advised going Queen Street. It was after midnight before I got home.

In summary the traffic is already a problem on both Riverside and Oxford, I cannot see how the traffic flow can handle more traffic.

Please don't approve until the traffic flow is already approved. Wharncliffe after 3 is a disaster coming out of or going into Wortley is a safety concern.

Lorraine Drew

Appendix F – Urban Design Peer Review Comments and Responses



To: Alanna Riley
Senior Planner, Planning
Planning & Development
City of London

From: Ben McCauley
Manager of Land Development
Old Oak Properties

CC: Mike Corby
Manager, Planning Implementation
Planning & Development
City of London

Casey Kulchyski
Senior Planner
Zelinka Priamo

Date: March 1, 2023

Re: Response to Urban Design & UDPRP Comments
OZ-9517 610-620 Beaverbrook Avenue

URBAN DESIGN (August 10, 2022)

1. Provide a full set of dimensioned elevations for all sides of the proposed buildings with materials and colours labelled. Further urban design comments may follow upon receipt of the elevations.

Response: As part of an enhanced set of architectural materials to supplement this response, the consulting architect has provided revised elevations for all sides of the proposed buildings with materials labelled.

2. Locate built form along Park frontage in addition to the Beaverbrook Avenue frontage in order to provide for built and active edges to these public interfaces and also providing appropriate transition to the 2 storey townhomes located towards the North of the site.

Response Re: "Built and Active Edges along the Park Frontage": The rear portions of the west elevations provide an already notable built edge along the park, which is enhanced bike storage buildings, outdoor common amenity areas, and a tiered garden between the buildings along the remainder of the edge that effectively screens the parking structure. For safety and liability reasons, we would like to reduce the amount of units with exclusive pathways connecting directly to the park, and the proposed development does such that.

To offer a meaningful solution to bridge the City and Old Oak's preferences, the at-grade green areas between the face of the west elevations and the park are to be enhanced with additional ground-related private, outdoor amenity area (i.e. gazebo seating) for residents to provide further active opportunities along the park edge.

Response Re: "Built and Active Edges along the Beaverbrook Frontage": The majority of the building frontage interfaces with Beaverbrook Avenue, providing a significant built and active edge along the street. This condition already exists.

Response Re: "Appropriate Transition to the 2-Storey Townhomes": Note that the 2-storey townhomes are located on lands that contemplate low-rise apartment buildings up to 4-storeys in height as per The London Plan, and further, are currently zoned R9-7 with a maximum height of 32-metres. The land use designation and existing zoning of the townhouse property match or exceed the intensity proposed on 610-620 Beaverbrook Avenue



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Rotating the buildings 90°, and/or adding alternative housing forms along the park, would not only create a scenario where the 2-storey townhomes may interface with a parking structure (i.e. the structure would be oriented north-south, rather than the current east-west orientation), it would also not notably reduce the amount of built and active edges that interface with the 2-storey townhomes. There would still be a comparable number of units that would address the 2-storey townhomes, and as such, the revised site layout would not achieve the Staff's objective of providing a "more ideal" site layout. Further, a rotation of the buildings alongside adding alternative housing forms would result in smaller, less efficient building footprints to achieve a similar unit count, as the depth of the property is greater than the width. In principle, buildings of greater height would be necessary to achieve similar unit counts as the current proposal. Lastly, there is little benefit of utilizing more of the space currently occupied by the parking structure for the building envelope (i.e. making the buildings "fatter" rather than "taller"). All this achieves are deeper/larger units with less access to sunlight and fresh air. Overall, rotating the buildings to achieve Staff's preferred site design results in less-than-ideal living conditions for future residents of the property.

To offer a meaningful solution to bridge the City and Old Oak's preferences, the consulting architect has provided a revised site plan as part of the enhanced set of architectural materials that tightens the buildings closer together to allow for greater interior side yard setbacks. This larger setback, combined with the ability to maintain heights consistent as proposed to maintain the proposed unit count, provides for a more than appropriate transition to the 2-storey townhome property that has similar or greater intensity permissions as per The London Plan and City of London Z-1 Zoning By-Law. It's expected that having residential apartment units interfacing with residential townhome units at an appropriate distance is more appropriate than a residential apartment parking structure interfacing residential townhome unit at a closer distance. The proposal as of current is a more appropriate site layout for transition purposes between land uses.

3. Eliminate the parking structure along the park to provide a better interface. Explore opportunities to locate alternative low-rise (2 to 3 storeys) housing forms along park frontage such as townhouses or stacked townhouses with individual entrances off walkways along Sugarcreek Park boundary and garages accessed from rear as opposed to the proposed landscape terrace wall to activate the public interface along the Sugarcreek Park.

Response Re: "Eliminate Parking Structure Along Park": The parking structure is screened with the use of a tiered garden alongside at-grade amenity areas between the face of the west elevations. The complete elimination of the tiered garden and portion of the screened parking structure would severely impede our ability to park the proposed development appropriately. It appears this comment reflects an attempt to force Old Oak to provide parking underground. There is no policy basis that requires parking underground, especially when a parking structure has been designed to minimize impacts on the public realm by locating and screening the parking areas in the interior of the site (London Plan 272_). More on the policy basis that supports the parking structure is located later in this response.

Response Re: "Locate Alternative Housing Forms Along Park": A similar issue is present when alternative housing forms are provided to the rear along the park in place of the existing proposed tiered garden and parking structure. The complete elimination of the tiered garden and portion of the screened parking structure would severely impede our ability to park the proposed development appropriately. Locating units directly on the park presents further safety and liability issues. It is preferred that all primary access to ground floor units is clearly provided via our property, rather than the park. Old Oak has less opportunity to control and monitor access to the ground floor units when access comes from an exclusive pathway that directly connects the unit to the park, as opposed to a common building entrance on the property or pathway on the property.

Firefighting, servicing, and waste removal etc. becomes problematic for alternative housing forms that front the park directly and do not have frontage onto a public right-of-way. Access to these units becomes challenging, particularly without any common access that is accessible by any vehicle via a parking structure. Even if underground parking was provided, there are typically weight restrictions for larger emergency and service vehicles above these structures, and without access to these units via the park, these vehicles would not be able to easily access these units. This becomes a significant health and safety concern for all parties.

4. Reduce the apparent overall massing and length (over 100m) along east-west by breaking up each building into separate buildings or through creative massing using materials, recesses, projections, and fenestration.

Response Re: "Reduce Overall Massing": As part of an enhanced set of architectural materials to supplement this response table, SRM has provided revised elevations for the north side of Building 'A' and the south side of Building 'B' that reflects changes to materials/recesses/projections/fenestrations, and ultimately breaking up the massing of the building further into the 5-storey and 4-storey components of the building.

5. The active uses along Beaverbrook Avenue including Primary building entrances and amenity areas are acknowledged. Provide individual unit entrances with walkway connection from City Sidewalk to the 2-Bed unit facing Beaverbrook Avenue.

Response Re: "Provide Unit Entrances with Walkway Connections": Although it is not our preference to have exclusive pathways that connect units to the public sidewalk, we are open to providing this as they are highly visible and are readily accessible via Beaverbrook Avenue in the event of an emergency as opposed to the potential pathways that would connect units to the park. A pathway to the ground-floor unit in each building fronting Beaverbrook will also match the condition that exists to the south at 320 and 325 Sugarcreek Trail.

6. Design the parking to be one level underground as opposed to structured parking to minimize the visual impact of the parking structure from the street as well for the units facing internally to the parking bays. This could facilitate additional units at ground levels as well as two store units along the park frontage.

Response: There is no requirement to provide parking underground. We have conducted our own internal analysis to confirm the appropriate unit count and the marketability of units facing the parking structure, and with all due respect, the City is not in a position to comment on future tenant's potential perspective that the parking structure provides a negative visual impact. Whether the internal units face a parking structure with a green roof, or surface parking areas with greenery, it is ultimately the same scenario. We do not believe this circumstance will impact the tenant's quality of life, nor do we think this is a planning issue.

For an analysis of applicable parking policies within the "City Design" portion of The London Plan, see below:

272_ The impact of parking facilities on the public realm will be minimized by strategically locating and screening these parking areas. Surface parking should be located in the rear or interior side yard.

273_ Parking structures should be integrated into the design of buildings to ensure the public realm is not negatively affected. Structured parking will be screened.

- The parking structure has been integrated into the design of the building in the interior of the site, screened by: (1) the "L" of the two buildings and using landscaping between the two buildings at the front, and (2) by the tiered garden at the rear.

275_ To reduce the visual impact of parking, make efficient use of land, to provide for outdoor amenity space, and promote active uses on street-facing facades, parking for large buildings, such as high-rise residential buildings, office, buildings, and mixed-use buildings should be located underground or integrated within the building design.

- These are not "large buildings", and as such, underground parking is not explicitly encouraged. With structured parking, a high degree of effort was made to reduce the visual impact of the parking, make efficient use of land, provide outdoor amenity space that naturally connects to a public park, and promote active uses (i.e. amenity and residential units) on the street-facing façade (i.e. Beaverbrook Avenue).

276_ Where structured parking is located adjacent to a street, the ground floor facing the street should be occupied by active uses such as commercial, office, or residential uses to avoid creating non-active street frontages.

- The parking structure is screened from Beaverbrook Avenue by the building and landscaping along the edges of the central driveway. The parking structure is not adjacent to the street. Active ground floor uses are provided in the portions of the building that are adjacent to the street. This combination is an effective design solution to ensure the parking structure in the interior of the site does not detract from the quality of the public realm.

The proposed parking structure conforms with the applicable parking policies in "City Design" portion of The London Plan. There are no policies that prevent the use of a parking structure for a building of such intensity, nor is underground parking explicitly encouraged at this intensity level. There are limited policies that speak to parking structures adjacent to a public park, however in good faith, we have provided a tiered garden to screen the structure and will tie into at-grade amenity space addressing the park.

7. Provide a network of pedestrian walkways that connect to the adjacent park, the building entrances, and the public sidewalk on Beaverbrook Avenue. The pedestrian connection provided along the North edge of the site is acknowledged. Provide a similar pedestrian connection along South property edge connecting the City Sidewalk and Sugarcreek Park with walkway connections from ground floor residential units.

Response: As part of an enhanced set of architectural materials to supplement this response table, SRM has provided a revised site plan that provides additional private pedestrian walkways that connect the park with Beaverbrook on the north and south side of the site, with exclusive pathways that connect to the ground floor units.

URBAN DESIGN PEER REVIEW PANEL (June 30, 2022)

1. As, this application was reviewed at the Urban Design Peer Review Panel meeting held on June 15, 2022. Please ensure the applicant response form document is filled out and submitted.

Response: Complete.

2. While the Panel generally supports the increased density and proposed land use for the site, the Panel recommends the applicant revisit the Panel at the Site Plan stage for further design review and comments.

Response: Acknowledged.

3. The Panel requests that for future submissions, please provide high-resolution versions of the site plan, landscape plan, and architectural drawings as an appendix to the Urban Design Brief. The drawings that were submitted within the brief were difficult to read and many of the labels and dimensions were illegible. Please provide full elevations of the street frontages and of the building(s) and parking structure across the rear of the site.

Response: Acknowledged.

4. The Panel notes that the site is unique in that it borders on two public open spaces and provides a wonderful opportunity to frame, animate, and connect these spaces. The Panel is concerned that the current orientation of the buildings, their relationship with Sugarcreek Park, Mt Pleasant Cemetery, and abutting residential uses including 604 Beaverbrook Ave is not taking advantage of this unique opportunity.

Response: As noted throughout this response table, we are clear on how the proposed development is effectively addressing both Beaverbrook Avenue and Sugarcreek Park.

5. The Panel recommends incorporating a pedestrian path along the South edge of the site to mirror the condition to the North. Private entrances to the residential units will encourage pedestrian connection and circulation through the site.

Response: As part of an enhanced set of architectural materials to supplement this response table, SRM has provided a revised site plan that provides additional private pedestrian walkways that connect the park with Beaverbrook on the north and south side of the site, with exclusive pathways that connect to the ground floor units.

6. The Panel recommends that the overall site plan and orientation of the buildings be studied further. Consider orienting the buildings so that they face and frame Sugarcreek Park and Beaverbrook Ave. Dedicate the interior space to a courtyard with minimal areas dedicated to surface parking. Locate the remainder of the parking stalls below grade.

Response: The majority (over 60%) of the building frontage interfaces with Beaverbrook Avenue, providing a significant built and active edge along the street. The building effectively frames the street. A notable amount of building frontage already interfaces with Sugarcreek Park. We have added additional amenity space at-grade between the building and the park to provide additional opportunities for activity along the frontage that more naturally connects with the park. Given that there is no policy basis requiring us provide parking underground, we prefer to advance with a parking structure in the interior of the site. Sufficient at-grade amenity space will be provided on-site, as well as via the abutting Sugarcreek Park. The request for most of the interior of the site to be provided as a courtyard reflects the panel's inability to appreciate the surrounding context, including the provision of an abutting public park that will provide the bulk of the need for outdoor amenity.

7. The Panel recommends that the overall site plan and orientation of the buildings be studied further. Consider reconfiguring the buildings into two, U-shaped blocks facing each other with a central private street serving as the main access to the site. The private street should accommodate both pedestrian and vehicular circulation. This will also create views into the park or cemetery rather than into backyards and parking structures.

Response: Reconfiguring the buildings into two, U-shaped blocks result in a reduced unit count. Additional height would be required to achieve a preferred unit count. Similar comments regarding views and appropriate transitions apply here as well.

8. The Panel recommends incorporating a pedestrian path along the South edge of the site to mirror the condition to the North. Private entrances to the residential units will encourage pedestrian connection and circulation through the site.

Response: Same as comment #5. See response above.

9. The Panel notes that the current location of the parking structure inhibits pedestrian circulation and visual connection through the central axis of the site. Consider one level of below grade parking to eliminate the parking structure at grade. Reduce surface parking to allow for generous landscaping, pedestrian connections, and outdoor amenity within the site interior.

Response: This response document provides reasoning why underground parking is not required and why the parking structure as proposed is our preferred approach. As a solution to providing additional pedestrian circulation options, pedestrian connectivity has improved within the parking structure by providing delineated areas connecting the structure with building entrances/exits where possible. SRM has provided a revised site plan within the enhanced architectural package that provides this detail. This is provided in conjunction with additional pedestrian pathway connections on the north and south side of the building, along with more space for green space and landscaping opportunities.

10. The Panel notes that a substantial group of existing trees within the site interior have been removed. Rethinking the above grade parking structure to free up space for landscaping within the site will allow for the preservation of more of these trees.

Response: Respectfully, there are very few cases where a builder will elect reduce surface or above-grade parking opportunities solely on the basis to retain existing insignificant trees. Even if we were able to retain these trees, the trees would need to be removed to construct underground parking and as well as the building. The root zone would have major conflicts with these structures. As all interior trees need to be removed to accommodate construction, and there is no policy basis requiring us to provide parking underground, our preferred approach continues to be the proposed parking structure. As a solution, we have explored tightening the buildings closer together and providing additional space in the north and south interior side yard for additional landscaping opportunities.

11. The Panel appreciates the attention placed to articulating the elongated facades with a range of architectural languages, vertical breaks, and varying the roofline to break down the scale and length of the building. Consider articulating the transition between materials in a more deliberate way, such as through a subtle change of plane or stepback.

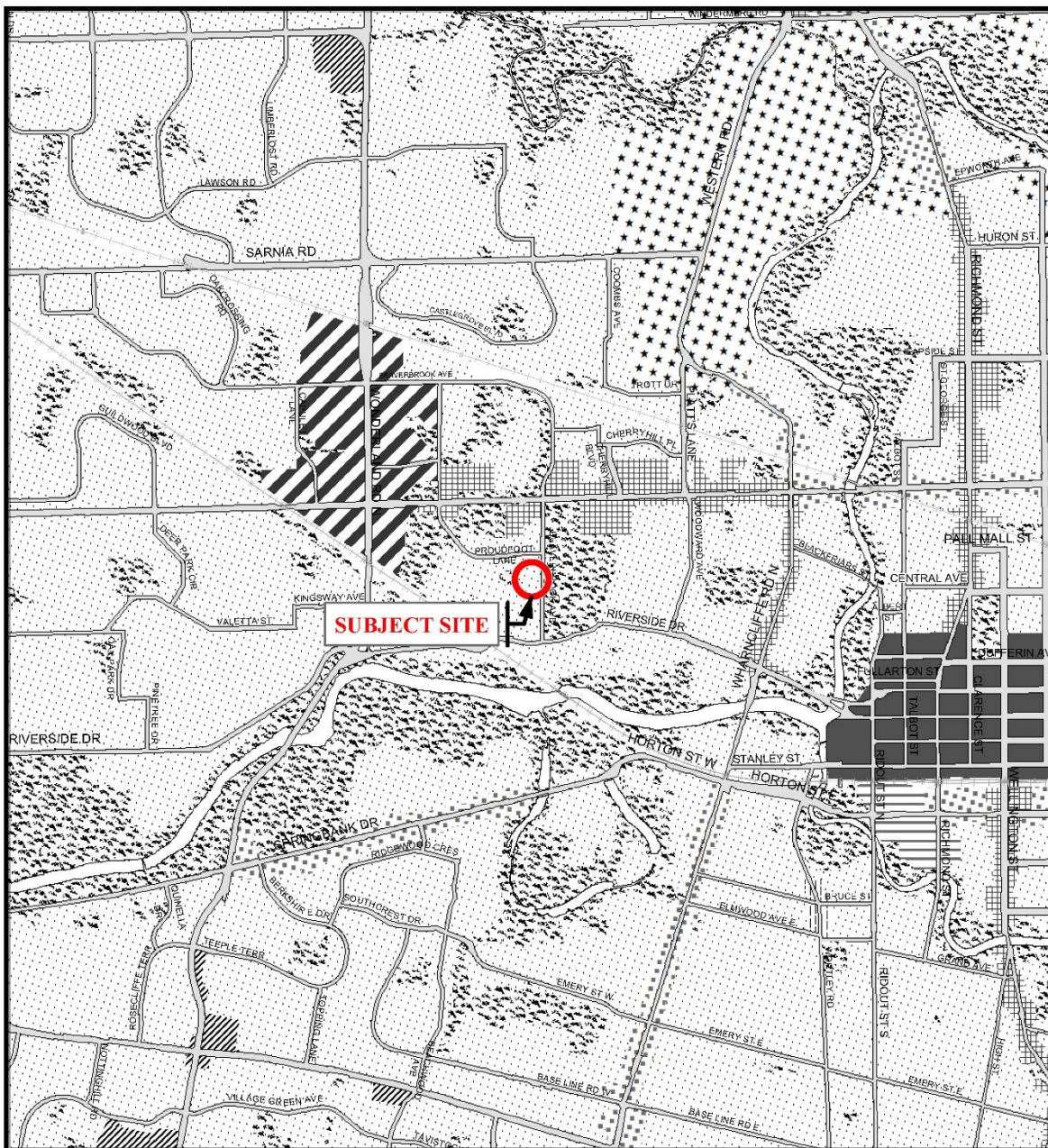
Response: As part of an enhanced set of architectural materials to supplement this response table, SRM has provided revised elevations for the north side of Building 'A' and the south side of Building 'B' that reflects changes to materials/recesses/projections/fenestrations, and ultimately breaking up the massing of the building further.

12. The Panel appreciates the consideration made to the treatment of the parking structure facing the park. If the parking structure remains, consider integrating outdoor amenity and landscaping on the surface of the structure facing the park, with tiered landscaping to transition down to the park. Consider a switchback path or landscaped ramp to provide a pedestrian connection from the site to the park.

Response: The at-grade green areas between the face of the west elevations and the park are to be enhanced with additional ground-related private, outdoor amenity area for residents to provide further active opportunities along the park edge (see enhanced architectural materials). Seating has been added to the tiered garden to provide additional opportunities for residents to recreate adjacent to the park.

Appendix G – Relevant Background

The London Plan – Map 1 – Place Types



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 | |

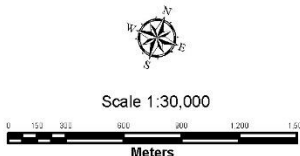
This is an excerpt from Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

CITY OF LONDON

Official Plan

LONDON PLAN MAP 1 - PLACE TYPES -

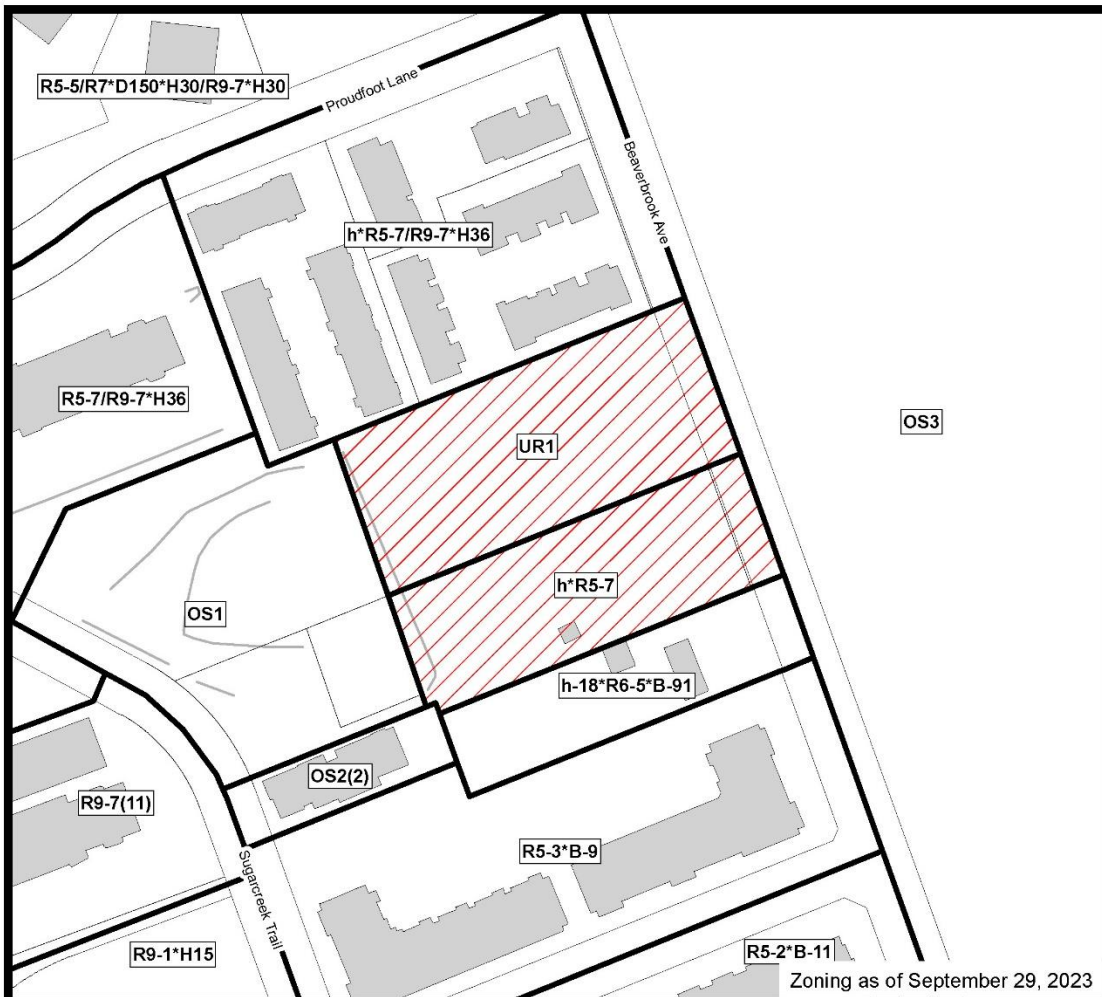
PREPARED BY: Planning & Development



File Number: OZ-9517
 Planner: AR
 Technician: RC
 Date: 2023/10/06

Project Location: E:\Planning\Projects\p_officialplan\workconsol\00\excerpts_LondonPlan\mxd\OZ-9517-Map1-PlaceTypes.mxd

Zoning By-law Z.-1 – Zoning Excerpt



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

1) LEGEND FOR ZONING BY-LAW Z-1

- | | |
|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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



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

FILE NO:

OZ-9517

AR

MAP PREPARED:

2023/10/06

RC

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Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: 2560334 Ontario Limited (c/o York Developments)
135 Villagewalk Boulevard
File Number: Z-9644, Ward 7
Date: October 23rd, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 2560334 Ontario Limited (c/o York Developments) relating to the property located at 135 Villagewalk Boulevard:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 7, 2023 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Holding Business District Commercial Special Provision (h-5*h-99*BDC(25)) Zone, **TO** a Business District Commercial Special Provision (BDC(25)) Zone;
- (b) The Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) Locate principal buildings entrance(s) for residential lobbies and commercial units along Villagewalk Boulevard, Richmond Street, and Sunningdale Road West.
 - ii) Incorporate commercial and live-work units at the gateway intersection of Royal Oaks Bend and Villagewalk Blvd.
 - iii) Incorporate step-backs or other architectural articulation to define a human scale base for any high-rise development along Villagewalk Boulevard and adjacent to the east-west and north-south "spines".
 - iv) Provide a taller ground floor height for high-rise development to accommodate commercial uses and maximize visual connections.
 - v) Ensure a maximum tower floor plate size of 1,000m² for each high-rise development above the eighth storey;
 - vi) Provide a large proportion of transparent glazing at-grade along street-facing elevation(s).
 - vii) Minimize and screen blank walls on any structured parking.
 - viii) Consider an enhanced pedestrian and cyclist streetscape along the north-south and east-west "spines" of the proposed development. Include amenities such as benches, planters, enhanced all-season landscaping and tree planting, temporary bicycle parking, canopies, signage, human-scale lighting, public art, etc.
 - ix) Ensure the heights of any proposed retaining walls do not cause sightline or safety issues and ensure that adequate lighting is provided.
 - x) Reduce the amount of parking between the buildings and Sunningdale Road West and incorporate more patios and landscape areas.
 - xi) Reduce the number of parking stalls on site and provide for increased landscaped open space.
 - xii) Ensure sidewalks are a minimum of 1.5 metres and increased to 2.1 metres wherever parking abuts a sidewalk.
 - xiii) Ensure engineering drawings are updated as part of the site plan review.

IT BEING NOTED that the above noted amendments are being recommended for the following reasons:

1. The recommended amendment is consistent with the Provincial Policy Statement, 2020, which encourages the regeneration of settlement areas and land use patterns within settlement areas that provide for a range of uses and opportunities for intensification and redevelopment. The PPS directs municipalities to permit all forms of housing required to meet the needs of all residents, present and future;
2. The recommended amendment conforms to The London Plan, including but not limited to the Key Directions, City Building policies, the Shopping Area Place Type policies, the Main Street Place Type policies, The Sunningdale North Area Plan and the Evaluation Criteria for Planning and Development Applications policies; and,
3. The recommended amendment would permit a mixed-use development at a scale and intensity that is appropriate for the site and the surrounding neighbourhood.

Executive Summary

Summary of Request

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Holding Business District Commercial Special Provision (h-5*h-99*BDC(25)) Zone to a Business District Commercial Special Provision (BDC(25)) Zone to amend the current special provisions that apply to the site.

Purpose and the Effect of Recommended Action

The recommended action will permit nine buildings consisting of two single storey commercial buildings; a 3-storey commercial/office building; a 2-storey commercial/office building; a 10-storey mixed-use (residential/commercial) building; two, 3.5-storey, stacked townhouse buildings, with live-work space; a mixed-use building (residential/commercial) comprised of two 10-storey towers; and a 1-storey commercial unit.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- **Economic Growth, Culture, and Prosperity** by supporting small and growing businesses, entrepreneurs and non-profits to be successful.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

June 17, 2008 - 39T-04513/Z-6842 – Draft Plan of Subdivision and Zoning By-law Amendment

May 31, 2021 - SPA18-067 – Site Plan Approval Application at Planning and Environment Committee

Report to Planning Committee – Sunningdale North Area Plan – Report recommending the amendment and adoption of the Sunningdale North Area Plan as a guideline document under Section 19.2.2 of the Official Plan.

1.2 Planning History

The subject lands were established through a Plan of Subdivision Application (file no. 39T-04513) where the lands at 135 Villagewalk Boulevard were re-zoned from Urban Reserve to Business District Commercial through the Plan of Subdivision process.

The Upper Richmond Village Urban Design Guidelines were prepared in October 2006 to provide guidance on the main street form of Villagewalk Boulevard. These guidelines apply to the entire property in addition to other lands in the Sunningdale North area.

The zoning of the subject lands came into effect on June 23, 2008, and the subdivision was draft approved on July 4, 2008. The site-specific Business District Commercial Special Provision (BDC(25)) Zone contains special provisions related to uses, setbacks and the gross floor area for specific uses. The current proposal is modifying some of the special provisions to accommodate this specific development concept.

The Sunningdale North Area Plan was adopted in November 2008, which identified the area as a mixed-use area. The existing BDC Special Provision Zone allows for residential uses in combination with commercial and office uses and implements the vision of the Upper Richmond Village Urban Design Guidelines.

1.3 Property Description and Location

The subject lands are located at the northwest corner of Richmond Street and Sunningdale Road, bounded by Villagewalk Boulevard. The subject lands in their entirety are 5.9 hectares (14.58 acres) in size. The south-east corner of the site is currently operating as a commercial plaza with four (4) commercial buildings, which was approved as part of a site plan application (SPA18-067). The remainder of the lands are vacant.

The surrounding area consists of a variety of residential uses and forms, as well as open space, office uses, and vacant lands intended for future residential and commercial development. Lands to the north include vacant lands intended for high-density residential development directly across from Villagewalk Boulevard, Pebblecreek Park, and existing lower-density residential developments. To the west is Villagewalk Commons (a public open space), an office building, and low-rise townhouse developments. The lands to the south are vacant and are intended for mixed-use medium- and low-density residential developments. To the east are vacant lands, with the lot directly adjacent across Richmond Street being intended for a high-rise residential development.

Site Statistics:

- Current Land Use – Commercial and vacant
- Frontage – 223 metres (731 feet)
- Depth – 317 metres (1040 feet)
- Area – 5.9 hectares (14.58 acres)
- Shape – Irregular
- Located within the Built Area Boundary: No
- Located within the Primary Transit Area: No

Surrounding Land Uses:

- North – Vacant, zoned for apartment buildings
- East – Vacant, planned for high-rise residential uses
- South – Vacant, part of a subdivision application (39T-16503)
- West – office building, townhouses, public park

Existing Planning Information:

- Existing London Plan Place Type: Shopping Area and Main Street
- Existing Specific Policy Area: Sunningdale North
- Existing Zoning: h-5*h-99*BDC(25)

Additional site information and context is provided in Appendix B.

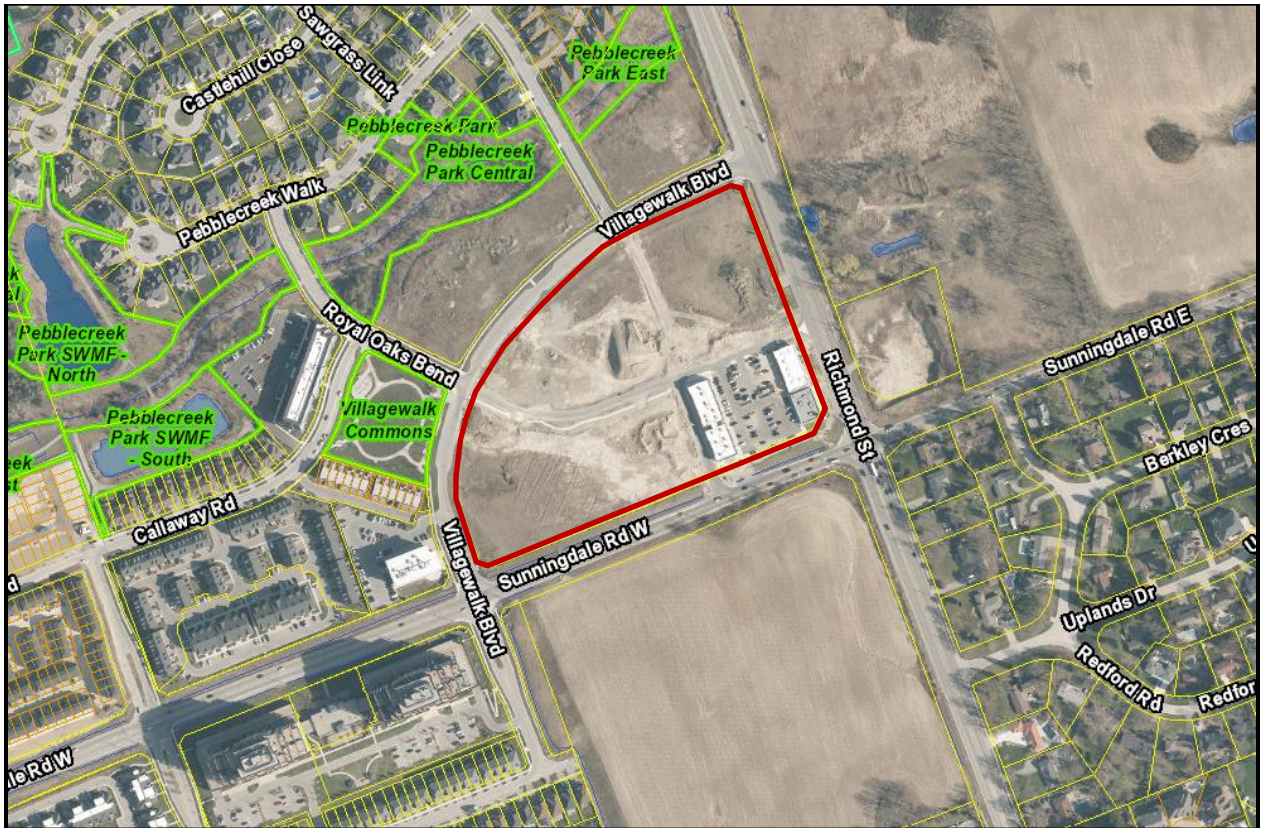


Figure 1- Aerial Photo of 135 Villagewalk Boulevard and surrounding lands

2.0 Discussion and Considerations

2.1 Development Proposal

The proposed development includes nine buildings which front Richmond Street, Sunningdale Road West and Villagewalk Boulevard and provide a total building area of 9,806m². The proposed building arrangement is as follows:

- The buildings along Sunningdale Road West include two, single storey buildings (Building D having a 455m² gross floor area (GFA) and Building E having a GFA of 853m²), a two-storey building at the Sunningdale Road West/Villagewalk Boulevard intersection (Building H with a GFA of 745m²) and a three-storey building (Building F/G with a GFA of 1,409 m²). Building D is conceptualized as a restaurant with a drive-through facility;
- Fronting the Villagewalk Boulevard corridor is a 10 storey, mixed-use building (Building I, accommodating 200m² of commercial space and 132 residential units), as well as two, 3.5 storey townhouse forms (Buildings J and K, each accommodating 40residential units). Building J is also to contain a live-work unit having a GFA of 106m² as it is situated adjacent to Villagewalk Boulevard and the main internal driveway corridor ('east-west spine');
- 10 storey buildings (Buildings L East and West) are also situated internal to the Site fronting the east-west spine. The two high-rise buildings would accommodate 115 and 116 residential units, respectively. A commercial unit, having a GFA of 106m², is also planned for the main floor of Building L East, at the intersection of the east-west and north-south spines; and
- A one storey building (Building N, with a GFA of 260m²) is proposed along the Richmond Street frontage, to the north of the existing commercial/retail use buildings. Building N is conceptualized as a restaurant with a drive-through facility.

The proposed development includes the following features:

- Land use: Mixed-use (residential, commercial, office)
- Form: Mixed (apartment buildings, stacked townhouses, single- and multi-storey)

- commercial buildings)
- Height: maximum 10 storeys (40.0m)
- Residential units: 447
- Density: 125 units / hectare
- Building coverage: 26.3%
- Parking spaces: 980 (506 underground, 474 surface)
- Bicycle parking spaces: 520
- Landscaped open space: 37.9%

Additional information on the development proposal is provided in Appendix B.

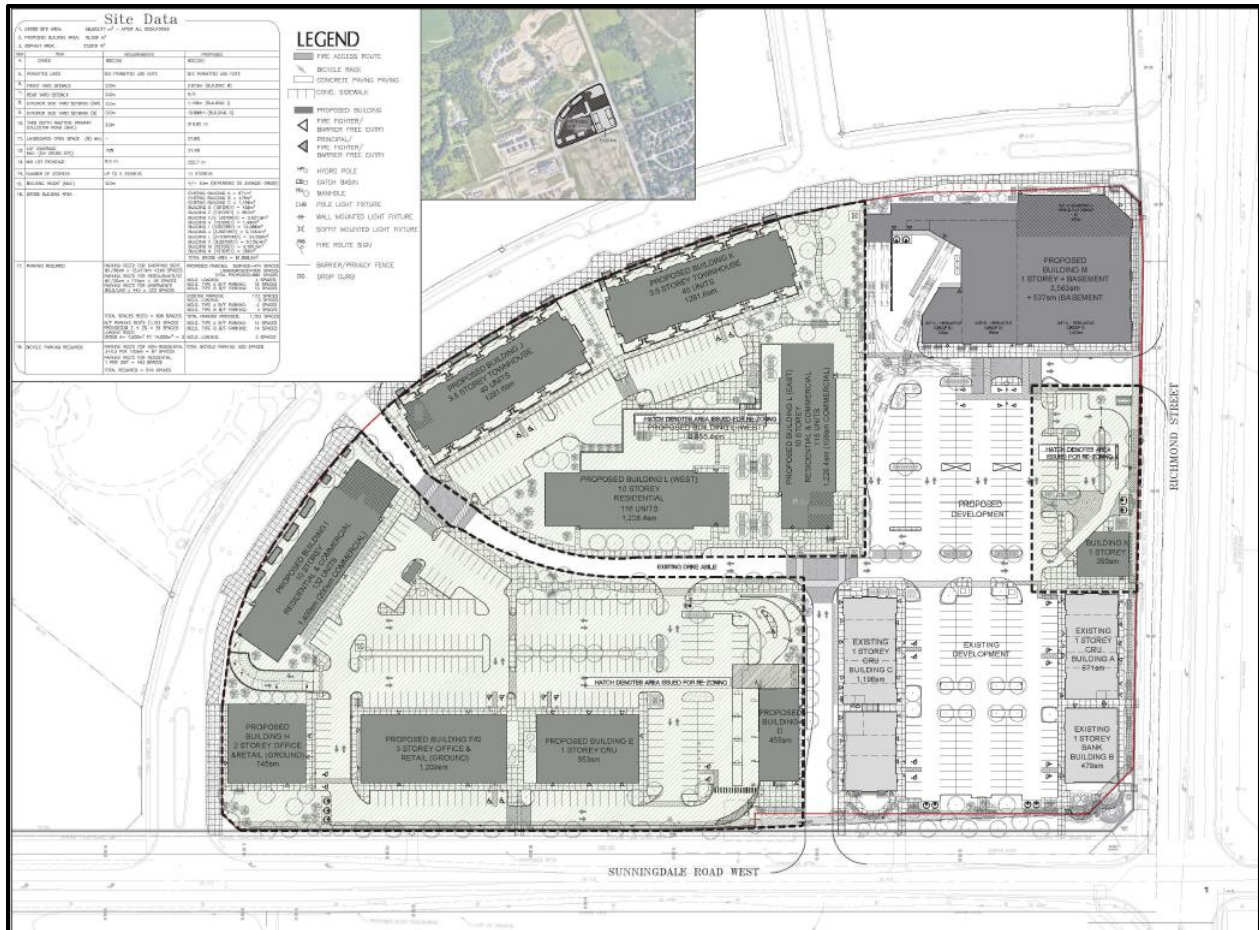


Figure 3 - Conceptual Site Plan

Additional plans and drawings of the development proposal are provided in Appendix C.

2.2 Requested Amendment(s)

The applicant has requested an amendment to the Zoning Bylaw Z.-1 to rezone the property from a Holding Business District Commercial Special Provision (h-5*h-99*BDC(25)) Zone to a Business District Commercial Special Provision (BDC(25)) Zone. Amendments are proposed to the Business District Commercial Special Provision (BDC(25)) Zone, as this is the only site that the zone applies to.

The following table summarizes the special provisions that have been proposed by the applicant and those that are being recommended by staff.

Regulation (BDC(25))	Required	Proposed
Permitted uses	Various	All currently permitted uses; Apartment buildings; Stacked townhouses; Drive through facilities for all uses; All uses on first floor of apartment buildings; Offices and personal service

Regulation (BDC(25))	Required	Proposed
		establishments on first floor of stacked townhouse dwellings
Density	Apartment buildings: established through a ZBA	125 units per hectare
Maximum height	Apartment buildings: established through a ZBA All other buildings: 12m	Apartment buildings: 40m (10 storeys) All other buildings: 16m
Maximum gross floor area	N/A (15,000m ² for all office uses)	5000m ² (individual office uses)

2.3 Internal and Agency Comments

The application and [associated materials](#) were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- Building Design
- Retaining walls
- Parking
- Drivethroughs

Detailed internal and agency comments are included in Appendix D of this report.

2.4 Public Engagement

On August 24, 2023, Notice of Application was sent to 452 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on September 7, 2023. A “Planning Application” sign was also placed on the site.

There were no responses received during the public consultation period.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, *The London Plan*. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of *The London Plan*, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in *The London Plan* analysis below.

As the application for a Zoning By-law amendment complies with *The London Plan*, it is staff’s opinion that the application is consistent with the *Planning Act* and the *PPS*.

The London Plan, 2016

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.

2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

The subject lands are part of the Sunningdale North Specific Policy Area on Map 7 of The London Plan. The specific policy area permits buildings of up to 10 storeys on the subject lands (TLP 900).

The Sunningdale North Area Plan was prepared for the Sunningdale North Community, which is bounded by Wonderland Road North to the west, Sunningdale Road West to the south, Richmond Street to the east, and the City's municipal boundary to the north. Generally, the Area Plan served as a guide for: land use, road networks, infrastructure/servicing, community facilities, recreational amenities, natural heritage preservation, and pedestrian linkages, and helped to establish the foundation for long-term development within Sunningdale North. The policy direction of this Area Plan informed the land use designations applied to the City's 1989 Official Plan and was later partially integrated into The London Plan through the Specific Policy Area.

In conjunction with the Sunningdale North Area Plan, the Upper Richmond Village Urban Design Guidelines, dated October 2006, are intended to guide the layout, design and vision for the future development of the Site and adjacent lands by identifying and describing the principal design elements of the community. As referenced in Policy 899_ of The London Plan, these Guidelines form part of City's Official Plan and are to be considered as part of project planning.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Land Use

The site is located within the Shopping Area and Main Street Place Types of The London Plan, with frontage on an Urban Corridor (Richmond Street), a Civic Boulevard (Sunningdale Road West) and a Main Street - Neighbourhood Connector (Villagewalk Blvd), in accordance with Map 1 – Place Types and Map 3 – Street Classifications.

Within the Shopping Area Place Type policies, permitted uses include a broad range of retail, service, office, entertainment, recreational, educational, institutional, and residential uses. Additionally, the policies state that mixed-use buildings are encouraged in Shopping Areas (TLP 877).

Shopping Areas will constitute an important part of London's complete communities, providing commercial centres with a wide range of retail, service, business, recreational, social, educational, and government uses within easy walking distance for neighbourhoods (TLP 871).

As noted above, a portion of the site, specifically fronting Villagewalk Boulevard is designated Main Street. Main Streets are typically tied to their surrounding communities, and provide a unique and inviting shopping and leisure experience for all Londoners and out-of-City visitors. Within this Place Type a broad range of residential, retail, service, office, and institutional uses may be permitted, and mixed-use buildings are encouraged.

The proposed mix of uses including commercial, offices and residential are in keeping with the vision of the Shopping Area Place Type and Main Street Place Type. Additionally, the proposed residential uses would contribute to a mix of housing types, providing more intrinsically affordable housing options. As such, the proposed uses are in conformity with The London Plan.

4.2 Intensity

The London Plan specifically addresses intensity for development in the Shopping Area Place Type. The relevant policies include:

- *It is the intent of this Plan to allow for the more intense and efficient use of Shopping Area sites through redevelopment, expansion, and the introduction of residential development.*
- *Adequate off-street parking will be provided to ensure there are no negative impacts on adjacent streets. Underground parking will be encouraged.*
- *Development will be sensitive to adjacent land uses and employ such methods as transitioning building heights and providing sufficient buffers to ensure compatibility.*
- *Lots will be of sufficient size and configuration to accommodate the proposed development and to help mitigate planning impacts on adjacent uses.*
- *The Zoning By-law will include regulations to ensure that the intensity of development is appropriate for individual sites (TLP 878)*

Staff are satisfied that the proposed intensity within the Shopping Area Place Type of the subject lands is appropriate as the development consists of residential development and mixed-use buildings, incorporates adequate parking including some underground, promotes compatible height transitions and provides for mitigation measures between land uses. The property is sufficiently sized to accommodate the development helping ensure compatibility and an appropriate intensity.

Additionally, policies 899_ and 900_ within the London Plan are site-specific for 135 Villagewalk Boulevard and are as follows:

The following policy applies to lands within the Shopping Area Place Type and, where explicitly stated, lands within the adjacent Main Street Place Type, located on the northwest corner of Richmond Street and Sunningdale Road West. These policies are to be read in conjunction with the Urban Design Guidelines for Upper Richmond Village in Sunningdale North under the Our Tools part of this Plan.

Within the Shopping Area Place Type and the adjacent Main Street Place Type bounded by Richmond Street, Sunningdale Road West, and Villagewalk Boulevard, a maximum height of up to ten storeys may be permitted. Within this area, retail uses will not exceed 16,000 m² and individual office uses will be 5,000 m².

It is the opinion of staff that this development through the recommended zoning meets these policies. The maximum storeys in this development are 10-storeys with the exception of the mechanical penthouses and rooftop amenity areas. A total of 10,236m² of retail/commercial is proposed that does not exceed the 16,000m². Also, the proposed gross floor area for offices is 3,163m² not exceeding the 5,000m².

The Main Street Place Type refers to intensity as follows:

Buildings in Main Street Place Types will be designed to fit in scale and character with the surrounding streetscape, while allowing for appropriate infill and redevelopment.

Buildings in the Main Street Place Types that are in new neighbourhoods will fit in with the planned vision, scale, and character of the area (TLP 910)

Staff are of the opinion that the proposed development is appropriate as it fits within the scale and character of the surrounding streetscape along Villagewalk Boulevard and is compatible as it meets the planned vision for this area.

Lastly, the proposed development has been reviewed from a form-based perspective to evaluate the appropriateness of the proposed intensity and to ensure the site is of a sufficient size to accommodate it. The requested amendment has also been reviewed in accordance with the Evaluation Criteria for Planning and Development Applications contained in policies 1577_ to 1579_ of the Our Tools section of The London Plan. Specifically, the application has been reviewed on the degree to which the proposal fits within its context. Issues of compatibility, scale and fit have been directed to the future Site Plan review process, through the request to the Site Plan Authority to consider.

As such, staff are satisfied the proposed intensity is in conformity with the policies of The London Plan, including the criteria in the Shopping Area Place Type, Main Street Place Type and the Evaluation Criteria for Planning and Development Applications.

4.3 Form

The London Plan encourages compact forms of development as a means of planning and managing for growth (7_, 66_). The London Plan encourages growing “inward and upward” to achieve compact forms of development (59_ 2, 79_). The London Plan accommodates opportunities for infill and intensification of various types and forms (59_ 4). To manage outward growth, The London Plan encourages supporting infill and intensification in meaningful ways (59_ 8).

In addition to the Form policies of the Shopping Area and Main Street Place Types, all planning and development applications will conform with the City Design policies of The London Plan (841_1) These policies direct all planning and development to foster a well-designed building form, and ensure development is designed to be a good fit and compatible within its context (193_1 and 193_2). The site layout of new development should be designed to respond to its context, the existing and planned character of the surrounding area, and to minimize and mitigate impacts on adjacent properties (252_ and 253_). Additionally, this site was reviewed under the Upper Richmond Village Urban Design Guidelines. These guidelines are intended to guide the layout, design, and vision for the future development of the site and adjacent lands by identifying and describing the principal design elements of the community. As referenced in The London Plan, these Guidelines form part of City’s Official Plan and are to be considered as part of project planning (TLP 899).

Within the Shopping Area Place Type the policies were reviewed for the form of this development. These policies specifically refer to a design that attracts pedestrian activity to the front of buildings by designing street-oriented development, and the screening of parking. Additionally, this policy directs the design of the development to include a lot of tree planting and landscaping (TLP 879).

Within the Main Street Place Type specific form policies are referred to which direct buildings to be located at or along the frontage to create a street wall in order to create a comfortable pedestrian environment, that priority is given to ensure that the site layout, building location and design reinforces pedestrian comfort and safety, that the public realm should be of a highly urban character and that surface parking be located to the rear or interior side yards and not between the buildings and the street (TLP 911).

Staff have reviewed the development in conjunction with this policy and are satisfied that the development is in keeping with the above policy criteria. The proposed site layout is a good fit within the context of the area with minimal impacts. The majority of parking is kept internal to the site screened by the buildings and proposed tree planting and landscaping all while providing street orientation along Sunningdale Rd W and Villagewalk Boulevard. In addition to appropriate setbacks, and pedestrian connections along with stepbacks on the buildings proposed along Villagewalk Boulevard are recommended to be considered through the site plan approval process to ensure there will be a positive pedestrian oriented atmosphere.

Staff are satisfied the proposed buildings and site design has adequately addressed comments from staff and the Panel. Further design refinements, including landscaping,

stepbacks, retaining walls, more details and final determination of the common outdoor amenity area(s), will occur through the detailed design at a future Site Plan Approval stage. As such, staff are satisfied the proposed development and built form are in conformity with policies of The London Plan.

4.4 Holding Provisions

Staff are satisfied with the removal of the h-5 holding provision for public site plan meeting, as the public participation meeting for this rezoning application satisfies that requirement.

Staff are similarly satisfied with the removal of the h-99 holding provisions for consistency with the Sunningdale North Area Plan and the Upper Richmond Village-Urban Design Guidelines, as special provisions and direction to the Site Plan Authority has been provided to implement the design goals and vision of the Plan and Guidelines.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the property from a Holding Business District Commercial Special Provision (h-5*h-99*BDC(25)) Zone to a Business District Commercial Special Provision (BDC(25)) Zone, and to amend the existing special provisions of the Business District Commercial Special Provision (BDC(25)) Zone. Staff are recommending approval of the requested Zoning Bylaw amendment with special provisions.

The recommended action is consistent with the PPS 2020, conforms to The London Plan and will permit a mixed-use development consisting of nine buildings, with a mix of office, commercial, and residential uses.

Prepared by: Alanna Riley, MCIP, RPP
Senior Planner, Planning Implementation

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 135
Villagewalk Boulevard

WHEREAS 2560334 Ontario Limited has applied to rezone an area of land located at 135 Villagewalk Boulevard, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this amendment to the Zoning By-law Z.-1 conforms 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 lands located at 135 Villagewalk Boulevard, as shown on the attached map comprising part of Key Map No. A102, **FROM** a Holding Business District Commercial Special Provision (h-5*h-99*BDC(25)) Zone **TO** a Business District Commercial Special Provision (BDC(25)) Zone.
2. Section Number 25.4 of the BDC Zone is amended by amending the following Special Provisions:

BDC(25) 135 Villagewalk Boulevard

a) Permitted Uses:

- i) All uses permitted in the BDC1 and BDC2 zones
- ii) Commercial schools
- iii) Convenience service establishments
- iv) Patient testing center laboratories
- v) Private schools
- vi) Stacked Townhouses
- vii) Supermarkets
- viii) A maximum of two (2) Drive-through facilities are permitted
- ix) Any or all of the permitted uses are permitted on the first floor of Apartment Buildings, including dwelling units
- x) Offices and Personal Service Establishments permitted on the first floor of Stacked Townhouses

b) Regulations:

- i) Lot Frontage (Minimum): 8.0 metres
- ii) Exterior Side, Interior Side, Rear Yard & Front Yard Depth (Minimum): 0.0 metres
- iii) Density (Maximum): 125 units per hectare
- iv) Building Height (Maximum)
 - Apartment Buildings: The lesser of 10 storeys or 40.0 metres
 - All Other Buildings: 16.0 metres
- v) Setback for Residential Uses from the centreline of the Imperial Oil Pipeline Easement (Minimum): 20.0 metres
- vi) Gross Floor Area (m²) (Maximum)

- All Retail Uses: 16,000m²
- All Office Uses: 10,000m²
- Individual Office Uses: 5,000m²

3. 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.

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.

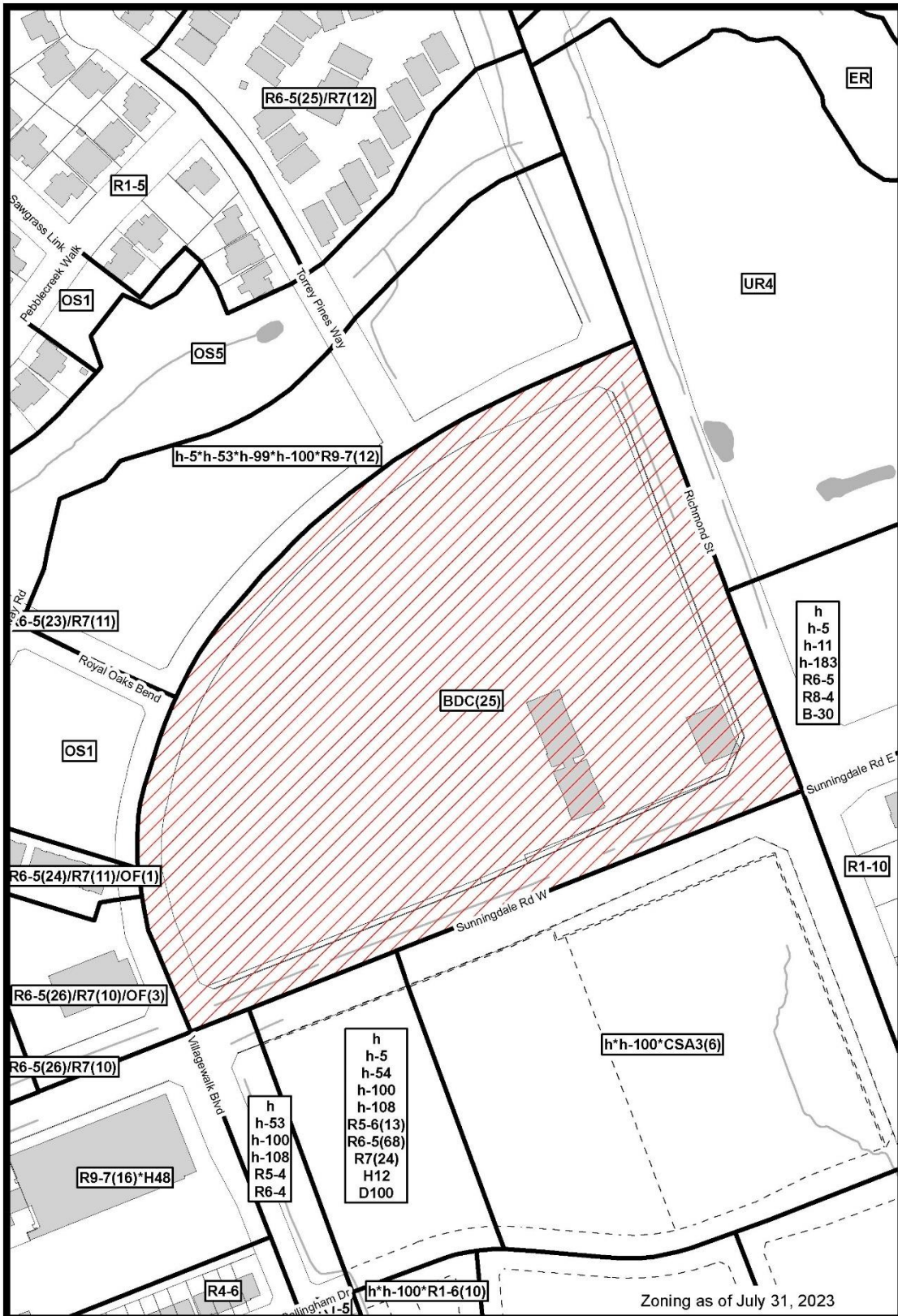
PASSED in Open Council on November 7, 2023

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – November 7, 2023
Second Reading – November 7, 2023
Third Reading – November 7, 2023

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



File Number: Z-9644
 Planner: NO
 Date Prepared: 2023/09/12
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:2,500

0 12.5 25 50 75 100 Meters 



Geodatabase

Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Vacant & Commercial
Frontage	223 metres (731 feet)
Area	5.9 hectares (14.58 acres)
Shape	Irregular
Within Built Area Boundary	Yes
Within Primary Transit Area	No

Surrounding Land Uses

North	Vacant, zoned for apartment buildings
East	Vacant, zoned Urban Reserve and for residential uses
South	Vacant, part of a subdivision application
West	Vacant, City park, and residential

Proximity to Nearest Amenities

Major Intersection	Sunningdale Road West & Richmond Street, adjacent
Dedicated cycling infrastructure	Richmond Street & Northcrest Drive, 550m
London Transit stop	Sunningdale Road West & Villagewalk Boulevard, adjacent
Public open space	Villagewalk Commons, adjacent
Commercial area/use	On site (2155-2175 Sunningdale Road West)
Food store	Loblaws (Richmond & Fanshawe Park Road), 1.3km
Primary school	St. Catherine of Siena Catholic Elementary, 1.2km
Community/recreation amenity	Plane Tree Park, 1.2km

B. Planning Information and Request

Current Planning Information

Current Place Type	Shopping Area and Main Street Place Types, fronting a Main Street (Villagewalk Boulevard), Urban Thoroughfare (Richmond Street), and Civic Boulevard (Sunningdale Road West)
Current Special Policies	Sunningdale North Specific Policy Area
Current Zoning	h-5*h-99*BDC(25)

Requested Designation and Zone

Requested Place Type	No change requested
Requested Special Policies	No change requested
Requested Zoning	BDC(25)

Requested Special Provisions

Regulation (BDC(25))	Required	Proposed
Permitted uses	Various	All existing permitted uses, Apartment buildings, Stacked townhouses, Drive through facilities, All uses on first floor of apartment buildings,

Regulation (BDC(25))	Required	Proposed
		Offices and personal service establishments on first floor of stacked townhouse dwellings
Density	Apartments: established through a ZBA	125 units per hectare
Maximum height	Apartments: established through a ZBA All other buildings: 12m	Apartment buildings: 40m All other buildings: 16m
Maximum gross floor area	N/A (15,000m ² for all office uses)	5000m ² (individual office uses)

C. Development Proposal Summary

Development Overview

The proposed development includes nine buildings which front Richmond Street, Sunningdale Road West and Villagewalk Boulevard and provide a total building area of 9,806 m²

Proposal Statistics

Land use	Mixed (office, commercial, residential)
Form	Mixed (single-storey commercial, apartment buildings, stacked townhouses)
Height	Maximum 10 storeys
Residential units	447
Density	125 units / hectare
Building coverage	26.3%
Landscape open space	37.9%
New use being added to the local community	No

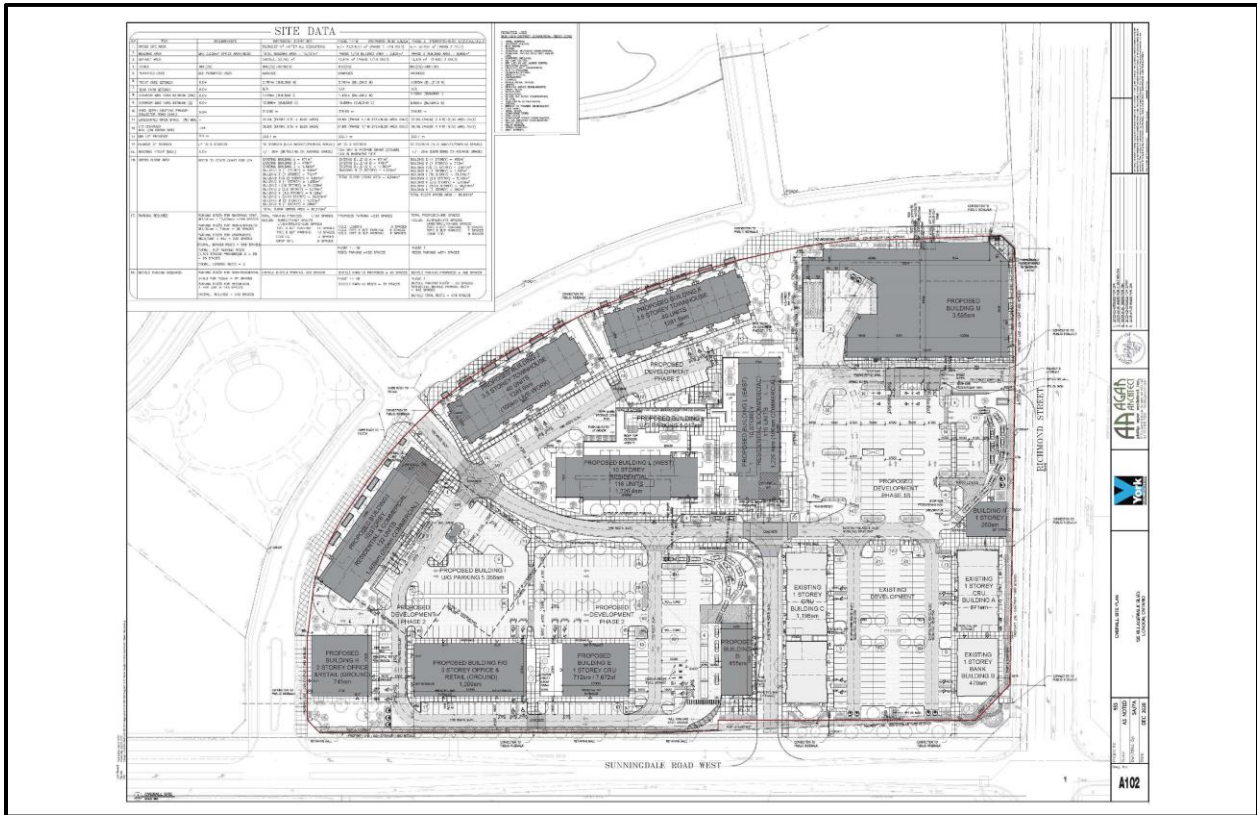
Mobility

Parking spaces	506 underground, 474 surface
New electric vehicles charging stations	Unknown
Secured bike parking spaces	520
Completes gaps in the public sidewalk	Yes
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	N/A

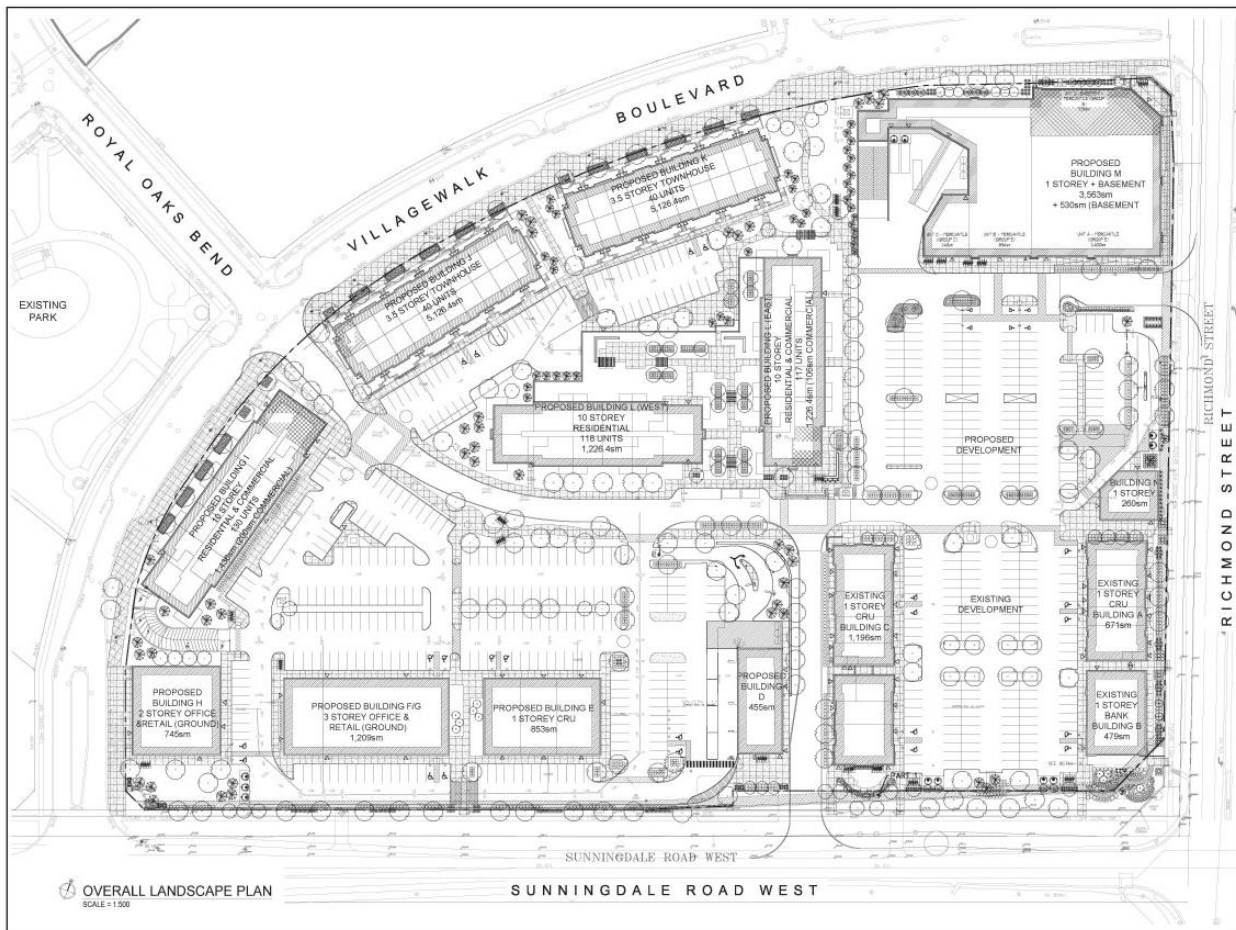
Environmental Impact

Tree removals	N/A
Tree plantings	TBD (at Site Plan)
Tree Protection Area	No
Loss of natural heritage features	N/A
Species at Risk Habitat loss	N/A
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	N/A
Green building features	Unknown

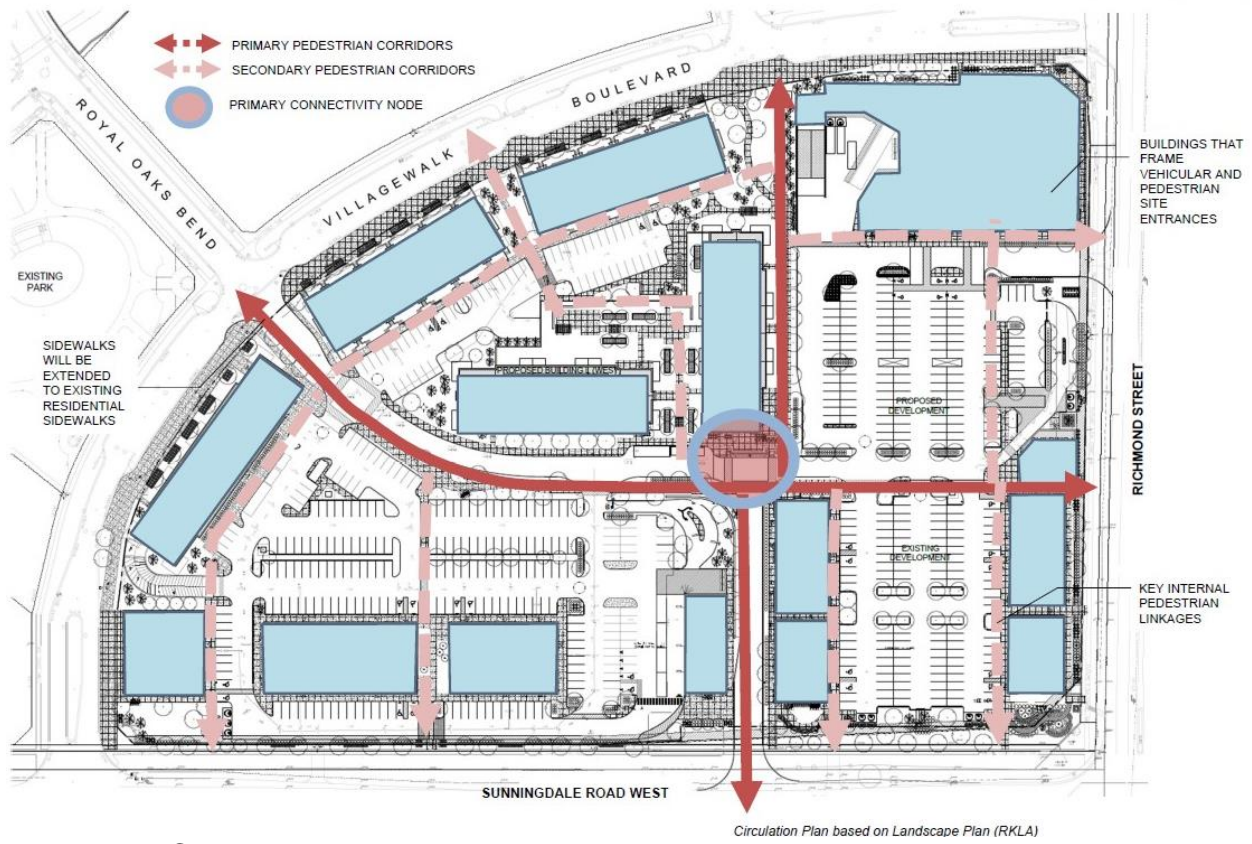
Appendix C – Additional Plans and Drawings



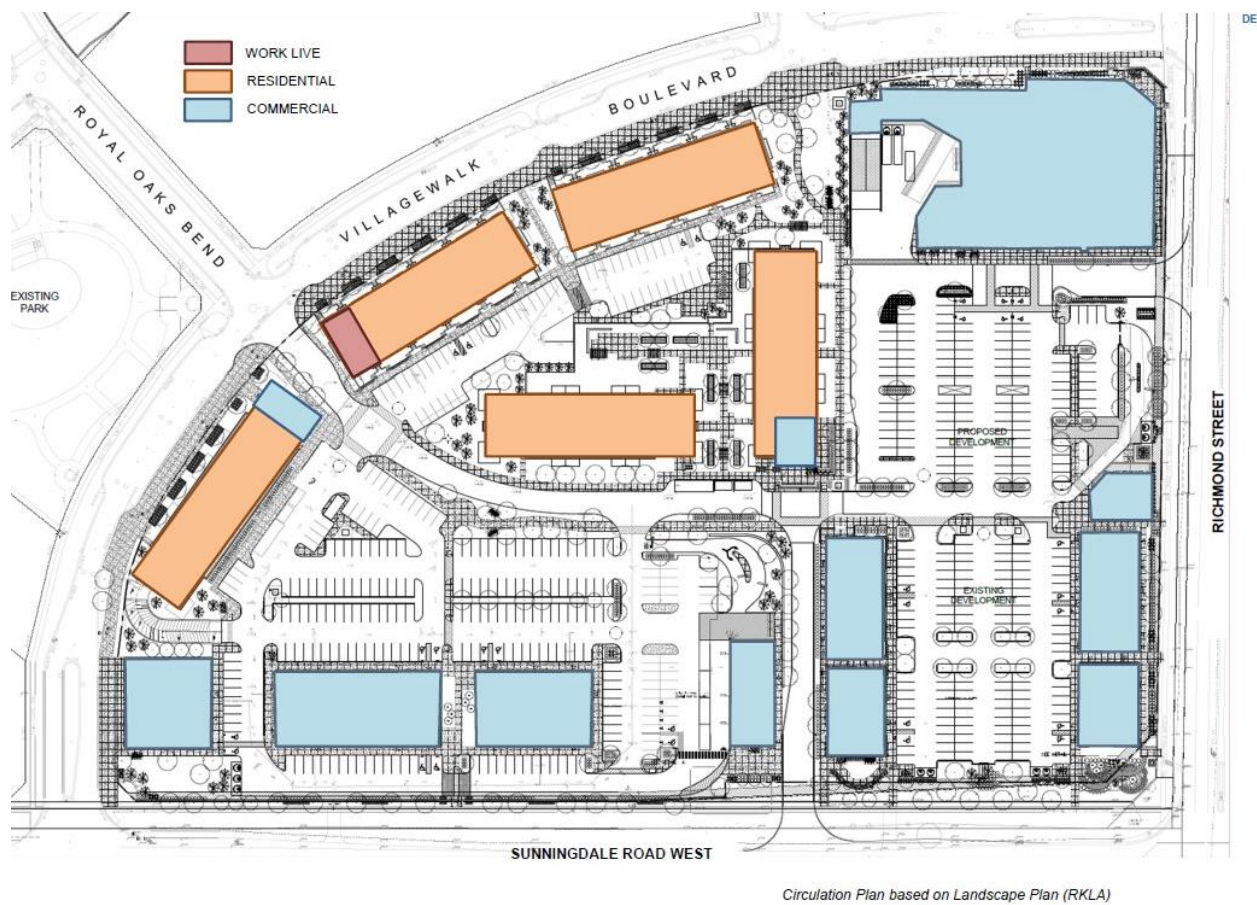
Site Concept Plan



Landscape Plan



Pedestrian Circulation Plan



Land Use Plan



Architectural Rendering Looking North-west



Proposed Building Massing Looking North-west



Proposed Building Massing Looking South



Building Rendering – Commercial and Office Buildings



Building Rendering – Stacked Townhouses with Apartments Behind



Building Rendering – Full Site Looking South



Building Rendering – Looking West from Richmond Street



Building Rendering – View from Interior of Site Looking North from East-west Spine



Building Rendering – View from Interior of Site Looking South-west at Apartment Podium and Amenity Space

Appendix D – Internal and Agency Comments

Ministry of Transportation – August 23, 2023

The owner should be aware that the property lies within MTO's Permit Control Area (PCA), and as such, MTO Permits are required before any demolition, grading, construction or alteration to the site commences. In accordance with the Ontario Building Code, Municipal permits may not be issued until such time as all other applicable requirements (i.e.: MTO permits/approvals) are satisfied.

Building and Land Use Permit

A MTO issued Building and Land Use Permit(s) (BLU) will be required. As a condition of MTO BLU permits, the following shall be provided:

- The Proponent shall submit an acceptable Site Plan for MTO review and acceptance. These plans shall clearly identify all structures/works (existing and proposed).

•
MTO has no specific requirements for the application Z-9644.

Imperial Oil – August 24, 2023

Imperial operates a pipeline in the vicinity of this development. Please find our response letter and important information for development in proximity to pipelines. Any work within 30m will require a formal approval from Imperial.

London Hydro – September 1, 2023

Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. **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 blanket easement.

Parks Planning and Design – September 4, 2023

1. Major Issues

- None.

2. Matters for OPA/ZBA

- None.

3. Matters for Site Plan

- Parkland dedication has not been fully collected for the subject lands. Commercial parkland dedication was calculated for these lands through the draft plan of subdivision and not the proposed additional residential units. Through the site plan review process the parkland dedication values will be re-calculated and any outstanding balance will be required as a payment in accordance with By-law CP-25.

Engineering – September 12, 2023

Sanitary Servicing:

- There are sections of the 450mm sanitary sewer diameter on Royal Oaks Bend that were constructed at less than the 0.40% on the designs sheet, with the

tightest section of downstream sewer being the 450mm diameter at 0.37% which is at 91% peak flow under ultimate buildout including the proposed intensification.

- Suggesting 1362 people on a 5.44ha block contemplated as commercial density for 544 people. The proposed is approximately 2.5 times over the allocated population and will require planning justification on the proposed intensification as it was never contemplated.
- There appears to be surplus available capacity for the intensification in the downstream system although it was never contemplated for the area and will require all engineering drawings (including downstream area plans and design sheets from previous phases) to be revised with the appropriate populations to reflect this intensification and submitted to Geomatics. There are no major issues or concerns at this time from SED but all engineering drawings are to be updated accordingly to reflect and track this increase if approved.

Water Servicing:

- The site is in the City's Upland high-level area, which has a hydraulic grade line of 317 m.
- Water is available to the subject site via the municipal 300 mm PVC watermain on Sunnigdale Rd W, 200mm PVC on Villagewalk Blvd and 300mm PVC watermain on Richmond St.
- Updated water servicing report will be required addressing domestic demands, fire flows, water quality and future ownership of the development.
- If the ownership of the proposed building is different than the remainder of the site, a separate municipal water service shall be provided.
- Water servicing shall be configured in a way to avoid the creation of a regulated drinking water system.
- Applicant to ensure the proposed building "N" shall have no negative impact to the watermain on Richmond Street and shall submit information to verify it.
- Applicant to demonstrate that the watermain on Villagewalk Blvd has adequate capacity for the proposed construction performing capacity analysis.

Storm Servicing:

- The Stormwater Engineering Staff reviewed the above noted zoning by-law amendment application and have no comments. All currently necessary SWM servicing and drainage requirements/controls for this site have been provided as part of SPA23-005. Future stormwater management controls are expected to be provided as part of a forthcoming SPA for the remainder(s) of the site.

Transportation:

- 135 Villagewalk Boulevard TIA is accepted. The proposed TIA recommendations should be implemented (see pages 52-53 of TIA).

Ecology – September 15, 2023

Major issues identified

- No Natural Heritage Features on, or adjacent to the site have been identified on Map 5 of the London Plan or based on current aerial photo interpretation.

Ecology – complete application requirements

- None.

Notes

- None.

Site Plan – September 15, 2023

1. Major Issues

- N/A

2. Matters for OPA/ZBA

- None at this time. Site Plan staff are happy to assist in establishing the appropriate zoning regulations for the site.

3. Matters for Site Plan

- As noted on the provided red-line drawing, at the time of Site Plan Approval, staff will be looking for low-masonry walls with enhanced landscaping between the proposed drive-through and Richmond Street.
- The lay-by for Building L (west and east) is to be relocated to be off the main drive-aisle internal to the parking area. As noted on the red-line, the lay-by can be one larger lay-by to accommodate both buildings or two standard size lay-bys for each building.
- There are concerns with the raise amenity space for Building L with the large retaining walls between Building L, the parking area and Building K. Explore opportunities to provide roof-top amenity for each individual building and/or reduce/remove the retaining walls.
- Minor site design matters such as fire route sign locations, short-term bicycle parking, snow storage etc., will be addressed through the Site Plan Approval process.

Urban Design – September 23, 2023

Matters for ZBA:

- This application is located within the Main Street and Shopping Area Place Type in The London Plan [TLP] and is within the Upper Richmond Village Urban Design Guidelines [URVUDG], and as such, the policies and guidelines set out in these documents apply.
- The applicant is commended for providing mixed-use development and underground parking. Urban Design staff encourage the applicant to continue to incorporate these design features as the proposal moves through the development process. Urban Design staff also note that there were several inconsistencies between the materials provided (the elevations, renderings, and site plan do not match) as well as missing information on several of the drawings which caused some difficulty and confusion in our review of the proposal.
- **The following Special Provisions are recommended to be applied to the zoning for this proposal:**
 - Ground floor commercial space located within buildings at the intersection of Villagewalk Boulevard and Royal Oaks Bend;
 - Principal building entrance(s) for the residential lobby and commercial units along Villagewalk Boulevard, Richmond Street, and Sunningdale Road West;
 - *High-rise development:*
 - Minimum step-back above the podium of any high-rise development(s) along Villagewalk Boulevard;
 - Minimum ground floor height of 4.5m for any high-rise development;
 - Maximum tower floorplate size of 1000m² for each high-rise development above the eight storey;
 - Minimum percentage of transparent glazing for each high-rise development at-grade along a street-facing elevation(s);
 - Minimum percentage of transparent glazing on the podium (2nd storey to the top of the podium) for each high-rise development;
- Urban Design staff are concerned with the interface of the proposed developments and the streetscape, especially along the internal driving aisle “spines”.

- To promote active-transportation, incorporate an enhanced pedestrian and cyclist streetscape along the north-south and east-west “spines” of the proposed development. Include amenities such as benches, planters, enhanced all-season landscaping and tree planting, temporary bicycle parking, canopies, signage, human-scale lighting, public art, etc. [TLP 255].
 - Provide special attention to the pedestrian circulation, interface of the outdoor amenity areas with the proposed surface parking, and streetscaping.
 - Clarify the heights of any proposed retaining walls and their impact on the public realm. To promote pedestrian safety, incorporate passive surveillance into the design of the retaining walls and ensure that adequate lighting is provided.
- The applicant is also encouraged to provide special attention to the transition proposed between the high-rise built forms and the neighbouring proposed developments of lower intensity through step-backs, setbacks, separation distance, and streetscaping.
- To encourage mixed-use development and an active pedestrian friendly intersection, provide commercial uses within the proposed developments at Villagewalk Boulevard and Royal Oak Bend. [TLP 908.2].
 - Urban Design staff acknowledge and are supportive of the proposed mixed-use developments along Villagewalk Boulevard and the subject site’s internal roadway (Building I and L (east)).
 - To ensure that no surface parking is provided between the face of the proposed development and the public-right-of-way, provide a minimum parking setback along Sunningdale Road West with regard for the imperial oil pipeline easement [TLP 269].
 - *Phase 1* of 135 Villagewalk Boulevard did not provide parking between the developments and Sunningdale Road West. For consistency, continue to provide enhanced all-season landscaping to screen the parking from Sunningdale Road West frontage similar to *Phase 1*.
 - Clarify the condition of the proposed retaining wall along Sunningdale Road West. Urban Design is not supportive of a blank retaining wall along Sunningdale Road West. Utilize terraced landscaping to reduce the impact of a blank wall along Sunningdale Road West. [TLP 230].
 - To foster an active and pedestrian friendly streetscape, ensure that the principal residential and commercial/retail/office entrance(s) to the proposed high-rise development along Villagewalk Boulevard, front onto Villagewalk Boulevard [TLP 291 & 907.9].
 - Utilize through-lobby to allow for residential access along Villagewalk Boulevard and the internal parking area.
 - Include a minimum step-back above the podium for the entirety of any proposed high-rise development along Villagewalk Boulevard, to provide a sense of transition and to reinforce a human-scale streetscape along the Main Street Place Type [TLP 286, 288]. Consider additional tiering to further foster transition and to mitigate shadow impacts.
 - To provide transition, mitigate shadow impacts, and add visual interest into the skyline, the proposed high-rise development should be designed as slender point-towers with a maximum floorplate size of 1000m² and a distinct podium, middle, and cap [TLP 289 & 292].
 - Urban Design acknowledges the floor-plate reduction depicted in the renderings provided at the ZBA stage.
 - Integrate the mechanical and elevator penthouses into the cap design of the proposed built form.
 - To provide for a safe and active Main Street Place Type provide a high degree of transparent glazing along the ground-floor and podium of any medium or high-rise development along Villagewalk Boulevard and the internal “spines”.

- Confirm the separation distance between Building L's two towers (west & east). The separation distance should be a minimum of 25.0m to promote sunlight penetration into the neighbouring developments and public spaces, and to reduce any privacy impacts between the buildings [TLP 253].

Matters for Site Plan:

- Provide a full set of dimensioned elevations and rooftop plans and floor plans. Further urban design comments may follow upon receipt.
 - The rooftop plan and elevations should outline the placement of rooftop mechanical equipment including the proposed mechanical equipment screening. Further urban design comments may follow upon receipt of the elevations and plan [TLP, 296].

Site Layout

- Screen the drive through facilities with a low-masonry walls and enhanced landscaping along Richmond Street and the north-south driveway "spine". [TLP, 265].
- Provide a landscape buffer between any proposed parking that abuts a pedestrian connection.
- Reduce the proposed surface parking and retain the underground parking facilities.
- Screen the at-grade surface parking from the outdoor amenity area with enhanced all-season landscaping.
- Ensure that the development is "future ready" [TLP, 729].
 - Once parking requirements have been achieved, consider including charging stations for ebikes and electric vehicles.

Building Design

- Clarify if below-grade townhouse units are being proposed along Villagewalk Boulevard and the surface parking. Due to privacy concerns, Urban Design is not supportive of below-grade units abutting Villagewalk Boulevard or the surface parking, without adequate outdoor amenity space and landscaping to buffer the below-grade units from the streetscape.
- Ensure that the massing and entrance location of any proposed development located on a corner or "T" junctions addresses the intersection. [TLP, 290 & URVUDG 6.2].
- Differentiate commercial building entrance(s) from any residential entrance(s) along the ground-floor.
- Incorporate porch patios or courtyard spaces that spill out into the setback along Villagewalk Boulevard and the internal driveway to further activate the streetscape and provide additional amenity space for residents. [TLP, 255].
- Provide direct pedestrian walkway access from the main and private residential entrance of any proposed built form to a sidewalk.
- Use lockable (from the exterior and interior) swing doors for any private residential ground floor units fronting onto a streetscape, to encourage walkability and provide direct access to the units from the sidewalk.
- Integrate waste collection areas into the into the proposed built form and site design. Avoid isolated and open exterior garbage areas [URVUDG 5.3.8, c].
- Consider making the roof strong enough to hold solar panels and/or green roof infrastructure. [TLP, 666 & 475.7].
- For weather protection, provide awnings and canopies above the entrances.
- Integrating the proposed underground parking ramp entrances into the massing of the proposed built forms. [TLP, 275].
- To promote passive surveillance, ensure that any townhouse end units that abut the public-right-of-way and/or pedestrian walkway are constructed to have a similar level of architectural details (materials, windows (size and amount) and design features, such as but not limited to porches, wrap-around materials and features, or other architectural elements that provide for street-oriented design).

Appendix E – Urban Design Peer Review Panel

Urban Design Peer Review Panel Comments – Applicant Response

Comment:
Although the development is described as a “hub”, the lack of meaningfully designed outdoor spaces and pedestrian networks detract from and otherwise desirable mixed-use development. The present site plan design prioritizes surface parking so pedestrian and outdoor spaces are residual, “leftover” spaces. The proponent is encouraged to create better defined urban mixed-use development where priority is given to pedestrian circulation routes, well defined open spaces and defined street edges.
Applicant Response:
The projects circulation system is integral to its design. Located on the Northern perimeter of the city, the development acts as a threshold between Arva and London. The traffic is predominantly vehicles with cyclist enthusiasts as well. With that being said, we understand the need for pedestrian activity and encourage this future growth. The design proposes a network of paths and roads designed to work in unison with one another. There are wide sidewalks leading to outdoor gathering spaces. These gathering spaces are highlighted in the UDPRP presentation. The main outdoor amenity spaces are the Sunningdale entrance patios, the main gathering area is central in the site (between building L and the townhouses), the patio at the corner of Richmond and Upper Villagewalk, the patio at the corner of Sunningdale and Uppervillagewalk. At sidewalk crossings, there is a raised concrete area. The change in grade and material change visually and physically acts as a speed bump, slowing cars down.

Comment:
More rigour is required in the planning to create meaningful outdoor/user friendly space. The spaces between the buildings needs more attention to detail.
Applicant Response:
This is a masterplan. We will investigate the building connections, landscaping, and outdoor spaces at a finer level when we are at that phase.

Comment:
Delete the parking along the south side of the retail buildings E, F and G. This will help to soften the overall development which needs this move so as not to become just another plaza development filled with surface parking.
Applicant Response:
The fire route drive aisle is required, and the parking is a tenant requirement as the south face will have the primary entrances to the building. This area is a gas line corridor and not buildable land.

Comment:

The proponent is encouraged to pursue sustainability initiatives (green roofs) to offset the large heat island effect presented in the scheme.

Applicant Response:

Green roofs are not feasible during this time. The buildings will meet the SB10 requirements.

Comment:

It will be useful to sketch out the ultimate future built out opportunities on the commercial site.

Applicant Response:

We have provided the ultimate future build out areas.

Comment:

Considerations should be given to extending Torrey Pines into the site. Alternatively, considerations may be given to a multi-use pathway that can offer as a public realm buffer/interface between the commercial and residential uses.

Applicant Response:

There is a Centre pedestrian spline running north-south on the side that connects to the Torrey Pines Way street, which is towards Torrey Pines Park. See comment below referring to the connection.

Comment:

The open/green space between the grocery store, the apartment block, and the townhouse block requires further study. It appears ambiguous with respect to how "public" this space is.

Applicant Response:

This is a masterplan. We will investigate the building connections, landscaping, and outdoor spaces at a finer level when we are at that phase.

Comment:

As a large site, it is concerning that two proposed residential buildings, Building L east and Building L west, don't have a frontage facing the public streets. Every building needs to have a proper front entrance and street address. It is suggested turning the existing L shaped driveway into a public street.

Applicant Response:

The grading and shape of the site does not easily permit this. We are proposing Building L to be internal to the site to reduce shadow impact on the neighboring properties. We also understand that a high-rise development is proposed on the north side of Upper Villagewalk. We are trying to mitigate any tunnel effect that would occur if the towers were on either side of the street.

Comment:

Although it is unlikely that the development will accommodate public streets, the driveways should be designed like a public streets, complete with street trees, comfortable pedestrian walkways, lighting, seating, and pedestrian crossing, etc.

Applicant Response:

We will take this into consideration where appropriate.

Comment:

The development needs a center spine/focal point for it to emerge as an urban of mixed-use community.

Applicant Response:

This is proposed. There is a north-south central spline that runs through the middle of the site. At the site intersection in front of Building L, there is a gathering plaza.

Comment:

It is suggested that the large amount of surface parking on site be reduced. More landscaped amenity space will make this quadrant a walkable and urban mixed-use community.

Applicant Response:

Please refer to response #1.

Comment:

The proposed plazas between the buildings along the Villagewalk Blvd are positive to create both visual and pedestrian connection between the site and the surrounding area. However, design details need to be carefully reviewed.

- The transformer located in the plaza at the corner of the proposed 1 storey commercial building is an eyesore as the terminal view of the adjacent neighbourhood street. It should be relocated or screened by

<ul style="list-style-type: none"> • evergreen planting away from the public realm. • The design of the fence and the landscape to screen the commercial servicing area besides the pedestrian walkway is critical. • The access to the underground parking ramp should be integrated into the building rather than exposed between buildings.
Applicant Response:
<p>This is a masterplan. We will investigate the building connections, landscaping, and outdoor spaces at a finer level when we are at that phase. We will take this into consideration where appropriate.</p>

Comment:
<p>While the UDPRP is encouraged by the mixed-use nature of this development, the proponent is encouraged to create an urban mixed-use development which prioritized pedestrian circulation, creates meaningful public open spaces, reduces surface parking, creates tree lines streets with building edges where each building has a public address.</p>
Applicant Response:
<p>Please refer to response #1.</p>

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to rezone an area of land located at 135 Villagewalk Boulevard

WHEREAS 2560334 Ontario Limited has applied to rezone an area of land located at 135 Villagewalk Boulevard, as shown on the map attached to this by-law, as set out below;

AND WHEREAS this amendment to the Zoning By-law Z.-1 conforms 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 lands located at 135 Villagewalk Boulevard, as shown on the attached map comprising part of Key Map No. A102, **FROM** a Holding Business District Commercial Special Provision (h-5*h-99*BDC(25)) Zone **TO** a Business District Commercial Special Provision (BDC(25)) Zone.
2. Section Number 25.4 of the BDC Zone is amended by amending the following Special Provisions:

BDC(25) 135 Villagewalk Boulevard

a) Permitted Uses:

- i) All uses permitted in the BDC1 and BDC2 zones
- ii) Commercial schools
- iii) Convenience service establishments
- iv) Patient testing center laboratories
- v) Private schools
- vi) Stacked Townhouses
- vii) Supermarkets
- viii) A maximum of two (2) Drive-through facilities are permitted
- ix) Any or all of the permitted uses are permitted on the first floor of Apartment Buildings, including dwelling units
- x) Offices and Personal Service Establishments permitted on the first floor of Stacked Townhouses

b) Regulations:

- i) Lot Frontage (Minimum): 8.0 metres
- ii) Exterior Side, Interior Side, Rear Yard & Front Yard Depth (Minimum): 0.0 metres
- iii) Density (Maximum): 125 units per hectare
- iv) Building Height ((Maximum) – Notwithstanding section 4.9 of the Zoning By-law Z-1, rooftop amenity areas and any access areas shall also be included within the height exemption
 - Apartment Buildings: The lesser of 10 storeys or 40.0 metres
 - All Other Buildings: 16.0 metres
- v) Setback for Residential Uses from the centreline of the Imperial Oil Pipeline Easement (Minimum): 20.0 metres

- vi) Gross Floor Area (m²) (Maximum)
 - All Retail Uses: 16,000m²
 - All Office Uses: 10,000m²
 - Individual Office Uses: 5,000m²

- 3. 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.

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.

PASSED in Open Council on November 7, 2023

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Subject: Cridon Investments Inc.
30 & 100 Villagewalk Boulevard
File Number: SPA22-049 & SPA21-119 – Ward 7
Public Participation Meeting

Date: October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions **BE TAKEN** with respect to the application of Cridon Investments Inc. relating to the property located at 30 & 100 Villagewalk Boulevard:

- (a) The Planning and Environment Committee **REPORT TO** the Approval Authority the issues, if any, raised at the public meeting with respect to the applications for Site Plan Approval to permit three total apartment buildings; and
- (b) Council **ADVISE** the Approval Authority of any issues they may have with respect to the Site Plan Application, and whether Council supports the Site Plan Application.

Executive Summary

Summary of Request

The proposal is for an apartment building with 256 units at 30 Villagewalk Boulevard, and two apartment buildings at 100 Villagewalk Boulevard, one with 213 units, and one with 202 units. The development proposal is subject to a public site plan meeting in accordance with the Holding (h-5) Zone regulations set out in the Z.-1 Zoning By-law.

Purpose and the Effect of Recommended Action

The recommended action is to report to the Approval Authority any issues or concerns raised at the public meeting with respect to the application for Site Plan Approval.

Rationale of Recommended Action

1. The proposed Site Plan is consistent with the *PPS 2020*;
2. The proposed Site Plan conforms to *The London Plan*, including, but not limited to Main Street Place Type and the Urban Design Guidelines for Upper Richmond Village in Sunningdale North; and
3. The proposed Site Plan complies with the regulations of the Z.-1 Zoning By-law.
4. The proposed Site Plan meets the requirements of the Site Plan Control Area By-law.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

A.107/23 – Minor variance to permit increased setbacks (100 Villagewalk Blvd) – September 21, 2023

A.046/21 – Minor variance to permit increased lot coverage and setbacks (30 Villagewalk Blvd) – July 29, 2021

A.047/21 – Minor variance to permit increased lot coverage and setbacks (100 Villagewalk Blvd) – July 29, 2021

39T-04513 – Richmond North Subdivision – June 13, 2011

O-6678/O6681 – Sunningdale North Area Plan – March 21, 2005

1.2 Planning History

The subject sites are located within the Sunningdale North Area Plan which was adopted by Council in 2006. The draft plan of subdivision and amendment to the Zoning By-law were subsequently approved in 2008 (39T-04513/Z-6842), and the subject site was zoned Holding Residential R9 Special Provision (h-5*h-53*h-99*h-100*R9-7(12)) to permit the use of the lands for apartment buildings up to 12 storeys in height and up to 300 units per hectare in density.

The site plan application for 100 Villagewalk Boulevard (SPA21-119) was submitted on December 23, 2021, and the site plan application for 30 Villagewalk Boulevard (SPA22-049) was submitted on May 19, 2022.

1.3 Property Description and Location

The sites at 30 and 100 Villagewalk Boulevard are undeveloped parcels of land located in the Upper Richmond Village subdivision and Sunningdale planning district. 30 Villagewalk Boulevard, located on the north side of Villagewalk Boulevard, bounded by Torrey Pines Way to the west and Richmond Street on the east, is approximately 0.85ha in area. 100 Villagewalk Boulevard also located on the north side of Villagewalk Boulevard, is bounded by Torrey Pines Way to the east and Royal Oaks Bend to the west. Pebblecreek Park forms the northern boundary of both sites.

On the opposite side of Villagewalk Boulevard to the south, the lands at 135 Villagewalk Boulevard are largely undeveloped with some recently constructed commercial uses at the intersection of Sunningdale Road West and Richmond Street. Villagewalk Commons Park is located opposite 100 Villagewalk Boulevard on the south side of Royal Oaks Bend.

30 Villagewalk Blvd. Site Statistics:

- Current Land Use: Vacant
- Frontage: 93.5 metres (feet)
- Depth: Irregular
- Area: 0.85 hectares (acres)
- Shape: Irregular
- Located within the Built Area Boundary: No
- Located within the Primary Transit Area: No

100 Villagewalk Blvd. Site Statistics:

- Current Land Use: Vacant
- Frontage: 81.9 metres (feet)
- Depth: Irregular
- Area: 1.4 hectares (acres)
- Shape: Irregular
- Located within the Built Area Boundary: No

- Located within the Primary Transit Area: No

Surrounding Land Uses:

- North: Open Space
- East: Vacant
- South: Vacant – future commercial
- West: Open Space

Existing Planning Information:

- Existing London Plan Place Type: Main Street
- Existing Special Policies: N/A
- Existing Zoning: h-5*h-53*h-99*h-100*R9-7(12)

Additional site information and context is provided in Appendix “C”.



Figure 1- Aerial Photo of 30 & 100 Villagewalk Boulevard and surrounding lands



Figure 2 - Streetview of 30 Villagewalk (view looking west from the intersection of Villagewalk Boulevard and Richmond Street)



Figure 3 - Streetview of 100 Villagewalk (view looking east from the intersection of Villagewalk Boulevard and Royal Oaks Bend)

2.0 Discussion and Considerations

2.1 Development Proposal

As shown in Figures 4 and 5 below, the proposals are for a 9-storey apartment building with 256 units at 30 Villagewalk Boulevard, and two 9-storey apartment buildings at 100 Villagewalk Boulevard, one with 213 units, and one with 202 units.

The building at 30 Villagewalk Boulevard is oriented toward the corner, with the site access located off Torrey Pines Way and the majority of parking located underground. A landscaped amenity space is provided along the property’s northern boundary.

The buildings at 100 Villagewalk Boulevard are oriented to the corners of Royal Oaks Bend and Torrey Pines Way and Villagewalk Boulevard, with the shared access located off Villagewalk Boulevard. Likewise, some surface parking is provided with the majority located underground, and amenity space along the northern property boundary.

The proposed developments include the following features:

30 Villagewalk Boulevard:

- Land use: Residential
- Form: Apartment building
- Height: 9 storeys (36m)
- Residential units: 256
- Density: 298 units / hectare
- Building coverage: 35.5%
- Parking spaces: 315 underground / 14 surface
- Bicycle parking spaces: 229 inside / 45 outside
- Landscape open space: 46%
- Functional amenity space: 280m²

100 Villagewalk Boulevard:

- Land use: Residential
- Form: Apartment Buildings
- Height (Building 1): 9 storeys (36.5m)
- Height (Building 2): 9 storeys (36.1m)
- Residential units (Building 1): 213
- Residential units (Building 2): 202
- Total Density: 299 units / hectare
- Total Building coverage: 39.7%
- Parking spaces: 440 underground / 28 surface
- Bicycle parking spaces: 374 inside / 63 outside
- Landscape open space: 37%
- Functional amenity space: 713.1m²

Additional information on the development proposal is provided in Appendix "C".

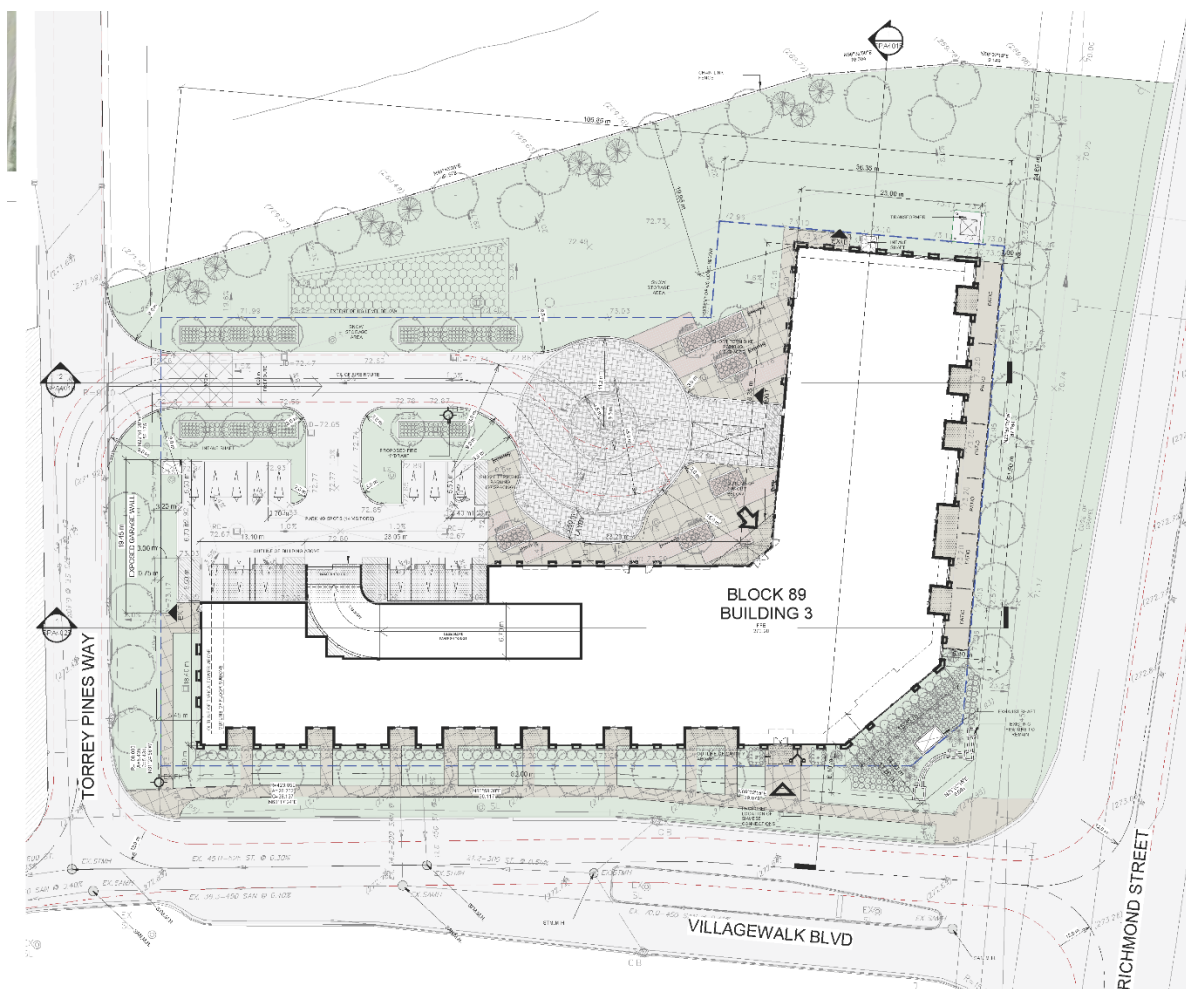


Figure 4 - Conceptual Site Plan (30 Villagewalk Boulevard (September 2023))

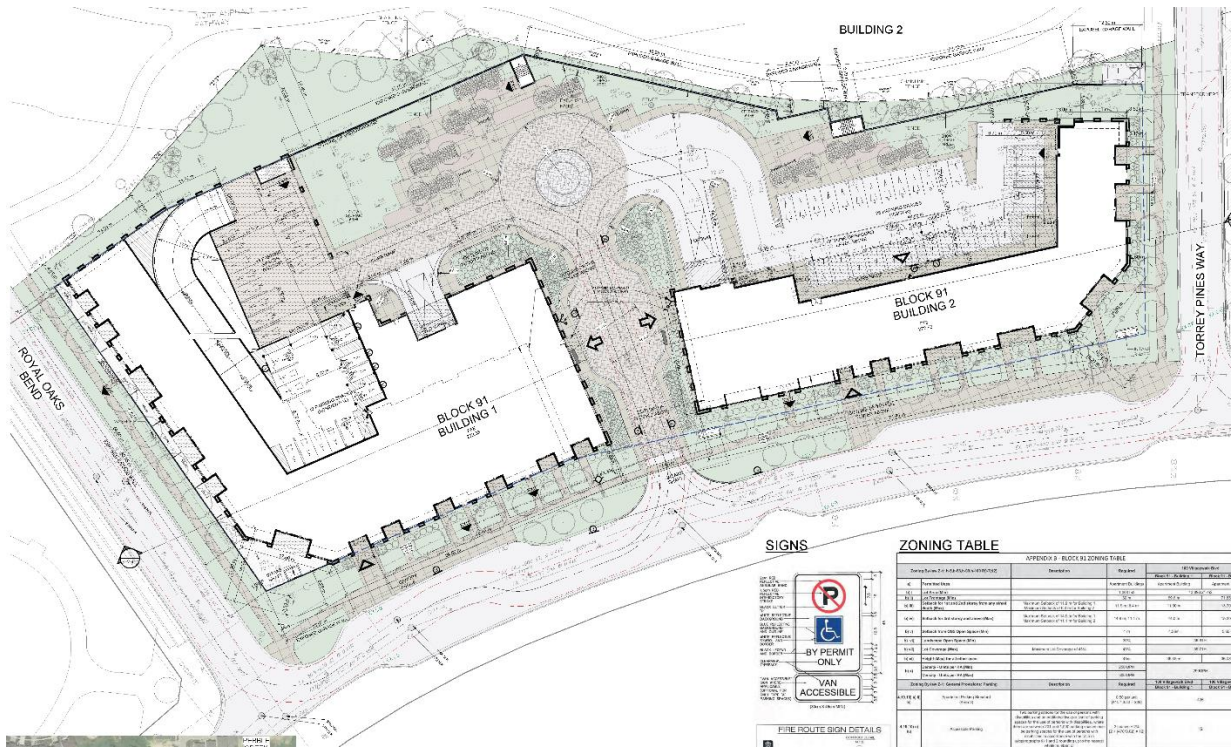


Figure 5 - Conceptual Site Plan (100 Villagewalk Boulevard) (September 2023)

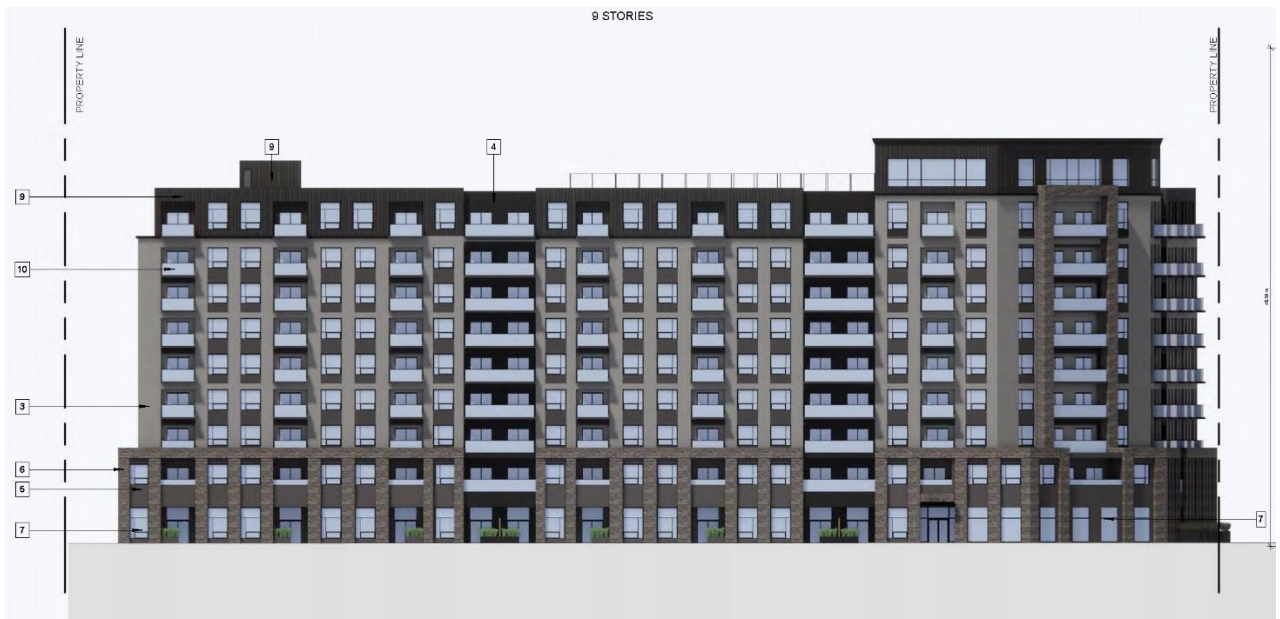


Figure 6 – South Elevation (30 Villagewalk Boulevard) (September 2023)



Figure 7 – South Elevations (100 Villagewalk Boulevard) (September 2023)

Additional plans and drawings of the development proposal are provided in Appendix “A”.

2.2 Public Engagement

On January 12, 2022, Notice of Application for 100 Villagewalk Boulevard was sent to 75 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 13, 2022.

On June 8, 2022, Revised Notice of Application for both 30 and 100 Villagewalk Boulevard was sent to 76 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 9, 2022.

There were twelve (12) responses received during the public consultation period. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Concerns expressed by the public relate to:

- Building height
- Density
- Traffic and pedestrian safety
- Environmental impacts

Detailed public comments are included in Appendix “B” of this report.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*. It is staff’s opinion that the application is consistent with the *PPS, 2020* as it results in development within an existing settlement area which makes efficient use of land and resources (1.1.3.1., 1.1.3.2(a)).

The London Plan, 2016

The subject sites are located within the Main Street Place Type and the High Density Residential Overlay, and are subject to site specific Policy 900B_, which permits the use of the land for residential purposes up to a maximum of 12 storeys in building height and 300 unit per hectare in density. The plan has been reviewed in its entirety and it is staff’s opinion that the proposed Site Plan application conforms to the Official Plan policies.

Sunningdale North Area Plan

The Sunningdale North Area Plan applies to the area between Wonderland Road North to the west, Sunningdale Road West to the south, Richmond Street to the east and the municipal boundary to the north.

The Area Plan also includes Urban Design Guidelines that are intended to guide design and future development of the Upper Richmond Village. The subject sites are located within the “Multi-Family, High Density Residential” designation in the Area Plan which is intended to be a focal feature at the entrance to the community and provide for a higher density of residents in proximity to the Village Commons. The Plan also directs the buildings to be street-oriented to create a strong and attractive street edge.

The plan has been reviewed in its entirety and it is staff’s opinion that the proposed Site Plan application conforms to the Area Plan policies.

Z.-1 Zoning By-law

The site is within a Holding Residential R9 Special Provision (h-5*h-53*h-99*h-100*R9-7(12)) Zone. Minor variance applications (A.046/21 & A.047/21) were approved for both sites to permit increased lot coverage and setbacks. An additional minor variance application (A.107/23) was approved for increased setbacks to accommodate for the irregular lot lines as the site design was further refined at 100 Villagewalk Boulevard. The by-law has been reviewed in its entirety and it is staff's opinion that the proposed Site Plan application complies with the regulations of the Z.-1 Zoning By-law. A separate application will be required to remove the holding provisions, which can be done administratively by City staff.

3.0 Financial Impact/Considerations

There are no financial impacts or considerations.

4.0 Key Issues and Considerations

4.1 Building Height and Density

The Holding Residential R9 Special Provision (h-5*h-53*h-99*h-100*R9-7(12)) Zone was applied in 2008 by by-law Z.-1-081786 which established special provisions for the subject sites including the maximum building height of 45.0 metres, a minimum density of 250 units per hectare and a maximum density of 300 units per hectare.

The lands were designated Multi-Family, High Density Residential in the 1989 Official Plan and Sunningdale North Area Plan, which was carried forward on Map 2 – High Density Residential Overlay (From 1989 Official Plan) of The London Plan. The building height and density is also recognized in Policy 900B_ which states:

Within the Main Street Place Type and High Density Residential Overlay (from 1989 Official Plan) applied to the lands at 30 Villagewalk Boulevard and 100 Villagewalk Boulevard, a maximum building height of 12 storeys and maximum density of up to 300 units per hectare is permitted.

The three buildings proposed across both sites have been reduced in height by 3 storeys (approximately 8 metres) since the first submission. Each building is now proposed at 9 storeys (36 – 36.5 metres), well below the maximum of 12 storeys and 45 metres permitted in the zone.

Both sites are also within the maximum density as identified in The London Plan and the Zoning By-law. 30 Villagewalk Boulevard with a proposed density of 298 units per hectare, and 100 Villagewalk Boulevard with a proposed density of 299 units per hectare.

4.2 Traffic

A traffic study was conducted during the initial design and approval of the subdivision which supported the minimum and maximum density of the sites when the zoning was applied concurrently. As both subject sites are within the allowable density no additional traffic studies were required to support the proposals.

It is noted that the lands are within the Main Street Place Type and are therefore exempted from minimum parking requirements per Figure 4.19 of the Zoning By-law.

4.3 Natural Heritage

Both 30 and 100 Villagewalk Boulevard are bounded to the north by Pebblecreek Park which is identified as a Natural Heritage Feature on Map 5 of The London Plan, and is regulated by the Upper Thames River Conservation Authority.

The erosion and settlement control plan for 100 Villagewalk Boulevard demonstrating how impacts to the abutting lands will be managed during construction has been

reviewed and accepted by the City’s ecologist and Parks Planning & Design department.

Drawings are still under review for 30 Villagewalk Boulevard to redirect stormwater flows away from the parkland to the north which will be addressed prior to final approval. The applicant will also require acceptance from the UTRCA prior to the issuance of final approval and building permits.

Site lighting has also been minimized along the north property lines to reduce glare and impacts on adjacent natural heritage features.

4.4 Urban Design

Within the Upper Richmond Village Urban Design Guidelines, 30 and 100 Villagewalk Boulevard are identified as high density blocks in the Community Elements. The intent of the policies contemplates a broad range of uses throughout the area, that in combination with one another, are intended to achieve the urban design guidelines of the Sunningdale North Area Plan.

Villagewalk Boulevard itself is identified as a Main Street, the community gateway streetscape. It is intended to accommodate wider than standard sidewalks, pedestrian-scale street lighting, and street furniture to be complemented by the building design at 30 and 100 Villagewalk Boulevard. Buildings are to be sited close to the street, provide visual interest, and include pedestrian-scale elements like canopies and patios with architectural integration of parking entrances and surface parking areas. They should also provide visible and attractive front doors and pedestrian connections to the street.

All three buildings are providing ground-floor patios and terraces with individual pedestrian walkways to the public sidewalk and building entrances oriented to Villagewalk Boulevard. The building elevation design also includes articulation of the first two floors to enclose the streetscape and provide a pedestrian-oriented interface with the right of way. Surface parking is located internal to each site, with entrances to the underground parking garage incorporated into the building away from public view so as not to detract from the pedestrian amenity of Villagewalk Boulevard as the main street of the neighbourhood.

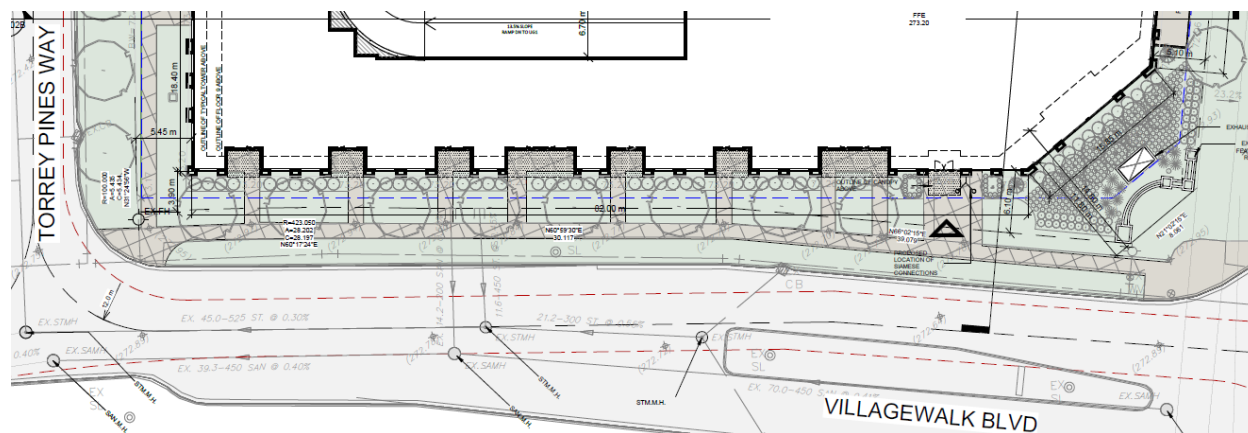


Figure 8 – Street-oriented patio spaces with individual walkways to the street at 30 Villagewalk Boulevard

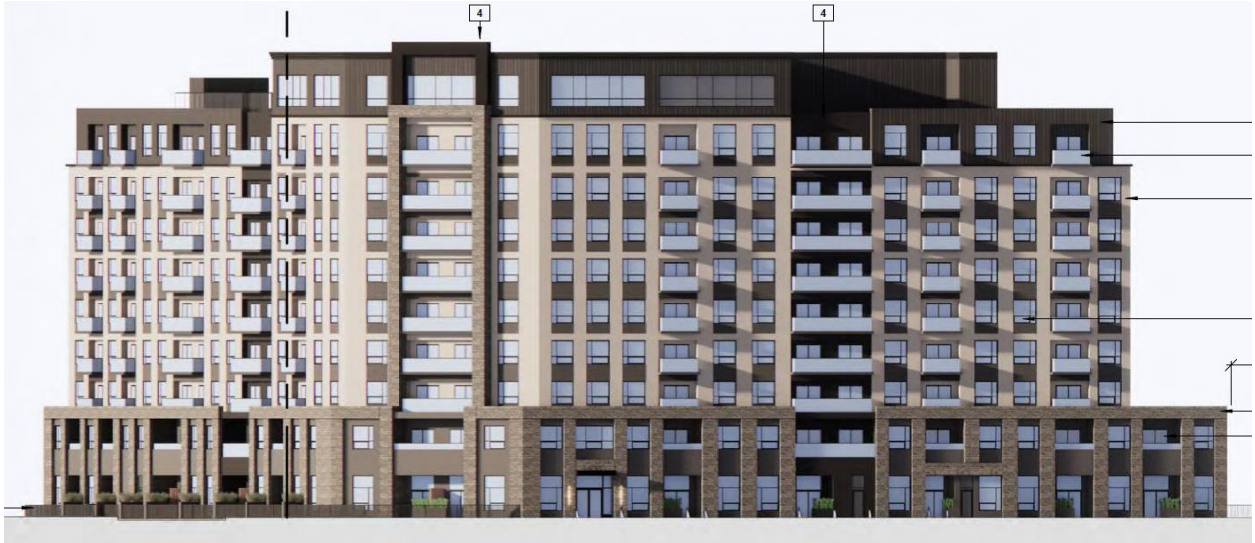


Figure 9 – Rendering of the west building at 100 Villagewalk Boulevard showing the podium and patio/terrace design.

Regarding site facilities, each building will have a loading bay and staging area for waste collection where bins will be moved outside for pickup but will otherwise remain in the dedicated garbage rooms internal to the buildings.

4.6 Outstanding Site Plan Issues

Outstanding matters to be addressed prior to Site Plan Approval include minor revisions to site design details, increasing the number of secure bicycle parking spaces, general engineering details, and redirecting stormwater flows away from the OS5 lands to the north.

Conclusion

The site plan review process is underway for the proposed apartment building. Comments provided through the consultation process and at the public participation meeting will be considered by the approval authority prior to site plan approval. The application, as proposed, is consistent with the Provincial Policy Statement, 2020, The London Plan, the Sunningdale North Area Plan, the Z.-1 Zoning By-law and Site Plan Control By-law.

Prepared by: Meg Sundercock, MCIP, RPP
Senior Planner, Site Plans

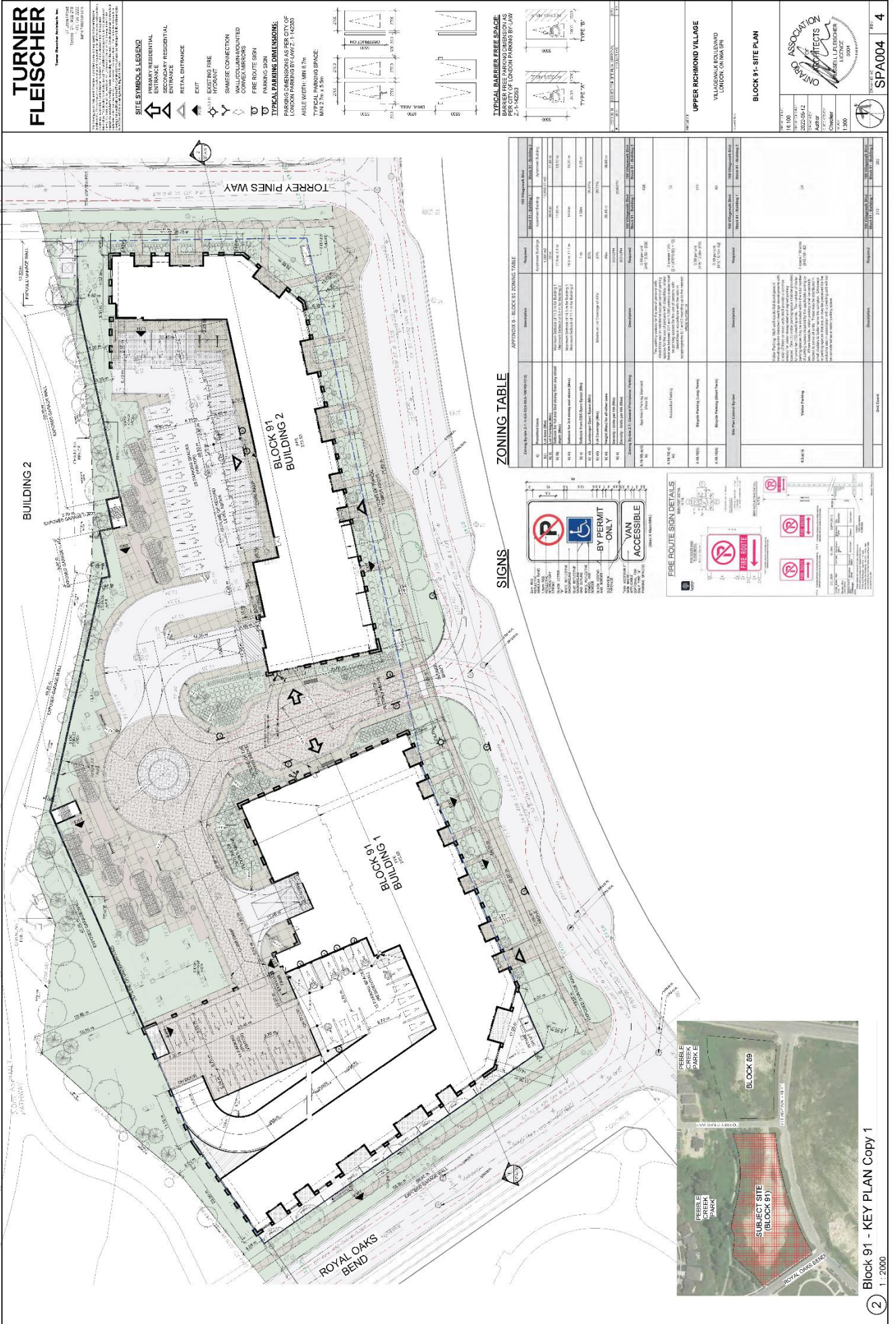
Reviewed by: Michael Pease, MCIP, RPP
Manager, Planning (Site Plans)

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic
Development

Copy: Britt O'Hagan, Manager, Current Development
Brent Lambert, Manager, Development Engineering

Site Plan – 100 Villagewalk Boulevard



Elevations – 30 Villagewalk Boulevard

TURNER FLEISCHER
 Turner Fleischer Architects, Inc.
 100 West 47th Street, Suite 1000
 New York, NY 10036
 Tel: 212 512 2000
 Fax: 212 512 2001
 www.turnerfleischer.com

MATERIAL LEGEND

- 1. LIGHT BROWN CERAMIC TILE
- 2. LIGHT BROWN CERAMIC TILE
- 3. LIGHT BROWN CERAMIC TILE
- 4. LIGHT BROWN CERAMIC TILE
- 5. LIGHT BROWN CERAMIC TILE
- 6. LIGHT BROWN CERAMIC TILE
- 7. LIGHT BROWN CERAMIC TILE
- 8. LIGHT BROWN CERAMIC TILE
- 9. LIGHT BROWN CERAMIC TILE
- 10. LIGHT BROWN CERAMIC TILE
- 11. LIGHT BROWN CERAMIC TILE

NO.	DESCRIPTION
1	Light Brown Ceramic Tile
2	Light Brown Ceramic Tile
3	Light Brown Ceramic Tile
4	Light Brown Ceramic Tile
5	Light Brown Ceramic Tile
6	Light Brown Ceramic Tile
7	Light Brown Ceramic Tile
8	Light Brown Ceramic Tile
9	Light Brown Ceramic Tile
10	Light Brown Ceramic Tile
11	Light Brown Ceramic Tile

UPPER RICHMOND VILLAGE
 VILLAGEWALK BOULEVARD
 LONDON, ONTARIO

BLOCK 89 - ELEVATIONS

SCALE: 1/8" = 1'-0"
 DATE: 03/11/14
 DRAWN BY: [Name]
 CHECKED BY: [Name]

PROJECT NO.: [Number]
 SHEET NO.: [Number]
 TOTAL SHEETS: [Number]

DATE: 03/11/14
 SCALE: 1/8" = 1'-0"

PROJECT NO.: [Number]
 SHEET NO.: [Number]
 TOTAL SHEETS: [Number]

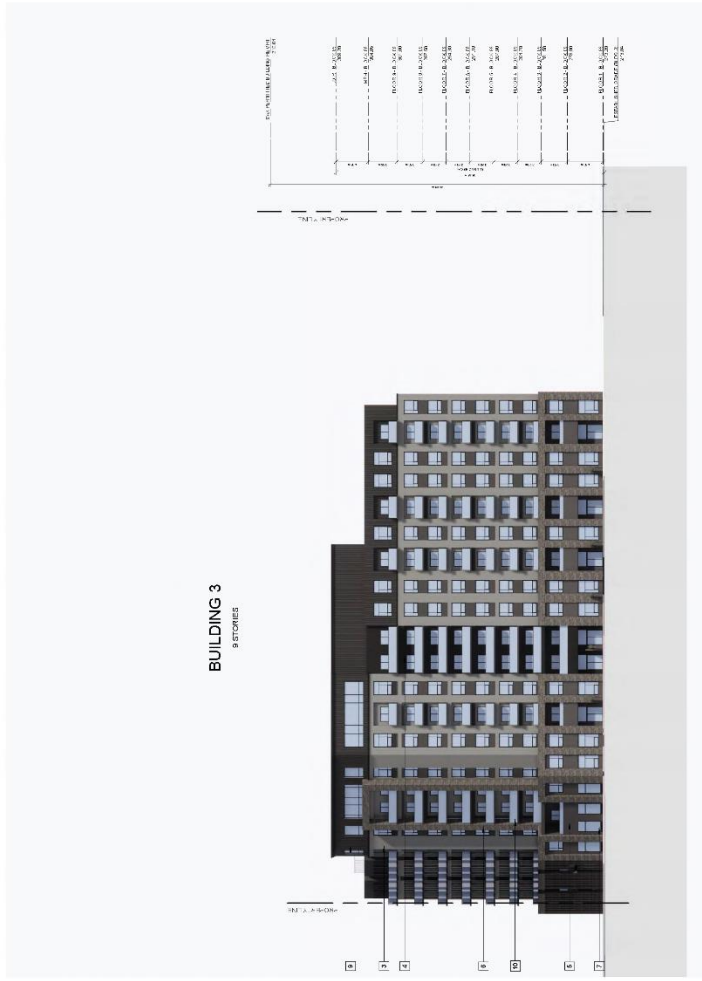
DATE: 03/11/14
 SCALE: 1/8" = 1'-0"

PROJECT NO.: [Number]
 SHEET NO.: [Number]
 TOTAL SHEETS: [Number]

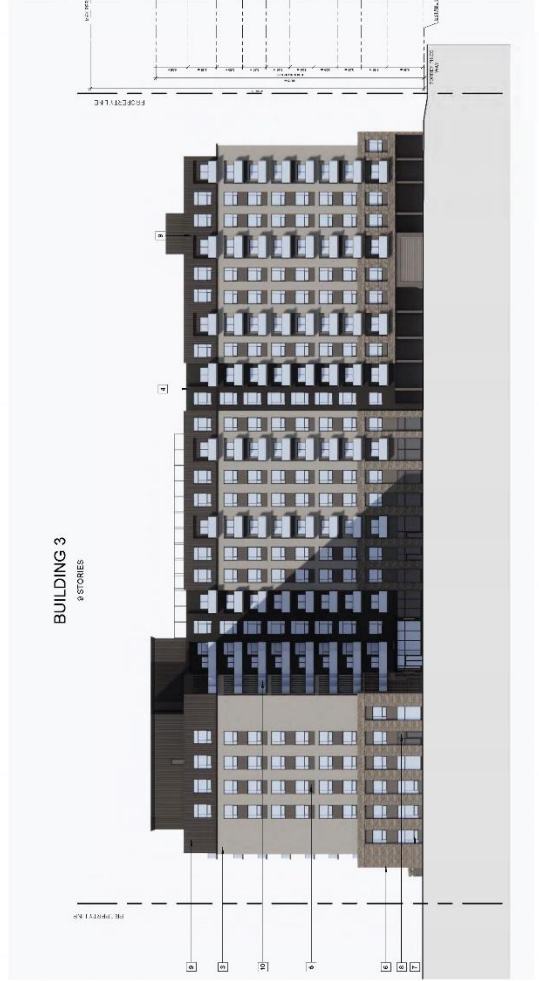
DATE: 03/11/14
 SCALE: 1/8" = 1'-0"

PROJECT NO.: [Number]
 SHEET NO.: [Number]
 TOTAL SHEETS: [Number]

DATE: 03/11/14
 SCALE: 1/8" = 1'-0"



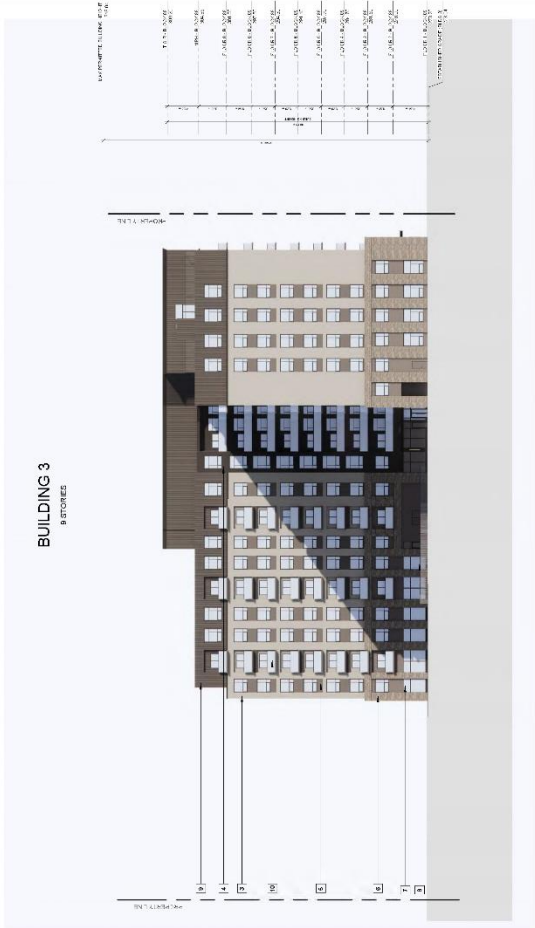
① EAST ELEVATION - BLOCK 89
 1/8" = 1'-0"



② NORTH ELEVATION - BLOCK 89
 1/8" = 1'-0"

MATERIAL LEGEND

- 1. COARSE SAND CONCRETE COURSE
- 2. COARSE SAND CONCRETE COURSE
- 3. COARSE SAND CONCRETE COURSE
- 4. COARSE SAND CONCRETE COURSE
- 5. FIBRE REINFORCED CONCRETE
- 6. POLYMER CONCRETE
- 7. POLYMER CONCRETE
- 8. POLYMER CONCRETE
- 9. POLYMER CONCRETE
- 10. POLYMER CONCRETE
- 11. POLYMER CONCRETE



① WEST ELEVATION - BLOCK 89
 1:300



② SOUTH ELEVATION - BLOCK 89
 1:300

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITTING	02/10/11
2	ISSUED FOR PERMITTING	02/10/11
3	ISSUED FOR PERMITTING	02/10/11

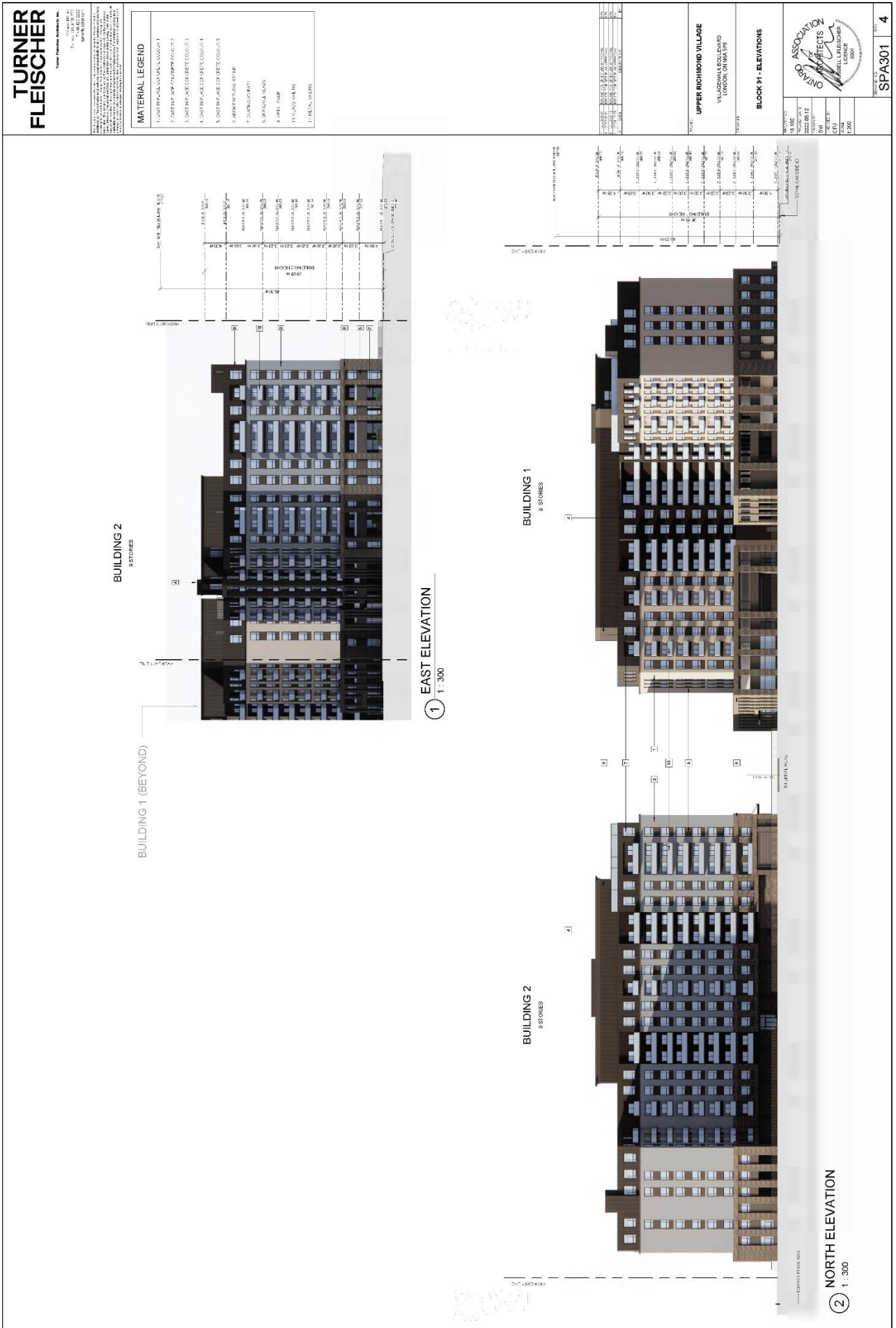
PROJECT: UPPER RICHMOND VILLAGE
 1000 INTERNATIONAL AVENUE
 LONDON, ON N6A 3Y9

BLOCK 89 - ELEVATIONS

DATE: 02/10/11
SCALE: 1:300
PROJECT: UPPER RICHMOND VILLAGE
CLIENT: TURNER FLEISCHER
ARCHITECT: TURNER FLEISCHER
ENGINEER: TURNER FLEISCHER
CONTRACTOR: TURNER FLEISCHER



Elevations – 100 Villagewalk Boulevard



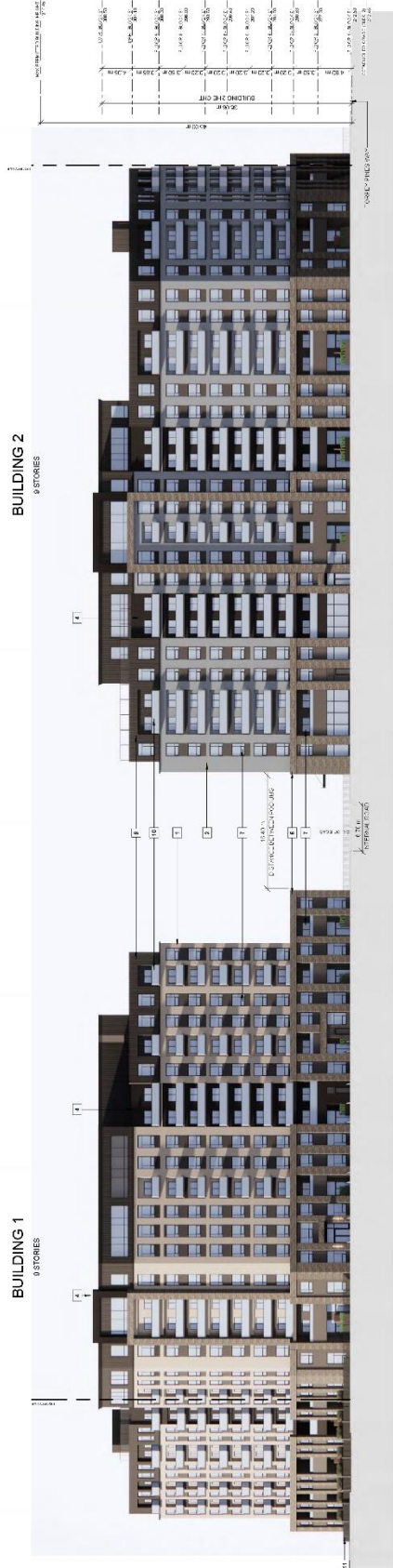
1000 RICHMOND VILLAGE
VILLAGE
LONDON, ONTARIO
L6M 3R9
TEL: 905.881.1111
WWW.TURNERFLEISCHER.COM

MATERIAL LEGEND

1. 20MM F. F. AC. CONCRETE COLOR 1
2. 20MM F. F. AC. CONCRETE COLOR 2
3. 20MM F. F. AC. CONCRETE COLOR 3
4. 20MM F. F. AC. CONCRETE COLOR 4
5. 20MM F. F. AC. CONCRETE COLOR 5
6. BRICK CLAY BRICK
7. CLAY TILE
8. SPANISH TILE
9. METAL PANEL
10. STAINLESS STEEL
11. SPANISH TILE



① WEST ELEVATION
1:300



② SOUTH ELEVATION
1:300

DATE	DESCRIPTION
2023.05.12	ISSUE FOR PERMIT
2023.05.12	ISSUE FOR PERMIT
2023.05.12	ISSUE FOR PERMIT
2023.05.12	ISSUE FOR PERMIT
2023.05.12	ISSUE FOR PERMIT
2023.05.12	ISSUE FOR PERMIT
2023.05.12	ISSUE FOR PERMIT
2023.05.12	ISSUE FOR PERMIT
2023.05.12	ISSUE FOR PERMIT
2023.05.12	ISSUE FOR PERMIT

UPPER RICHMOND VILLAGE
VILLAGE
LONDON, ONTARIO
L6M 3R9

BLOCK 11 - ELEVATIONS

TURNER FLEISCHER ARCHITECTS
2023.05.12
DWG
UPPER RICHMOND VILLAGE
SCALE
1:300

ASSOCIATION OF ARCHITECTS
ONTARIO
TURNER FLEISCHER ARCHITECTS
LONDON, ONTARIO
L6M 3R9
TEL: 905.881.1111
WWW.TURNERFLEISCHER.COM

Appendix B – Public Engagement

Public liaison: On January 12, 2022, Notice of Application for 100 Villagewalk Boulevard was sent to 75 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on January 13, 2022.

On June 8, 2022, Revised Notice of Application for both 30 and 100 Villagewalk Boulevard was sent to 76 property owners and residents in the surrounding area. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on June 9, 2022.

Twelve (12) replies were received.

Nature of Liaison:

SPA21-119 Application for Site Plan Approval by Cridon Investments Limited. Consideration of a site plan to permit two (2) 12-storey apartment buildings, with a total of 358 units. The zoning on this site includes a holding provision to require a public site plan meeting before the Planning and Environment Committee.

SPA22-049 Application for Site Plan Approval by Cridon Investments Limited. Consideration of a site plan to permit a 12-storey apartment building, with a total of 254 units. The zoning on this site includes a holding provision to require a public site plan meeting before the Planning and Environment Committee.

1. Moe Beschta (comments provided twice, in response to the original and subsequent circulation)

Thank you for the opportunity to provide feedback re Cridon Investment's proposal. We live at XXXXX and when we purchased our house we were told by our builders that the development site in reference would likely be used for houses or at worst for a low rise condo (3 to 4 stories).

We are shocked to see that 2 high rise 12 story building are being proposed to be built in this already congested small upper Richmond village Neighbourhood. We currently don't even have a school in the area with no future plans of building one hence the use of holding schools.

358 units is an enormous amount of units to have in such a small area. This neighbourhood had the little town feel especially due to its proximity to Arva and I'm afraid this will significantly compromise the appeal and sustainability of this neighbourhood. This area is already lacking in wide and open green space to have two giant concrete structures added. London is a great city to live in and we need to ensure that all neighbourhoods maintain the forest city mantra.

Unfortunately developers will I always only target what makes business sense for them but we are truly grateful that the city allows residents to provide feedback and we trust that in the end the most appropriate decision based on facts and feedback is what is going to be taken.

2. Doug and Myung Chang

We are living in XXXXX, and moved here 3 years ago from Windsor. When we moved in, all surrounding areas had not much, and we never thought this area could be as crowded like this. With current residents, the area is already busy enough during rush

hour or when kids go to school, but I think it is not even the beginning of a real issue in this area yet.

The west side of Villagewalk Boulevard, they are still building so many high rise apartments and mid density condominiums, and right across the 100 Villagewalk Boulevard they are building commercial buildings. And, I heard a builder applied for two 12-stories apartments in the 100 Villagewalk Boulevard.

If the City of London allows builders to build two more 12-story apartments with 358 units, this area could be one of the most crowded areas in London. I'm not sure classrooms for kids are ready, utilities for 358 units without affecting current residents and residents supposed to move in the new apartments and condominiums are ready, the roads are wide enough for high density populations, and etc....

Even now, the crossings of Villagewalk and Royal Oak Boulevard are so narrow and already dangerous for two vehicles turning at the same time. I am really worried about the traffic after shopping area buildings are completed, and all apartments and condominiums are built. Environmental, utility, sewer, and school issues as well.

The builders may not give up the lands they have already purchased, but it would be great if the city of London allow them to build the least number of units the City of London can.

Thanks for your consideration in advance.

3. Yong

I hope you are doing well.

I live in XXXXX. Regarding to planning application, this area is very close to residential area.

Most of high level buildings are built in road side. (Ex – developing sunning dale RD in front might be possible)

12 level building would bring significant impact to the residential people.

So, it is highly recommended to build less than 5 level.

This plan need to more space for landscaping.

4. May El-Sadek

I'm writing in regards to the proposed development at 100 Villagewalk Boulevard. I have reviewed the information provided by the city and I'm very concerned by the size of the project.

Having 2 -12 storey buildings in the space proposed will be completely out of place in the neighborhood. These buildings will overshadow the homes behind them. Having 358 units will make the neighborhood overpopulated and will put a burden on the schools that service the neighborhood that are already overcapacity. These 2 buildings will occupy a similar plot of land as the current 4 storey Bellevue building at the corner of Callaway Road and Villagewalk boulevard. The disproportionate size of these 2 projects is alarming.

I hope the city takes the neighborhood's opinion into consideration as these structures truly will look out of place and will change the feel of the whole community.

5. Rachel and Adam Fremeth

I am writing as a resident in Upper Richmond Village to express concern over the proposed development of two high-density towers along 100 Village Walk Boulevard in North London.

I request that this proposal be reviewed by the Ontario Municipal board, including an environmental assessment, along with a water table evaluation. A traffic study should

also be conducted not only at the intersection of Richmond Street/Sunningdale Road, but along Village Walk/Torrey Pines and Village Walk/Royal Oaks Bend, and consultation with local community residents.

Torrey Pines and Royal Oaks Bend are the only **two entrances** to our neighbourhood, each one framing the side of the proposed towers. This means that soon thousands of cars will be congesting our entryways and emergency routes.

Our concern is for the proposed buildings' height and number of units, which is substantially higher than the municipal average for a multi-dwelling apartment building.

This will considerably affect all residents including those of existing apartment buildings and townhouses that surround Upper Richmond Village.

Thank you for your consideration.

6. Yuhai Cui and Xiaoli Ma

We are writing to you to express our deep concerns over the planned construction of the two apartment buildings at 100 Village Walk Boulevard, Upper Richmond Village. To keep our neighborhood safe and beautiful, please try your best to keep the density and lot coverage of these apartment buildings to minimum - 250 units per hectare and 30% generously allowed by the zoning (passed before we all started living in Upper Richmond), which may mean 60 less units in these buildings/ 2 stories lower - less traffic and more safety!!!

The TriCar buildings around us have a density of 150 units per hectare, but the planned 100 Village Walk Boulevard buildings would have twice the density, at 300 units per hectare maximum. Why such a significant difference? We don't understand and therefore we ask you to act on our behalf to bring us a fair solution!!!

Thank you for your consideration and actions to keep our community safe and nice!!!

7. Suke and Ardiana Mestanovski

My name is Suke Mestanovski, and I would like to follow up on our previous conversation. I am a resident living in the Upper Richmond Village neighbourhood. My property is located at XXXXX. There are three high rises in the planning to be built on Village Walk Boulevard and I am of great concern for my privacy because my backyard is highly visible to this site, and if these are to be built based on the applicants request our entire neighbourhood will lose the privacy we currently enjoy. The city must also consider the amount of noise this will bring to our neighbourhood. We strongly believe the density of the construction being proposed obstructs the accessibility to the neighbourhood and we are extremely distraught that the city is considering to allow building such enormous infrastructure in such a small space. Absolutely ridiculous!

It is also surprising that the city has failed to consider the pollution this development would bring, the traffic it would promote, and the public outcry it would entail. Therefore you should understand how this development is highly inappropriate and a serious invasion of privacy.

Myself alongside other members of this community will dispute this development.

8. Mary

We received the planning schedule of the above file number and we are totally opposed to the idea of having high rises so close to our house. We came to this subdivision 5 years ago for the beautiful layout and the views in all directions. We live at XXXXX. We are very disturbed and frustrated with the decision to have these 12 stories bldgs go up so close to our house.

We would appreciate reconsidering this plan.

9. Paresh Soni

I just moved to Richmond Village in December. I bought my home in September thinking that I will be living in one of the best neighborhoods in the city. The land adjacent to Richmond and Sunningdale was still raw land.

Now I hear that over 358 units (apartment buildings) are being built there. Why would the city do this?? With all the highrises, this area is already looking like a suburban ghetto. Sunningdale Rd used to be peaceful and now it is full of traffic.

I want to go on record and state my frustration to the city's planning vision. Is the vision to make London a dumping ground for renters?? There are over 1.5M homes in the area and now we have hundreds of apartments and that too just rentals.

I don't get why the city would do such a thing!?

10. Arthur Mustard-Thompson

Please include this letter in all future meetings regarding this application,

Although I support this development, I do not believe it is in line with the "Main Street" designation of Villagewalk or the original plans for this area created by Auburn Developments. This building, at 12 storeys tall, does not create a heritage-inspired, village-like, main-street feel, which was the original plan of both the developer and the city. I would like to see a 2 to 3 storey podium at the base of this tower (with the upper levels set back) to bring the design down to eye-level, creating a development that is more pedestrian-oriented. I would also like to see the use of warm-coloured brick and stucco on this podium, to give the streetscape a heritage feel. One development that has used this technique of a warm-coloured, brick podium at the base of a modern tower is the currently under-construction Talbot Terrace at 667 Talbot Street (photo below). The use of brick helps the structure blend effortlessly into the surrounding area.

Although Upper Richmond Village and Villagewalk Boulevard are not a heritage area like Talbot Street, the original plan for the subdivision was to create a new 'Old North.'

I have included below the letter I sent to the Planning Committee last year regarding the proposed plaza at 135 Villagewalk, as my concerns about the design of 100 Villagewalk are virtually the same:

Dear Members of the Planning and Environment Committee, please include this letter on the meeting agenda and update me on any further changes to this application:

I am glad to see that the shopping area at Upper Richmond Village is finally being completed. We moved into the area in 2005, and for as long as I can remember, 135 Villagewalk Boulevard has been nothing but a field with an ever-changing array of advertisements encouraging would-be residents to "Shop, Live, Play" at Upper Richmond Village. Now, 15 years since the Sunningdale North Area Plan, it seems that the area is on its way to completion. Unfortunately, I do not believe that this proposal by York developments is true to the initial idea put forward by the original owners, Auburn Developments.

Looking at the original website for Upper Richmond Village (by Auburn Developments - it can be found at http://www.terracorp.ca/upperichmondvillage.com/index.php?option=com_content&view=article&id=11&Itemid=8), it is easy to get an idea of the spirit or feeling that the designers had in mind when they planned this community. The website says, "Imagine a place where you can stroll along the creek behind your house, where the homes are not dominated by garages but **heritage facades**; where you can go to work, get a hair cut, or

buy a new dress all on the same street and not leave your neighbourhood; where you can walk your children to get an ice cream or a movie, or retreat to a central park for a picnic or to play ball; where you can meet friends for dinner at your favourite restaurant or pub and interact with others on **vibrant streets** at all times of the day; a place where you can stay even when you get older.” It sounds lovely, and I know that I am not the only one who was excited about the development, as many of our neighbours and friends talked about the new “**village**.” Auburn goes on to say that their aim is, “**to promote a heritage feeling in the community**... The homes will be positioned closer to the street and garages will be minimized. The designs of the front elevations will be varied to add visual effect.” Another website (<http://domusdev.com/rentals/upper-richmond-village/>) encourages residents to, “Sit at a sidewalk terrace, meet friends for dinner, take the kids to the movies, or simply stroll the vibrant streets of the Village’s commercial district while exploring the many **main-street shops**.” A final website (<https://www.stantec.com/en/projects/canada-projects/u/upper-richmond-village-project>) states, “Upper Richmond Village is a development focused on creating a **sense of community** integrating mixed land uses and a variety of urban style living. Boasting distinctive **architecture steeped in the history of Old North** London... The development is further enhanced by the introduction of **community gateways**, with highlighted crosswalks, plantings, and landscape markers.”

From these descriptions, some things stand out. The developers wanted to “**promote a heritage feeling in the community**,” have small, independent, boutique shops, not big box stores, have shops that are primarily pedestrian oriented (“**Main Street shops**”), have a community that was walkable with store fronts facing Villagewalk Boulevard (this is why on-street parking cut-outs are currently provided on Villagewalk Boulevard), and create a shopping area that used **classical/traditional architecture** to create a **Village** feeling. The photos provided by Auburn Developments provide an excellent idea of what the goal for the neighbourhood was.

The following photos were taken from Auburn Development’s original website for the development:





These photos confirm that the original intention for this community was to have boutique shops that used a variety of materials, textures, colours, and traditional architecture to create a “village” feel. The proposal for the development brought forward by the current owners of the site, York developments, do not live up to this original plan. Their proposal recommends massive ‘big-box’ stores as apposed to “Main Street shops.” Their buildings will not use a variety of colours as Auburn’s original mock-up photos show, but lots of grey, white and silver, including “slate coloured brick, Granada stone, grey stucco, and cinderblock.” Their buildings do not include traditional, heritage architecture, but are grey and modern. York’s proposal images from their website confirm this, as is shown below.

This image was taken from York Development’s Website:



The buildings in York's proposal look like they could be in any big box shopping plaza, anywhere. There is nothing special, heritage-inspired, or village-feeling about them. I realize that modern design, with lots of grey stucco, neutral colours, hard edges, and minimalist interiors are popular in today's market, but they will not age well. What was considered 'modern' in the 1970s is now seen as ugly, and the same will be true for today's 'modern' buildings.

Thank you for bearing through this very long letter, I did not intend for it to be this long!

11.

We pray that you and your family are well during this pandemic. We are writing to express our concerns, questions, and petitions regarding the above-mentioned buildings.

WHAT ARE OUR CONCERNS ?

1. TWO 12-STOREY (45 METER / 147 FOOT TALL) APARTMENT BUILDINGS
2. 358 UNITS - DENSITY 300 UNITS PER HECTARE (MAXIMUM)
3. 358 MORE FAMILIES AND THEIR PETS WILL BE LIVING IN UPPER RICHMOND VILLAGE - AND MORE VEHICULAR AND PEDESTRIAN TRAFFICS AND LITTERINGS FROM PETS (POOPS) AND RENTERS/RESIDENTS (GARBAGE) WALKING AROUND AND ENJOYING THE NEIGHBOURHOOD...
4. WE WILL ALL HAVE TO PASS THESE TWO 45 METER/147 FOOT TALL BUILDINGS WITH TRAFFICS ON OUR WAY HOME AND OUR WAY TO WORK EVERYDAY - AS OUR ONLY ACCESS IN & OUT.

WHAT ARE OUR PETITIONS AND QUESTIONS?

1. PLEASE KEEP THE DENSITY AND LOT COVERAGE OF THESE 100 VILLAGEWALK BOULEVARD BUILDINGS TO MINIMUM - 250 UNITS PER HECTARE DENSITY AND 30% LOT COVERAGE - ALREADY VERY GENEROUSLY ALLOWED BY THE ZONING (PASSED BEFORE WE ALL STARTED LIVING IN UPPER RICHMOND) WHICH MAY MEAN 60 LESS UNITS IN THESE BUILDING / 2 STORIES LOWER (30 UNITS PER STORY) / 120 LESS AUTOMOBILES (2 CARS PER FAMILY) = LESS TRAFFIC & MORE SAFETY - FOR ALL RESIDENTS AND THEIR PETS IN UPPER RICHMOND VILLAGE.
2. THE TRICAR BUILDINGS AROUND US HAVE DENSITY 150 UNITS PER HECTARE (100 VILLAGEWALK BOULEVARD BUILDINGS HAVE TWICE THE DENSITY AT 300 UNITS PER HECTARE MAXIMUM) -

WE CAN'T HELP BUT WE MUST ASK THESE VERY OBVIOUS QUESTIONS:

- WHY SUCH A SIGNIFICANT DIFFERENCE EXISTS?

- PERHAPS, WAS IT AN OVERSIGHT OF THE CITY PLANNERS WHEN THE ZONING WAS PASSED BEFORE 2010 AND NOW THE PRESENT PLANNERS REALIZED THAT THEY NEEDED TO RESTRICT THE DENSITY OF THE TRICAR BUILDINGS DUE TO SAFETY AND ENVIRONMENTAL REASONS?

- MOST BUILDINGS IN THE NORTH END HAVE DENSITY AROUND 200 UNITS PER HECTARE (BY GOOGLE SEARCH).

We thank you for your kind attention to our concerns, petitions, and questions.

We respectfully request that The City of London Development Services will take corrective measures to restrict the DENSITY and LOT COVERAGE of these 100 Villagewalk Boulevard to MINIMUM to address TRAFFIC ISSUES, SAFETY ISSUES, AND THE WELL-BEING OF ALL PRESENT AND FUTURE RESIDENTS AND PETS OF UPPER RICHMOND VILLAGE.

God Bless !!!

Appendix C - Site and Development Summary

A. Site Information and Context

Site Statistics – 30 Villagewalk Boulevard

Current Land Use	Vacant
Frontage	93.5 metres (feet)
Depth	Irregular
Area	0.85 Hectares (acres)
Shape	Irregular
Within Built Area Boundary	No
Within Primary Transit Area	No

Site Statistics – 100 Villagewalk Boulevard

Current Land Use	Vacant
Frontage	81.9metres (feet)
Depth	Irregular
Area	1.4 Hectares (acres)
Shape	Irregular
Within Built Area Boundary	No
Within Primary Transit Area	No

Surrounding Land Uses

North	Open Space
East	Vacant
South	Vacant – future commercial
West	Open Space

Proximity to Nearest Amenities

Major Intersection	Richmond St/Sunningdale Rd – 255m
Dedicated cycling infrastructure	Future multi-use pathway in Pebblecreek Park, immediately adjacent
London Transit stop	Richmond Street, 460m
Public open space	Villagewalk Commons, Peeblecreek Park, immediately adjacent
Commercial area/use	135 Villagewalk, 150m
Food store	Proposed at 135 Villagewalk, immediately adjacent
Primary school	Jack Chambers P.S., 1700m
Community/recreation amenity	Pebblecreek Park, Villagewalk Commons, immediately adjacent

B. Planning Information and Request

Current Planning Information

Current Place Type	Main Street Place Type, Main Street Street Classification
Current Special Policies	900B_
Current Zoning	R9-7(12)

C. Development Proposal Summary

Development Overview

A 9-storey apartment building with 256 units at 30 Villagewalk Boulevard, and two 9-storey apartment buildings at 100 Villagewalk Boulevard, one with 213 units, and one with 202 units.

Proposal Statistics (30 Villagewalk Boulevard)

Land use	Residential
Form	Apartment Building
Height	Nine (9) Storeys (36m)
Residential units	256 total
Density	298 units/hectare
Building coverage	35.5%
Landscape open space	46%
Functional amenity space	280m ²
New use being added to the local community	Yes

Mobility

Parking spaces	315 underground, 14 surface
Vehicle parking ratio	1.2 spaces per unit + 26 visitor
New electric vehicles charging stations	Unknown
Secured bike parking spaces	229
Secured bike parking ratio	0.9 spaces per unit
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	Future pathway connection to the north

Environmental Impact

Tree removals	2
Tree plantings	98
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	N/A
Green building features	Unknown

Proposal Statistics (100 Villagewalk Boulevard)

Land use	Residential
Form	Apartment Buildings
Height	Nine (9) Storeys (36.5m, 36.1m)
Residential units	513 total
Density	299 units/hectare
Building coverage	39.7%
Landscape open space	37%
Functional amenity space	713.1m ²
New use being added to the local community	Yes

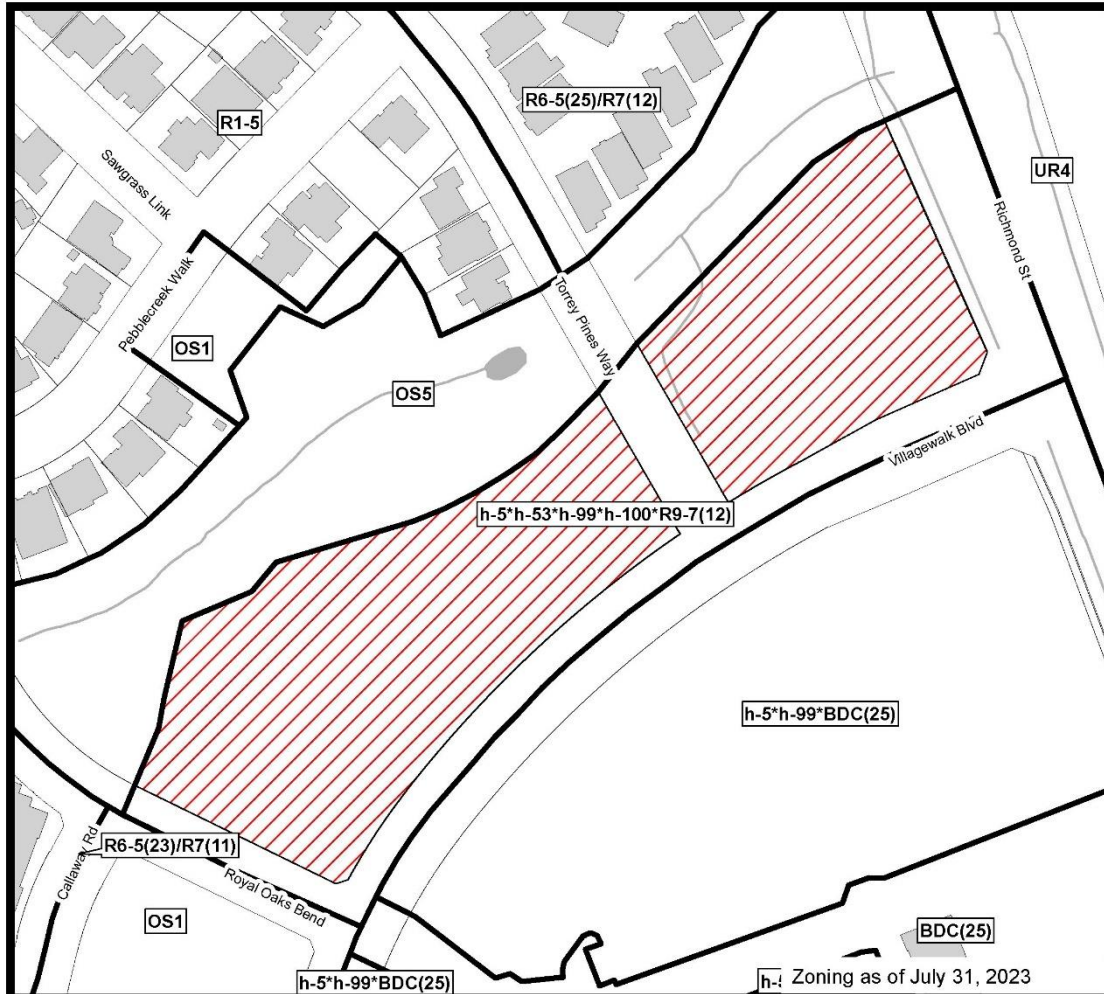
Mobility

Parking spaces	440 underground, 28 surface
Vehicle parking ratio	0.8 spaces per unit + 52 visitor
New electric vehicles charging stations	Unknown
Secured bike parking spaces	374
Secured bike parking ratio	0.7 spaces per unit
Completes gaps in the public sidewalk	N/A
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	Future pathway connection to the north

Environmental Impact

Tree removals	30
Tree plantings	115
Tree Protection Area	No
Loss of natural heritage features	No
Species at Risk Habitat loss	No
Minimum Environmental Management Guideline buffer met	N/A
Existing structures repurposed or reused	N/A
Green building features	Unknown

Appendix D – Additional Maps



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE: h-5*h-53*h-99*h-100*R9-7(12)

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

- | | |
|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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

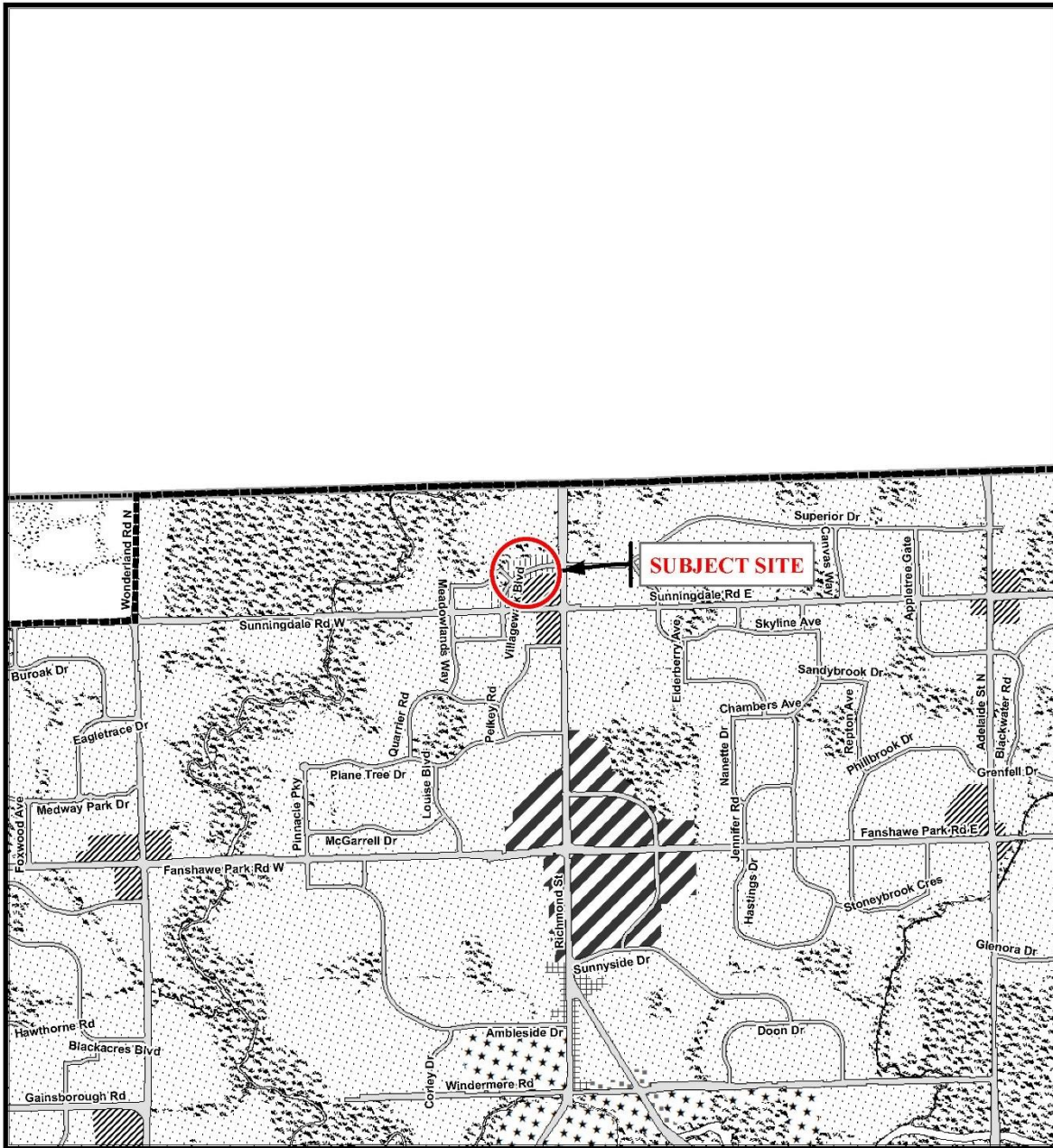


THIS MAP IS AN UNOFFICIAL EXTRACT FROM THE ZONING BY-LAW WITH ADDED NOTATIONS

FILE NO:
30 & 100 Villagewalk Blvd

MAP PREPARED:
2023/9/22 RC





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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

**CITY OF LONDON
Official Plan**

**LONDON PLAN MAP 1
- PLACE TYPES -**

PREPARED BY: Planning & Development



Scale 1:30,000



File Number: 30-100 Villagewalk Blvd

Planner: MS

Technician: RC

Date: 2023/9/22

Project Location: E:\Planning\Projects\p_officialplan\workconsol\00\excerpts_LondonPlan\mxd\30-100 VillagewalkBlvd_Map1_PlaceTypes.mxd

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee

From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Subject: 2134325 Ontario Inc. (York Developments)
1407-1427 Hyde Park Road
File Number: OZ-9438, Ward 7
Public Participation Meeting

Date: October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following actions be taken with respect to the application of 2134325 Ontario Inc. (York Developments) relating to the property located at 1407-1427 Hyde Park Road:

- (a) the proposed by-law attached hereto as Appendix "A" **BE INTRODUCED** at the Municipal Council meeting November 7, 2023 to amend Zoning By-law No. Z.-1, in conformity with the Official Plan, The London Plan, to change the zoning of the subject property **FROM** a Holding Business District Commercial Special Provision (h*BDC2(4)) Zone and a Business District Commercial Special Provision (BDC2(3)) Zone, **TO** a Business District Commercial Special Provision (BDC2(_)) Zone;
- (b) the Site Plan Approval Authority **BE REQUESTED** to consider the following design issues through the site plan process:
 - i) Ensure the townhouses function separately from the commercial development, with adequate landscape buffering and separate entrances and parking facilities for each use;
 - ii) Provide an adequately sized and functional amenity space for the residential units;
 - iii) The proposed east-west pedestrian connection, in the general location shown on the plans submitted with the Zoning By-law Amendment application, be maintained with enhanced landscaping;
 - iv) Consent to remove any boundary trees is required prior to final Site Plan Approval;
 - v) An alternative location for site access from Hyde Park Road be considered;
 - vi) Bicycle parking for the townhouse component of the development be considered; and,
 - vii) All outstanding matters with respect to the proposed watercourse enclosure be resolved with the Upper Thames River Conservation Authority (UTRCA), and a Section 28 approval be obtained.
- (c) 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 height and density are minor in nature and will not significantly alter the proposed development circulated in the Notice of Public Meeting.

IT BEING NOTED, that the above noted amendment is being recommended for the following reasons:

- i) the recommended amendment is consistent with the Provincial Policy Statement, 2020;
- ii) the recommended amendment is in conformity with the 1989 Official Plan and the Hyde Park Community Plan;
- iii) the recommended amendment is in conformity with the Official Plan, The London Plan;

- iv) The recommended amendment facilitates the development of an underutilized site with an appropriate range of uses at an appropriate scale and intensity.

Executive Summary

Summary of Request

The applicant had initially requested an amendment to The London Plan to add a Specific Policy to the Main Street Place Type to permit a single-storey building, whereas a minimum of two storeys or 8 metres is required, and to add the subject site to Map 7 – Specific Policy Areas. The proposed development has since been revised to meet the minimum 8 metre height requirement and no longer requires a Specific Policy.

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the property from a Holding Business District Commercial Special Provision (h*BDC2(4)) Zone and a Business District Commercial Special Provision (BDC2(3)) Zone to a Business District Commercial Special Provision (BDC2(_)) Zone with the following special provisions: add stacked townhouses as an additional permitted use; maintain the existing special provision exempting the site from the maximum 3.0 metre front yard depth (South Carriage Road); permit a maximum mixed-use density of 70 units per hectare; and a maximum building height of 15.0 metres; and to permit parking in the front yard (South Carriage Road).

Purpose and the Effect of Recommended Action

The recommended action will permit the development of two, one storey (8 metre) commercial buildings with a total gross floor area of 1,702 square metres and two, 3.5-storey stacked back-to-back townhouse buildings with a total of 72 units.

Staff are recommending approval with additional special provisions to affect the following: deeming Hyde Park Road the front lot line, a larger interior side yard depth for the proposed stacked townhouse dwellings, a minimum building height of 8.0 metres, a maximum of four (4) parking spaces along the South Carriage Road frontage, and prohibit parking within the required front yard on Hyde Park Road.

Linkage to the Corporate Strategic Plan

This recommendation supports the following Strategic Areas of Focus:

- **Housing and Homelessness**, by ensuring London's growth and development is well-planned and considers use, intensity, and form.
- **Housing and Homelessness**, by increasing access to a range of quality, affordable, and supportive housing options that meet the unique needs of Londoners.
- **Wellbeing and Safety**, by promoting neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

OZ-9438 – 1407-1427 Hyde Park Road – Report to Planning and Environment Committee – March 27, 2023

OZ-9438 – 1407-1427 Hyde Park Road – Report to Planning and Environment Committee – September 12, 2022

1.2 Planning History

The subject site was part of the Hyde Park Community Plan area (1989 Official Plan),

on lands that were annexed from London Township on July 1, 1993. At the time of annexation, Hyde Park had a considerable amount of existing industrial, community facility, commercial and residential uses within its boundaries. The existing commercial area centred on the intersection of Hyde Park and Gainsborough Roads had a distinct “village form” at the time, with street-orientated businesses along both Hyde Park Road and Gainsborough Road.

In 1999 the developers (First Professional Management) of the commercial area at Hyde Park and Fanshawe Park Road and the City initiated the Hyde Park Community Plan. In December 1999 the Hyde Park Community Plan – Community and Urban Design Guidelines were completed to guide future development in the area. Those guidelines are still used and form part of The London Plan City Design Guidelines in Policy 1716_6 of the Plan. The Hyde Park Community Plan was Council adopted December 2, 2000 and formed part of the 1989 Official Plan policies.

Shortly after the completion of the Hyde Park Community Plan, an application (OZ-6368/Braskal Corporation) was initiated on a portion of the subject property requesting amendments to allow service commercial uses on these lands and on lands to the north of the proposed South Carriage Road. On September 2, 2003 Council passed a Zoning By-law amendment to rezone a portion of the site to a Business District Commercial Special Provision (BDC2(3)) Zone, which removed the maximum front yard depth of 3.0 metres from the northern portion of the subject property and lands north of the proposed future road allowance (South Carriage Road) to allow the development of a hardware store (TSC, now Peavey Mart) on the latter lands. The balance of the site was zoned a Holding Business District Commercial Special Provision (h*BDC2(4)) Zone, which applied the same special provision as the BDC2(3) Zone and a holding provision requiring a Development Agreement.

1.3 Property Description and Location

The subject lands are located on the southeast corner of Hyde Park Road and South Carriage Road in the Hyde Park Planning District. The site is relatively flat with no designated natural features except for a municipal drain which traverses the site. The Van Horik drain runs along the southern boundary of the site and across a portion of the site to the northeast.

The site is currently undeveloped and is immediately surrounded by residential uses, commercial uses, and other vacant lands, including: a hardware store (Peavey Mart) to the north, townhouses to the east, a single detached dwelling to the south, and undeveloped land to the west. Additional residential uses, such as townhouses and apartment buildings exist in the broader vicinity, as well as additional commercial uses such as a tire shop, restaurant, and motorcycle dealership.

Site Statistics:

- Current Land Use: Undeveloped
- Frontage: 93 metres (305 feet)
- Depth: 149.1 metres (489.2 feet)
- Area: 1.4 hectares (3.5 acres)
- Shape: regular (rectangle)
- Located within the Built Area Boundary: No
- Located within the Primary Transit Area: No

Surrounding Land Uses:

- North – South Carriage Road, hardware store (Peavey Mart), retail commercial businesses, apartment building and townhouses
- East – low density residential including street townhouses and single family detached dwellings.
- South – Commercial uses with a street-orientated design, SWM pond and CPR railway corridor
- West – Hyde Park Road (4 lane road with turning lanes), undeveloped land, low density residential subdivision and Canterbury Park.

Existing Planning Information:

- 1989 Official Plan Designation – Main Street Commercial Corridor
- Hyde Park Community Plan – Business District
- London Plan Place Type – Main Street Place Type
- Existing Zoning – Business District Commercial Special Provision (BDC2(3)) Zone and Holding Business District Commercial Special Provision (h*BDC2(4)) Zone

Additional site information and context is provided in Appendix “B”.



Figure 1- Aerial Photo of 1407-1427 Hyde Park Road and surrounding lands

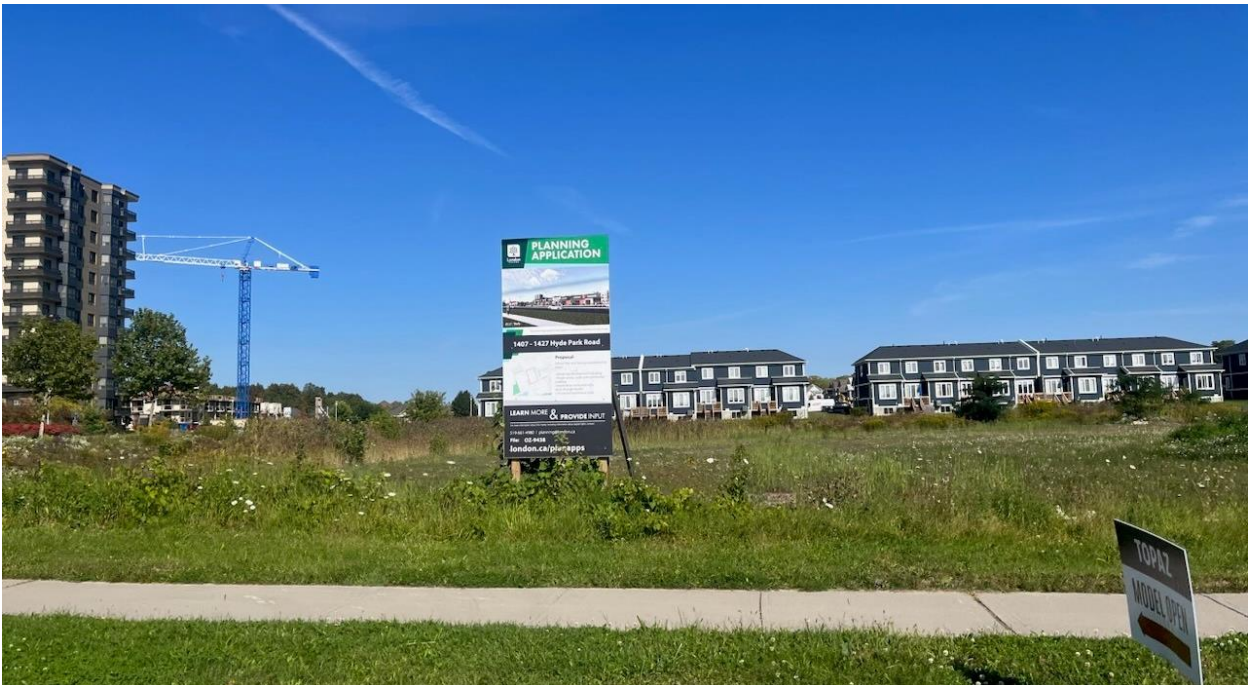


Figure 2 – Streetview of 1407-1427 Hyde Park Road (view looking E)

2.0 Discussion and Considerations

2.1 Development Proposal

Two previous design concepts of the proposed development were received and referred back to staff by the Planning and Environment Committee.

The initial design concept for the site included the following main components:

- A multi-unit, single storey commercial structure along Hyde Park Road, accommodating a variety of service/retail commercial uses with seven individual units ranging in gross floor area (GFA) from approximately 109m² to 140m² and a total gross floor area of 921m²;

- A stand-alone restaurant (McDonalds) at the corner of Hyde Park Road and South Carriage Road with an accessory drive through facility and an approximate gross floor area (GFA) of 410m² ;
- Two, 3.5 storey stacked, back-to-back townhouse buildings accommodating a total of 72 dwelling units in the central portion of the property;
- A common parking area comprised of 187 surface parking stalls, including barrier free spaces, and integrating 76 bicycle parking stalls and internal loading areas;
- An internal walkway system (1) providing pedestrian connectivity to commercial and residential units, adjacent sidewalks and the parking field and (2) incorporating enhanced landscaping elements (e.g., gazebo feature); and,
- Vehicular access from Hyde Park Road and South Carriage Road with internal drive aisle connections, pedestrian walkways and loading areas. A joint access with 1369 Hyde Park Road is proposed to accommodate the southern entrance.

In response to City comments and deferral of the application at Planning and Environment Committee on September 12, 2022, the applicant made the following revisions to their proposal which was submitted November 21, 2022 and circulated for additional comments:

- Increased the amount of commercial gross floor area from 1340m² to 1668m²;
- Removed the request for a restaurant with a drive-through facility;
- Reduced the number of parking spaces following the City-wide parking review (177 spaces provided, whereas 70 spaces are required, and 36 bicycle spaces provided, whereas 9 bicycle spaces are required);
- Increase the lot coverage from 26% to 28%; and,
- Increase the landscaped open space from 32% to 35%.

The application was referred back to staff by the Planning and Environment Committee a second time on March 27, 2023, and in response, a revised concept plan was received from the applicant on July 21, 2023. The final concept includes the following revisions:

- Enlarged central amenity between Buildings 1 and 2;
- Revised building footprints (Buildings 1 to 4);
- Revised major pedestrian crossings by replacing asphalt surfacing with concrete and providing speed bumps for enhanced safety;
- Introduced pedestrian crossing signs at main crossing between commercial and residential buildings;
- Provided an iron fence with gates to act as a buffer between townhouse buildings and western parking lot;
- Reoriented Building 3 townhouse entrances to South Carriage Road (north units);
- Reduced parking spaces fronting South Carriage Road from 14 to 4 spaces, with no parking located between Building 3 and the road corridor;
- Reduced total parking provided from 177 spaces to 164 spaces;
- Removed bicycle racks from Hyde Park Road frontage;
- Proposed a location for the transformer;
- Revised elevations to reflect new building footprints.

The current proposed development includes the following features:

- Land use: Commercial and residential (stacked townhouses)
- Form: Cluster
- Height: one storey (8 metres) – commercial; 4 storeys (14.3 metres) – residential
- Residential units: 72
- Density: 63.5 units / hectare (mixed-use density)
- Gross floor area: 1,702 square metres (commercial) and 7,977 square metres (residential)
- Building coverage: 28.3%
- Parking spaces: 164 surface
- Bicycle parking spaces: 36
- Landscape open space: 34.2%

Additional information on the development proposal is provided in Appendix “B”.

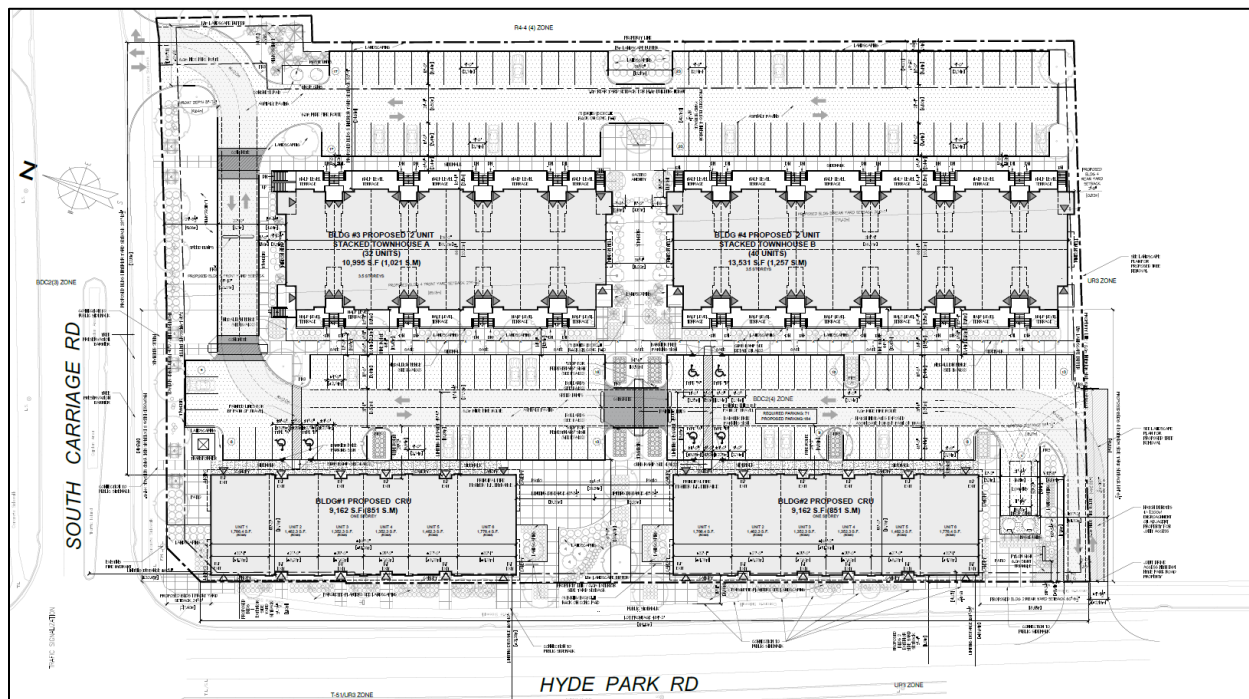


Figure 3 – Conceptual Site Plan (July 2023)

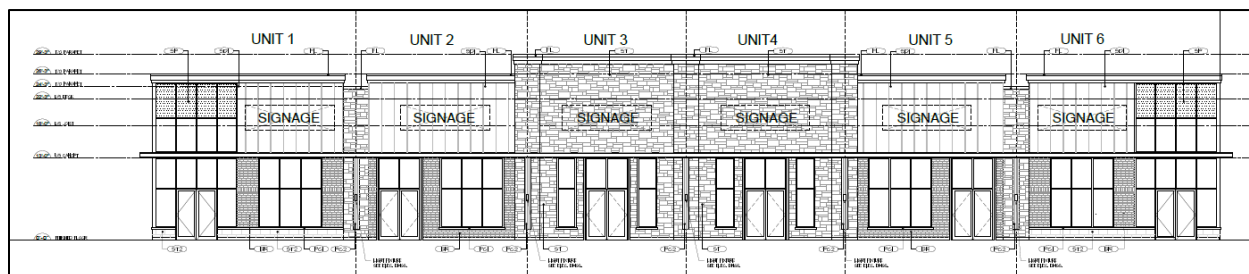


Figure 4 – West Elevation of Commercial Buildings (July 2023)



Figure 5 – West Elevation of Stacked Townhouses (July 2023)

Additional plans and drawings of the development proposal are provided in Appendix “C”.

2.2 Requested Amendments

The applicant had initially requested to add a Specific Policy to the Main Street Place Type in The London Plan, and to Map 7: Specific Policy Areas to facilitate the above noted development proposal. However, as the current building design meets the minimum 8 metre height requirement, a Specific Policy is no longer required.

The applicant has requested an amendment to Zoning By-law Z.-1 to rezone the property from a Holding Business District Commercial Special Provision (h*BDC2(4)) Zone and a Business District Commercial Special Provision (BDC2(3)) Zone to a Business District Commercial Special Provision (BDC2(_)) Zone with special provisions.

The following table summarizes the special provisions that have been proposed by the applicant.

Regulation (BDC2 Zone)	Required	Proposed
Additional Permitted Use		Stacked townhouses
Maximum Front Yard Depth	3.0 metres	No maximum front yard required
Density	Density to be determined through a site specific Zoning By-law Amendment	65 units per hectare
Building Height	12.0 metres	14.5 metres
Yards Where Parking Areas Permitted	Not permitted in the front yard	Permitted in the front yard (South Carriage Road)

2.3 Internal and Agency Comments

The application and [associated materials](#) were circulated for internal comments and public agencies to review. Comments received were considered in the review of this application and are addressed in Section 4.0 of this report.

Key issues identified by staff and agencies included:

- The commercial building along Hyde Park Road is only one storey in height, the policies require a minimum of two storeys or 8 metres (London Plan Policy 908_2);
- The site layout and functionality;
- Mix of commercial and residential parking could create a safety hazard;
- Proposed parking in the front yard and building and parking area setbacks contrary to Main Street Place Type;
- Inadequate outdoor amenity area particularly for residential uses;
- UDPRP indicated the overall site design was confusing and detracted from the residential environment;
- Joint access with 1369 Hyde Park Road requires a consent application, is not supported by Transportation, and creates tree preservation concerns; and,
- Enclosure of municipal drain requires UTRCA approval.

Detailed internal and agency comments are included in Appendix “D” of this report.

2.4 Public Engagement

On December 2, 2021 a Notice of Application for the initial application/first submission was sent to 159 property owners within 120 metres of the property boundaries. Notice of Application was also published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on December 3, 2021. A “Planning Application” sign was also placed on the site.

A Notice of Public Meeting for the September 12, 2022 Planning and Environment Committee meeting was mailed on August 24, 2022 and published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on August 25, 2022.

A Notice of Public Meeting for the March 27, 2023 Planning and Environment Committee meeting was mailed on March 8, 2023 and published in the *Public Notices and Bidding Opportunities* section of *The Londoner* on March 9, 2023.

There were eight (8) responses received during the public consultation period.

Concerns expressed by the public relate to:

1. Increased traffic and reduction in pedestrian safety from commercial development and drive-through;
2. Increased litter and garbage;
3. Need for another McDonald’s restaurant;
4. Impact of restaurant/drive-through on climate change; and,

5. Disrespects the nearby memorial for the Afzaal family.

Detailed public comments are included in Appendix “E” of this report.

2.5 Policy Context

The Planning Act and the Provincial Policy Statement, 2020

The Provincial planning policy framework is established through the *Planning Act* (Section 3) and the *Provincial Policy Statement, 2020 (PPS)*. The *Planning Act* requires that all municipal land use decisions affecting planning matters shall be consistent with the *PPS*.

The mechanism for implementing Provincial policies is through the Official Plan, *The London Plan*. Through the preparation, adoption and subsequent Ontario Land Tribunal (OLT) approval of *The London Plan*, the City of London has established the local policy framework for the implementation of the Provincial planning policy framework. As such, matters of provincial interest are reviewed and discussed in *The London Plan* analysis below.

As the application for a Zoning By-law amendment complies with *The London Plan*, it is staff's opinion that the application is consistent with the *Planning Act* and the *PPS*.

The London Plan, 2016

The London Plan (TLP) includes evaluation criteria for all planning and development applications with respect to use, intensity and form, as well as with consideration of the following (TLP 1577-1579):

1. Consistency with the Provincial Policy Statement and all applicable legislation.
2. Conformity with the Our City, Our Strategy, City Building, and Environmental policies.
3. Conformity with the Place Type policies.
4. Consideration of applicable guideline documents.
5. The availability of municipal services.
6. Potential impacts on adjacent and nearby properties in the area and the degree to which such impacts can be managed and mitigated.
7. The degree to which the proposal fits within its existing and planned context.

Staff are of the opinion that all the above criteria have been satisfied.

1989 Official Plan

As the application was received and deemed complete before *The London Plan* came into full force and effect on May 25, 2022, the application must be reviewed under the relevant policy framework of the 1989 Official Plan in addition to the policies of *The London Plan*. It is staff's opinion that the recommended Zoning By-law amendment conforms to the 1989 Official Plan.

Hyde Park Community Plan and Urban Design Guidelines

The Hyde Park Community Plan and Urban Design Guidelines has been reviewed in its entirety and it is staff's opinion that the recommended Zoning By-law amendment is consistent with it.

3.0 Financial Impact/Considerations

None.

4.0 Key Issues and Considerations

4.1 Land Use

The London Plan

The subject lands are in the Main Street Place Type in The London Plan, permitting a broad range of residential, retail, service, office and institutional uses to serve surrounding neighbourhoods within walking distance (Policy 908_1). Mixed-use buildings will be encouraged (Policy 908_2) and retail and service uses will be encouraged at grade, with residential and non-service office uses directed to the rear and upper floors of buildings (Policy 908_3). The proposal does not propose a mix of uses in one building, instead it includes a mix of commercial and residential uses in separate buildings.

It is noted that both commercial and residential uses are contemplated in the Main Street Place Type and while mixed-use buildings are encouraged, they are not required. As such, staff is satisfied the proposed uses are in conformity with The London Plan.

1989 Official Plan

The lands were designated Main Street Commercial Corridor in the 1989 Official Plan, which is very similar to the Main Street Place Type in The London Plan.

The Main Street Commercial Corridor designation permits small-scale retail uses, service and repair establishments, food stores, convenience commercial uses, personal and business services, pharmacies, restaurants, financial institutions, small scale offices, small scale entertainment uses, galleries, studios, community facility, residential uses (including secondary uses) and units created through the conversion of existing buildings, or through the development of mixed-use buildings as the main uses (4.4.1.4).

Policy 4.4.1.8 further states that residential uses combined with commercial uses or free-standing residential uses will be encouraged in the Main Street Commercial Corridors to promote active street life and movement in those areas beyond the work-day hours.

On this basis, staff is satisfied that residential development is contemplated in the Main Street Commercial Corridor designation and is not necessarily required to be created through the conversion of existing buildings or to take the form of a mixed-use building. Rather, freestanding residential development may be contemplated with the intent to generate activity on site after regular business hours. As such, staff is satisfied the proposed commercial and residential uses are contemplated in the 1989 Official Plan.

Hyde Park Community Plan and Urban Design Guidelines

The site is designated Business District in the Hyde Park Community Plan and Urban Design Guidelines. The Business District land use designation allows for a range of uses including local retail and service space, offices, multi-unit housing, open space and community services (Section 6.0). As such, staff are satisfied the proposed commercial and residential uses are in conformity with the Hyde Park Community Plan and Urban Design Guidelines.

4.2 Intensity

The London Plan

Policy 791_ states that “Zoning on individual sites may not allow for the full range of heights permitted within a Place Type. To provide flexibility, height limits have been described in building storeys rather than a precise metric measurement. For clarity, this is meant to convey the number of usable above-grade floors in a building. In some cases, minimum heights are to be measured by the lesser of storeys or metres. This alternative measure has been provided to allow for greater flexibility through

implementation.” Table 8 – Summary of Minimum and Maximum Heights by Place Type indicates that the minimum height allowed in the Main Street Place Type is “2 storeys or 8m”.

The proposed one storey commercial buildings along Hyde Park Road have a height of 8.9 metres, which is in conformity with Table 8 and policy 910_4. The applicants had initially requested a specific policy to permit one storey for the commercial component of the development. However, in accordance with policy 971_, the proposed building height is measured by the lesser of storeys or metres, which permits a minimum 8 metre building height in accordance with Table 8 and policy 910_4.

The proposed 3.5 storey height for the stacked townhouses is in conformity with policy 910_4, which permits a maximum height of 4 storeys.

1989 Official Plan

The Main Street Commercial Corridor designation does not specify a minimum building height requirement but requires residential uses be at a Medium Density Residential scale (4.4.1.7).

Section 3.3.3 of this Official Plan prescribes that development in the Multi-Family, Medium Density Residential designation will normally have an approximate maximum net density of 75 units per hectare and a maximum height of four storeys. The proposed development provides a mixed-use density of 65 units per hectare and a proposed building height of 3.5 storeys, in conformity with these policies.

Hyde Park Community Plan and Urban Design Guidelines

The Hyde Park Community Plan and Urban Design Guidelines do not specify a minimum or maximum height but does encourage a form of development which is similar to existing development at the intersection of Hyde Park and Gainsborough Roads. The Design Guidelines envision this area as a proposed business district, a high activity area with streetscaping and a building orientation to create a pedestrian-friendly, mixed-use area where people can live, work and shop (Section 2.0 Urban Form).

4.3 Form

The London Plan

Policy 911_ states “*all new development will be designed to be well integrated with the character and design of the associated Main Street.*” The original Hyde Park Community Plan (1989 Official Plan) intended that all future commercial development along the Hyde Park and Gainsborough Road corridors would have a “village” character. For example, buildings along the street, rear yard parking, similar to the existing development at the intersection. Since these lands were annexed into the City and both the Hyde Park Community Plan and associated design guidelines were put in place, with one exception to the north of the subject property (1435 Hyde Park- TSC/Peavey Mart), new developments in the Hyde Park area have adopted the form under the framework of the design guidelines. New development is generally street-oriented with sidewalks and landscaping/street trees in front and parking to the rear.

Policy 911_4 requires buildings along the front property line to be consistent with other developments in the area. Along Hyde Park Road the proposal shows windows, doors and signage to the individual commercial units. The frontage along South Carriage Road is proposed to have no buildings, just landscaping and parking which does not meet the intent of the policy.

Policy 911_5 addresses pedestrian connections placing a priority on the pedestrian experience through site layout, building location, and a design that reinforces pedestrian comfort and safety. Although the proposed site plan provides a pedestrian access along the Hyde Park Road street edge, the proposed connections through the site require pedestrians to traverse over laneways serving commercial land uses and a large parking area between the commercial building and residential uses to the east. Doing

the latter is a safety hazard.

Policy 911_9 directs surface parking to be located in the rear or interior side yard. The Applicant's proposal demonstrates an effort to screen parking from Hyde Park, and in the most recent submission the number of parking spaces along South Carriage Road was reduced from 14 to four (4). While the proposed development provides for an oversupply of parking based on the City's new parking standards, staff are generally supportive of a limited number of parking spaces along South Carriage Road.

1989 Official Plan

The Main Street Commercial Corridor designation applies the following urban design objectives:

- i) *Encourage the rehabilitation and renewal of Main Street Commercial Corridors and the enhancement of any distinctive functional or visual characteristics;*
- ii) *Provide for and enhance the pedestrian nature of the Main Street Commercial Corridor;*
- iii) *Enhance the street edge by providing for high quality façade design, accessible and walkable sidewalks, street furniture and proper lighting;*
- iv) *Design development to support public transit;*
- v) *Create high quality public places;*
- vi) *Maintain and create a strong organizing structure;*
- vii) *Maintain or create a strong identity and place;*
- viii) *Maintain the cultural heritage value or interest of listed buildings and ensure through the application of the Commercial Urban Design Guidelines that new development is consistent with the form of existing development; and*
- ix) *Encourage the transition and connection between the gateway Main Street Commercial Corridors and the Downtown through pedestrian, transit and design linkages.*

Staff are of the opinion that all the above objectives have been satisfied.

Hyde Park Community Plan and Urban Design Guidelines

The Hyde Park Community Plan, and associated urban design guidelines, were a Secondary Plan (Council approved in April 1999) under the 1989 Official Plan and included more specific policies for the area. Some relevant features include recognizing the Hyde Park Village or hamlet as a separate commercial entity and avoidance of typical "strip" commercial suburban development in commercial areas. The Plan states;

"The transformation of an existing mix of auto-orientated and pedestrian-orientated commercial uses in the Hyde Park hamlet to a commercial "village" was eagerly supported by the current business owners and the community at large. The creation of a pedestrian scale commercial focal point was desirable for the community and is supported by the Hyde Park Urban Design Guidelines. Additional lands have been designated to provide room for parking and provide for "gateways" to the business area...."

Section 6.0 (Hyde Park Hamlet) specifically addresses the design of development at the intersection with the following guidelines which are relevant to the subject site;

- *Buildings should be sited in close proximity to the street with walkways extending to the adjacent sidewalk.*
- *Street and pedestrian connections should be provided to neighbouring residential development.*
- *Encourage the planting of large deciduous "street" trees along the roadside to help shade and enclose the street, creating the atmosphere of an "outdoor room".*
- *Encourage efficient and attractive design of parking lots. Reduce large expanses of asphalt into smaller visual units with landscaping.*
- *Buildings should define the public street space with building walls maximized along the street to enclose and animate the street and create a consistent street edge.*

Staff are satisfied the recommended amendment is in conformity with the above noted guidelines.

4.4 Zoning

The proposed BDC2 Zone variation provides for and regulates a mix of retail, restaurant, neighbourhood facility, office and residential uses located along pedestrian-oriented business districts in older parts of the City and in hamlets or small business areas in rural areas. Normally buildings are located near the street line with parking to the rear.

Front Yard Depth

The existing special provisions in the current BDC2(3) Zone and BDC2(4) Zone state “Notwithstanding the regulations of Section 25.3 of this Bylaw to the contrary, the maximum front yard depth requirement shall not apply within this zone,” whereas the BDC2 Zone permits a maximum front yard depth of 3.0 metres. By definition, the front lot line on a corner lot is the shortest lot line abutting a street. On the subject lands, the shorter lot line is the South Carriage Road frontage. As such, the proposed stacked back-to-back townhouse dwellings are required to comply with this 3.0 metre maximum and are setback 20.07 metres.

Although staff are supportive of the proposed location of the stacked townhouse dwellings, staff are not supportive of the request to continue to exempt the site from the maximum front yard depth requirement. The current zoning is legacy zoning that does not fully implement the vision of The London Plan or Hyde Park Community Plan and Urban Design Guidelines, which requires street-oriented design. It should be noted that this regulation of the BDC Zone applies only to the front yard, rather than both the front and exterior side yard. By removing the maximum front yard requirement and permitting the requested special provision for front yard parking, the site could be reconfigured such that the commercial buildings are set farther back with parking between the building and the street.

Instead of exempting the site from the maximum front yard depth requirement, staff recommend special provisions deeming Hyde Park Road the front lot line and requiring a maximum front yard depth of 3.0 metres for commercial or mixed-use buildings. This would ultimately require the commercial development along Hyde Park Road to be setback between 0 metres and 3.0 metres, while also allowing all buildings to be set back farther from South Carriage Road and the stacked back-to-back townhouse buildings to be set back farther from Hyde Park Road.

Interior Side Yard Depth

The existing and proposed BDC Zone is typically applied to corridors with a main street character. Stacked townhouse dwellings are not a permitted use in the BDC Zone, therefore the regulations of the BDC2 Zone variation have not been designed to mitigate impacts of this use and built form. As the subject lands abut an Urban Reserve (UR3) Zone, a non-residential zone, a minimum interior side and rear yard depth of 0 metres is permitted in the BDC Zone and 0.83 metres is proposed. However, staff are not of the opinion that this setback is appropriate for the stacked townhouse form, and may negatively impact future development of the adjacent property. As such, staff are recommending a minimum interior side yard depth for stacked townhouse dwellings of 2.5 metres to the main building and 1.25 metres to first storey unenclosed decks.

Front Yard Parking

The applicant’s most recent plan shows four (4) parking spaces along the South Carriage Road frontage, which is a significant reduction from the previously proposed 14 spaces. Section 4.19 of Zoning By-law Z.-1 currently only prohibits it in the front yard and staff are generally supportive of a limited number of parking spaces along this frontage. However, staff are not supportive of any parking spaces within the required front yard along Hyde Park Road. On this basis, additional special provisions permitting a maximum of four (4) parking spaces along South Carriage Road and prohibiting parking in the required front yard along Hyde Park Road are recommended.

Height and Density

The applicant has requested a maximum mixed-use density of 65 units per hectare and a maximum building height of 14.5 metres for the proposed stacked townhouse dwellings. Staff are satisfied the requested height and density are in conformity with the 1989 Official Plan, The London Plan, and the Hyde Park Community Plan and Urban Design Guidelines. To ensure conformity with the minimum intensity required by the Main Street Place Type of The London Plan, staff are recommending an additional special provision requiring a minimum building height of 8.0 metres.

4.5 Site Access

The proposed development shows a joint access from Hyde Park Road over the adjacent property at 1369 Hyde Park Road. Transportation staff do not support this access, and further, it results in tree preservation concerns as there are several boundary trees which require written consent to remove or damage. An alternative access location and design is recommended as a consideration of the Site Plan Approval Authority.

Conclusion

The applicant has requested an amendment to the Zoning By-law Z.-1 to rezone the subject lands from a Holding Business District Commercial Special Provision (h*BDC2(4)) Zone and a Business District Commercial Special Provision (BDC2(3)) Zone to a Business District Commercial Special Provision (BDC2(_)) Zone. Staff are recommending approval of the requested Zoning Bylaw amendment with additional special provisions.

The recommended action is consistent with the PPS 2020, conforms to the 1989 Official Plan, The London Plan, and the Hyde Park Community Plan and Urban Design Guidelines and will permit the development of two, one storey (8 metre) commercial buildings with a total gross floor area of 1,702 square metres and two, 3.5-storey stacked back-to-back townhouse buildings with a total of 72 units.

Prepared by: Catherine Maton, MCIP, RPP
Senior Planner, Planning Implementation

Reviewed by: Mike Corby, MCIP, RPP
Manager, Planning Implementation

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

Appendix A – Zoning Bylaw Amendment

Bill No. (number to be inserted by Clerk's Office)
2023

By-law No. Z.-1-

A by-law to amend By-law No. Z.-1 to
rezone an area of land located at 1407-
1427 Hyde Park Road

WHEREAS this amendment to the Zoning By-law Z.-1 conforms 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 lands located at 1407-1427 Hyde Park Road, as shown on the attached map comprising part of Key Map No. A101, **FROM** Holding Business District Commercial Special Provision (h*BDC2(4)) Zone and a Business District Commercial Special Provision (BDC2(3)) Zone, **TO** a Business District Commercial Special Provision (BDC2(_)) Zone.
2. Section Number 25.4 of the Business District Commercial (BDC2) Zone is amended by adding the following Special Provisions:

BDC2(_) 1407-1427 Hyde Park Road

a) Additional Permitted Uses

- i. Stacked townhouse dwellings

b) Regulations

- i. Hyde Park Road shall be deemed to be the front lot line
- ii. Front Yard Depth for Commercial and Mixed-Use Buildings (Maximum) – 3.0 metres (9.8 feet)
- iii. Interior Side Yard Depth for Stacked Townhouse Dwellings (Minimum) – 2.5 metres (8.2 feet) to the main building and 1.25 metres (4.1 feet) to unenclosed first storey decks
- iv. Building Height (Minimum) – 8.0 metres (26.2 feet)
- v. Building Height (Maximum) – 15.0 metres (47.6 feet)
- vi. Density (Maximum) – 70 units per hectare
- vii. A maximum of four (4) parking spaces shall be permitted within the exterior side yard along South Carriage Road
- viii. No parking shall be permitted within the required front yard along Hyde Park Road

3. This Amendment shall come into effect 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.

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.

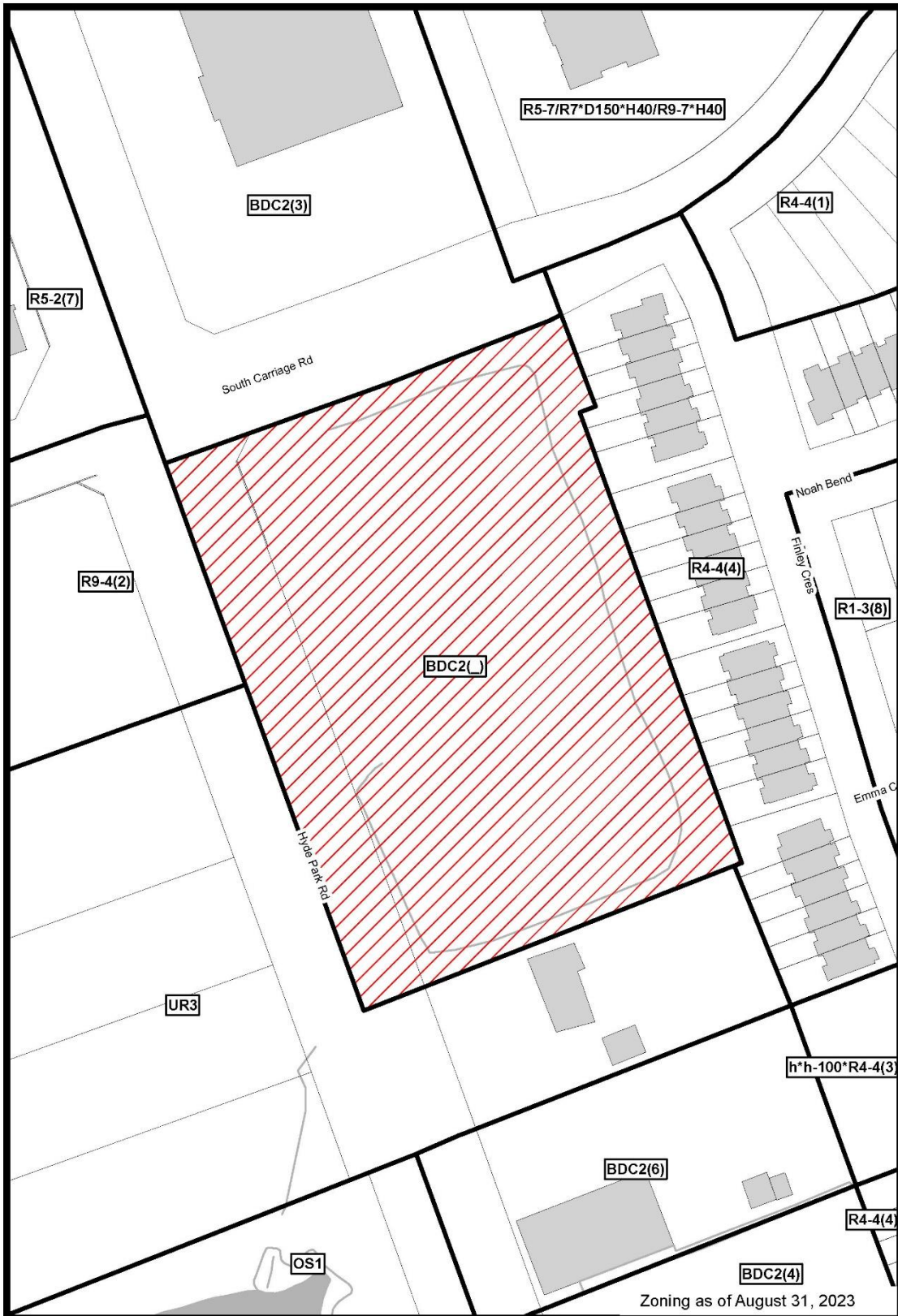
PASSED in Open Council on November 7, 2023 subject to the provisions of PART VI.1 of the *Municipal Act, 2001*.

Josh Morgan
Mayor

Michael Schulthess
City Clerk

First Reading – November 7, 2023
Second Reading – November 7, 2023
Third Reading – November 7, 2023

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



File Number: OZ-9438
 Planner: CM
 Date Prepared: 2023/09/27
 Technician: RC
 By-Law No: Z.-1-

SUBJECT SITE 

1:1,250

0 5 10 20 30 40 Meters



Geodatabase

Appendix B - Site and Development Summary

A. Site Information and Context

Site Statistics

Current Land Use	Undeveloped
Frontage	93 metres (305 feet)
Depth	149.1 metres (489.2 feet)
Area	1.4 hectares (3.5 acres)
Shape	Regular (rectangle)
Within Built Area Boundary	No
Within Primary Transit Area	No

Surrounding Land Uses

North	South Carriage Road, hardware store (Peavey Mart), retail commercial businesses, apartment building and townhouses
East	Low density residential including street townhouses and single family detached dwellings
South	Commercial uses with a street-orientated design, SWM pond and CPR railway corridor
West	Hyde Park Road (4 lane road with turning lanes), undeveloped land, low density residential subdivision and Canterbury Park

Proximity to Nearest Amenities

Major Intersection	Hyde Park Road and South Carriage Road, 0 metres
Dedicated cycling infrastructure	Hyde Park Road, 0 metres
London Transit stop	Hyde Park Road and South Carriage Road, 50 metres
Public open space	Canterbury Park, 300 metres
Commercial area/use	Peavey Mart, 260 metres
Food store	Giant Tiger, 750 metres
Primary school	Clara Brenton Public School, 2.6 km
Community/recreation amenity	Springbank Gardens Community Centre, 5.8 km

B. Planning Information and Request

Current Planning Information

Current Place Type	Main Street Place Type, Street Classification
Current Special Policies	Hyde Park Community Plan and Urban Design Guidelines
Current Zoning	Holding Business District Commercial Special Provision (h*BDC2(4)) Zone and a Business District Commercial Special Provision (BDC2(3)) Zone

Requested Designation and Zone

Requested Place Type	No change requested
Requested Special Policies	None
Requested Zoning	Business District Commercial Special Provision (BDC2(_)) Zone

Requested Special Provisions

Regulation (BDC2 Zone)	Required	Proposed
Additional Permitted Use		Stacked

Regulation (BDC2 Zone)	Required	Proposed
		townhouses
Maximum Front Yard Depth	3.0 metres	No maximum front yard required
Density	Density to be determined through a site specific Zoning By-law Amendment	65 units per hectare
Building Height	12.0 metres	14.5 metres
Yards Where Parking Areas Permitted	Not permitted in the front yard	Permitted in the front yard

C. Development Proposal Summary

Development Overview

Two, one storey (8 metre) commercial buildings with a total gross floor area of 1,702 square metres and two, 3.5-storey stacked back-to-back townhouse buildings with a total of 72 units.

Proposal Statistics

Land use	Commercial and stacked townhouses
Form	Cluster
Height	One storey (8 metres) – commercial; 4 storeys (14.3 metres) – residential
Residential units	72
Density	63.5 Units per hectare (mixed-use density)
Gross floor area	1,702 square metres (commercial) and 7,977 square metres (residential)
Building coverage	28.3%
Landscape open space	34.2%
New use being added to the local community	No

Mobility

Parking spaces	164 surface
Vehicle parking ratio	>0.5 spaces per unit and >1 per 50 sq.m commercial
New electric vehicles charging stations	0
Secured bike parking spaces	36
Secured bike parking ratio	Unknown
Completes gaps in the public sidewalk	NA
Connection from the site to a public sidewalk	Yes
Connection from the site to a multi-use path	NA

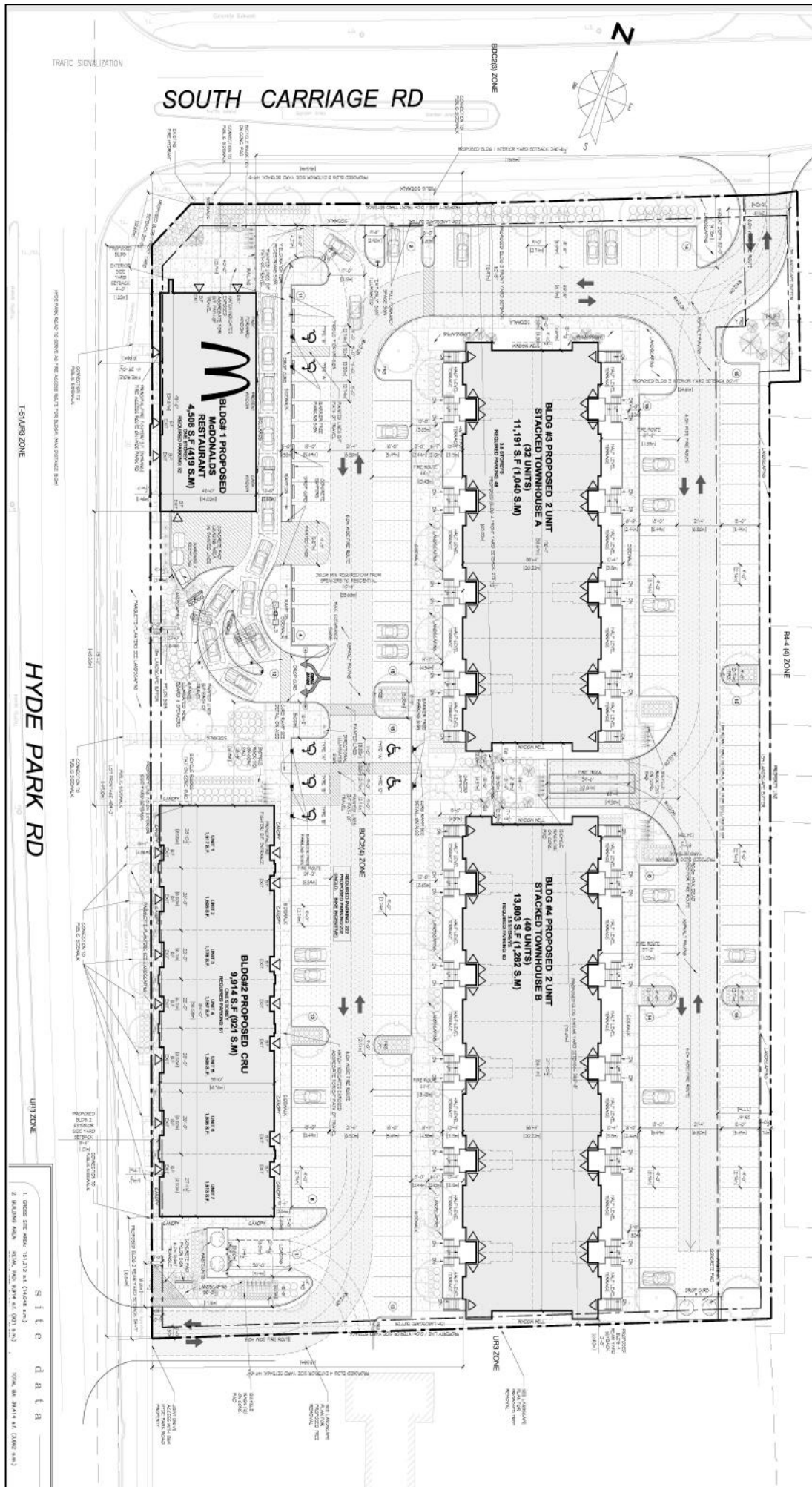
Environmental Impact

Tree removals	24
Tree plantings	Unknown
Tree Protection Area	No
Loss of natural heritage features	NA
Species at Risk Habitat loss	NA
Minimum Environmental Management Guideline buffer met	NA

Existing structures repurposed or reused	NA
Green building features	Unknown

Appendix C – Additional Plans and Drawings

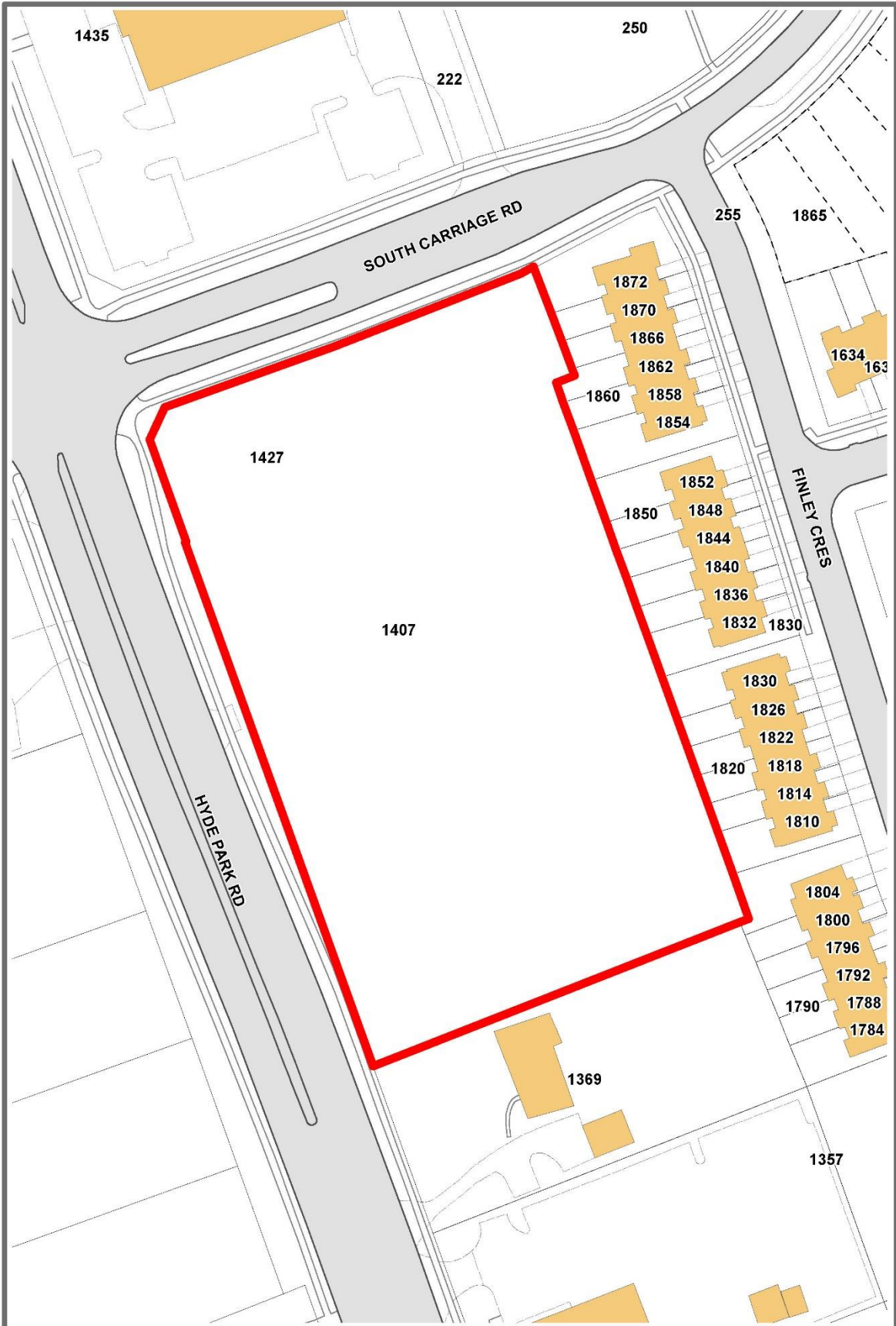
First Submission Drawings





Second Submission Drawings

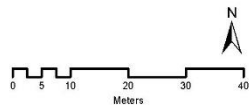




LOCATION MAP

Address: 1407-1427 Hyde Park Road
 File Number: OZ-9438
 Planner: Catherine Maton
 Date: 2022/09/27

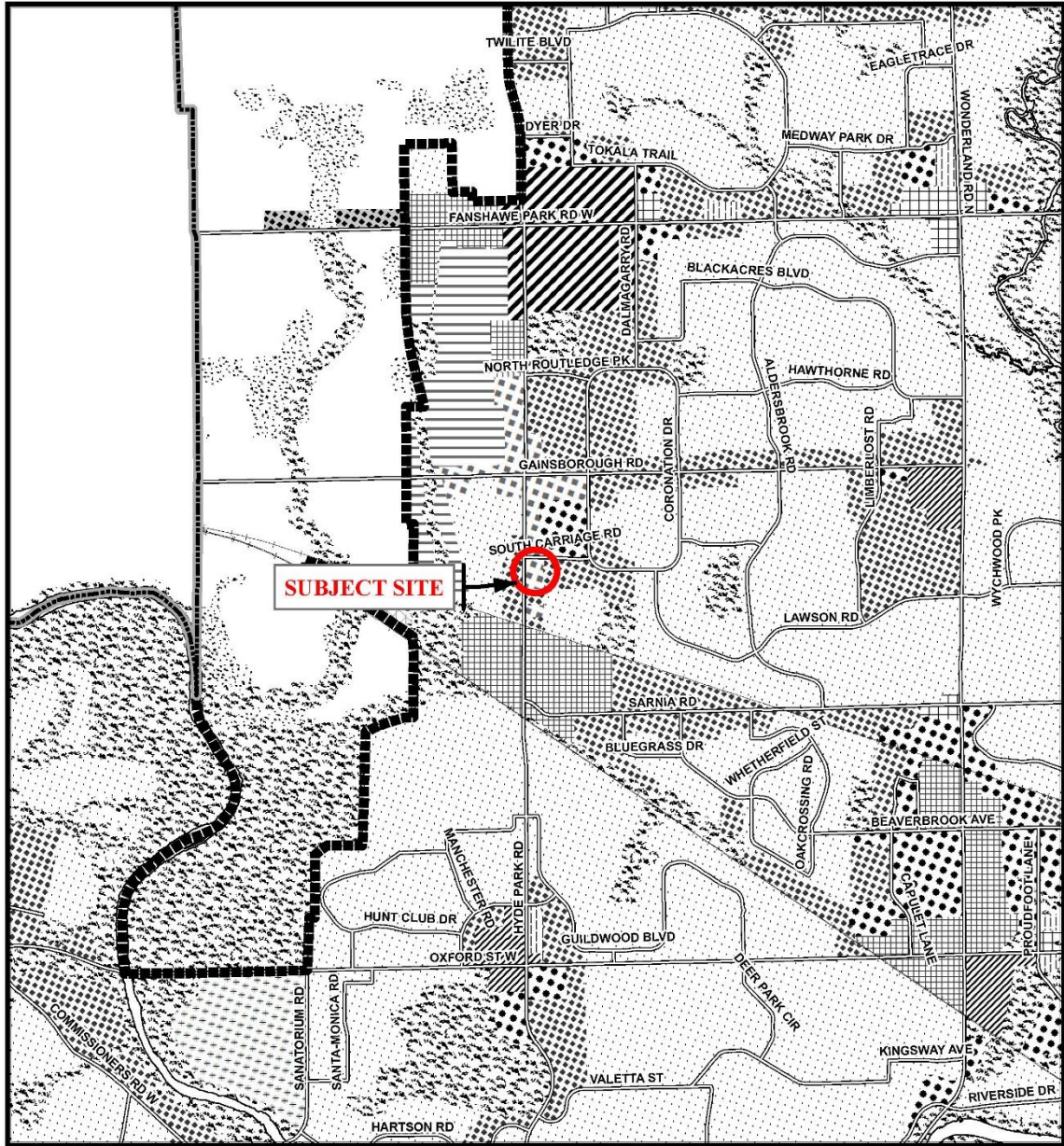
Corporation of the City of London
 Prepared By: Planning and Development



Scale 1:1000

Legend

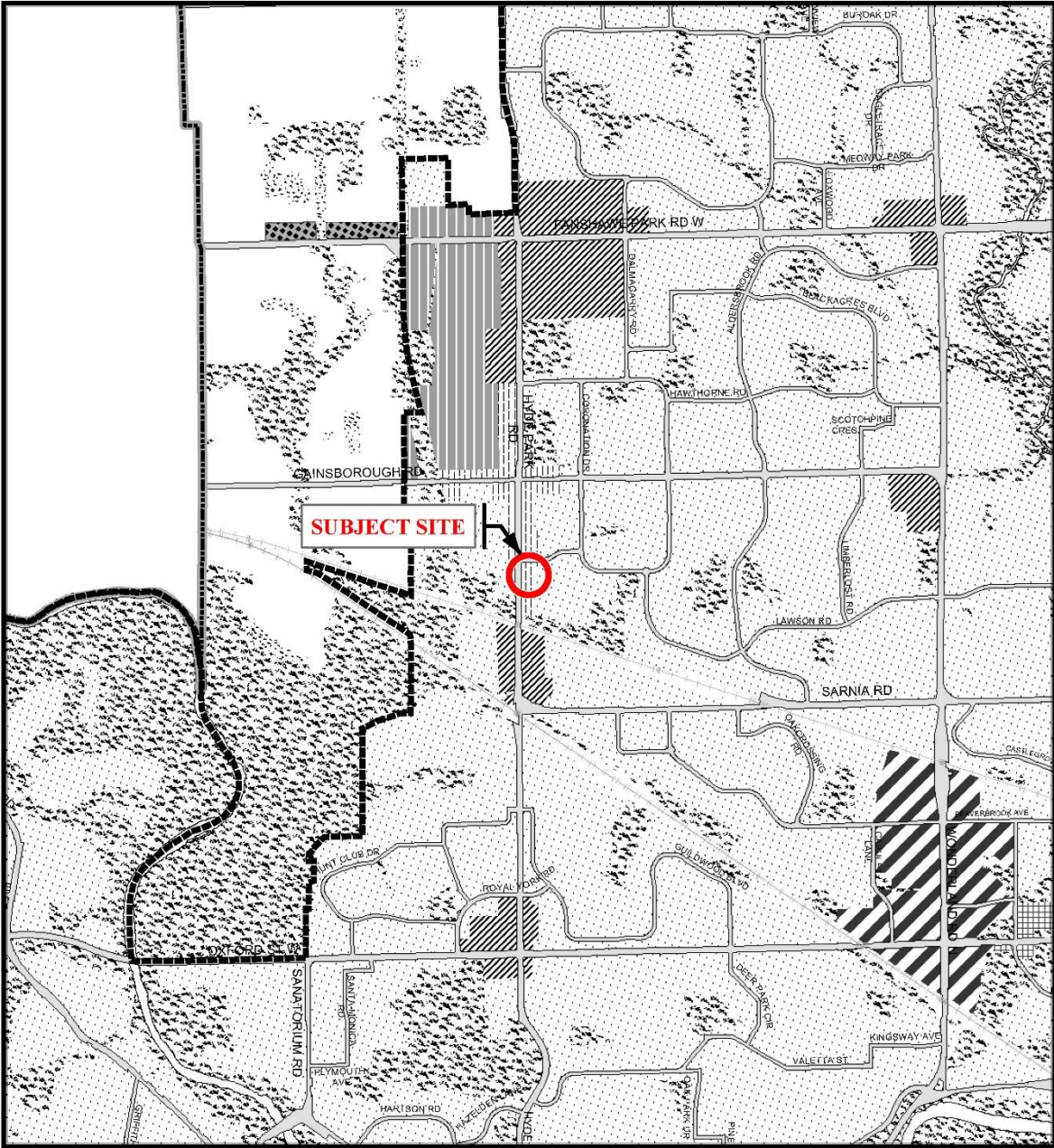
- Subject Site
- Buildings
- Assessment Parcels
- Driveways/Parking Lots
- Draft Approved Subdivisions



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

<p>CITY OF LONDON</p> <p>Planning Services / Development Services</p> <p>OFFICIAL PLAN SCHEDULE A - LANDUSE -</p> <p><small>PREPARED BY: Graphics and Information Services</small></p>	<p>Scale 1:30,000</p> <p>Meters</p>	<p>FILE NUMBER: OZ-9438</p> <p>PLANNER: CM</p> <p>TECHNICIAN: RC</p> <p>DATE: 2022/09/27</p>
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PROJECT LOCATION: e:\planning\projects\p_officialplanwork\consol\00\excerpts\vmxd_templates\scheduleA_b&w_8x14_with_SWAP.mxd



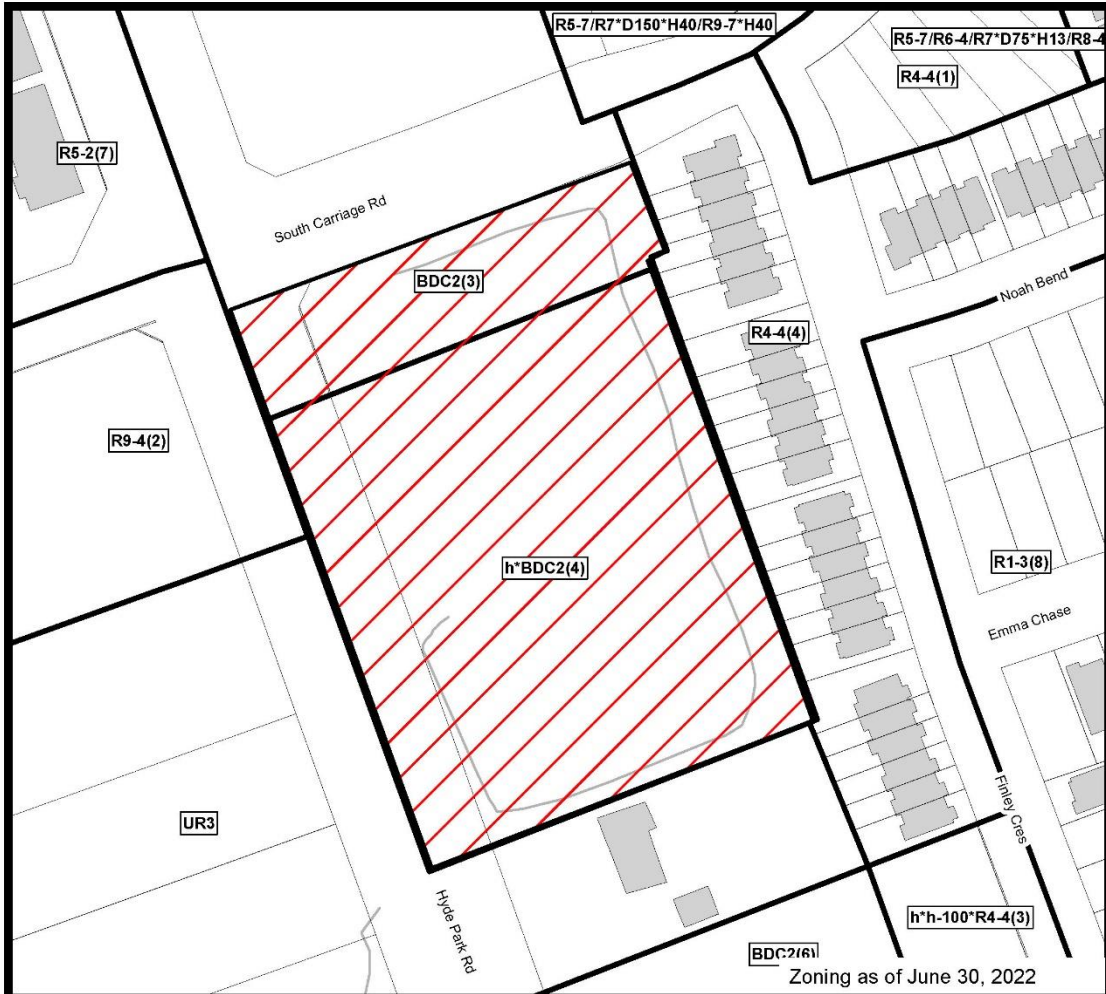
Legend

- | | | |
|------------------------|--------------------------|---|
| 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 Planning & Development's working consolidation of Map 1 - Place Types of the London Plan, with added notations.

<p>CITY OF LONDON Official Plan LONDON PLAN MAP 1 - PLACE TYPES - PREPARED BY: Planning & Development</p>	 Scale 1:30,000 0 150 300 600 900 1,200 1,500 Meters	<p>File Number: OZ-9438 Planner: CM Technician: RC Date: 2022/09/27</p>
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Project Location: E:\Planning\Projects\p_officialplan\work\consol\00\excerpts_LondonPlan\mxds\OZ-9438-Map1-PlaceTypes.mxd



COUNCIL APPROVED ZONING FOR THE SUBJECT SITE:

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

- | | |
|--|---|
| <ul style="list-style-type: none"> 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 | <ul style="list-style-type: none"> 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**



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

FILE NO:

OZ-9438

CM

MAP PREPARED:

2022/09/27

RC

1:1,500

0 5 10 20 30 40

Meters

Appendix D – Internal and Agency Comments

Site Plan (August 9, 2023)

- The BDC Zone regulations are not intended to apply to this form of development. Two separate zones (one for the commercial and one for the townhouses) should be established, with the zone line functioning as a property line to delineate between the two uses on site.
- Ensure the townhouses function separately from the commercial development, with adequate landscape buffering and separate entrances and parking facilities for each use.
- Provide an adequately sized and functional amenity space for the residential units.
- There is no minimum parking required for this development.
- Parking is not permitted in the front yard in the BDC Zone. The South Carriage Road frontage is considered the front lot line. All parking provided must be behind the front face of the building.
- The applicant should consider the future ownership strategy of the lands. If the townhouses are going to be condos, the condo limits should be established prior to final site plan approval to ensure servicing, easements, and access are all addressed. If the condo and commercial buildings are both left under the same development agreement, all parties would need to consent to future amendments/changes.
- Relocate the waste storage away from the Hyde Park Street frontage

Upper Thames River Conservation Authority comments (January 24, 2023)

In our correspondence dated January 26, 2022, the Upper Thames River Conservation Authority (UTRCA) had advised that the subject lands are regulated due to the presence of a watercourse and the associated flooding hazard. We noted that the feature had not been identified on the concept/site plan.

The presence of the watercourse was to be confirmed and addressed with an appropriate setback of 15 metres being provided from the top of bank. Alternatively, if the intent was to seek approval to enclose the watercourse, proper justification was required. Furthermore, the necessary Section 28 approvals would have to be secured prior to any works being undertaken within the regulated area.

The applicant has submitted 1407 & 1427 Hyde Park Road Proposed Mixed-Use Development Regulated Channel Memo prepared by AGM dated August 2, 2022. The UTRCA is generally satisfied with the submission and we are of the opinion that the necessary approvals to enclose the watercourse can be secured. Our comments on the channel memo are as follows –

1. Please provide justification for why the proposed watercourse enclosure is a net environmental benefit. This may include submitting a compensation plan.
2. Please confirm the existing catchment area to the site from external lands to ensure that the watercourse is an appropriate candidate for enclosure.
3. Please provide the following information/confirmation:
 - a) Engineered designs must confirm that flood conveyance/control/storage are not impacted.
 - b) Confirmation that there will be no negative impact on SWM facility west of Hyde Park Rd.
4. The UTRCA has reviewed the September 12, 2022 PEC Report and we concur with the City's Stormwater comments (dated December 21, 2021). Please include the Conservation Authority in the review process of the storm/drainage servicing report.

RECOMMENDATION

As indicated, the UTRCA is of the opinion that the outstanding matters with respect to the proposed watercourse enclosure can be resolved through the Site Plan approval process and also that the necessary Section 28 approvals can be secured. We therefore have no objections to this application.

Upper Thames River Conservation Authority (January 26, 2022)

The Upper Thames River Conservation Authority (UTRCA) has reviewed this application with regard for the policies in the Environmental Planning Policy Manual for the Upper Thames River Conservation Authority (June 2006). These policies include regulations made pursuant to Section 28 of the Conservation Authorities Act, and are consistent with the natural hazard and natural heritage policies contained in the Provincial Policy Statement (2020, PPS).

PROPOSAL

A mixed-use development comprised of stacked, back-to-back townhouse dwellings, a multi-unit commercial building and a drive-through restaurant are proposed for the site.

DELEGATED RESPONSIBILITY & STATUTORY ROLE

Provincial Policy Statement 2020

The UTRCA represents the provincial interest in commenting on development applications with respect to natural hazards ensuring that applications are consistent with the PPS. This responsibility has been established in a Memorandum of Understanding between Conservation Ontario, the Ministry of Natural Resources and Forestry (MNR) and the Ministry of Municipal Affairs and Housing.

The Conservation Authority's role in the development process is comprehensive and coordinates our planning and permitting interests. Through the plan review process, we make sure that development applications meet the tests of the Planning Act, are consistent with the PPS, conform to municipal planning documents, and with the policies in the UTRCA's Environmental Planning Policy Manual (UEPPM, 2006). Our permit applications must meet the requirements of Section 28 of the Conservation Authorities Act and the UTRCA's policies (UEPPM, 2006). This approach ensures that the principle of development is established through the Planning Act approval process and that a Section 28 Permit can be issued once all of the planning matters have been addressed.

CONSERVATION AUTHORITIES ACT

As shown on the enclosed mapping, 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. 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.

Please be advised that in cases where a discrepancy in the mapping occurs, the text of the regulation prevails and a feature determined to be present on the landscape may be regulated by the UTRCA.

UTRCA ENVIRONMENTAL PLANNING POLICY MANUAL (2006)

The UTRCA's Environmental Planning Policy Manual is available online at:

<http://thamesriver.on.ca/wp-content/uploads/PlanningRegulations/EnvPlanningPolicyManual-update2017.pdf>

NATURAL HAZARDS

In Ontario, prevention is the preferred approach for managing hazards in order to minimize the risk to life and property. The UTRCA's natural hazard policies are consistent with the PPS and the applicable policies 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, floodplain planning approach, and uses that may be allowed in the flood plain subject to satisfying UTRCA permit requirements.

3.2.5 Watercourse Policies

The UTRCA discourages the conversion of open surface watercourses and/or drains to closed features.

As shown on the enclosed mapping, there is a watercourse located on the site, along the easterly lot line; it has not been identified on the concept/site plan.

The presence of the watercourse will need to be confirmed and addressed. An appropriate setback of 15 metres from the top of bank must be provided. If the intent is to seek approval to enclose the feature, the proper justification/studies must be prepared to the satisfaction of the Conservation Authority.

COMMENTS

As indicated, the subject lands are regulated and the necessary Section 28 approvals and/or clearances must be obtained from the Conservation Authority prior to any site alteration or development occurring within the regulated area.

Urban Design (December 23, 2022)

- Consistent with the previous staff and panel comments, the following comments should be addressed in establishing appropriate zoning provisions (e.g. Setbacks, heights etc.) and as direction to site plan authority.
- This site is fully located within the Main Street Place Type in The London Plan [TLP] which contemplates a mid-rise mixed use-built form up to 6 storeys along Hyde Park Road[TLP 908-2; 910_4] and falls within the Hyde Park Community Plan Guidelines Area [HPCPG].
- For a more efficient use of the site that is in line with the vision of the London Plan Place Type, a vertically integrated mixed-use mid-rise building should be provided. Should the file planner support the density and form currently proposed, the following changes are required:
 - Relocate Building 3 to be closer to South Carriage Road. To create a strong street wall and active facades for a comfortable and vibrant pedestrian environment along South Carriage Road provide an enhanced elevation for Building 3's street fronting townhouse units. [TLP 911-9; HPCPG 4.1.2].
 - A maximum setback of 2m along Hyde Park Road and 4m along South Carriage Road from the property line should be considered to ensure buildings are located closer and oriented to the street.
 - Rotate "Building 3" and locate along the South Carriage Road frontage to allow for a greater portion of the built form parallel the street, with the surface parking located behind the building and direct access from the individual unit entrances to the public sidewalk.
 - A minimum building frontage requirement-75% of the plot frontage should also be considered to ensure a continuous street wall along street frontages.
 - No parking shall be located between street frontages and the building faces. [TLP 911-9].
 - The proposed parking along South Carriage Road should be removed. This requires redesign of the site including locating the proposed stacked townhouses or alternative building typologies along South Carriage Road Frontage
 - Ensure that the proposed built form at the intersection of Hyde Park and South Carriage emphasize and address the corner location through appropriate massing, height element and location of entrances. [TLP 291].

- Front doors for commercial and residential units are to be highly visible from and within convenient walking distance to the city sidewalk. Locate entrances to the end units of the commercial buildings on the north and south facades to provide convenient access from both the sidewalk and the parking lots, and to have a portion of the units with street-oriented access.
- Locate any garbage/recycling facilities away from the public street frontage.
 - Incorporate the garbage/recycling area south of “Building 2” into the building and fully wrapped with the same exterior materials;
- Screen any surface parking exposed to a public street with enhanced landscaping, including low landscape walls, shrubs, and street trees. **[TLP 277, 278, 235]**
- A minimum percentage of landscaped open space and perimeter buffering should be included in the zoning provisions to ensure adequate space for tree planting and to reduce the amount of impervious surface.
- The enhanced pedestrian connections and enhanced pedestrian realm along Hyde Park Road have been noted and should be carried forward through the site plan review.

Landscape Architecture (December 19, 2022)

- The applicant has forwarded a Tree Assessment Report prepared by RKLA. There are no concerns about the assessment methods or format of report.
- The inventory captured 27 individual trees within the subject site, within 3 meters of the legal property boundary, and within the City ROW adjacent to the site. No endangered species were observed during the tree inventory.
- The southern ingress from Hyde Park encroaches onto adjacent property and requires the removal of several boundary trees and trees beyond the subject site.
- Boundary trees are protected by the province’s Forestry Act 1998, c. 18, Sched. I, s. 21, and can’t be removed without written consent from co-owner. Every person who injures or destroys a tree growing on the boundary between adjoining lands without the consent of the land owners is guilty of an offence under this Act. 1998, c. 18, Sched. I, s. 21.
- The City will not accept a Tree Preservation Plan at time of Site Plan Application with outstanding consents for the removal of boundary and offsite trees. Site Plan approval will require the letters of consent. Letters of consent for removal of offsite and boundary trees are to be forwarded to City with Site Plan Application Documents.
- To remove the requirement for consent letters, move driveway ingress entirely within site and do not proposed the injury or removal of offsite and boundary trees,

Urban Design Peer Review Panel (December 15, 2021)

The Panel noted that the overall design strategy for the site was confusing and not in alignment with the intended “Main Street” character envisioned through the relevant City Documents (e.g. ’89 Official Plan & London Plan). Though the goal of integrating a mix of commercial and residential uses on the site is a good one, the organization of this site does so in a way that will detract from the residential living environment and the adjacent streetscapes. The following comment were provided to inform the on-going planning and design process for the project:

- The Panel recommends that the site design be revised to focus a more prominent built form (e.g., 2-storey buildings min.) along the Hyde Park Road frontage in order to create the desired sense of enclosure for the main street pedestrian realm and appropriately relate to width of the adjacent ROW.
- Further/special attention should be paid to how the proposed built form related to the intersection of Hyde Park Road and South Carriage Road.

- The Panel noted that it was unclear if the principal unit entrances for the proposed commercial/retail units are, in fact, facing Hyde Park Road. Commercial buildings/units are recommended to be oriented toward Hyde Park Road to contribute to the desired Main Street character.
- The Panel recommends that no parking be sited between any proposed building and the adjacent public streets in accordance with City policy. This will require a significant reorganization of the site to rectify the current proposed edge condition along South Carriage Road.
- The Panel suggested that current proposed site layout and amount of commercial uses relative to the space provided for parking and circulation will create significant barriers/obstacles to pedestrian flow across the site, particularly for those accessing the west-facing residential units.
- The Panel expressed concern about the lack of amenity space provided for future residents of the site.
- The Panel suggests that many organizational issues noted above could be resolved by shifting to a true mixed-use concept with residential apartment units stacked above street-oriented commercial/retail space. Further density is likely achievable on the site in that scenario.

Concluding comments:

This UDPRP review is based on City planning and urban design policy, the submitted brief, and noted presentation. It is intended to inform the ongoing planning and design process. Significant modifications are recommended in order to ensure the proposed development contributes to the planned urban Main Street context of the area.

Parks Planning and Open Space Design (December 1, 2021)

- Parkland dedication is required in the form of cash in lieu, pursuant to By-law CP-9 and will be finalized at the time of site plan approval.

London Hydro (December 6, 2021)

- Servicing the above proposal should present no foreseeable problems. Any new and/or relocation of existing infrastructure will be at the applicant's expense, maintaining safe clearances from L.H. infrastructure is mandatory. A blanket easement will be required. 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 blanket easement.

Canadian Pacific Railway (December 2, 2021)

Thank you for the recent notice respecting the captioned development proposal in the vicinity of Canadian Pacific Railway Company. The safety and welfare of residents can be adversely affected by rail operations and CP is not in favour of residential uses that are not compatible with rail operations. CP freight trains operate 24/7 and schedules/volumes are subject to change. CP's approach to development in the vicinity of rail operations is encapsulated by the recommended guidelines developed through collaboration between the Railway Association of Canada and the Federation of Canadian Municipalities. The 2013 Proximity Guidelines can be found at the following website address: <http://www.proximityissues.ca/>.

Should the captioned development proposal receive approval, CP respectfully requests that the recommended guidelines be followed.

Engineering (December 2021)

Sewer Engineering (Dec 6, 2021):

- Based on the recent submitted ZBA there was an attached servicing report for the above noted, SED notes that York and AGM identified the subject lands as a 1.41 ha area and was allotted an equivalent population of 141 people. As submitted, they are proposing 233 people in a mixed use of stacked townhouse residential, commercial retail and restaurant use on 1407-1427 Hyde Park.
- SED has no objection with the proposed population of 233.
- The intended outlet is a 450mm diameter on Hyde park Rd. As per record drawings there is an existing PDC stubbed to the 450mm diameter sanitary on

Hyde Park for the entire subject lands when it was intended as one commercial development.

- As part of a future site plan application the subject lands proposed as a mixed use will need to demonstrate how they can be serviced and connected meeting all applicable standards to the abutting 450mm municipal sanitary sewers. The proposed development will require inspection MH's for the non residential uses. Further comments may be forthcoming with future development applications.

Transportation (December 15, 2021)

- No further widening requirements.
- Detailed comments regarding access design and location already provided at the site plan pre consultation in June/2021. (South access should be along projected frontage of 1407-1427 Hyde Park, joint access with 1369 Hyde Park not supported as the neighbouring property is already serviced by another access to the South and does not require an additional access.)

Stormwater Engineering (December 21, 2021):

- SWED staff have no new or additional comments for the subject site beyond those previously provided for pre-application consultation (dated March 5, 2021). Additional SWM related comments may be provided upon future review of this site.
- The Stormwater Engineering Division staff have no objection to this pre-application. For the benefit of the project, please ensure the applicant is informed about the following SWM issues/requirements to be considered by the applicant's consultant engineer when preparing the storm servicing strategy for this land during the development application stage:
- Specific comment for this site
 - The site is located within the UTRCA regulated area and therefore UTRCA approval/permits may be required, including confirmation as to required setbacks.
 - As per attached as-constructed 19211 & 26822, the site at C=0.90 is tributary to the existing 525mm storm sewer stub at the western property line. The applicant should be aware that any future changes to the C-value will require the applicant to demonstrate sufficient capacity in this pipe and downstream systems to service the proposed development as well as provide on-site SWM controls. On-site SWM controls design should include, but not be limited to required storage volume calculations, flow restrictor sizing, bioswales, etc.
 - The number of proposed parking spaces exceed 29 and although the site is tributary to a stormwater management facility, City of London SWMF's are not designed to accommodate/treat oils. The owner shall be required to have a consulting Professional Engineer confirming how the water quality will be addressed to the standards of the Ministry of the Environment, Conservation and Parks (MECP) with a minimum of 80% TSS removal to the satisfaction of the City Engineer. Bearing in mind the City of London does not support Goss Traps/Catchbasin Hoods as standalone solutions to address water quality and should only be utilized as part of a Treatment Train Design.
 - The proposed land uses of a medium density residential and commercial will trigger the application of design requirements of Permanent Private Storm System (PPS) as approved by Council resolution on January 18, 2010. A standalone Operation and Maintenance manual document for the proposed SWM system is to be included as part of the system design and submitted to the City for review.
 - The applicants consulting engineer shall ensure that there is no shared servicing between land uses proposed as part of the site plan application.
 - 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 find more information and an application form at the following:

<http://www.london.ca/residents/Water/water-bill/Pages/Water-and-Wastewater-Rates.aspx>.

- Any proposed LID solutions should be supported by a Geotechnical Report and/or a Hydrogeological Assessment report prepared with a focus on the type(s) of soil present at the Site, measured infiltration rate, hydraulic conductivity (under field saturated conditions), and seasonal high groundwater elevation. Please note that the installation of monitoring wells and data loggers may be required to properly evaluate seasonal groundwater fluctuations. 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.
- An Operations and Maintenance manual should be provided as a separate report/manual identifying any implemented/constructed LIDs. For examples of such report contents please refer to the following website <https://cvc.ca/low-impact-development/lid-maintenance-monitoring>.
- As per 9.4.1 of The Design Specifications & Requirements Manual (DSRM), all multi-family, commercial and institutional block drainage is to be self-contained. The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely convey the 250 year storm event.
- General comments for sites within Stanton Drain Subwatersheds
 - The subject lands are located in the Stanton Drain Subwatershed. The Owner shall provide a Storm/Drainage Servicing Report demonstrating compliance with the SWM criteria and environmental targets identified in the Stanton Drain Subwatershed Study that may include but not be limited to, quantity/quality control (80% TSS), erosion, stream morphology, etc.
 - The Owner agrees to promote the implementation of SWM Best Management Practices (BMP's) within the plan, including Low Impact Development (LID) where possible, to the satisfaction of the City Engineer.
 - The owner is required to provide a lot grading plan for stormwater flows and major overland flows on site and ensure that stormwater flows are self-contained on site, up to the 100 year event and safely conveys up to the 250 year storm event, all to be designed by a Professional Engineer for review.
 - The Owner shall allow for conveyance of overland flows from external drainage areas that naturally drain by topography through the subject lands.
 - Stormwater run-off from the subject lands shall not cause any adverse effects to adjacent or downstream lands.
 - An erosion/sediment control plan that will identify all erosion and sediment control measures for the subject site and that will be in accordance with City of London and MECP (formerly MOECC) standards and requirements, all to the specification and satisfaction of the City Engineer. This plan is to include measures to be used during all phases of construction. These measures shall be identified in the Storm/Drainage Servicing Report.

Water Engineering (December 2, 2021)

- There is an existing 450mm PVC watermain at Hyde Park Rd, and 300mm PVC on South Carriage Rd
- The area is located within the Hyde Park PS High level zone.
- The applicant shall identify the ownership for the buildings(one single ownership or multi). Where all buildings will remain within one ownership, a single private watermain could provide municipal water servicing to the site. Where there will be more than one ownership in the future of the buildings proposed, it will be necessary to have separate water servicing provided to each separately owned

site and the buildings on that site in order to prevent the creation of a regulated drinking water system.

Site Plan – from Record of Site Plan Consultation (June 2021)

Site Design Comments:

- Ensure the townhouses function separately from the commercial development, with adequate landscape buffering and separate entrances and parking facilities for each use.
- Provide an adequately sized and functional amenity space for the residential units.
- Locate the site access wholly on the subject property.
- Locate garbage/recycling facilities away from the public street frontage.

Building Design Comments:

- Explore opportunities to include a true mixed-use building along the Hyde Park Road frontage with commercial ground floor and residential on the upper levels, this could help resolve other site plan issues such as outdoor common amenity space and parking.
- Alternatively, split “Building 2” into two buildings with parking located between the two buildings to allow for better access to the commercial units along the Hyde Park Road frontage from the parking area.
- Orient any commercial units adjacent to Hyde Park Road to the street by including the principal building entrance on this elevation with direct access to the individual unit entrances to the public sidewalk.
- Rotate “Building 3” and locate along the South Carriage Road frontage to allow for a greater portion of the built form parallel the street, with the surface parking located behind the building and direct access from the individual unit entrances to the public sidewalk.
- Design “Building 1” to have regard for its corner location. Building massing and articulation should address the intersection of Hyde Park Road and South Carriage Road.
- Design the space within the R.O.W., between the proposed building and the existing public sidewalk on Hyde Park Road, to be consistent with the design that has been implemented for other developments in the Hyde Park area.
- Provide for a store-front design for any ground-floor commercial units proposed on the Hyde Park Road frontage. This should include a higher proportion of vision glass, double doors, an increase in ground floor height, and the potential for canopies and lighting to frame the entrance.

Appendix E – Public Engagement

Diane Dempsey (to Councillor Josh Morgan)

[“Proposed McDonalds restaurant](#)

As a member of the community that sees a plan for a McDonalds being built on Hyde Park Road and South Carriage, I am compelled to communicate with you as the City Councillor for this area. I walk on a regular basis past this intersection and honestly have not recovered from the tragedy of last June. I am very happy to see the lovely tribute that has been constructed at this intersection for the Afzaal Family as a permanent reminder of the horror that occurred there. This makes this corner hallowed ground as it memorializes this lovely family. It truly seems like an extreme insult to this Memorial to allow a McDonalds Restaurant to exist exactly across from this special tribute. There are other reasons that I will also mention as to why it is not wise to move forward with any fast food restaurant. The increase in traffic is a big concern as there are always lines as cars pull over to get into the queue for take out. This area is already very busy with traffic and the pedestrians have to navigate very carefully. I predict there will be cars backed up on a regular basis especially at rush hour. Along with this will be increased litter and amounts of garbage that are generated by purchases as well as the huge carbon footprint that McDonalds inflicts on our community. It is extremely discouraging to read all the information about how McDonalds contributes to climate change by how they operate and do business everyday. Please check this data and see how bad they are in this area. The other issues that are very concerning are all the noises, smells, fumes, and light pollution that will interrupt the quietness of this residential area. I have so often enjoyed the song of the killdeer birds who nest in that open space currently and it saddens me all they will be wiped out. I do hope our City leaders will find a solution that is not going to sacrifice quality of life over a McDonalds restaurant...”

Samantha Watt

“There are already 3 McDonald’s in this area. This would only cause congestion in a residential area, smell, and an ugly appearance. This area has a nice memorial set up across the street, and does not need an eyesore like McDonald’s to distract from it. Please consider this... I’m sure we can also get lots of signatures to help back us all up. I really hope this isn’t a done deal.”

A.J. Daniak

“...In the conceptualized site plan, it shows a McDonald's as the restaurant. In another spot in the documents, it says that the restaurant was 'conceptualized' as a McDonald's. I was a bit unclear how they would be able to use the McDonald's logo, unless they were already in talks with the company? From the use of the logo, I assumed someone was already in talks with the franchise. That said I did want to raise concerns that while I don't have objections to a restaurant or drive-thru necessarily I do think that a better suited restaurant could be chosen for the location. The first that comes to mind is a Starbucks (or a local independent coffee shop instead), but for sake of the conversation, a coffee shop would provide a much better lifestyle addition to the area residents, including to all those new proposed stacked townhouse residents who would be sharing a parking lot. A coffee shop would become a community hub where people can gather and meet and I think would be much more welcomed than a McDonald's - for many reasons. I understand that McDonald's would be considered an anchor tenant of the plaza, but that's why I compared it directly to a Starbucks. Less risk than an independent coffee shop. If not a coffee shop - any kind of local restaurant with good quality food would be more welcomed - think something like Dolcetto, Taverna 1331 that is right down the street, Porcino's and so forth. The Hyde Park main street that is being built up has much potential to become a hub for the city and while I have nothing personally against McDonald's, there are already 2 - one at Dalmagarry/Fanshawe Park, and one inside

the Hyde Park Walmart. I realize there is already a Starbucks as well at Fanshawe and Hyde Park road, but as Starbucks has demonstrated in certain locations there can be a Starbucks on multiple corners of the same intersection with no concern of customers served - as there is often that much demand. As well please note I am simply using Starbucks as an example in this situation, there may be many other more suitable choices.

I of course am not an official planner, do not have connections to Starbucks and am not privy to many of the other details I'm sure that go into the planning process before a decision is made, but I wanted to bring my comments to your attention for consideration and in case others share the same concerns.

Margaret Fuller

"I am a resident in the Hyde Park area and would like to be on record as opposing any zoning amendment that would permit a drive-through restaurant at the corner of Hyde Park Road and South Carriage Road.

As indicated in the "Notice of Planning Application", the London Plan does not permit a drive-through facility at this location, and I believe this check on development needs to be respected. In my opinion, the subject intersection was not designed for a drive-through facility, and by making allowances for one, the City of London would be creating an environment conducive to increased traffic problems and safety risks.

For this reason, I am strongly opposed to this proposed amendment and ask that the City respect the terms of the London Plan, which preclude a drive-through facility at the corner of Hyde Park Road and South Carriage Road."

Sandra Venneri

"I'm a resident near Hyde Park and would like to know the process of having a say in the plans. I want to speak up about the fast food restaurant and the planning of healthier options for our community that are allowed. With so many fast food options already, it seems excessive and not supporting public health initiatives that are important when city planning happens."

Report to Planning and Environment Committee

To: Chair and Members
Planning and Environment Committee
From: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development
Subject: ReThink Zoning – Progress Update
Date: October 23, 2023

Recommendation

That, on the recommendation of the Director, Planning and Development, the following report be **RECEIVED** for information.

Executive Summary

ReThink Zoning is the process of delivering a new comprehensive zoning by-law that will implement *The London Plan* and replace the current *Zoning By-law No. Z.-1*. The purpose of this report is to provide an update on ReThink Zoning initiative following the recent Housing Accelerator Fund announcement.

This report highlights an innovative change to the typical approach to rolling out a new zoning bylaw. This new approach will implement the ReThink Zoning bylaw in a series of phases. The first of these phases will include the zoning changes with the highest impact on accelerating new housing as proposed in the City's Housing Accelerator Fund Application. This change will reduce the time required to roll-out the zoning bylaw amendments with the greatest impact on providing new housing in London.

Linkage to the Corporate Strategic Plan

The preparation of the new comprehensive zoning by-law will contribute to the advancement of Municipal Council's *2023-2027 Strategic Plan* and the strategic areas of focus in several ways:

- **“Housing and Homelessness”** is supported by a new comprehensive zoning by-law that contemplates a diverse range of housing options in all neighbourhoods and through a balanced application of use, intensity and form regulations ensures new development is compatible with its context, including existing and future conditions. A new comprehensive zoning by-law will explore the use of regulations to incent certain forms of development with alternative standards to achieve municipal housing needs and commitments.
- **“Climate Action and Sustainable Growth”** is supported by a new comprehensive zoning by-law that will ensure growth and development is well planned, resilient to change and sustainable over the long-term. A new comprehensive zoning by-law will explore the use of regulations to incent the use of green technologies, infrastructure, facilities, and devices. A new comprehensive zoning by-law will also protect the natural environment and agricultural areas and avoid natural hazards when building new infrastructure or development for the needs of Londoners now and into the future.
- **“Economic Growth, Culture and Prosperity”** is supported by a new comprehensive zoning by-law that provides certainty and flexibility in regulations to create a supportive environment where businesses and development can thrive.
- **“Mobility and Transportation”** is supported by a new comprehensive zoning by-law that promotes compact patterns of growth and plans for greater population density in areas near transit and active mobility networks to make green and active forms of mobility more viable and attractive.
- **“Reconciliation, Equity, Accessibility, and Inclusion”** is supported by a new comprehensive zoning by-law that applies the City of London Equity Tool to City-

led policies and to promote equitable, inclusive, accessible and welcoming City of London spaces for intersectional identities.

- **“Wellbeing and Safety”** is supported by a new comprehensive zoning by-law that promotes neighbourhood planning and design that creates safe, accessible, diverse, walkable, healthy, and connected communities.
- **“Safe London for Women, Girls, and Gender-Diverse and Trans People”** is supported by a new comprehensive zoning by-law that applies the City of London Equity Tool to City-led planning, design and construction of public spaces and amenities, specifically considering the safety of women, girls, nonbinary and trans individuals and survivors.
- **“Well Run City”** is supported by a new comprehensive zoning by-law that continues to deliver municipal services that meet the needs of a growing and changing community, and provides as-of-right zoning to streamline approvals processes.

Analysis

1.0 Background Information

1.1 Previous Reports Related to this Matter

Planning and Environment Committee, ReThink Zoning – progress update, June 19, 2023. This report provided an update on the progress of the ReThink Zoning project, including an update on the working draft zoning by-law document and the plan for future public consultation.

Planning and Environment Committee, Update and Sample Place Type Zones, October 3, 2022. This report introduced three (3) sample zones prepared by the project consultant. The purpose of the sample zones was to illustrate how policies in *The London Plan* could be translated into regulation. The sample zones included the project consultant’s proposed structure and organizational framework for the zone classes, mapping of zone boundaries and zone codes for sample geographic areas, and preliminary zone regulations. It was recommended that the sample zones be received by Municipal Council for information purposes. This report also provided an update on the next steps for ReThink Zoning.

The sample zones were the subject of consultation and review from October 2022 through to January 2023. Consultation included a staff workshop in November 2023, a meeting of a Rethink Zoning Working Group in November 2022, a virtual Public Information Meeting in December 2022 and meetings with individuals and groups that were requested through the project’s Get Involved webpage.

Planning and Environment Committee, ReThink Zoning Update & Discussion Papers, June 20, 2022. This report introduced seven (7) Discussion Papers prepared by the project consultant that explored opportunities and challenges for London’s new zoning by-law and identified possible zoning approaches to address those issues. It was recommended that the discussion papers be received by Municipal Council for information purposes. This report also provided an update on the next steps for ReThink Zoning.

Planning and Environment Committee, RFP21-57 ReThink Zoning Consulting Services Contract Award, November 1, 2021. This report recommended Municipal Council appoint Sajecki Planning Inc. (“Sajecki”) as project consultants to prepare the new comprehensive zoning by-law and that the financing for consulting services be approved. In accordance with the City’s *Procurement of Goods and Services Policy*, Sajecki was qualified to provide consulting services through a Request for Qualification (RFQUAL) and had the highest scoring submission through the subsequent Request for Proposal (RFP).

Planning and Environment Committee, ReThink Zoning Phase One Update and Background Papers, June 21, 2021. This report introduced for information purposes a series of Background Papers. The first Background Paper provided an overview of the

relevance and role of zoning and the importance of engagement in the ReThink Zoning project. The second, third and fourth Background Papers addressed the role of use, intensity, and form in zoning, respectively, to achieve the city building objectives described in *The London Plan*. The fifth Background Paper undertook a review of zoning by-laws for several comparable municipalities in Ontario to identify best practices and capture innovative approaches to zoning. This report also provided an update on the next steps for ReThink Zoning.

Planning and Environment Committee, ReThink Zoning Phase One Update, November 30, 2020. This report introduced for information purposes, areas of focus for future public and stakeholder engagement. Areas of focus including education about how zoning works, and conversations about the types of uses and buildings that should be permitted (use), how much activity or building should be permitted (intensity), and where and how buildings should be situated or designed (form). The above noted areas of focus were discussed in the context of *The London Plan's* policy direction and place types, and how *The London Plan's* vision can be implemented through zoning. The report was initially scheduled for June 2020 and was postponed and adapted to address limitations with public and stakeholder engagement as influenced by COVID-19.

Planning and Environment Committee, ReThink Zoning Terms of Reference, May 13, 2019. Based on public and stakeholder comments on the draft Terms of Reference (TOR), this report introduced for approval an updated TOR for ReThink Zoning. The updated TOR included a detailed overview of the project goals, work plan and deliverables, and identified opportunities for meaningful public and industry stakeholder engagement.

Planning and Environment Committee, ReThink Zoning Terms of Reference, August 13, 2018. This report introduced for information purposes a draft TOR for ReThink Zoning and directed that the draft be circulated for comments.

2.0 Discussion and Considerations

2.2 Summer Public Consultation

Portions of the working draft of the zoning by-law were shared over the summer months with interested parties through posted materials and updates on the project's Get Involved webpage (<https://getinvolved.london.ca/rethink-zoning>) as a series of factsheets. The intent of these factsheets was to provide a preliminary outline of the new zoning by-law structure, including permitted uses and permitted building types for the Downtown, Neighbourhoods, Commercial Industrial, Light Industrial, and Heavy Industrial Zones.

In addition, a community workshop was held on September 28, 2023 seeking feedback on the sample zone factsheets, as well as general feedback, to be incorporated into the working draft zoning by-law. Additional consultation with the public and interested parties, including the development industry will be held over Q4-2023. This consultation will be designed to accommodate general feedback as well as targeted feedback from community groups, equity deserving groups, and the development industry.

2.1 Updated Project Approach

London's successful Housing Accelerator Fund application was announced by Prime Minister Trudeau on September 13, 2023. One of the most important initiatives included in London's application was to quickly bring to Council various zoning changes to accelerate new housing. A new and innovative approach was developed to ensure that these zoning amendments can be made quickly and at the same time align with the spirit and direction of the ReThink Zoning initiative.

2.2 Moving Directly to Implementation

The revised approach will bring forward a series of zoning amendments in phases without completely replacing the current zoning by-law. These amendments will be structured to reflect the form of the new ReThink Zoning by-law and include portions of

the content shared during public engagements sessions. Over a series of zoning by-law amendments, sections of the current zoning bylaw will be replaced until it is finally fully replaced with the complete Rethink Zoning By-law. This innovative approach will allow the high-priority zoning changes that are needed to accelerate housing to move forward quickly. In parallel, the public engagement and the further development of the next phase of by-law amendments can be completed. Several elements of Rethink Zoning that will be accelerated and implemented through transformation of the current zoning By-law include:

- Zoning changes to promote additional residential units and other forms of gentle intensification within neighbourhoods by identifying and removing obstacles within the current zoning regulations.
- Preparing new zones for key intensification areas along the planned rapid transit corridors that incentivise redevelopment through as-of-right zoning for high-density development.
- Identifying common issues with the current zoning by-law that result in the need for minor variance or zoning by-law amendment applications and removing unnecessary regulations where possible.

The work to bring the first phase of zoning amendments forward is already underway and is expected to be completed by Q2-2024.

It is anticipated that this new approach will extend the overall time to fully complete the ReThink Zoning by-law but has the benefit of allowing the zoning changes with the highest impact on creating new housing to be made quickly. These amendments will continue throughout the year with the final phase anticipated by the end of 2024.

Conclusion

Planning and Development staff have begun work on the first phase of zoning amendments. Additional consultation will commence over the following months and will be incorporated into the first phase and subsequent phases of the implementation of the ReThink Zoning bylaw. The innovative approach highlighted in this report will reduce the time required to roll-out key zoning bylaw changes and accelerate new housing in London.

Prepared by: Catherine Maton, MCIP, RPP
Senior Planner, Planning Implementation

Reviewed by: Justin Adema, MCIP, RPP
Manager, Long Range Planning

Recommended by: Heather McNeely, MCIP, RPP
Director, Planning and Development

Submitted by: Scott Mathers, MPA, P.Eng.
Deputy City Manager, Planning and Economic Development

From: ANGUS JOHNSON

Sent: Monday, September 25, 2023 6:24 AM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] addition to Oct.3 agenda - Included 2023-10-23 PEC Reg Agenda

To : The Chair and Members of the Planning and Environment Committee

Please add the document below to to the Oct. 3 agenda as a comment on the ReThink Zoning initiative .
I'm also requesting the opportunity to attend the meeting and speak to the proposal, with the permission of the committee.

Thank You

Angus Johnson

Please confirm email receipt

To the Chair and Members of the Planning and Environment Committee

A Vegetation Zoning Concept for London Ontario

Executive Summary

The proposal here is that the City of London should develop a comprehensive plan to protect and improve vegetation in the city. This proposal offers a suggestion as to how a type of zoning could be incorporated in such a plan.

It would be hard to overstate the importance of protecting the existing vegetation cover of our planet. Cities, like London, are just one piece of that puzzle and all cities have a heightened responsibility in this regard as so much of the emissions that are causing global warming are generated in cities.

In cities the response to the responsibility for reducing emissions takes different forms. Many cities focus on housing as a key to emissions reduction. Some have banned styles of housing believed to contribute to global warming. Others have effectively banned sprawl in favour of infill trying to stop the proliferation of emission spewing traffic. (In London, sprawl has increased emissions by increasing traffic but it has also reduces the amount of vegetation which in principal could have reduced those emissions.) Four of the world's largest cities are banning diesel vehicles as of 2025. London, England has achieved considerable success in reducing emissions by charging higher emitting vehicles daily fees, cars (21£) and trucks (100£) for entering the city. Cities are making unprecedented efforts to grow canopy and protect vegetation, using vegetation as a first line of defense against the massive amount of emissions that cities produce. The City of Houston conducts controlled burns in extensive urban forests before fire season to protect them from wildfires and improve regeneration. Toronto has budgeted \$70 million annually to increase its urban forest canopy to 40% by 2050.

While London is not unique in its responsibility to protect vegetation, it has an almost unique advantage in the development of a plan of protection. London could well become a model city with a system of protection that others could emulate, with zoning as the framework of the system.

Angus Johnson

Greenspace Alliance

Emissions and Vegetation

Globally the extent of emissions produced by burning fossil fuels, is 50 billion tonnes annually, and the amount of the reduction of those emissions by vegetation is 30%. The world's oceans reduce the amount by another 15%. Which means that 55% of emissions produced largely by our species, is our residual responsibility for the heating of the planet.

So first, how is the vegetation of the world doing ? What are the chances it will be able to keep up its emission reduction rate? In "A Trillion Trees"¹ Fred Pearce gives a remarkably comprehensive assessment of the present state and future of the world's forests. Unsurprisingly, the Amazon forests are an ongoing concern. Scientists are constantly assessing the rate of savannization of those tropical forests. But remarkably, in most of the rest of world, vegetation cover is increasing as it has been for many years. The reason for this restoration and the means by which it is happening will surprise many. The forests of the world are essentially recovering and growing because of the process of urbanization. Essentially, almost the world over, generations of farmers are leaving farmland and moving to cities. And nature is essentially reforesting the abandoned farmland.

Going forward we will be relying considerably on our forests and oceans to maintain those levels of emission reduction, if there is to be any hope of controlling the overheating of our planet. But in theory, if we could somehow reduce emissions at source, it would help the situation considerably and could lessen our dependence on plants and our oceans.

What then are the chances of emissions being reduced by other means in the coming years? That possibility I would suggest is squarely in the hands of the world's two largest emitters. Consider first the emission reduction prospects of the U.S.A. One analyst's summary

*"The United States is within reach of cutting its carbon pollution in half by 2035 — if it's able to install a massive number of renewable energy projects. Or the nation could fall far short of its international climate promises and reduce emissions by as little as 29 percent in 2030 — if fossil fuel prices remain low, economic growth surges and clean electricity installations stumble"*²

While Joe Biden continues to stress his commitment to massive infrastructure spending as the key to emission reduction, there is ongoing concern about the actual extent to which Americans will embrace electric vehicles. Surveys on consumer behaviour generate little optimism. Consistently, consumers who even admit to being worried about climate change say they are not willing to accept the increased cost of electric cars and trucks. As a personal observation, I just returned from the U.S. and the cost of gas was half Ontario's price. It seems very likely that

¹Greystone Books, Vancouver, 2022

²<https://www.eenews.net/articles/biden-boosted-climate-action-but-u-s-emissions-goals-still-in-doubt/#:~:text=Biden%20has%20committed%20to%20cutting,next%20target%20is%20after%20that.>

³<https://www.theglobeandmail.com/business/commentary/article-china-paris-accord-net-zero-commitments/>

cheap gas will keep Americans driving gas cars and trucks, in the face of climate change worries. And in the U.S., any government that allows gas prices to rise does so at their peril.

Unlike the U.S.A. there are not a lot of ifs in China's current emissions picture. In summary: *China's emissions rose 4 percent year over year in the first three month of 2023. China has already approved 110 gigawatts of new coal plants - roughly 100 large plants. Ironically, much of this electricity is needed to run air conditioners for overheated families as temperatures rise. Massive amounts of cheap fossil fuel energy is also used to feed world-beating Chinese industries. China has yet to state credibly how it will achieve net zero 37 years from now.* ³

The advantage of plants is they are genetically programmed to process emissions, in a sense, plants have no choice in the matter. Any way you look at it, planting any vegetation at this point seems a more reliable means of reducing emissions than hoping the public or governments will ultimately rise to the challenge. Abandoning plans to protect ourselves with vegetation while we face a looming climate crisis, seems an imprudent bet at best.

In what follows, I will attempt to explain how a concept of zoning could be used to protect vegetation in London and why London is so well-suited to the project. I want to emphasize that what I will describe is a concept, an overview, an idea for zoning vegetation. I will sketch as best I can how I think it could work but admit that there are administrative hurdles to overcome and operational details that would need to be worked out before it could be implemented. It's my hope that others more talented than I will be enthusiastic enough about the concept to complete the task.

The key to that special opportunity to protect and hopefully improve London's existing growing vegetation is information about emissions that was produced by Dr. Daniel Rainham and his team from Dalhousie University who chose London as one of the thirty subjects for their environmental quality study completed last year.

The key pieces of information from the study are a comparison table showing levels of emissions and a map correlated to the table. The map shows London in areas of different colours and the table below indicates what the colours represent. ⁴

	0–30	30–39	40–49	50–59	60–69	70–79	80 - 100
PM_{2.5} (µg/m³)	8.3 (5.5, 9.2)	7.9 (4.7, 11.2)	7.8 (3.3, 11.1)	7.4 (2.3, 10.8)	7.1 (2.2, 10.6)	6.9 (2.3, 9.6)	6.6 (4.5, 8.4)
NO₂ (ppb)	9.3 (6.9, 12.8)	9.1 (4.4, 13.0)	8.8 (1.8, 14.9)	7.7 (0.7, 14.9)	6.1 (0.2, 12.9)	5.3 (0.1, 9.8)	4.9 (0.8, 7.9)

⁴<https://www.sciencedirect.com/science/article/pii/S0160412022005608>

This table shows amounts of two important emissions that cause global warming, particulate matter and nitrous dioxide, in varying, actually decreasing, amounts. The amounts of the emissions decrease going from left to right. The map for London (Map L)⁵ that accompanies this table shows the location of areas of the city that actually have these amounts or levels of emissions.

Looking at the rows from left to right the top row (0-30, 30-39 etc.) the ranges of numbers correspond to areas on the maps. For example, the (70-79) area is shown on the map with a lighter green colour. What the table shows is that the level of particulate matter in that area is 6.9 ($\mu\text{g}/\text{m}^3$) and the level of nitrous dioxide is 5.3 (ppb).

The two rows of emissions show, for the purposes of the study, information related to air quality. Both emissions pose significant health hazards, related to respiratory diseases, including cancer. The higher amount of emissions is reflected in lower environmental health scores. As the amount of the emissions decrease, the areas get 'healthier'.

But again, the tables also show information about important emissions that contribute to global warming. Nitrous dioxide is one of the three main greenhouse gases along with methane and carbon dioxide. It is produced in the smallest quantities (6%) (Methane 16%, CO₂ 72%) but of the three, it is the most potent contributor to global warming, with 300 times the heating potential of carbon dioxide.

Particulate matter is also a significant contributor to global warming. It warms the atmosphere by absorbing incoming and scattered heat from the sun. The most conservative estimates of its effect place it at two thirds the effect of carbon dioxide and greater than methane. Recent studies argue that it may have an even greater effect than carbon dioxide.⁶ These index maps can then be viewed as an emissions report card, each colored area on the map showing differing amount of emissions, or differing levels of success in dealing with global warming.

On the maps of the thirty cities there are no areas anywhere, above 90. The highest fall in the (80-90) range. In those ranges are the best air quality scores and those measurements for particulate matter stop at 6.6 and for nitrous oxide at 4.9. Hence there is no area measured in any of the thirty cities that is entirely free from these emissions.

The lowest actual measurement of particulate matter occurred in the (60-69) region and that was 2.2 $\mu\text{g}/\text{m}^3$. The lowest number of nitrous oxide occurred in the (70-80) area and that was 0.1ppg a very small amount, but not zero. London's highest amounts of these emissions are in a (40-49) area and the lowest are in the (80-90) darker green category.

⁵<https://ars.els-cdn.com/content/image/1-s2.0-S0160412022005608-mmc3.pdf>

⁶<https://www.theguardian.com/environment/2013/jan/15/black-carbon-twice-global-warming#:~:text=Soot%20warms%20the%20atmosphere%20by,surface%20of%20snow%20and%20ice.>

In London, there are eight areas with these lowest emission amounts in patches around the city. So in terms of the EQ study they are the "healthiest" areas of the city. Seven are located in protected natural areas (like ESAs): Meadowlily Woods, Pond Mills, Kilaly Meadows, Medway Valley, Springbank Park and Warbler Woods. The eighth is in part of the Greenhills Golf Club property in Lambeth.⁷ But, in addition to being healthy, these areas are best in mitigating global warming since here the two emissions are reduced to the lowest levels.

Viewed from above, the areas are entirely covered by vegetation. That vegetation has stomata which processes emissions, and stomata, that most growing plants have, are uniquely responsible for this processing and reduction of emissions. One mature tree which can have millions of stomata can remove 50 lb. of GHG a year. Growing grass removes approximately 400 lb. of emissions per acre, annually. But so remarkable a job as vegetation does in dealing with human produced emissions, there is currently not enough of it to remove more than 30% of emissions, globally.

So, the Dalhousie team's coloured maps show in London, colour by colour the amount of those two emissions that remain unprocessed by vegetation. Moving away from these natural areas with lowest emissions and looking at other areas, the amount of vegetation covering the land decreases, the proportion of buildings and infrastructure covering land increases and the amount of emissions measured in the areas increases. The EQ index map then shows area by area, colour by colour, the extent to which vegetation is processing emissions and it is London's good fortune to have a map that shows a pattern this clearly. In addition to showing how successfully vegetation is reducing emissions, the map can be used to help show how to protect and improve the vegetation that London has. Fundamentally vegetation needs to be considered by cities, where most vehicle emissions are produced, as a resource that needs protection and where possible, improved so that it can better mitigate the effect of emissions.

Variations in Vegetation and Contributions to its Protection

Looking at the substantial differences in the reduction of emissions that vegetation is responsible for, it is hard to ignore the significant resource that owners of areas of vegetation are providing, and doing so without compensation for the maintenance and risks involved in the stewarding of vegetation especially trees, and costs associated with those risks. For example, if the city decides that the tree you own is a hazard, the responsibility for the cost of removing that hazard is yours. As approximately eighty percent of the land in London is in private hands, the largest part of the vegetation that is removing emissions in London is privately owned. Cities who manage vegetation resources like parks and recreation areas also deserve some recognition for managing and protecting these resources because everyone who is essentially sharing the air, benefits. Although those costs are generally covered by municipal taxes to which everyone contributes.

Essentially, private landowners who care for the vegetation on their property deserve recognition for providing a resource that in the long run may have a significant effect on our ability to mediate the effects of global warming. While, in some areas of the city, significantly smaller amounts of vegetation can only contribute as the pattern of the Rainham study shows, much less.

⁷<https://www.google.com/maps/search/Transit+stations/@42.9932647,81.2037,654m/data=!3m1!1e3?entry=ttu>

Improving vegetation throughout the city could then also be viewed as an effort to spread out responsibility. The most substantial beneficiaries of the vegetation are of course, residents who own and drive gas vehicles the source of most of these emissions.

Of course the great majority of residents of the city who own trees and drive cars and trucks have gas burning vehicles so they are in fact reducing emissions that they are also creating. They just happen to be contributing more towards the reduction than residents who don't own trees. And it is certainly worth noting that residents who own trees and don't own cars or drive electric vehicles may actually come close to covering their own carbon footprint.

It is also fair to attempt to understand the consequences and responsibilities of removing vegetation particularly in the case of removing trees when housing is being developed. Typically that housing will result in bringing additional emissions to the city, if the residents of the housing drive cars and didn't live here already. So removing trees to build housing means simultaneously removing the most significant means of reducing the emissions and having the effect of further tipping existing imbalance in contribution to the reduction of emissions.

The removal is generally justified as the necessary sacrifice to create needed housing. Typically this characterization seldom corresponds to reality. Some form of housing can usually be placed without removing trees. More typically, trees are removed to increase the space available for more housing and/or to conform to the aesthetics of design employed by the builder. In light of the growing concern for our ability to deal with a climate crisis, it is appropriate to point out that requests to remove trees generally portrayed as reasonable and necessary are often actually outrageous.

The question of proportionate responsibility aside, the most important observation to make from the information derived from the Rainham study is that the vegetation as it is in London is only capable of removing a portion of the two emissions, nitrous dioxide and particulate matter, and the amount that is being removed reduces with decrease in vegetation. Even the areas of densest vegetation remove a substantial amount of emissions but not all. Clearly, a program needs to be put in place to protect existing vegetation mediating the effects of global warming and where possible improve the amount of vegetation so that it can better remove emissions.

Zoning Protected Vegetation

A way to protect vegetation so that it can perform this vital important function would be to zone it so that it is protected from harm or removal. The area that the vegetation grows on gets zoned, but actually the vegetation gets the protection. In natural areas, clearly deserving candidates for protection, it would seem just a matter of deciding what their borders are, something that may be marked on a map already, locating them on a Vegetation Zone Map and labelling the areas "Protected Vegetation". All that's needed is for the appropriate municipal body to adopt the concept "Protected Vegetation", draw the lines and apply the labels accordingly.

Other Areas

Recognizing the importance of the emission processing resource, vegetation, should warrant

identifying many other areas of vegetation also performing that function, beyond the strictly 'natural' areas. These should not be difficult areas to identify and delineate either.

Thinking of fairly large areas of vegetation that deserve inclusion, the list should include all parks, sports fields, cemeteries, golf courses, etc. These vegetation areas as a group, are processing a great deal of emissions across the city and should be protected. Some care would be needed to avoid including buildings, parking lots, paved roadways, etc as protected areas.

A good example of this vegetation-infrastructure mix is Labatt Memorial Baseball Park. Here the playing field and surrounding treed area would be protected but the area with the clubhouse, parking areas and other buildings would not. This entire area is also currently protected as a designated historical site, which protects the entire area including the infrastructure.

A historical/cultural designation was used to protect a golf course from development in a case before the Ontario Municipal Board.⁸ Significantly this was a situation where the owner planned to build high density apartment buildings over the vegetation. The City of Oakville opposed the planned development of the Glen Abbey golf course by the owner ClubLink and used that historical/cultural designation as the argument to prevent the proposed development. The hearing for the final determination by the tribunal was supposed to begin in Aug. of 2021. ClubLink withdrew the appeal before that happened. In short, in a case where the tribunal would have to choose between competing visions for the use of the property, no decision was ultimately required.

London could be a city with a powerful, comprehensive commitment to the mitigation of global warming by zoning vegetation. This vision could be an effective defense if the need arose in a tribunal hearing where the protection of vegetation from removal was being challenged.

There should not be extensive cost to the city in any of these changes, essentially it's a matter of creating definitions, labelling and mapping, possibly with the preparation of an inventory, at least insofar as it involves, existing, relatively easy to identify areas of vegetation.

Dual Responsibility of Improvement Committees

In dealing with the creation of "Planned for Improvement" areas, a committee would be tasked first to identify areas where vegetation needs improvement. The development of a plan for improvement and the implementing of the plan for each area should chiefly be the responsibility of a committee made up of residents of the area. In addition to these responsibilities this improvement committee should be mandated to examine any plans development to assess how they might affect vegetation in the area and to determine whether the plans would actually affect an improvement to the vegetation in the area concerned.

As these plans are being developed it would seem appropriate to publicize this dual nature of the

⁸<https://www.oakville.ca/town-hall/news-notices/2021-news-releases-archive/historic-glen-abbey-property-saved-from-redevelopment/>

committees with all parties who work in the development of land in the city. It could be emphasized that everyone in the community, including industries that build and develop in the community has an ongoing obligation to protect vegetation. It could even be indicated that approval of plans would be contingent on the extent to which plans effect an actual improvement of vegetation.

Zoning: "Planned for Improvement"

The committee could also be tasked with preparing organizational maps used to keep track of the work completed by the groups. The costs will depend largely upon whether this organizational team is paid or not. Potentially if an advisory committee or some other committee were willing to take this on, the costs might be quite low.

This decision-making process would be dealing with a vegetation continuum from neighbourhoods with substantial amounts of vegetation, where actual space for improvement was an issue to areas with much less. Many vegetation owners in the former have invested years in protecting their trees, lawns, and gardens and the planning for these areas should be more about protect than improve.

The science is indicating that to this point, London, Ontario has only received a taste of the brew that is coming like cycles of drought, flood, fire, blight, invasive insects and species. A plan for protecting their investments in vegetation could relate to the protection from the potential effects of climate change itself.

Research and intervention needs to focus on dealing with them as the future unfolds. One scenario suggests that our climatic area in twenty years will resemble that of Washington D.C. today. This could mean that different species should be planted now to survive in that particular environment. Growing cycles could become longer. Which might actually make it easier to grow more vegetation as the growing year extends. But this whole uncertain future only emphasizes the need on the part of the city for ongoing careful planning, cataloging and managing the vegetation as is, and providing communication to vegetation owners.

In the protected areas discussed earlier, that zoning label could carries the implication that the area is to be protected from adding infrastructure that would displace vegetation. While that's an issue everywhere and certainly it would be a normal concern of owners in these denser vegetation neighbourhoods, the zoning label could have a different connotation.

If the vegetation in these neighbourhoods was referred to as "Supported", it could convey the message that there was a tacit approval for the amount of vegetation here and the way it is being managed by its owners and that the city (double meaning) viewed itself as a supporting, sharing partner in the protection of the vegetation. And at some point in drawing distinctions between one area and its plan from another may call for an actual measurement of the density of the vegetation so as to compare one area with another. For example in selecting these "supported" areas it may be necessary to define the area as one with vegetation density x. Technical resources are now available free to the public to assist with this kind of project. An example of a project that utilizes these resources is "Inequalities of Urban Greenness" by Kyeezu Kim.⁹ It is a good starting place for anyone looking to learn about measuring vegetation in urban area. Particularly useful here are the tools the study utilized in the NASA Earthdata package.¹⁰ Google Street View referred to

earlier is also an excellent resource for identifying vegetation differences in land covering. It's useful in actually locating the areas being defined.

The organization of the teams for the planning could actually be by emission areas. Using the EQ index map as a guide it would be a matter of identifying an area on the map of basically one colour to guide the grouping. It may need some explanation to get across the backstory of all this. i.e. everyone actually lives in the area where the levels of the two emissions are such and such and the general idea is to try and introduce more vegetation in the area which should reduce the emission level and help mitigate global warming, but overall it's important to communicate that emissions-wise the group living in this area are in the same boat.

The invitation to be part of the group charged with developing the plan should be extended to anyone who lives or owns property in the designated area and initially their task would be to meet as a group and develop ideas for things that could be done to add vegetation to the area.

Two Factors Affecting Identification of Improvement Areas

Vegetation Maturity

Basically there are two ways in which the amount of vegetation can increase. Existing vegetation can grow or new areas of vegetation can be added to the complement. Improvement committees will generally be looking for opportunities to accomplish the latter but they will need of course to account in their plans for the growth to be expected in the vegetation that's already there. London has large areas across the city of relatively recent development with immature trees that were planted after the building of housing was completed. The strategy employed in most of the developments was to scour the earth of existing vegetation, place the infrastructure on the moonscape and then plant grass and trees. In too many areas of new development across the city the percentage of infrastructure covering the land is so high that there is for practical purposes little room to add new vegetation. Even when the planted trees mature the total amount of vegetation will have little proportionate ability to reduce emissions

But across the city, there is actually substantial variation in the density of young trees in areas of newer development. In places where the growth will substantially improve emission reduction that will need to be accounted for and adjustments made in any planning for added vegetation. Once the zoning for protecting vegetation is in place it will be established that scouring the earth prior to development is inconsistent with the protection of vegetation in all three zones as improvement committees will need to have an opportunity to assess existing vegetation prior to assessing development plans that may be offered for consideration.

Diesel Emissions

The area with the highest level of emissions in London, is shown with a 'sandy' colour on the

⁹<https://www.science.org/doi/10.1126/sciadv.adf8140>

¹⁰<https://search.earthdata.nasa.gov/search>

Rainham EQ map. It is made up of a patch concentrated in an area between a line running East to West slightly north of Central Ave. that marks the northern extent of the C.P. Railyard and in the south to Hamilton Rd. and East to West between Highbury Ave. and Adelaide St. The other large portion of rail yard is owned by CN Rail. A small chunk of the area left of centre is lower emissions beige and yellow, an 'older' residential area. Slightly east of this the rail areas are connected by a strip of the sandy colour.

The rail areas are separate sections 21 and 22 rails wide. Around this area is an eclectic mix of six auto repair shops, three car dealerships, Fed Ex, a custom cabinetry, a salvage yard, a window and door supplier, a pet groomer, a designer shop, a plumbing supplier and one truck repair shop. Overall the area is an industrial/commercial residential mix. The Fed Ex business is probably the largest source of diesel truck traffic close by. Otherwise this area would have tow truck, light truck and van and car traffic. Overall, the area is not densely residential and has some vegetation. There is actually a small greenspace, Silverwoods Park, immediately beside the CN railyard.

Although it is clearly the area in the city with the highest level of emissions. While the nitrous oxide level here is almost twice the level of the lowest emission areas, it is clearly not the area in the city with the lowest amount of vegetation. There are in fact areas in the city with substantially less vegetation and lower levels of emissions. This is probably the area of the city with the highest level specifically of diesel emissions. Diesel burning directly produces large amounts of particulate while the burning of gasoline does not usually produce amounts of particulate matter.

And while burning gasoline and diesel both produce nitrous oxides, diesel burning produces it in much larger amounts, eight to eleven times as much. It is estimated that diesel burning is responsible for 85% of all nitrous oxides from moving vehicles.

If this area is being considered as potentially "Planned for Improvement" the high probability that diesel emissions are skewing the emissions level up, should be taken into account.

A representative from the city could act as a moderator, or serve as resource, if they are familiar with city plans and policies that members may need to consult. But their responsibility, when the group has decided that the plan is done, would be to inform council, or whoever is responsible for recording zoning that the area can be labelled on the map "Planned for Improvement". (Another option would be to zone the area "Planning for Improvement" as soon as the group meets and starts planning, and so the liaison rep could be responsible for delivering that message and change it "Planned" when complete.)

While the time frames should be in their hands, two fundamental facts should be conveyed to stimulate some sense of urgency in what they are trying to accomplish. When growing vegetation is established, it begins to reduce emissions as soon as it has green leaves and for the foreseeable future there is a desperate, time sensitive need to reduce those emissions we are producing.

The 'invitation' map should include a level of emissions per area and every area of the city should be accounted for on the map. In contrast to areas of the city that have enough vegetation to be effective in processing emissions, there are areas with very little vegetation, like the central downtown area of the city. Hopefully there will be a turn out of downtown dwellers with many

wonderful ideas about how to vegetate the core area. What is clearly important is the input from residents who actually live in the area along with the voices of property owners.

Vegetation Zoning and Development of the Urban Canopy

The city of London currently has a canopy cover of app. 26% and there has been discussion of the possibility of increasing the canopy to 35% by 2065. So in the future there may be the possibility of two plans in operation with the general intention of adding vegetation to the city. While both plans will involve adding vegetation there will be differences in the priorities of the plans. The first priority of an urban canopy plan will be to specifically increase the canopy tree cover by planting trees. The first priority of plans to improve vegetation is to increase the density of vegetation in areas of the city zoned "Planned for Improvement" and these improvements planned could involve the introduction of a wider variation of vegetation like grasses, ferns, bushes, vines, flowers, 'weeds', etc. but possibly trees also.

The rationale behind the latter is that while trees are obviously extremely important in the complement of a city's vegetation and long term plans to improve vegetation certainly need to involve trees, trees take a minimum of twenty years or so to get to the point where they are mature enough to significantly reduce emissions. Virtually all types of vegetation process emissions and faster growing vegetation will do it sooner, and when it comes to reducing emissions in the current environment of global warming, the sooner the better.

A typical improvement project might involve the restoration of a degraded parking lot where the plan is hopefully, in twenty or thirty years it will mature into an urban mini forest. But in its initial stages it is planted with a variety of cover vegetation, like grasses, other plants, shrubs, etc. and of course, young trees. At first blush, the sensible preference for trees would seem to be ones that produce dense cover and grow quickly. At least that would seem to make sense of given, what this vegetation is intended to do, namely reduce emissions.

In all likelihood in the same time frame as this plan emerges there is the possibility that an urban forest canopy plan will appear with possibly its own agenda regarding locations, timelines, and theories about the types of trees that should be planted to expand the canopy. Conceivably creating a situation where two different groups are arguing about the when, where and what of the planting of a tree. When there is so much in common in the agenda of both groups, who would both like to see an expanded canopy to help protect the city from global warming, it would be unfortunate if some means of co-ordinating the interests of the two groups could not be found. It may very well mean that some compromising will be required, hopefully with the result that groups can partner in such a way as to achieve both goals more effectively.

Costs and Funding for Protecting Vegetation

The legal contest that the city of Oakville and ClubLink are engaged in has not been without

substantial costs on both sides and the potential legal costs involved in protecting vegetation deserves consideration. However, the decision to take a leadership role here, might have potential advantages in terms of acquiring funding to support projects that protect vegetation. There may be

granting opportunities for the creation of parks. Provincial funding may be available from federal transfers for projects that incorporate climate adaptation efforts, from a Natural Infrastructure Fund.¹¹ In terms of accessing needed financial resources, this may be just the right time for the city to pursue support for a program of vegetation protection.

¹¹https://publications.gc.ca/collections/collection_2022/eccc/En4-469-2022-eng.pdf

Angus Johnson

Greenspace Alliance

From: londondev@rogers.com <londondev@rogers.com>

Sent: Wednesday, October 18, 2023 12:24 PM

To: PEC <pec@london.ca>

Subject: [EXTERNAL] Request for Delegation Status for October 23rd PEC - 4.1 ReThink Zoning- Progress Report

Hello Clerk

I would like to ask for delegation status to speak to the above report.,

I will attend the City Hall.

Thanks Mike

Mike Wallace

Executive Director

London Development Institute (LDI)

519-854-1455

londondev@rogers.com



Community Advisory Committee on Planning Report

11th Meeting of the Community Advisory Committee on Planning
October 11, 2023

Attendance PRESENT: S. Bergman (Chair), M. Ambrogio, M. Bloxam, J. Dent, J. Gard, A. Johnson, S. Jory, M. Rice, S. Singh Dohil, M. Whalley and M. Wojtak and J. Bunn (Committee Clerk)

ALSO PRESENT: K. Gonyou, M. Greguol, K. Mitchener and E. Skalski

The meeting was called to order at 5:30 PM.

1. Call to Order

1.1 Disclosures of Pecuniary Interest

That it BE NOTED that no pecuniary interests were disclosed.

2. Scheduled Items

None.

3. Consent

3.1 10th Report of the Community Advisory Committee on Planning

That it BE NOTED that the 10th Report of the Community Advisory Committee on Planning, from its meeting held on September 13, 2023, was received.

3.2 Notice of Planning Application - Draft Plan of Subdivision - 1944 Bradley Avenue

That the Planning and Environment Committee BE ADVISED that the Community Advisory Committee on Planning (CACP) made the following comments with respect to the Notice of Planning Application, dated September 18, 2023, from L. Mottram, Senior Planner, related to a Draft Plan of Subdivision for the property located at 1944 Bradley Avenue:

a) there is a lack of commercial uses and range and mix of land uses to support a complete community in the area and the development appears to be an example of urban sprawl; and,

b) the CACP supports the findings and research of the Heritage Impact Assessment, dated August 17, 2023, as appended to the Agenda.

3.3 Notice of Revised Planning Application - Zoning By-law Amendment - 200 Albert Street

That it BE NOTED that the Community Advisory Committee on Planning reviewed the Notice of Revised Planning Application, dated September 13, 2023, from N. Pasato, Senior Planner, with respect to a Zoning By-law Amendment related to the property located at 200 Albert Street and the Cultural Heritage Impact Assessment, dated August 9, 2022, from Parslow Heritage Consultancy Inc., and the CACP supports the research, assessment and conclusions of the above-noted Cultural Heritage Impact Assessment and the CACP supports the form of the development in this location.

4. Sub-Committees and Working Groups

4.1 Stewardship Sub-Committee Report

That it BE NOTED that the Stewardship Sub-Committee Report, from its meeting held on September 27, 2023, was received.

4.2 Education Sub-Committee Report

That it BE NOTED that the Education Sub-Committee Report, from its meeting held on September 21, 2023, was received.

5. Items for Discussion

5.1 Demolition Request for the Regina Mundi Catholic College on the Heritage Listed Property Located at 5200 Wellington Road South

That it BE NOTED that the Community Advisory Committee on Planning (CACP) received a staff report, dated October 11, 2023, with respect to a demolition request for the Regina Mundi Catholic College on the Heritage Listed Property located at 5200 Wellington Road South and the CACP supports the staff recommendation.

5.2 Demolition Request for Heritage Listed Property Located at 7056 Pack Road

That it BE NOTED that the Community Advisory Committee on Planning (CACP) received a staff report, dated October 11, 2023, with respect to a demolition request for the Heritage Listed Property located at 7056 Pack Road and the CACP supports the research, assessment and conclusions of the Heritage Impact Assessment, dated July 18, 2023, from ERA Architects Inc. and the CACP supports the staff recommendation.

5.3 Community Advisory Committee on Planning Budget Ask

That an expenditure from the 2023 Community Advisory Committee on Planning (CACP) Budget BE APPROVED for security services and refreshments at the Stewardship Sub-Committee meeting, hosting the Western University Public History Program presentations; it being noted that the CACP has sufficient funds in its 2023 budget to cover this expense.

5.4 Heritage Planners' Report

That it BE NOTED that the Heritage Planners' Report, dated October 11, 2023, was received.

6. Adjournment

The meeting adjourned at 6:35 PM.

Q3DEFERRED MATTERS

**PLANNING AND ENVIRONMENT COMMITTEE
(AS OF OCTOBER 20, 2023)**

File No.	Subject	Request Date	Requested/ Expected Reply Date	Person Responsible	Status
1	Inclusionary Zoning for the delivery of affordable housing - the Civic Administration BE DIRECTED to report back to the Planning and Environment Committee outlining options and approaches to implement Inclusionary Zoning in London, following consultation with the London Home Builders Association and the London Development Institute.	August 28/18 (2.1/13/PEC)	Q4 2023	McNeely/Adema	Council approved Terms of Reference in January, 2021 for the Inclusionary Zoning review. In February, 2022 Council submitted a request to the Province to allow for the consideration of Inclusionary Zoning polices that apply City-wide. Work is currently underway to update the analysis, with recommended policies anticipated in Q4, 2023.
2	Draft City-Wide Urban Design Guidelines – Civic Admin to report back at a future PPM of the PEC	Oct 29/19 (2.1/18/PEC)	Q4 2024	McNeely/Edwards	Staff are working to incorporate the key concepts of the draft Urban Design Guidelines into the Site Plan Control By-law update (expected Q2 2024) as well as the new Zoning By-law (expected Q4 2024). The need for additional independent UDG will be assessed after those projects are complete.
3	Homeowner Education Package – 3 rd Report of EEPAC - part c) the Civic Administration BE REQUESTED to report back at a future Planning and Environment Committee meeting with respect to the feasibility of	May 4/21 (3.1/7/PEC)	Q4 2023	McNeely/Davenport/ Edwards	Through the EIS Monitoring Project, staff assessed the efficacy and implementation of EIS recommendations across a number of now assumed developments. Communications is assessing existing homeowner education materials

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	continuing with the homeowner education package as part of Special Provisions or to replace it with a requirement to post descriptive signage describing the adjacent natural feature; it being noted that the Environmental and Ecological Planning Advisory Committee (EEPAC) was asked to undertake research on best practices of other municipalities to assist in determining the best method(s) of advising new residents as to the importance of and the need to protect, the adjacent feature; and,				to add to the City's website to address the recommendation for education materials. Alternate strategies to implement EIS recommendations, including alternatives to decrease encroachment are being explored with Parks Planning.
4	Medway Valley Heritage Forest ESA – c) the portion of the pathway and trail system from Gloucester Road (Access A11) to its connection with the pathway in the Valley shown on "Appendix B" of the Medway Valley Heritage Environmentally Significant Area (South) Conservation Master Plan BE DEFERRED to be considered at a future meeting of the Planning and Environment Committee following further consultation and review with the adjacent neighbours, the Upper Thames River Conservation Authority, the Environmental and Ecological Planning Advisory Committee and the Accessibility Advisory Committee	August 10/21 (3.9/11/PEC)	Q4 2023	McNeely/Edwards	Staff are completing detailed design aspects of the project and are initiating consultation with the adjacent neighbours, UTRCA, ECAC and ACAAC. All inputs will be considered as part of the recommendation to Council.

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5	Food Based Businesses – Regulations in Zoning By-law Z-1 for home occupations as it relates to food based businesses	Nov 16/21 (4.2/16/PEC)		McNeely/Adema	Issue to be addressed via ReThink Zoning.
6	Part 1: Global Bird Rescue – update Site Plan Control By-law and Guidelines for Bird Friendly Buildings; Part 2: CA to contact London Bird Team to finalize bird-friendly pamphlet; pamphlet to be circulated to EEPAC and AWAC when completed	Nov 16/21 (4.3/16/PEC)	Q2 2024 Q3 2023	McNeely/O’Hagan Bennett/Tucker	Work on the Site Plan Control by-law update is on-going (expected Q4 2024), which will include Bird Friendly standards and guidelines. Overall, being managed via different project. Part 2: Pamphlet complete. Staff have prepared a printable Bird-Friendly pamphlet that can be distributed to homeowners. The London Bird Team has plans for distribution. The pamphlet will be circulated to the Ecological Community Advisory Committee (ECAC) in September 2023. Bird-Friendly information has been added to the City website.
7	Community Improvement Plan (CIP) Financial Incentive Programs 5-Year Review - the Civic Administration BE DIRECTED to report back with a comprehensive review, including a sensitivity analysis, of the City’s existing Community Improvement Plans and associated financial incentives; and, the Civic Administration BE DIRECTED to report back at a future meeting with preliminary	May 24/22 (2.2/10/PEC)	Q2 2023	S. Thompson/ Yanchula	Following Administration’s submitted May 23, 2023 comprehensive review, Council on June 27, 2023 directed changes to be made to existing Community Improvement Plans and Financial Incentive programs, and introduction of new Plans and Programs. Staff were directed to submit a

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	<p>information for the 2024-2027 multi-year Budget.</p> <p>Civic Administration to review existing and consider in future housing-related CIPs opportunities to include and incentivize the creation of affordable housing units and report back no later than Q2 of 2024, including but not limited to the introduction of mandatory minimums to access CIP funds; and, options to include affordable housing units in existing buildings</p>	June 27, 2023 (3.2/10/PEC)	Q2 2024		2024-2027 MYB budget Business Case for Plans and Programs requiring additional investment.
8	Additional Residential Units – Civic Administration to review current five-bedroom limit and report back; Review of the current parking and driveway widths policies in additional residential units and report back;	June 6, 2023 (3.4/9/PEC)	Q1 2024	H. McNeely/J. Adema	Under review.
9	Byron Gravel Pits Secondary Plan – Civic Administration to report back on consultation process, and the outcome of supporting studies that will inform the Final Byron Gravel Pits Secondary Plan and implementing an OPA	July 25, 2023 (2.2/12/PEC)	Q1 2024	H. McNeely/P. Kavcic	Public consultation anticipated October 2023.

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